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 OF THE  
**LEGISLATIVE COUNCIL**  
 OF THE  
**LIEUTENANT-GOVERNOR OF THE PUNJAB.**  
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**PUNJAB GOVERNMENT.**  
**LEGISLATIVE DEPARTMENT.**

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*Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab assembled for the purpose of making Laws and Regulations under the provisions of the Government of India Act, 1915.*

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The Council met at the Government House, Lahore, at 11 A.M., on Saturday, the 6th March 1920.

PRESENT.

- ✓ His Honour Sir EDWARD DOUGLAS MAURAN, K.C.I.E., I.C.S.,  
Lieutenant-Governor, *Presiding.*
- ✓ The Hon'ble Mr. LEWIS FRENCH, C.I.E., C.B.E., I.C.S.
- ✓ The Hon'ble Mr. WILLIAM THOMAS WRIGHT.
- ✓ The Hon'ble Captain Sardar GOPAL SINGH, O.B.E.
- ✓ The Hon'ble Khan Bahadur Khwaja YUSAF SHAH, C.I.E.
- ✓ The Hon'ble Mr. HERBERT JOHN MAYNARD, C.S.I., I.C.S.
- ✓ The Hon'ble Mr. BASIL THEODORE GIBSON, I.C.S.
- ✓ The Hon'ble Rao Bahadur Chaudhri LAL CHAND, O.B.E.
- ✓ The Hon'ble Sardar Bahadur Sardar GAJJAN SINGH, O.B.E.
- ✓ The Hon'ble Khan Bahadur Sayad MAHDI SHAH, O.B.E.
- ✓ The Hon'ble Rai Bahadur Pandit JAWAHAR LAL, Bhargava.
- ✓ The Hon'ble Mr. FRANK WAVERLING WOODS.
- ✓ The Hon'ble Rai Bahadur Bakhshi SOHAN LAL.
- ✓ The Hon'ble Sayad MAHENDUM RAJAN SHAH.
- ✓ The Hon'ble Khan Bahadur Mian FAZL-U-HUSSAIN.
- ✓ The Hon'ble Mr. CREWE ARMOND HAMILTON TOWNSEND, I.C.S.
- ✓ The Hon'ble Mr. CHARLES JOSEPH HALIFAX, C.B.E., I.C.S.

*Rai Bahadur Bakhshi Sohan Lal; Mr. French.*

- ✓ The Hon'ble Khan Sahib Mirza IKRAM ULLAH KHAN.
- ✓ The Hon'ble Mr. EUSTACE ALEXANDER ACWORTH JOSEPH, I.C.S.
- ✓ The Hon'ble Khan Bahadur Malik MUHAMMAD AMIN KHAN.
- ✓ The Hon'ble Lieutenant-Colonel DAVID MACDONALD DAVIDSON, M.D.,  
I.M.S.
- ✓ The Hon'ble Mr. PATRICK JAMES FAGAN, C.S.I., I.C.S.

**OATH OF OFFICE.**

The Hon'ble Mr. French, the Hon'ble Mr. Wright and the Hon'ble Lieutenant-Colonel Davidson, took the Oath of Allegiance to the Crown.

**PAPERS LAID ON THE TABLE.**

\*1. Further information promised by the Hon'ble Mr. Maynard, while replying to Questions Nos. 75, 76 and 77, asked by the Hon'ble Rai Bahadur Bakhshi Sohan Lal at the Council meeting of the 10th November 1919.

†2. Further information supplied by the Hon'ble Mr. Joseph to Hon'ble Captain Sardar Gopal Singh's Question No. 50 asked at Council Meeting, dated 10th November 1919.

3. Further information supplied by the Hon'ble Mr. French to the Hon'ble Rai Bahadur Pandit Jowahar Lal Bhargava's Questions Nos. 84, 85 and 86 asked at the meeting of the 10th November 1919.

**QUESTIONS AND ANSWERS.**

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked:—

1. "Has the attention of Government been drawn to the letter of Lala Harish Chandra Soni, Pleader, Dharmsala, District Kangra, on the subject of the *Arms Act and the people of Kangra* published in the *Tribune* of 12th February 1920?"

The Hon'ble Mr. French replied:—

"Government has seen the article in question."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked:—

2. "If so, will Government be pleased to state—

"(a) whether Kangra and Simla Districts of this Province were ever disarmed under clause 1 of section 32 of Act XXXI of 1860;

"(b) whether clause 2 of that section applied to any of these two districts;

"(c) whether section 15 of Act XI of 1878 has ever since its enactment been specially extended to these two districts by the Local Government with the previous sanction of the Governor-General in Council, by means of a notification in the local official Gazette as provided in the section;

"(d) whether any license for possession of swords, and arms other than fire-arms, has ever up to this time been required to be taken out under any provision of the Arms Acts in these two districts;

"(e) whether in these two districts the form No. XVI used, and the stamp duty charged for licenses for fire-arms since Act XI of 1878 came into force, are those that are prescribed for districts not disarmed or are those that are prescribed for disarmed districts of the Punjab?"

\* See Appendix A.  
† See Appendix B.

[ Mr. French ; Rai Bahadur Bakhshi Sohan Lal ; Mr. Woods ]

The Hon'ble Mr. French replied : -

"(a) The Kangra and Simla Districts have not been disarmed under clause I of section 32 of Act XXXI of 1860.

"The answers to clauses (b), (c) and (d) are in the negative.

"(e) Form XVI which has been superseded by form XIII of Arms Rules, 1920, was prescribed for both armed and disarmed districts, the only difference being in respect of the amount of the fee."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

3. "Will Government be pleased to state what is the legal effect of the recent amendment of Act XI of 1878 and of the recent rules under the Act as amended, on possession, in the Kangra and Simla Districts, without license under the Arms Act, of swords, and arms other than fire-arms?" Arms Act in Simla and Kangra Districts.

The Hon'ble Mr. French replied :—

"The Government understands that no notification under section 15 of Act XI of 1878 has been issued with regard to the Kangra and Simla Districts, the conditions governing the possession of arms other than fire-arms in those two districts have not been altered by Act XX of 1919 or the Arms Rules 1920."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :— Ibid.

4. "Will Government be pleased to state whether it is correct or not—

"(a) that the District authorities of Kangra District have declared possession without license of swords and arms other than fire-arms to be illegal, and have ordered the people to obtain license or to deposit such arms at the nearest police station ?

"(b) that such action of the District authorities has caused dissatisfaction in Kangra District?"

The Hon'ble Mr. French, replied :—

"From enquiries made it appears that there has been a misinterpretation of the rules so far as they affect the Kangra District. Orders have been issued to the District Magistrates of Kangra and Simla that licenses for arms other than fire-arms should not be required in their districts."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

5. "Has the attention of Government been drawn to the very bad condition of the cart road between Hoshiarpur and Kangra *via* Bharwain? Is it not a fact that this road is the main means of communication for heavy traffic of all kinds used by the local residents as well as by the traders of Hoshiarpur and other districts of the plains in their trade with Kangra District and with Tibet and Yarkand and other foreign countries. Is this road not also the shortest and most convenient means of communication for visitors to Kangra, Kulu and the Mandi Hills and for Hindu pilgrims from all parts of India to the religious shrines at Kangra, Jawalamukhi, Chintpurni during the days of Nauratras fair held twice a year?" Cart Road between Hoshiarpur and Kangra.

The Hon'ble Mr. Woods replied :—

"The attention of Government has not been drawn to the bad state of repair of this road, but enquiries are being made. As regards the second half of the question, the Kangra Valley Cart Road and the Mandi-Hoshiarpur Road, take, it is thought, no small proportion of the traffic mentioned, and on the completion of the Kulu-Rupar Cart Road a reduction may be expected in the traffic on the Hoshiarpur-Kangra Road."

[ Rai Bahadur Bakhshi Sohan Lal ; Mr. Woods ; Sardar Bahadur Sardar Gajjan Singh ; Mr. Joseph ; Mr. Maynard ].

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—**

Card Road  
between Ha-  
shiarpur and  
Kangra.

6. " If the facts are so, will Government be pleased to lay before this Council a rough estimate of the yearly traffic on this road for the last five years, and to state whether the extension of this Railway line from Jullundur to Hoshiarpur has or has not so increased the public importance and utility of this road as to justify its conversion into a metalled road ? "

**The Hon'ble Mr. Woods replied :—**

" The figures asked for are not available, but are being called for and will, when received, be laid before the provincial Board of Communication for report on the issue raised in the second half of the Hon'ble Member's question. "

1142.

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—**

7. " Will Government be pleased to state whether any proposal has come for consideration before the Deputy Commissioners, District Boards of Kangra and Hoshiarpur Districts or before Government for metalling this road, and with what result ? "

**The Hon'ble Mr. Woods replied :—**

" Proposals for metalling certain portions of the road were received by Government in 1914, but were negatived on the ground that the only local stone available being soft, the result would not be commensurate with the expense. Enquiries are being made as to whether any proposals have come before the Deputy Commissioners or District Boards concerned. "

**The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—**

Application  
of Small  
Towns Patrol  
Act, 1918, to  
certain Dis-  
tricts.

8. " Will Government be pleased to state for the information of this Council (a) the names of the districts to which Act VIII of 1918 (Punjab Village and Small Towns Patrol Act, 1918) has been applied since it has been passed into law. (b) The brief nature of the emergency which necessitated the application of the Act to each district ? "

Thikri Pahra  
in certain Dis-  
tricts.

9. " Will Government be pleased (a) to name the districts in which the old system of the *Thikri Pahra* was enforced before Act VIII of 1918 was passed. (b) In what district, if any, the old system is still in force. (c) If the reply (b) is in the affirmative will Government be pleased to state on what grounds the old system is now justified and whether Government propose to issue instructions to abolish the old system as being opposed to the provisions of the Act ? "

**The Hon'ble Mr. Joseph replied :—**

" The information asked for in Questions Nos. 8 and 9 is given in the Statement\* laid on the table. "

**The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—**

Postal, Tele-  
graph, Medical  
and Education  
facilities in  
the Lower  
Bari Doab  
Canal Colony.

10. " Will Government be pleased to state what has been done in the Lower Bari Doab Canal Colony since January 1919 (a) to provide postal and telegraphic facilities in the area newly colonised, (b) to establish new dispensaries to supply medical aid to the population, (c) to undertake the construction of roads to help the traffic as well as to facilitate the marketing of grain and other commodities, (d) and, lastly, to establish schools for the dissemination of elementary education among the masses in the said area. In view of the inability of the local bodies to meet the required capital outlay on the aforesaid imperative requisites for the development of colonies, will Government be pleased to sanction special grants to supplement the income of local bodies ? "

**The Hon'ble Mr. Maynard replied :—**

" (a) Government recognises that postal and telegraphic facilities in the Lower Bari Doab Colony stand in need of development. It is understood that

\* See Appendix C.

[ *Sardar Bahadur Sardar Gajjan Singh ; Mr. Joseph* ].

44 new post offices will shortly be opened in the Colony. Three branch offices will be raised to sub-offices while telegraph offices, will be opened at Chichawatni Road, Mian Chanun, Jahanian and Talamba. It has been arranged to communicate to the Postmaster-General the requirements of the Colony in these matters annually in time for budget provision to be made in his Department.

"(b) The establishment of new dispensaries at Okara, Khanewal, Chichawatni and Mian Chanun has received the approval of Government and funds have been provided for these works. It is to be noted that there exist a number of Canal dispensaries open to the public in the tract.

"(c) Government has always held the need of substantial grants to enable local bodies to establish good road communications in the canal colonies, and has always liberally provided for this in its annual budget. Much progress has already been made in this direction, and Government has quite recently promised a contribution towards the metalling of the Montgomery-Pakpattan road. The sum of Rs. 4 lakhs was provided in the current year's estimate for the construction of colony roads, out of which Rs. 2 lakhs were allotted for the Lower Bari Doab Colony alone.

"It has for years past been the regular practice of Government to make substantial grants to the local bodies of colony areas. In addition to the grants for roads to the District Boards, to which reference has already been made, grants have also been made for town works to the Municipalities and Notified Areas. The amount thus granted in the current year in the Lower Bari Doab Canal Colony was Rs. 2,10,458. The total of new roads made or contemplated exceeds 1,200 miles.

"(d) The Hon'ble Member is referred to Government's programme for the expansion of Vernacular Education as detailed in the Hon'ble Mr. Richey's C.M. letter No. 261-S., dated 24th August 1918, a copy of which was laid on the table in Council on 20th November 1918.

"The Bari Doab Canal area includes portions of two districts, Montgomery and Multan. From the 5 years' programme already referred to, it will be seen that it is proposed to open in these two districts 6 Vernacular Middle and 30 Primary Schools in addition to the existing 9 Vernacular Middle and 283 Primary Schools during the 5 years commencing from 1918-19."

**The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—**

11. "(a) Is Government aware that Act XIII 1859 does not apply to the agricultural labourers. (b) In view of the very frequent breaches of contract by the agricultural labourers who have received money in advance for the agricultural year for which they have contracted to work, resulting in serious loss and inconvenience to the landowners and the inadequacy of the mere civil remedy, will Government be pleased to take steps to extend the application of this Act to the agricultural labourers?"

Non-application of Act XIII of 1859 to agricultural labourers.

**The Hon'ble Mr. Joseph, replied :—**

"A Bill to amend the Act has been introduced in the Indian Council and circulated for opinion, and the suggestion made by the Hon'ble Member will receive consideration before a reply is sent to the Government of India."

**The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—**

12. "Will Government be pleased to state the number of Sikh voters possessing the following qualifications in each district of the province :—

Number of Sikh voters with certain qualifications.

"(a) Lambardars, Zaildars and Inamdars or Sofedposhes.

"(b) Owners of land whose holding or share in a holding is assessed land revenue of not less than Rs. 50 per annum.

[Mr. Hallifax ; Sardar Bahadur Sardar Gajjan Singh ; Mr. Joseph ]

" (e) Crown tenants holding land under the Punjab Colonisation of Land Act (Punjab Act V of 1912) or lessees for a term of not less than 10 years under the Waste Land Rules, such land being in either case assessed to land revenue of not less than Rs. 50 per annum.

" (d) Assignees of land revenue of not less than Rs. 50 per annum.

" (e) Those who pay income-tax.

" (f) Retired and pensioned officers (Commissioned and Non-Commissioned Officers) of the Indian Army.

" (g) Those who hold land assessed to an annual land revenue of Rs. 500.

" (h) Those who are assignees of land revenue of Rs. 500 per annum.

" (i) Those who have been recognised by Government as holding an hereditary seat in Darbar ? "

The Hon'ble Mr. Hallifax replied :—

" Government is not at present in possession of the information for which the Hon'ble Member asks. That information is being collected, and will with other electoral statistics be published as soon as possible for general information. "

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

13. " Female Infanticide Act, No. 8 of 1870.

" Will Government be pleased to state the names of villages in each district of the Jullundur Division to which the Female Infanticide Act is applicable and the date of the application of this Act ?

" Will Government be pleased to state, if it is a fact that in these villages the body of the deceased female infant can only be disposed of when the Police, after investigation, are of opinion that the death is due to natural causes ?

" Will Government be pleased to state the number of cases relating to each village in which the Police Investigation found that the death was due to other than natural causes, and in how many of these cases in each village prosecutions for the murder of the female infant were instituted since the application of this Act and with what results ?

" Will Government be pleased to remove the restriction imposed by the said Act from such of the above villages in which no prosecution was ever successfully lodged, nor any suspicion about the cause of death entertained by the Police since the application of this Act in order to save the people of the villages from unnecessary trouble, inconvenience and harassment caused by this measure ?

" Will Government be pleased to state in how many of such villages the amount of expenditure to be incurred on the marriage of a girl is fixed by order of Government, and what that amount is ?

" Will Government be pleased to state the number of cases as regards each such village in which this rule was infringed, and the number of prosecutions, if any, for such infringement, and also the results of such prosecutions ; and will Government be pleased to remove the restrictions ? "

The Hon'ble Mr. Joseph replied :—

" The information asked for is being collected locally and will be supplied to the Hon'ble Member as soon as it is complete ? "

[ Sardar Bahadur Sardar Gajjan Singh ; Mr. Joseph ; Mr. French. ]

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

14. " Is Government aware that profiteering and the form of gambling known as *Satta* are two of the main causes of prevailing high prices, and that these are very prevalent in large towns of the Province. Does Government propose to undertake any legislation or adopt other measures to stop the practice of *Satta*."

*Satta* gambling in certain towns.

The Hon'ble Mr. Joseph replied :—

" Government is not prepared to dogmatise as to the economic causes of the high prices which are now almost universal. The question of *Satta* gambling has been repeatedly considered by Government in the past and in 1917 a draft Bill was prepared to deal with the evil. It was ascertained, however, that the Government of India was also considering the question and the Local Government thought it wise to await further information before introducing local legislation. Enquiries have recently been made to ascertain the result of the Government of India's consideration of the matter, and a reply thereto is awaited."

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

15. " Will Government be pleased to state whether the well-known proclamation of Sir Dennis Fitz Patrick's Government to stop the *Begar* system in the Punjab is still in force ? Is Government aware that the terms of the proclamation are often infringed, and will Government be pleased to re-issue that proclamation and insist on general compliance therewith ?"

*Begar* system in the Punjab.

" Will Government be pleased to replace the existing system of providing supplies to officers of the various Departments while on tour by the villagers by a contract system ?"

The Hon'ble Mr. French replied :—

" The proclamation of January 1891 stopping *Begar* in the Punjab to which reference, it is understood, is made has not been withdrawn. During the last ten years only four complaints against *Begar* appear to have been made directly to Government. It is probable that other complaints have been made to and duly dealt with by local authorities.

" As regards the suggested re-issue of the proclamation and insistence on general compliance with its terms, Government, before taking any fresh action in the matter, will await the report of a committee which was appointed in January to consider the best means of providing supplies to officers on tour."

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

16. " Will Government be pleased, in view of the high cost of living due to the rise of prices, to increase the pay of all the provincial services in the Punjab including the clerical staff of all offices ?"

Increase of pay on account of rise of prices.

The Hon'ble Mr. French replied :—

" The Hon'ble member is referred to paragraph 24 on this subject in the memorandum of the Finance Member on the amended draft Financial Statement for 1920-21."

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

17. " Will Government be pleased, in view of the high cost of living due to the rise of prices, to increase the pay of Patwaris and Kanungos ?"

Increase of pay of Patwaris and Kanungos.

" Will Government be pleased to state whether the Patwaris are entitled to travelling allowances when called to head-quarters of the Tahsil or District in the discharge of their official duty and at what rate ?"

[ Mr. Fagan ; Sardar Bahadur Sardar Gajjan Singh ; Mr. Wright ;  
Mr. Townsend. ]

"Will Government be pleased, in case no travelling allowance being payable, to allow them travelling allowance sufficient at least to cover their actual expenses?"

The Hon'ble Mr. Fagan replied :—

"Proposals for increasing the emolument of Patwaris and Kanungos have been under the consideration of Government for a considerable time and are now ready for submission to the Government of India.

"For journeys to attend a Court Patwaris receive travelling allowance from the Court they attend under rules framed by the High Court. When otherwise called to the head-quarters of the Tahsil or District in the discharge of their official duties they are entitled to a travelling allowance for journeys by rail as officers of the 4th class under Articles 1011 and 1012 of the Civil Service Regulations, provided the travelling by rail is authorised by the Collector of the District in which they are serving, but no travelling allowance is allowed for journeys by road.

"Government does not propose at present to revise the rules governing the grant of travelling allowance to Patwaris."

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

18. "Is Government aware that out of seven Indian Inspectors in Provincial Educational Service or Indian Educational Service and 11 Assistant Inspectors in the Provincial Educational Service there is at present a single Sikh Inspector? Will Government consider this inadequacy of Sikh representation when filling up an existing Inspectorship vacancy in Provincial Educational Service?"

The Hon'ble Mr. Wright replied :—

"The answer is in the affirmative.

"In view of the impending re-organization of the Inspecting Staff it is not proposed to fill the existing vacancy at present."

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

19. "Is Government aware of the paucity of Sikhs in the inspection line, i.e., among (District Inspectors and Assistant District Inspectors of the Provincial Educational Service). Will Government take steps to remedy this longstanding complaint of the Sikhs in the re-organization scheme affecting the District Inspecting Staff and will Government arrange to post Sikhs in Sikh Divisions and Sikh Districts?"

The Hon'ble Mr. Wright replied :—

"The Government is aware of the paucity of Sikhs in the inspection line and will bear the Hon'ble Member's suggestion in mind in the re-organization scheme."

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

20. "Will Government be pleased to state the reasons of the high prices of Ghee and Milk—the staple food of Indians—and whether any measures are under contemplation to increase the supply of Ghee and Milk; if so, what?"

The Hon'ble Mr. Townsend replied :—

"The principal reason for the high price of Ghee and Milk is the very unsatisfactory character of the monsoon in 1918-19, which caused a serious deficiency in grain and fodder of all kinds. A contributing reason is the rise in the standard of living among the producers of those articles. There is evidence to show that they consume now more of the Ghee and Milk they produce than used to be the case. Profiteering in Ghee has also been prevalent to some extent.

Sikh  
Inspectors  
in  
of  
Schools.

Paucity of  
Sikhs in in-  
spection line.

Reasons for  
high prices of  
Ghee and  
Milk.

[ *Sardar Bahadur Sardar Gajjan Singh ; Mr. Maynard.* ]

"The Railway Board agreed, at the request of this Government, to give special facilities to the import of cotton seed (an important cattle food) into this province, and the Government of India has recently been asked by it to prohibit the export of cotton seed by rail from the Province.

"Government has in recent years given land for four large and one medium sized Cattle Farm in the Lower Bari Doab Colony. When these farms are carrying the full head of cattle they are designed to they will doubtless have a salutary influence on the prices of both Ghee and Milk.

"In the price of the former article there has recently, as the Hon'ble member is doubtless aware, been a slight fall."

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

21. "Will Government be pleased to state the increase or decrease of cattle—especially milch cow and buffalo—in the last cattle census as compared with the last but one?"

Increase or decrease of cattle.

The Hon'ble Mr. Maynard replied :—

"The information asked for cannot be at present supplied as the figures of the cattle census recently held cannot be completed before the middle of this month."

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

22. "Will the Government be pleased to state the number of cattle—especially milch cow and buffalo—exported from the Province during the last three years, and has the Government taken or proposed to take any measure to stop that export?"

Exportation of milch cow and buffalo.

The Hon'ble Mr. Maynard replied :—

"(a) A statement showing the imports and exports of horned cattle is submitted. Separate figures are not available for milch cows and buffaloes.

"(b) The question of stopping the export of cattle from India and its effect on deterioration was discussed at the last Board of Agriculture meeting held at Pusa in December 1919.

"The Board decided that there was not evidence of marked deterioration of cattle due to export, and that in any case the export abroad was a negligible fraction of export to other provinces. The Sub-Committee, which dealt with the matter, represented Punjab interests very strongly, as it contained Colonel G. K. Walker (President) and Messrs. Jacob and Taylor as Members.

"It will be observed that the figures of 1919-20, so far as they are available, show an excess of imports over exports."

*Statement showing the net exports of horned cattle from the Punjab in each of the last 3 years.*

Year.	Imports.	Exports.	Net export.	
1916-17	No. 9,983	No. 80,007	No. 20,069	
1917-18	13,352	88,089	197,717	
...	...	147	147*	
1918-19	23,184	36,605	18,411	
1919-20	14,322	12,648	Net imports 1,679.	
(1st April to 30th September 1919).				*These figures represent the exports by road. There was no export by road in the other three years.

[ *Sardar Bahadur Sardar Gajjan Singh ; Mr. Joseph.* ]

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

Wearing of  
five *Kakas* by  
Sikh prisoners.

23. "Will Government be pleased to state for the information of the Council whether the Sikh prisoners while in jail are permitted to wear the five *Kakas* (symbols of Sikh religion) ? If not, will they be pleased to rule that such symbols are permitted to be worn in future ?"

The Hon'ble Mr. Joseph replied :—

"The regulation prison head covering is the Punjabi *Kantopi* which has been used in our prisons for the past 55 years.

"The Chief Khalsa Diwan, in answer to an enquiry, was informed in 1916 that the only objection on the part of prisoners to the wearing of the *Kantopi* had proceeded from a few returned emigrants, men who while away from India forsook Sikh observances and on their return were repudiated by their community in general. It appeared that their objection arose not from religious scruples but from a desire to embarrass the jail authorities.

"It would be difficult to find for Sikh prisoners a suitable substitute for the *Kantopi*. The turban would not commend itself to the jail authorities but Government is prepared to consider the possibility of adopting in lieu of the *Kantopi* any other head dress of which patterns or designs may be submitted to it. Meantime the Inspector-General of Prisons is issuing orders that any Sikh who objects to the *Kantopi* and prefers to go bare-headed should be allowed to do so."

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

Wearing of  
caps by Sikh  
prisoners.

24. "Will Government be pleased to state whether Sikh prisoners while in jail are compelled to wear caps on their heads ? Will Government, in view of the fact that the wearing of the caps is forbidden by commandments of the Sikh religion, rule that Sikh prisoners are provided with turbans instead of caps ?"

The Hon'ble Mr. Joseph replied :—

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

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

Sikh reli-  
gious cere-  
monies in jail.

25. "Will Government be pleased to state whether facilities are provided in jail for performance of religious ceremonies and *nit nem* (prayers at times fixed by religion) by the Hindu, Muhammadan and Sikh prisoners ? If not, will Government take necessary steps in that direction ?"

The Hon'ble Mr. Joseph replied :—

"Sikh prisoners are allowed under existing regulations to retain the *Kes* and the *Kanga*. They wear short drawers of the same pattern as other prisoners. They are not allowed to retain the *Kara* or the *Kirpan* as these two articles might conceivably be used for improper purposes. In the interests of jail discipline Government is not prepared to alter this rule."

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

Number ac-  
cording to  
creed of per-  
sons convicted  
by Multan  
Special Tri-  
bunal.

26. "Will the Government be pleased to state (1) the number (according to creed) of persons convicted by the Multan Special Tribunal giving a detail of the offences for which they were convicted, and also state (2) how many of each creed were released on expiry of sentences, and (3) owing to reduction or remission of sentences, in the latter case giving (4) the date of their release ?"

[ Mr. French ; Sardar Bahadur Sardar Gajjan Singh. ]

The Hon'ble Mr. French replied :—

“The required information in respect of the number of persons convicted by the Multan Special Tribunal and the offences for which they were convicted is as follows :—

“ Under section 395 of the Indian Penal Code—2 Hindus, 23 Muhammadans, 1 Sweeper.

“ Under sections 395, 436-109 of the Indian Penal Code—1 Muhammadan only.

“ Under sections 395, 436 of the Indian Penal Code—4 Hindus, 42 Muhammadans.

“ Under section 412 of the Indian Penal Code—2 Muhammadans.

“The information asked for in the latter portion of the Hon'ble Member's question is not available. It is being collected and will be supplied in due course to the Hon'ble Member.”

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

“ 27. Will Government be pleased to supply information as to how many persons of each creed and for what offences were convicted by the Lahore Special (Defence of India) Tribunals before 1919 and how many of each creed were released on expiry of sentences, owing to reduction or remission of sentences and under Royal clemency ?”

Number according to creed of persons convicted by Lahore Special Tribunals before 1919.

The Hon'ble Mr. French replied :—

“The total number of persons convicted by the Defence of India Tribunals before 1919 in the cases known as the Conspiracy Cases, by classes, was—

Sikhs.	Hindus.	Muhammadans.
127	17	5

“These accused were in the main convicted of offences under sections 121 and 121-A and cognate sections of the Indian Penal Code.

“Of these the number of persons who were released after having served their sentences was—

Sikhs.	Hindus.
7	2

“Orders have been issued for the release in connection with the Royal Proclamation of—

Sikhs.	Hindus.	Muhammadans.
41	6	2

“The number of persons now left in jail is—

Sikhs.	Hindus.
46	5

“A few of these cases are still under consideration.”

The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—

“ 28. Will Government be pleased to state the number of political offenders in the disturbances of 1919 who are released—(a) by Government, (b) on recommendation of High Court Judges, or (c) under Royal clemency and also of those of each creed to whom no Royal clemency has been extended ; in the latter case giving reasons for withholding Royal clemency ?”

Number of political offenders released.

[ Mr. French ; Sardar Bahadur Sardar Gajjan Singh ; Rai Bahadur Pandit Jawahar Lal, Bhargava ; Mr. Gibson. ]

**The Hon'ble Mr. French replied :—**

"If in the term 'political prisoners' the Hon'ble Member includes all who were convicted in connection with the disturbances of last April the figures are as follows :—

	No.
" (a) Number released from time to time by Government ...	241
" (b) Number released on the recommendations of the Reviewing Judges ...	104
" (c) Number released in connection with the Royal Proclamation ...	637

"There are 90 prisoners of this class now in jail consisting of 21 Hindus, 16 Sikhs and 53 Muhammadans. The cases of a few of these are still under consideration. It is not possible to discuss in Council individually the cases of those who have not been released, and for the general grounds for withholding release I would refer the Hon'ble Member to the recent discussion of the subject in the Imperial Legislative Council."

**The Hon'ble Sardar Bahadur Sardar Gajjan Singh asked :—**

Extension of Royal clemency to persons convicted before Martial Law.

"29. Will Government be pleased to state whether Royal clemency has been extended to any of the political offenders who were convicted, before Martial Law, by the Lahore and Delhi Tribunals appointed under Defence of India Act for trial of cases known as Lahore and Delhi Conspiracy Cases, and, if so, give the number of persons thus released, and also of those of each creed to whom such clemency has not been extended; in the latter case giving reasons for withholding such clemency?"

**The Hon'ble Mr. French replied :—**

"The figures already given by me in answer to Question No. 27 furnish the information asked for in this question in regard to the persons convicted by the Lahore Tribunals. As I have just stated in answer to Question No. 28 it is not possible to discuss in Council individual cases of men who have not been released.

"Of the persons convicted in the Delhi Conspiracy Case there is only one now in jail, and his case is under the consideration of Government."

**The Hon'ble Rai Bahadur Pandit Jawahar Lal, Bhargava, asked :—**

Revision of pay of non-gazetted establishment.

30. "(a) With a view to remove the anxiety of all concerned will Government be pleased to state by what time approximately the proposals regarding the revision of pay of all the non-gazetted establishments in the Province (whose pay has not been fixed with reference to war or post-war prices) will be matured and given effect to?"

"(b) In view of the severe pinch due to exceedingly high prices, will Government be pleased to recommend to the Government of India that the grant of temporary allowance which the said Government has been pleased to sanction for non-gazetted servants whose salary does not exceed Rs. 75 per mensem be extended to such servants also as draw a salary of Rs. 150 or less?"

**The Hon'ble Mr. Gibson replied :—**

"(a) It is impossible to forecast the date by which effect will be given to the revision of pay of all the non-gazetted establishments in the Province, but Government is fully aware of its urgency, and every endeavour is being made to expedite the proposals which will require the sanction of the Government of India.

[ *Rai Bahadur Pandit Jawahar Lal, Bhargava ; Mr. Townsend ; Colonel Davidson ; Mr. Wright ; Khan Bahadur Malik Muhammad Amin Khan.* ]

"(b) The course suggested would entail a reference to the Secretary of State and it has been decided to confine the temporary allowance to the present limits pending the completion of the proposals referred to under (a) above."

**The Hon'ble Rai Bahadur Pandit Jawahar Lal, Bhargava, asked :—**

31. "In view of the high prices of milk and ghi and the extensive export of milch cattle out of the country, will Government be pleased to consider the advisability of taking early steps to prevent such export as far as possible?"

Prevention of export of milch cattle.

**The Hon'ble Mr. Townsend replied :—**

"I would refer the Hon'ble Member to the reply already given to the similar question asked by the Hon'ble S. B. S. Gajjan Singh."

**The Hon'ble Rai Bahadur Pandit Jawahar Lal, Bhargava, asked :—**

32. "(a) Will Government be pleased to state if there are any rules regarding the inspection of entries in the Birth and Death Registers kept at the Police Stations and subsequently transferred to the office of the Civil Surgeons, and if so, will Government be pleased to lay a copy of such rules on the table?"

Rules regarding inspection of entries in Birth and Death Registers.

"(b) In case no such rules exist, will Government, in view of the evidential value of such entries and frequent reference to them in judicial proceedings, be pleased to consider the advisability of making rules providing for the inspection of the said registers by the public on payment of such fees as may be prescribed?"

**The Hon'ble Colonel Davidson replied :—**

"(a) There are no such rules.

"(b) The matter is under consideration."

**The Hon'ble Rai Bahadur Pandit Jawahar Lal, Bhargava, asked :—**

33. "(a) Will Government be pleased to state if its attention has been called to the article headed as "Diary of an Officer in the Provincial Educational Service" appearing in the issue of the *Tribune* of the 7th February 1920?"

Improvement in the pay of Provincial Educational Service.

"(b) Will Government be pleased to state when material improvement in the conditions of the pay and emoluments of the Provincial Educational Service can be expected?"

**The Hon'ble Mr. Wright replied :—**

"The answer to (a) is in the affirmative.

"As regards (b) it should be pointed out that the question of the Provincial Educational Service is dependent on what is decided as to the ultimate constitution of the Indian Educational Service. The question is now under the consideration of Government, and it is hoped that a definite announcement will be made shortly."

**The Hon'ble Khan Bahadur Malik Muhammad Amin Khan asked :—**

34. "Is Government aware of the appalling mortality that has recently occurred in the villages Shinka and Nartopa in the Campbellpore Tahsil of the Attock District?"

Mortality in Campbellpur District.

**The Hon'ble Colonel Davidson replied :—**

"Government is aware of the outbreak of Influenza in the villages of Shinka and Nartopa and the consequent high mortality."

*Khan Bahadur Malik Muhammad Amin Khan ; Colonel Davidson ; Khan Bahadur Mian Fazl-i-Hussain ; Mr. Joseph ]*

**The Hon'ble Khan Bahadur Malik Muhammad Amin Khan asked:—**

35. "Will Government be pleased to state—

- "(a) the population of the above-named villages,
- "(b) the present condition of the disease in the villages,
- "(c) the number of deaths that have occurred so far, and
- "(d) the steps taken by the authorities to combat the disease that is ravaging the villages?"

**The Hon'ble Colonel Davidson replied:—**

"(a) The population of Shinka is 1,917 and of Nartopa 3,787.

"(b) The disease began subsiding from about the middle of February.

"(c) The number of deaths in village Shinka from the 18th December 1919, when the disease first made its appearance, up to the 24th February 1920 is 506 and in Nartopa from 23rd December 1919 to 24th February 1920, 278.

"(d) The Civil Surgeon visited the infected villages on receipt of information of the outbreaks, examined the cases personally, issued necessary medicines and gave detailed instructions for gargling and nasal douching, evacuation, isolation, and fumigation, distributed pamphlets and advised inoculation. The majority refused all help, but later on in February, when the lambardar submitted to inoculation, the villagers came forward and accepted the measure and 200 inoculations were performed up to the 24th February 1920. Fifty shuldaries have been hired by the District Board and sent to the villages for the use of those who may wish to evacuate their houses and cannot make their own arrangements. The whole plague staff in the district consisting of an Assistant Surgeon, Compounder, Supervisor and Coolies have been on special Influenza duty in the villages all the time and a second Assistant Surgeon was ordered on this duty, but the Civil Surgeon considered his services unnecessary."

**The Hon'ble Khan Bahadur Malik Muhammad Amin Khan asked:—**

36. "If the answer to the question 35 (d) is that 'no measures have yet been taken,' will Government be pleased to take some immediate steps to combat the disease?"

**The Hon'ble Colonel Davidson replied:—**

"As the answer to question (35) (d) is in the affirmative, no further action is called for."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked:—**

Acquisition of  
land for  
public pur-  
poses in  
Mauza Mian  
Mir.

37. "(a) Has the attention of Government been drawn to a complaint called "Abuse of the law relating to Land Acquisition" in the *Paisa Akhbar*, Lahore, of 25th October 1919?"

"(b) Will Government be pleased to state how far the allegation that the land compulsorily acquired for Police School and other purposes has not been utilised for the purposes for which acquired but some of it has been used as a play ground, and the rest is lying vacant, is correct?"

"(c) If the allegation is substantially correct, will the Government be pleased to reconsider the matter of the acquisition of any more land from Mauza Mian Mir?"

**The Hon'ble Mr. Joseph replied:—**

"(a) The attention of Government had not been previously called to the article in question but the representation from the owners of Mian Mir, dated 15th September 1919, and referred to therein, was duly received, as was a similar vernacular memorial, dated 5th November 1919.

Mortality in  
Campbellpore  
District.

1662.

[ *Khan Bahadur Mian Fazl-i-Hussain ; Mr. Joseph ; Mr. Woods.* ]

"(b) The land which was acquired for a Police School has not been used for that purpose as the project of locating the school at Lahore was dropped. It was decided however in 1910 and again in 1915 to retain the land for use in connection with the ever-growing public needs of Lahore. Meantime until it is so required it is leased for short periods for other purposes. Fifteen kanals are occupied by buildings, 25 are cultivated and 1,588 are leased to the Golf Club.

"(c) Government is unable to give a promise to acquire no more land in Mian Mir. If, however, land is at any time required for which the land in question is suitable, the Government will consider the utilization of that land in preference to acquiring further land."

**Supplementary question by the Hon'ble Mr. Fazl-i-Hussain.**—"With reference to part (b) of question No. 3, will Government be pleased to state the nature of the public needs of Lahore for which the land is said to have been retained, and also state what is the nature of the purposes to which this land has been put in the last 10 years or so?"

**The Hon'ble Mr. Joseph.**—

"I should like notice of the question."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked:**—

38. "Will Government be pleased to state whether the Sub-Overseers, Public Works Department, submitted 3 or 4 memorials during the period 1912 to 1917, and whether by notification No. 0618-E. I., dated 2nd July 1917, a scheme of re-organisation for the Lower Subordinate Establishment was sanctioned in order to remove these grievances?" Grievances of Sub-Overseers Public Works Department.

**The Hon'ble Mr. Woods replied:**—

"The reply is in the affirmative."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked:**—

39. "Has the attention of Government been drawn to the following articles in the "Indian Architect," page 6, of September 1917, pages 9 and 10 of November 1917, pages 5 to 7 of September 1918, page 7 of April 1919 issues, commenting on the re-organisation scheme and the status of the Sub-Overseers?" Status of Sub-Overseers.

**The Hon'ble Mr. Woods replied:**—

"The reply is in the negative."

**Supplementary question by the Hon'ble Mr. Fazl-i-Hussain.**—"May I ask if, since then, the paper has been available to the Hon'ble member?"

**The Hon'ble Mr. Woods.**—"That particular issue has not been seen by me."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked:**—

40. "Will Government be pleased to state whether it is a fact that since the publication of the scheme the Sub-Overseers have been memorialising Government through their department alleging that the new scheme instead of improving their position, on the whole makes it worse?" Promotion scheme of Sub-Overseers.

"(a) Will Government be pleased to state whether it is a fact that in the re-organisation scheme the rate of promotion of the Sub-Overseers is reduced from about Rs. 3 to Re. 1-3-0 per annum and the percentage of the 1st grade men is reduced from 58 to 12 per cent.?"

"(b) Will Government be pleased to state whether it is a fact that the Sub-Overseers drawing Rs. 60 or Rs. 70 per mensem under the old scheme have been reduced to Rs. 50 or Rs. 55 per mensem and also from 1st to 2nd grade under the new scheme?"

[ Mr. Woods ; Khan Bahadur Mian Fazl-i-Hussain ; Mr. Joseph. ]

"(c) Will Government be pleased to state whether it is a fact that under the old scheme a Sub-Overseer could rise to the 1st grade with 7 or 8 years' good service, but under the new scheme he cannot attain this grade unless he puts in 17 years' good service?"

The Hon'ble Mr. Woods replied :—

"The reply is in the affirmative.

"(a) The reply is in the negative.

"(b) It is a fact that owing to the introduction of a time-graded scale, in place of a fixed graded scale, of establishment, a number of Sub-Overseers who were not qualified for certain grades under the time limit have been reverted to the grades for which they were so qualified, but they have lost nothing in salary thereby, as they have been granted personal allowances that make up their salaries to those of the grades from which they have reverted.

"(c) It is a fact that under the previous scheme of grading for promotion a Sub-Overseer could rise to the 1st grade after a service of 7 or 8 years, but the defect of that system was that under it promotion depended upon the fortuitous occurrence of vacancies and periods of unduly rapid promotion were liable to alternate with periods of unduly slow promotion. That system has produced the present block in promotion which the introduction of the new time-graded scale is intended to remedy.

"The attention of the Hon'ble Member is invited to the reply given by me to question No. 70 on the same subject put by the Hon'ble Rao Bahadur Chaudhri Lal Chand at the last meeting of this Council."

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—

Raising of  
pay of Sub-  
Assistant Sur-  
geons, etc.

41. "Will Government be pleased to state whether it is a fact that the pay of similar officers in other departments, viz., Sub-Assistant Surgeons and Sub-Inspectors, has been raised from Rs 25 and Rs. 30 to Rs. 45 and Rs. 50, respectively?"

The Hon'ble Mr. Joseph replied :—

"The pay of Civil Sub-Assistant Surgeons was raised with effect from the 1st April 1919 as follows :—

	Old Scale	New Scale.
	Rs.	Rs.
4th grade	30	45
3rd "	45	60
2nd "	55	70
1st "	65	80
2nd Class, Senior grade	80	95
1st " " "	100	110

"The pay of all Sub-Inspectors was raised in 1906 and is as follows :—

	Old Scale.	New Scale.
	Rs.	Rs.
1st grade	80	100
2nd "	65	80
3rd "	50	70
4th "	...	60
5th "	...	50

[ *Khan Bahadur Mian Fazl-i-Hussain ; Mr. Woods ; Mr. French.* ]

**The Hon'ble Khan Bahadur Mian Fazl i-Hussain asked :—**

42. "(a) Will Government be pleased to state whether the rates of Rs. 30 and Rs. 15 per mensem as a horse allowance are provided for an Overseer and a Sub-Overseer, respectively?"

Horse allowance of Overseers and Sub-Overseers.

"(b) If so, will Government be pleased to state whether the extent of sections in charge of Overseers and Sub-Overseers is the same?"

"(c) If so, will Government be pleased to state the grounds on which the amount for horse allowance allowed to Sub-Overseers is half the amount allowed to Overseers?"

**The Hon'ble Mr. Woods replied :—**

"(a) The reply is in the affirmative.

"(b) The extent of the charges held by Overseers is often the same as that held by Sub-Overseers; but an Overseer is often eligible also to hold charge of a Sub-Division, and has a higher status than a Sub-Overseer.

"(c) The allowances for horses kept by Overseers and Sub-Overseers, respectively, have been determined by the Government of India and laid down in Article 1077, Civil Service Regulations.

"The Local Government is not aware of the reasons which guided the Government of India in determining these allowances."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—**

43. Will Government be pleased to state against how many newspapers and persons orders prohibiting entry into the Punjab have been cancelled since 1st October 1919?"

Cancellation of prohibition of entry into Punjab of newspapers and persons.

**The Hon'ble Mr. French replied :—**

"Since 1st October 1919, orders prohibiting entry into the Punjab have been cancelled in respect of 5 newspapers and 4 persons."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—**

44. "Will Government be pleased to state against how many persons and newspapers, if any, orders prohibiting entry into the Punjab are now in force."

**The Hon'ble Mr. French replied :—**

"No persons are at present excluded from entering into the Punjab. Six newspapers are excluded."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—**

45. "Will Government be pleased to state the total number of persons—

"(a) under orders of internment;

"(b) in Jail,

in connection with the Punjab Disturbances of 1919; at the time of the issue of the Royal Proclamation, and on 4th March 1920, respectively?"

Number of persons interned and in jail on account of Punjab Disturbances.

**The Hon'ble Mr. French replied :—**

"The figures are as follows :—

	<i>At the time of the issue of Proclamation.</i>	<i>On the 4th March 1920</i>
Number under orders of internment	148	5
Number in jail in connection with disturbances	828	90"

[ *Khan Bahadur Mian Fazl-i-Hussain ; Mr. Joseph.* ]

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—

Military  
deserters in  
the Province.

46. "With reference to paragraph 1 of proceedings of His Honour the Lieutenant-Governor of the Punjab in the Home (Police) Department, No. 3089-S, (Home Police), dated 4th September 1919, will Government be pleased to state whether a substantial decrease in the number of the Military deserters at large in the province has by now taken place? and if not, what steps are being taken or devised for putting an end to this undesirable and dangerous class?"

The Hon'ble Mr. Joseph replied :—

"Although the percentage of deserters at large has substantially decreased, the actual number show an increase. Arrests are being gradually made, but the class has not hitherto shown itself dangerous."

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—

Efforts to  
reduce num-  
ber of first  
appeals in  
High Court.

47. "Will Government be pleased to state whether during the five years, preceding the creation of the High Court, any efforts have been made to reduce the number of first appeals pending disposal in the Chief Court, and if so, what was the nature of those efforts? and how far did they succeed?"

The Hon'ble Mr. Joseph replied :—

"Government understands that the Judges view the increase in the pending file of first appeals in the High Court with concern. They examine the file monthly and make every effort to reduce it, but the heavy burden of Criminal appellate work makes it difficult for the Court to reduce the Civil appellate pending file.

"When it is considered that the number of convicts under sentence of death admitted to Punjab Jails is on an average greater than the number admitted to all the jails of Bengal, Madras, Bombay, Bihar and Orissa and Assam put together, some idea may be formed of the time and attention which the Judges of the Court have to devote to this most important branch of their work. On the average  $2\frac{1}{2}$  days out of the 4 days reserved every week for Criminal Division Bench work are occupied solely in the disposal of murder references."

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—

Civil appeals  
in High Court.

48. "(a) Will Government be pleased to state whether the number of first appeals pending in the High Court has not continued to increase? and

"(b) Will Government be pleased to state whether it is not a fact that a civil appeal in the High Court, as a rule, comes up for hearing by a Division Bench not less than three years after its institution? and a First Appeal is not decided by a Division Bench, as a rule, in less than 4 to 5 years?"

"(c) Will Government be pleased to state what has been done during the last six years to remove this defect?"

The Hon'ble Mr. Joseph replied :—

"It is the case that the number of first appeals pending in the High Court has continued to increase."

"(b) It was pointed out in the report on the Administration of Civil Justice for 1917 that a first or second Civil Appeal coming up for hearing before a Division Bench cannot, in view of the congestion of work, be heard within 3 years of its institution. In the great majority of cases such an appeal is decided by the Division Bench without further postponement."

[ *Khan Bahadur Mian Fazl-i-Hussain ; Mr. Fagan.* ]

"(c) During the five years, before the creation of the High Court, there were always 2 or 3 additional judges to assist in dealing with the work and the total strength of the High Court is the same as that of its predecessor the Chief Court."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—**

49. "Will Government be pleased to state in how many districts in the Province land revenue is taken in kind? and will Government be pleased to name those districts?"

Land revenue in kind in D. G. Khan District.

**The Hon'ble Mr. Fagan replied :—**

"In no district in the Province does Government realize land revenue in kind. In the Dera Ghazi Khan District, however, in pursuance of arrangements made under the authority of Frontier Regulation No. VII of 1874 and sanctioned by the Government of India in 1878, certain assignees of land revenue are permitted to collect in kind the estimated equivalent of the land revenue due to them. An account of the system is to be found in the published final reports of the First Regular and First Revised Settlements of the district and also in the Gazetteer."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—**

50. "Will Government be pleased to state whether in Dera Ghazi Khan District—

"(a) land revenue is, in many cases, collected in kind? and (b) land revenue is, in several cases, paid by a proprietor in cash for one part of his land, and in kind for another part of his land?"

**The Hon'ble Mr. Fagan replied :—**

"To part (a) the reply is as stated above)

"(b) It is probably true that in certain cases a proprietor in the Dera Ghazi Khan District pays one portion of his land revenue in cash and another portion to an assignee in kind."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—**

51. "Will Government be pleased to state the total number of proprietors in the Dera Ghazi Khan District, who pay their land revenue, either wholly or partly, in kind? and will Government be pleased to state how many Jagirdars are authorised by it to collect land revenue in kind?"

**The Hon'ble Mr. Fagan replied :—**

"The number of proprietors in the Dera Ghazi Khan District, who pay land revenue in the manner stated, is not at present precisely known, but it may be said that the arrangement affects 32 villages in whole or in part. The number of Jagirdars, who are authorised to collect land revenue in kind is six. They are the recognised Chiefs of the six principal Biloch tumans of the Dera Ghazi Khan District."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—**

52. "Will Government be pleased to state whether the proprietors of agricultural land in Dera Ghazi Khan District, who have to pay their land revenue in kind, have not been requesting the authorities to levy it in cash? and whether such representations were not frequently made in 1917 to the Financial Commissioner during his tour of this district?"

Levy of land revenue in cash in D. G. Khan in stead of in kind.

[ Mr. Fagan ; Khan Bahadur Mian Fazl-i-Hussain ; Mr. French. ]

**The Hon'ble Mr. Fagan replied :—**

" During the past three years several representations have been received from landowners by Government and by the Financial Commissioner objecting to the collection of land revenue in kind by assignees. The whole question, which is one of great difficulty, at present forms and has done so for a considerable time past, the subject of very full enquiry and consideration with a view to such action on the part of Government as may be appropriate."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—**

53. " Will Government be pleased to state --

" (a) the total number of cases referred to Jirga by the District Magistrate of Dera Ghazi Khan during the last five years ending 31st March 1919; and

" (b) the total number of cases withdrawn by the police after commitment to Sessions, and then referred to Jirga, in Dera Ghazi Khan District, during the last five years ending 31st March 1919, and will Government be pleased to state the total number of convictions and acquittals by the Jirga, in (a) and (b) mentioned above?"

**The Hon'ble Mr. French replied :—**

" I give below the figures for the last 5 years ending 31st December 1919 :—

<i>Number of cases referred to Jirga by the District Magistrate, Dera Ghazi Khan.</i>	<i>Number convicted.</i>	<i>Number acquitted or discharged.</i>
(a) 948	692	256
<i>Number of cases withdrawn after commitment to Sessions and then referred to Jirga.</i>	<i>Number convicted.</i>	<i>Number acquitted or discharged.</i>
(b) 7	4	2

" One case is pending.

" In part (b) of his question the Hon'ble Member has asked for the number of cases 'withdrawn by the Police.' I may mention for his information that cases cannot be withdrawn by the Police. Section 15 of the Frontier Crimes Regulation gives authority to the Public Prosecutor to withdraw cases from the Sessions Court when instructed in writing to do so by the Commissioner or the Deputy Commissioner before an order of conviction or acquittal has been made with respect to any accused person."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—**

Number of persons banished from Dera Ghazi Khan District.

54. " Will Government be pleased to state the total number of persons banished from the district of Dera Ghazi Khan during the last fifteen years, under section 36 of the Frontier Regulations Act? and will Government be pleased to state whether one of the banished persons was an Honorary Magistrate? and another is now an Honorary Magistrate and an Honorary Munsif?"

**The Hon'ble Mr. French replied :—**

" Under section 36, Frontier Crimes Regulations, 9 persons were banished from the Dera Ghazi Khan District during the years 1911—1919. The figures for the years preceding 1911 are not available owing to the records having been destroyed.

" The answer to the rest of the question is in the affirmative."

[ *Khan Bahadur Mian Fazl-i-Hussain, Mr. French ; Mr. Gibson.* ]

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—

55. " Will Government be pleased to state whether in Dera Ghazi Khan District any Honorary Magistrate is also a paid Jemadar of the Border Military Police?"

Honorary  
Magistrates of  
Dera Ghazi  
Khan as paid  
Jemadars of  
Border  
Militia.

The Hon'ble Mr. French replied :—

" Three Honorary Magistrates in the Dera Ghazi Khan District are paid Jemadars in the Border Military Police."

#### AMENDED DRAFT FINANCIAL STATEMENT FOR 1920-21.

The Hon'ble Mr. Gibson.—" Your Honour, I beg to present the Amended Draft Financial Statement for the years 1920-21.\* I should like to preface my remarks with an apology. Being new to the post of Finance Member and somewhat overawed by the responsibilities of my position, the first step which I naturally took when preparing myself for to-day's ordeal was to seek inspirations from the speeches of my able predecessor on these occasions, and I am somewhat disconcerted to find that in his time the Council was accustomed and no doubt now expects from its Finance Member to have the dry bones of finance vivified by brilliant flashes of humour. His rare gift of making this dull subject humorous I sincerely admire, but cannot emulate and I must therefore regretfully ask the Council to condone the absence on my part of the equivalent of the March hares and charming Polish actresses of my witty predecessor."

" I do not propose to discuss the Financial Statement in all its details as these are fully given in the Memorandum which is in the hands of Members and as they will be much more ably explained by the Members in charge of the various Budget heads. I intend merely to sum up as briefly as possible its salient features. I will deal first with the facts and figures of the current year. The Budget was framed with caution. It was known that the rabi crop would be poor, the restrictions on war economy were not fully relaxed by the Government of India and it was anticipated that trade would recover only gradually from the effects of the war. The rabi turned out to be poorer even than was expected and the disturbances in April again temporarily dislocated trade, kept prices high and caused considerable unforeseen expenditure. The monsoon, however, though it began late and withdrew prematurely was copious while it lasted and the autumn harvest, though not such a bumper one as in other parts of India, was on the whole above average and all fear of scarcity of grain or fodder was removed. Prices, however, in spite of strict control of the export of food-grains, which still continues in the case of wheat and gram, have risen seriously instead of falling. Their very high level is due partly to the failure of the monsoon of 1918, but the principal cause is undoubtedly the enormous increase in world prices owing to the inflation of currency and credit and the decrease of production. But whatever the explanation may be, high prices have caused and are causing great distress to persons on fixed incomes and large extra expenditure to Government in labour charges and the purchase of materials and in the shape of temporary allowances to the lower paid Government servants. On the other hand owing to the scarcity of rainfall during the rabi and the late arrival and early cessation of the monsoon there was a great demand for canal irrigation which, combined with normal expansion on the newly opened canals, resulted in a large increase of fluctuating land revenue. At the same time the general economic conditions were favourable to trade, and the high prices which caused such distress to one section of the community put abundant supplies of money into the pockets of the agricultural and commercial classes with the result that the

\* *Vide Appendix D.*

[ Mr. Gibson. ]

receipts for stamps, income-tax and excise largely exceeded expectations. The effect of the operation of these various causes is that the income is expected to rise by 58½ lakhs from the budgetted figure of Rs. 5,91 lakhs to Rs. 6,50 lakhs, but 22½ lakhs of this total are accounted for by improvements in the net assignments to provincial revenues from the Imperial purse which could not be foreseen at the time of framing the budget, and the increase of revenue proper is 36 lakhs. The estimated expenditure owing almost entirely to high prices amounts to 6 crores and 26 lakhs or an excess over the budget figure of 24½ lakhs. The anticipated deficit of 11 lakhs has thus been converted into a surplus of over 23 lakhs or almost exactly the amount of the improvement in transfers between Imperial and Provincial which I have just mentioned. Excluding this sum, the revenue and expenditure exactly balance each other and the result, if the effect of the unexpectedly high prices on both sides of the estimates be discounted, testifies in a striking manner to the skill of my predecessor in framing his Budget.

"I will now turn to the figures for next year. The estimate of revenue has been framed in the expectation that the causes which have operated in the year now closing will continue to effect next year's results. Agriculturally a more favourable year may fairly be anticipated as a bumper rabi harvest seems almost assured. The kharif is always an unknown factor, necessitating caution in framing the Budget, but it must be assumed that it will be average or nearly so. There is also no reason to anticipate a set back in the normal development of the Province or in the prosperity of the agricultural and commercial classes, and last but not least there appears unfortunately to be little hope of a substantial fall of the present high prices which, as I have stated, are due to world causes which can only disappear very gradually. We are therefore budgetting for a modest increase of 11½ lakhs over the present year's high revenue. This would be larger but for an anticipated fall of 12 lakhs in the receipts from the sales of waste lands and Government estates, which will now inevitably decrease as the older colonies grow up and until new ones take their places. Assignments from the Government of India may also be expected as usual to exceed the Budget figure, and any windfalls in this shape will further raise the total of the year's revenue, which includes increases under Excise of 8 lakhs, Income-tax of 4½ lakhs, Forest of 11½ lakhs and Irrigation of 7 lakhs. At this point I must apologise for an error in paragraph 20 of the Memorandum which I will ask you to correct. In that paragraph it is stated that the receipts from the auctions of excise licenses exceed last year's record figure by 13 lakhs. The figure should be 18 lakhs. The estimated income of 1920-21 will not, however, provide a sum anything like sufficient for the anticipated expenditure, owing to the necessity of not unduly checking the expansion of the growing departments such as Forests, Education, Medical, Agriculture and Civil Works, while at the same time making provision for the very heavy expenditure in the shape of increased pay, travelling and other allowances of all Government servants necessitated by the high cost of living. The estimated expenditure amounts to no less than Rs. 7,32 lakhs and exceeds the anticipated expenditure of the current year by over a crore, and the actual expenditure of 1918-19 by nearly two crores. The largest increases over this year's revised estimates are under Forest 13 lakhs, Education 16½ lakhs, Medical 7½ lakhs, Agriculture 6½ lakhs, Miscellaneous 46 lakhs and Civil Works in charge of Public Works Officers 13½ lakhs. It is thus clear that besides liberal provision for increases of pay and allowances, which account for the enormous increase under 32—Miscellaneous (though it now appears to be doubtful if even the large sum provided will suffice), ample funds have been made available for the developing departments. The resulting excess of expenditure over revenue is 70½ lakhs, reducing the provincial balance from Rs. 2,54 lakhs to Rs. 1,84 lakhs. Such a large deficit cannot be viewed

[ Mr. Gibson. ]

with equanimity, especially when so much of the expenditure is recurring and a considerable portion of our income (about  $\frac{1}{20}$ th) consists of receipts from sales of waste lands and Government estates which are of a capital nature and should be earmarked for capital expenditure. Next year is however the last of the existing financial settlement and whether an increase of taxation is necessary in the near future or not will depend upon the new financial settlement which will be introduced under the Reforms Scheme in 1921-22. Some information about the details of this settlement is given in paragraph 23 of my Memorandum, and I am now able to supplement this with the further information given by the Finance Member in the Imperial Legislative Council on March, the 1st. The most important announcement is the substantial reduction of the Provincial contribution to the Imperial purse. The Joint Report of 1918 anticipated an Imperial deficit of 13½ crores, that deficit being made up by contributions from the Provinces. This would have left the Provinces in the aggregate with a net surplus of 2 crores. The Government of India have now reconsidered the matter in the light of the probable gains from exchange and consider themselves justified in assuming for the present a reduction of the Imperial deficit to 6 crores and its ultimate extinction within a measurable time. The apportionment of this deficit of 6 crores between the various Provinces forms the subject of the enquiry of Lord Meston's Committee on Financial Relations, which will visit Lahore in a few days and hear the views of the Local Government and of the non-official members of the Finance Committee on their Province's claims. What the actual improvement in the financial position of this Province under the Reforms Scheme will be, cannot therefore be known at present, but as Mr. Hailey states that on the figures of next year's budget after deducting the contribution of 6 crores, the Local Governments will in the aggregate be 11 crores better off than under the present division of revenue between the Government of India and themselves, there is every reason to hope that this Province will start the new settlement with a substantial surplus. Another proposal which is under inquiry by the Committee on Financial Relations is the extent to which on the introduction of the Reforms Scheme Local Governments should take over their loan accounts with the Government of India. As the Council is aware for the purpose of making loans under the Provincial Advance and Loans Act we at present borrow from the Government of India at interest and pass on the money at a slightly higher rate of interest to the persons or bodies requiring the loan. Under the Reforms Scheme the Provinces will have greater control over their balances and it is obviously advantageous for those that can afford to do so to take over from the Government of India the provincial loan account and so save the interest which they at present pay. In the Punjab this account is expected at the end of 1920-21 to stand at 60½ lakhs and as our balances should at the end of the same period amount to about Rs. 1,83 lakhs we propose to take over the whole of our loan account. This concludes the general remarks which I have to make on the draft Financial Statement. It will perhaps be convenient if before sitting down I introduce the few unimportant heads standing in my name. Of these Refunds, Interest, Superannuation and Stationery call for no remarks. Of the minor heads under 26-B—Scientific and Miscellaneous which are allotted to me the cause of the increase in the budget under the minor head "Registrar of Joint Stock Companies" is due to budget provision not having been made for the 1/4th share of a provision of Rs. 49,000 for a grant to the Punjab Co-operative Union and for re-organisation of the establishment of the Co-operative Societies. I must explain that expenditure on Co-operative Credit is for accounts purposes debited 3/4ths to the head 26-A—Agriculture and 1/4th to the head under discussion. By an oversight, which has now been corrected, the whole provision of Rs. 49,000 was debited to 26-A—Agriculture. Under the minor head "Miscellaneous" the increase in the revised is due to the retention throughout the year of the Director of Civil Supplies and his staff. When the

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Budget was framed it was not anticipated that the post of Director of Civil Supplies would be required for more than 7 months of the current year. Restrictions on the movement of all food-grains, however, were in force up to the end of November and wheat and gram are still controlled, while in spite of the abolition of priority certificates the Director of Civil Supplies has still a great deal of advisory work in connection with the priority of traffic. It has therefore been necessary to continue his post throughout the year. The decrease in the revised under the major head 32—Miscellaneous is purely nominal. The sum entered in the Budget (six lakhs on this occasion) as the Local Government's reserve for unforeseen expenditure has all been disbursed and distributed over the appropriate major heads. Hence the apparent decrease. I must now explain the phenomenal increase under this major head in the Budget. In my Memorandum frequent reference is made to the heavy extra expenditure entailed by the high cost of living and the resulting necessity of revising the pay and allowances of all Government servants where this has not already been done. Except where such revision has already been sanctioned or has been submitted for sanction to the Government of India or Secretary of State (in which case the expenditure is included under the appropriate major head) provision has been made under 32—Miscellaneous. The sum included amounts to no less than 35 lakhs out of which will be paid the temporary allowance sanctioned by the Government of India for all non-gazetted Government servants drawing Rs. 75 per mensem, and any permanent revision of non-gazetted establishments sanctioned during the year. It is doubtful, however, if even this large sum will be sufficient, though this depends on the time it takes to get sanction to the permanent scheme and to the date from which with the sanction of the Government of India it will take effect. Six lakhs have also been provided for improving the travelling allowance rules. The Committee appointed by Government for this purpose has completed its general recommendations, and the improvements sanctioned by Government will, if possible, be introduced from the 1st April 1920. A sum of 1½ lakhs has also been entered for increased horse and camel allowances which are expected to be sanctioned from the same date. The last of my heads is 33—Famine Relief. The figure 4 lakhs entered in the Budget represents approximately the average expenditure on famine relief during the past 20 years, but owing to the great increase of canal irrigation and of the material prosperity of the lower classes expenditure is only in exceptional circumstances likely to approach this average and in spite of the severe fodder famine of 1918-19 the actual expenditure of that year only amounted to a sum of Rs. 66,000 which represents the cost of reimbursing the railways for carrying fodder at concession rates. The expenditure during the current year, which has been a much better fodder year than 1918-19, is only expected to amount to Rs. 30,000 while under the orders of the Government of India no provision at all has been entered for 1920-21, as they prefer to make a special extra-budget grant, if necessary, rather than to tie up funds in the Budget to meet the remote contingency of any considerable expenditure on famine relief being necessary.

"With these remarks I beg to introduce the amended Draft Financial Statement for the year 1920-21 and the Budget heads standing in my name."

**The Hon'ble Mr. Maynard.**—"Your Honour, I beg to introduce the following heads of the Budget :—

"*Stamps.*—No. IV on the receipt side and No. 6 on the expenditure side.

"*Excise.*—No. V on the receipt side and No. 7 on the expenditure side.

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" *Income-tax*.—No. VIII on the receipt side and No. 10 on the expenditure side.

" *Agriculture*.—No. XXI-A on the receipt side and No. 26-A on the expenditure side.

" On the fascinating subject of Stamps there is very little to be said. Hon'ble members will notice that there is a considerable increase in the revised Budget over the original Budget figures of the year and it is fully expected to maintain that increase in the Budget for the next year. The reasons for this increase over the original Budget figures under the head Stamps are in the first place the pessimism of the Government of India which could not bring itself to believe that the receipts were likely to be as great as they were believed to be likely to be by this Government, and in the second place a general expansion of business which has shown itself alike under the head of Court Fees Stamps and under the head of General Stamps. The largest contributing cause of a very considerable increase of the receipts of General Stamps is that very remarkable speculation in land value which has been, no doubt, brought home to every Hon'ble Member during the course of the last year.

" On the subject of Excise, I have to draw the attention of the Hon'ble members to the increased consumption of liquor which, judging by the very high figures of the bids for the coming year, seems likely to be continued also in the next year. As has been pointed out by the Hon'ble member who introduced the Budget, the rise under the head of liquors in the bids is Rs. 13 lakhs and there are rises also under the head of opium and of hemp drugs. The reasons for this are the reasons which should be by this time quite familiar in the Council, because they have been repeated from year to year and almost *ad nauseam*. The principal reason is that there is more money in the hands of the classes which consume excisable articles. When a man has sold his wheat for Rs. 5-8-0 a maund or his cotton for Rs. 20 a maund, he has only two ideas how to spend his money. One is to buy more land and the other is to drink it up and so long as he has no better object on which to expend his balance the Hon'ble members may rest assured that it is quite certain that the latter is the manner in which a very large proportion of the surplus money will be expended. Besides this prosperity which is the principal cause of the increase of drinking there is one other contributing cause and that is that there is a small diminution—not so great as the increase in liquor, but still a diminution in the consumption of other excisable articles. People for some reason are taking less opium and less hemp drugs, but they are taking on the whole considerably larger quantity of liquor. It is because of the feeling of the Hon'ble members on the subject of the consumption of intoxicating articles that I seek to put before the Council some sort of statement of the measures which are being taken to check so far as it is possible to check the growth of undesirable habits. Here again it is not the first time that I have to explain to the Council the measures which Government is taking but it is necessary that they should be explained yet once again. One of the principal means by which it is sought to make it less easy to drink is to increase the taxation upon the article. Accordingly the step is being taken with effect from the 1st April 1920 of raising the still-head duty which is already as high as Rs. 6-8-0 per gallon to the still higher figure of Rs. 7-8-0. That figure is a very high one, higher than it is in the United Provinces, substantially higher than it is in the Native States which adjoin British territory and it is actually higher than was the taxation on liquor in the United Kingdom before the war. That is one of the steps which we are taking in the hope of diminishing the temptation to excessive drinking. Another measure is the careful scrutiny of the location and the number of excise shops and the reduction of their number wherever reduction appears to be reasonably

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feasible. Accordingly from the 1st of April 1920, 61 country liquor shops in the Punjab will be closed: that represents a proportion of something like 9 per cent. of the total number of country liquor shops in the Province. The measure of a complete closure of drinking facilities at fairs has been taken already but has now been brought, I think, to completion. At the present time under the existing orders there is not a single fair at which there is provision made for facilities for obtaining liquor. Apart from that the very important step of preventing the consumption of drinking on the premises has been taken to a still further extent and from the 1st of April 1920 there will be 12 whole districts in which consumption of country liquor on the premises will not be permitted. Liquor in these 12 districts will be sold for off consumption only and in sealed bottles which must be taken away by the drinker. Besides these 12 whole districts in which this system will now be introduced—there are at present 7 districts, there will be 12 on the 1st of April—there are 4 other districts in which the system has been introduced in part. The object of that system is to diminish drinking by reducing the temptation which comes about when a man sits about a shop and is treated by friends or is encouraged by the mere fact of the facility of obtaining liquor to go on drinking after he has had more than is good for him. There remains yet another series of measures which might be taken to reduce the habit of drinking. I refer to the provision of counter-attractions. Giving to people that is to say an innocent amusement to take the place of one which is not innocent. That is a matter which has been discussed within the last two or three years by Government and the opinions of a good many people have been taken upon it. It is sufficient to say here that somewhat to my surprise Indian opinion appears to be adverse to the provision of counter-attractions. So long as that is the case it is useless for me to say anything on the subject.

“In regard to opium there is just one thing to be said: that there is for some reason a diminution in the habit of opium eating, and that strangely enough is accompanied, in spite of the great increase in the duty on opium, by a considerable rise in license fees. The great diminution in the number of shops—there will be 88 more shops closed from the 1st of April 1920, representing about 11 per cent. of the total—makes it very difficult to understand why the bids for shops should have risen so greatly. But I think it must be understood that a decrease in the number of shops, decrease in the facilities of obtaining the article does in some way have the effect of increasing the profits of those who obtained the shops and of raising the sums which they are prepared to pay for the privilege.

“The only other item under the head of Excise is this that the pay of Inspectors and Sub-Inspectors has been raised in the course of the year. A very necessary step.

“I turn now to the head of Income-tax. Here the most important feature of the year has been the exemption of all incomes under Rs. 2,000. In this country this exemption of all incomes of less than Rs. 2,000 has carried the limit of exemption actually further than it is now carried in the United Kingdom. The sacrifice which was involved by the exemption of incomes of less than Rs. 2,000 was 6½ lakhs per annum. That has been more than made up by the more satisfactory and sufficient assessments which are levied on the richer assesses. And that brings me to a brief account of the measures which have been taken and are now being taken to make the income-tax assessments more satisfactory and more in accordance with the actual facts of income. In old days the practice was that the assessment of income-tax was done by a general agency which had a hundred other tasks to perform. It was done by officials in the time snatched from land revenue

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work and every other description of revenue work done by Tahsildars and as a natural result it was not done well. It was as a matter of fact the tendency of that old system to take the line of least resistance: to be rather hard on the small man and be extremely kind to the well-to-do man in whose power it lay to make things unpleasant for the assessing officer. That was the old system in brief. We slowly endeavoured to replace that old crude system of assessing by an agency which has not the time for the work by assessment by a special agency. We began in a very cautious way by having only 4 units of special assessing staff distributed over the Province. We then went on last year to increase that number to 6 and Government has now adopted the proposal to increase the number from 1st April to 11 units. I do not wish to detain the Council long but I must tell them one thing to show the sort of way in which the existence of this special assessing staff has brought about an improvement in the method of assessment. There was in Lahore one particular Company with a very large revenue from trade which had totally escaped notice until it suddenly occurred to a certain special income-tax officer that this Company existed and that its office lay at a particular place. He then proceeded to make enquiries and he started all at once with an assessment of Rs. 10,000 for that Company. Hitherto to the income-tax authorities it had practically been unknown. From that day the receipts from that Company have steadily increased in amount. There is just one other point in regard to income-tax which I might mention and that is one which though it really does not affect Provincial Finance is a matter of general interest and that is the abolition of the Excess Profits Duty which from the figures in the Budget for next year is expected to bring a substantial sum but ceases to exist from April 1st, 1920. The revenue which is expected from that source next year simply represents collection of arrears.

"I now turn to the much more invigorating subject of Agriculture. Here there is apparent diminution in the figures of revised expenditure. It is an apparent diminution but that apparent diminution is not a real diminution. It is due to the correction of certain errors. That is the first point to which I should like to draw the attention of the Council. The next point is that the proposed expenditure on agriculture, substantial though it be, does not show the whole of the expenditure which might reasonably be described as agricultural expenditure. In the first place it does not show the very important item of expenditure on agricultural education. Hon'ble members are probably aware that there is now a very definite effort being made to introduce a system of education which will be very largely based upon the occupations of an enormous majority of the inhabitants of this Province and that for that purpose a very large sum of money is being assigned. The amount is Rs. 3,85,000, but it does not figure in the Agriculture Budget. Then in addition to this considerable item there are also certain other matters on which expenditure is contemplated but which do not figure under the head of agricultural expenditure. In the first place there is a very large expansion of the laboratory accommodation of Lyallpur Agricultural College. It is provided for in the Public Works Budget and not under the head of Agriculture. Again there is to be a new Engineering Workshop at Lyallpur. That also has been provided for as one of the works in the Public Works Budget. One cannot attempt to go into full details on the subject of Agriculture but there are one or two items of proposed expenditure which are so interesting and so important that I think I must say something about them to the Council. In the first place 5 lakhs is provided for the purchase of seed. Now I think it is very probable that many Hon'ble members do not understand what this item is for. They merely think it is a little piece of trade on the part of Government which buys and sells seed. The real truth of the matter is that this item represents what is perhaps at the present moment the most important of all

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the activities of the Agricultural Department. The item means this. It means that the experts of the Agricultural Department seek for and find the very best varieties of seed, and that facilities are then given to the cultivators to obtain pure seed of these good varieties. American, 4-F cotton, Punjab-11-wheat and Pusa-12-wheat—those three between them are responsible for putting many extra lakhs of rupees in the pockets of the cultivators. That is one of the greatest and most undeniable of the achievements of the Agricultural Department. So when Hon'ble members see this item of 5 lakhs for seed they must realise with the help of this knowledge the true significance of the work which is being done under this head. Then Hon'ble members will see that a provision is being made for three Additional Deputy Directors of Agriculture. It seems to me extremely probable that some Hon'ble members—particularly those from urban constituencies—do not know what a Deputy Director of Agriculture is. He is as a matter of fact the territorial executive officer of the Agricultural Department. Hitherto there have been three such officers who have worked in three large areas containing tracts which differ widely in agricultural characteristic and in practice the limitation to the number of three had had this effect that the whole Province has not received an even attention from Agricultural Officers. It is now proposed to recognise the necessity of extending the activities of the agricultural experts to the whole Province by increasing the number of Deputy Directors of Agriculture from 3 to 6. And this brings me to a very brief mention of an important conference on agricultural matters which was held in June last. It was then proposed to Government that certain measures should be taken which included an increase in the number of territorial executive officers to which I have already referred and also included a very great extension of the scope and activities of the Agricultural College at Lyallpur. All of these measures have not yet come to the point of inclusion in the Budget, but I may here mention that they imply virtually the doubling of the size of the Agricultural College at Lyallpur. Then another item which Hon'ble members may have noticed in reading the Memorandum of the Hon'ble Finance Member is the proposed extension of the Lyallpur Agricultural Station. The sum provided here involves the addition of 273 acres to the Lyallpur Agricultural Farm: something very nearly approaching to 50 per cent. addition to its size. The Hon'ble members who have been to the Lyallpur Experimental Farm and seen the Agricultural Farm can realize what the great significance of this increase in its beneficent activities will mean to the Province. I only want to mention one more item and that is the item provided for the Reclamation of the so-called Bara Lands in the Province. Gentlemen who have travelled from Lahore to Multan by way of Montgomery will possibly have noticed that they passed over a very large area which even now when canal irrigation has been extended to that neighbourhood presents the appearance of a completely bald head, and there is not a single blade of grass growing over good many miles along the railway line. That soil is what is called the Bara Land. There is something like 150,000 acres of it and the measures of attempted reclamation for which provision is made to the extent of a lakh or something more represent an attempt on the part of the Agricultural Department to reclaim for the purposes of cultivation 150,000 acres of this particular type of soil. Besides, an even further quantity of land which, though not quite so apparently hopeless, is very bad. Now if we estimate, judging by the result of some recent auctions, that the value of land is something like Rs. 400 an acre, Hon'ble members will find by a simple sum that the reclamation of 150,000 acres at a value of Rs. 400 per acre means an addition of something like 6 millions £ sterling to the wealth of this Province. That is something which should give us food for thought.

“One of the sub-heads of Agriculture with which I must deal is Veterinary. Hon'ble members are all of them immensely interested in the

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question of cattle-breeding and in question relating to the ghee and milk supplies. Possibly all of them know that the Veterinary Department in the Punjab deals with cattle-breeding as well as with diseases of animals. It is a peculiar feature in the Punjab that the Veterinary Department here deals with cattle-breeding and the work that is being done, which I should very much like Hon'ble members of this Council to see, is of great value in this connection, in the Cattle Farm at Hissar and in 4 or 5 cattle farms in the Montgomery District. During the past year there has been some recognition of the claims of the Veterinary Department in the 20 per cent. increase given to Veterinary Inspectors and Assistants whose pay was last fixed in 1904 and 1906 respectively and further increases are provided for in accordance with the proposals of the Public Services Commission, so that Budget figures have been raised to 751,000 as against 671,000 in the figures of the revised. I cannot leave the subject of veterinary work without saying one word regarding a worker who has sacrificed himself in the cause of the Province. I refer to Colonel Farmer whose devoted labours have been the reason of a much-lamented breakdown in his health. Hon'ble Members and the Punjab as a whole owe to Colonel Farmer a debt which would be difficult to repay and he has virtually given his health in their service.

"There is only one other small item remaining and that is the item of co-operation. Here again increased work has led to increased provision of funds which is significant. It means much more than perhaps Hon'ble members may realize. It means to my mind something very like a political as well as economical education which is being given through the agency of Government officers to a very large section of the rural population."

The Hon'ble Mr. Fagan :—“YOUR HONOUR,—I beg leave to introduce Receipt Budget Head I—Land Revenue, Expenditure Head 3—Land Revenue. The circumstances affecting the revised estimate under the first head for the current year 1919-20 and the original estimate for the coming year 1920-21 have been dealt with in the Memorandum of the Hon'ble the Finance Minister and it is only necessary for me to add a few remarks

“In framing the original estimate for the current year it was anticipated that for financial purposes the Rabi and Kharif harvests of 1919 would between them result in a normal year. It was expected that the Rabi would on the whole be poor while the Kharif it was hoped would be better than the average. The Rabi harvest of 1919, however, proved to be a good deal poorer even than was anticipated, the area of matured crops being 34 per cent. less than that of the preceding year and 27 per cent. below normal. This result was due, not only to the deficient monsoon of 1918 but also to the evil effects of the severe Influenza epidemic of that year which was at its height at the sowing season while so far as the south-eastern districts of the Province are concerned winter rainfall proved insufficient. About 6.6 lakhs of rupees were suspended from the demand for fixed land revenue of the Rabi harvest, chiefly in the south-eastern portion of the Province. The Kharif of 1919 was not so much above average as had been hoped and suspensions to the extent of 2.3 lakhs were necessitated. For the whole year suspensions and remissions of fixed land revenue reached the high figure of nearly 10 lakhs as compared with 6½ lakhs, the figure anticipated in framing the original budget. Further decrease was due to an item of some 4.5 lakhs on account of remissions for important War service rendered by villages in producing large numbers of recruits, for which provision had not been made. Among many districts which received rewards of this kind Rawalpindi, Jhelum, Shahpur, Kangra, Hoshiarpur and Rohtak may be specially mentioned.

[ Mr. Fagan. ]

" Under fluctuating land revenue a decrease of nearly 9 lakhs of rupees in the revised as compared with the original budget for 1919-20 is due to unfavourable seasonal conditions which, as already noticed, affected the Rabi of 1919 and to the results of the Influenza epidemic.

" Under the item ' Sale of Government Estates ' a substantial improvement of 4 lakhs on the original estimate is anticipated owing to larger recoveries of arrears of purchase money than were expected and to prompt payment of fresh instalments. An increase of some 3½ lakhs under ' Miscellaneous Land Revenue ' is due in the main to larger receipts from areas under temporary cultivation in the Lower Bari Doab Colony which were rendered available by unavoidable delay in permanent colonisation and also to an enhancement of the rents charged on such cultivation, — a result of the ever-growing demand for land which shows no signs of abating. Increased receipts from mutation fees as a result of the large number of deaths from Influenza also contributed to an increase under head ' Miscellaneous. ' Other items present no particular points calling for notice.

" I may observe, however, that as a result of the consideration of the figures for actual receipts up to and inclusive of January 1920, which appear to be favourable, some improvement on the revised estimate as now framed may be possible before the budget in its final form is presented to the Council. The budget for 1920-21 has been based on the assumption that the year will be a normal one, due allowance being made for anticipated extension of canal irrigation from the Triple Project. The standing Rabi promises to be not below normal so far at any rate as wheat, the most important crop, is concerned. It will be seen that under ordinary revenue the figure taken for the estimate, i.e., 385 lakhs round, is some 18 lakhs above both the actuals for 1918-19 and the revised estimate for the current year. This result is due, after making allowance for War remissions, mainly to the operations of two factors. Firstly, an anticipation that there will be not more than a normal need for fresh suspensions of fixed demand, which may be put roughly at a figure of 5 lakhs, and also that it will be possible to collect a reasonable amount of such land revenue at present under suspension. The second factor is the normal growth of land revenue ; in the case of fixed demand by the falling due of progressive assessments in recently settled districts and as an immediate result of reassessment in the districts of Ambala, Multan and Dera Ghazi Khan ; in the case of fluctuating demand as a result of reassessment in districts under settlement and of an extension of irrigation in districts served by the Triple Project. The decrease of some 5½ lakhs as compared with the revised estimate under the item ' Sale of Government Estates ' is due to the progressive decrease of areas colonized in the past in which proprietary right has not yet been acquired by the grantees concerned. A similar decrease under ' Sale-proceeds of waste land ' is anticipated, mainly owing to the gradual reduction of outstanding instalments of purchase money due on sales made in previous years. The chief decreases in the item ' Miscellaneous ' are on account of mutation fees which, as already noticed, showed an abnormal increase in the current year, and also on account of fines.

" Expenditure head 3 has been fully dealt with in the memorandum of the Hon'ble Finance Member. I am concerned mainly with the items of ' Survey and Settlement and Land Records. ' As regards the former, the variations shown are not striking. At the present time settlement operations are in progress in five districts, Ambala, Montgomery, Multan, Dera Ghazi Khan and the Sirsa Tahsil of Hissar. In Ambala operations will come to a close by the end of the current financial year and in Dera Ghazi Khan in October

[ *Mr. Fagan; Mr. French.* ]

next. It is anticipated that settlement operations, including revision of assessment and of records, will be undertaken in Muzaffargarh and possibly a revision of assessment in parts of Lyallpur and of the Jhelum Colony in Shahpur in October next. In all these tracts the current terms of settlement are approaching completion. Provision in the budget estimate for 1920-21 has been made in accordance with the above forecast. It is desirable that I should make a few remarks on certain points mentioned in the printed memorandum under 'Expenditure head 3.' Afforestation in the Ambala and Hoshiarpur Districts is receiving as much attention as the district offices can give it amidst the press of their multifarious duties and there is ground for hoping that the coming financial year will see substantial progress. The difficult and long pending question of the provision of Patwar Khanas as official residences for Patwaris has been dealt with in the course of the current year and it has been decided to provide them gradually at Government expense in all circles in which they do not at present exist. Many years must, however, necessarily elapse before this process can be complete. Detailed proposals for improving the emoluments of Patwaris and Kanungos are at present under the consideration of Government and for this provision has been made under expenditure Head '32—Miscellaneous.' The Sind Sagar (or Thal) survey in connection with which one lakh has been provided for the cost of survey marks signifies the rectangular survey of the tract between the Jhelam and Indus Rivers and the districts of Mianwali, Shahpur and Muzaffargarh. The tract is being divided by scientific measurement into ten-acre rectangles which will serve as common basis at once for the determination of levels in connection with the alignment of the perennial canal which is being projected and of its distributaries, for a soil survey for the determination of the agricultural capabilities of the tract, and ultimately for allotment of the rectangles to colonists and for the distribution of canal water. During the year good progress has been made with this rectangular survey as the necessary preliminary to the further operations which I have indicated."

**The Hon'ble Mr. French:**—"Your Honour, the only head with which I am concerned is expenditure on General Administration. I need not detain the Council long with any remarks on this subject. In fact there is only one head of account which calls for any comments and that is the Civil Secretariat. It is explained at page 24 in the note below the figures that in the Revised Budget expenditure has exceeded the original Budget by over a lakh. This is due to the pay of officers on special duty in connection with the disturbances and the heavy charges of telegrams in that connection which, we may hope, are non-recurring charges. But next year as compared with the Budget of 1919-20 the expenditure will be in excess by 2 lakhs. This is mainly due to charges connected with the introduction of the Reform Scheme, such as, for instance the pay of the Provincial Reforms Commissioner and staff who will probably be on duty, for the major portion if not the whole of next year, also the pay of ministers and staff. There is one charge which has not been provided for and which I think may be regarded as a likely contingency and that is the appointment of a fifth Secretary as an addition to the present staff. I have had some statistics collected which show that, when in 1915 to the then existing staff of three Secretaries and three Under-Secretaries a fourth Secretary was added, the receipts and issues dealt with in the Secretariat numbered 46,000. Since then the work has steadily and rapidly increased, till last year the receipts were actually 75,000 an increase of over 61 per cent. It is obvious that the breaking point will be reached unless some relief is accorded to the staff the pressure upon whom appears sometimes as little short of a hideous night mare. I have no other remarks to make."

[Mr. Joseph].

The Hon'ble Mr. Joseph :—“I am responsible, Sir, for heads “VI—Provincial Rates” with its expenditure side of Assignment, Forests, Registration, Law and Justice and Police.

“I have looked carefully to find if any of my predecessors ever had anything interesting to say about Provincial Rates and Assignments and Registration, but the answer is in the negative, and I do not propose to say anything about them. In the matter of Forests, the annual income of the year follows very closely what was budgetted for, but there is a very large increase in this next year's Budget, approximately 33 per cent. The output of Forests—I am speaking of income—is expected to increase very largely with the more modern methods which we are now adopting. It may be of interest for Members to know that with the new working plan which has been prepared by Mr. Jerram for the Kahuta forests (chil-pine forests), the annual output of timber has been increased from 1,04,000 to 6,84,000 cubic feet. In the same way Mr. Trevor's new working plan for Kulu provides for an annual gross yield of about 4½ million cubic feet as compared with (approximately) 1½ million cubic feet which we are extracting at present—an increase which might be valued at least at Rs. 22½ lakhs a year. At the same time it is believed the Bashahr silver fir forest can be made to yield by proper methods 2 million cubic feet of timber a year. This was a timber for which hitherto no use was found in the Province. It was not liked by the railway for sleepers. They always demanded the best deodar, but now they cannot get the best deodar in the quantities they like and methods have been found for treating this timber and we now have a contract to supply 4½ lakhs of these fir sleepers in the course of three years, the first year of which is now expiring, to the North-Western Railway. In the same way the resin industry at Jallo has gone on increasing until we have now reached a maximum revenue of 4½ lakhs, of which 2½ lakhs were net profit, and this is being still further developed by doubling the plant and it is budgetted to yield in the coming year 9½ lakhs, and that sum should of course in the next few years be doubled again. Offers for the products of Jallo now come to us from Africa, Australia and the Far East. There are many other potentialities in the development of forests in the same way. Some are already apparent, others are side industries which require a great deal of examination and research before they can be adopted, but in one way or another the forests of the Province do provide one of the obvious and largest possibilities of expanding the revenue. The Department has now completed its first duty which lay in organising and demarcating forests in order to establish and safeguard the interests of the people by the preparation of forest settlements to secure their rights to forest products which they need for their daily life and having secured that it is now necessary to turn our attention to developing the forests to the fullest possible extent in the interests of the tax-payer in general. In order to do that a very large expansion of the department will be necessary. We want, for instance, a Utilisation Conservator who can organise the economic side of the development as contrasted with the silvicultural side, to study and find new markets in which to start industries which will utilise the forest by-products of our forests for which hitherto no use has been found. When we get our Utilisation Conservator we shall have three Conservators in the Province and we shall want in order to properly co-ordinate and regulate the department a Chief Conservator as well. We want a staff very urgently to revise out-of-date working plans and supply plans for tracts which have not yet been touched. The longer that supply is delayed the longer you will have to wait for these largely increased revenues which I said just now can be got by new working plans for Murrée, Kulu and other places. We want a staff for the departmental working of our forests which gives the State a higher return than extraction through

[Mr. Joseph.]

contractors. Staff is required for assisting extraction with modern engineering methods. At the same time the more intensive the work grows in this manner the more necessary it is to divide your forest charges and reduce the size of them. We have submitted a comprehensive scheme to the Government of India in which an increase of 17 Imperial, 11 Provincial and 5 extra departmental officers have been asked for. We must therefore expect to see a growth on the expenditure side also, though at a less rapid rate than in the growth on the revenue side. And the Council must not therefore be alarmed at seeing large increases in forest expenditure. It is an investment without which the forests cannot be made to yield their full revenue. It may be of interest to mention that in the United Provinces which we have taken as our model in these things, in 1911 their cadre consisted of 19 Imperial and 12 Provincial Officers, that is 31 in all. By 1918 it consisted of 72 officers in all, but in the same period it developed its revenue from 24 to 61 lakhs of rupees in the 7 years. I may mention, for instance, an item that appears in the Budget of about 1½ lakhs for the purchase of additional tramway for Changa Manga plantation. There is a great demand for all sorts of wood and as you know the mulberry tree has established itself with great force and vigour and owing to the growth of sports works there is a great demand for hockey sticks and other implements of sport. In the last four years the value of the best quality of mulberry has risen from Re. 0-12-6 to Rs. 10-8-4 and it is a timber which the greener you can cut it the better the sports manufacturers like it. But so inadequate are the present methods of extraction by bullock carts and so expensive is it that a great deal of this timber as well as firewood is lying rotting on the ground and far from being supplied green it is supplied dry, and it is only by spending on this kind of work that we can reap the full benefits of the increased output of forests.

Turning now to Law and Justice, the revised figures for the current year show considerably greater receipts than we originally anticipated and there is a slight increase in next year's Budget over the last year's figures, though a smaller income is anticipated from next year than what has actually been received this year. But there is only one other item which varies substantially, and that is the income from fines. That has risen in the current year partly again on account of the activities of the Courts of Martial Law. Under the head Expenditure, provision has been made of Rs. 80,000 for increasing the scale of diet money for witnesses in criminal cases. It has long been felt that one of the great difficulties in getting witnesses to come forward and give evidence in criminal cases is the utter inadequacy of the sum that is paid them, the daily wage paid them for their time and labour involved. Until we can approximate that to what really represents a fair day's wage you cannot expect people to come forward to help the Police by giving evidence in court. Like other reforms it is expected to be a very expensive one and Rs. 80,000 will not by any means provide what is necessary if we are to bring the sum up to what may be called a day's wage but that will help us to begin during the ensuing financial year. Rs. 11,000 has been provided for the cost of introducing the Lahore series of Indian Law Reports. Members will be familiar with the old publication known as the Punjab Records. The Punjab Record was a private property belonging to the proprietors of the *Civil and Military Gazette*, the editing of which was undertaken partly by Government and Government purchased so many copies for official distribution but otherwise the property was a private venture. With the creation of the High Court it is necessary that there should be an authoritative series of Law Reports which has been approved by the Governor-General in Council and it has been

[Mr. Joseph.]:

decided to come into line with other provinces and produce a Lahore series of the Indian Law Reports. The publication of the first number has already appeared. The publication is undertaken by the Government Press and it is hoped the receipts from the sale will cover the expenses of production.

"There is one other item which has not been separately shown in the Budget, but which is included in the 35 lakhs provided under 32 - Miscellaneous and that is a provision of Rs. 1,52,000 for increasing the pay of the process-serving establishment. Apart from the daily increasing cost of living it is felt that the establishment is one in which a degree of honesty and intelligence is demanded greater than can be expected from ordinary menials; yet the latter are at present just as well paid as process-servers and this reform which has long been felt necessary is now being considered by the High Court and local Government. At the same time the Judges have been asked to consider the raising of the scale of process-serving fees which it may be hoped will cover to some extent at all events the expenditure.

"The second head under Law and Justice is Jails. It will be noticed that this year's receipts are more than a lakh lower than were budgetted for, while in the ensuing year we have again reduced anticipated receipts by a further half a lakh. The real fact is that the war produced a boom in the labour department of the Punjab Jails and now that the fighting has ceased the proceeds under the sub-head of Hire of Convicts and Jail Manufactures have decreased largely. The military no longer require convict labour for the Rawalpindi and Ferozepore Arsenals, and there is nothing like that incessant demand for jail blankets which used to keep Dhariwal busy and it has been decided now to close the Dhariwal Camp Jail which was established to increase the manufacture of blankets in the mills. On the expenditure side, on the other hand, there is an increase of nearly 2 lakhs over last year's Budget, while the actual expenditure of the current year has been still higher. This increase is primarily due to the greater cost under modern conditions of feeding prisoners and of clothing both them and the warders. I do not think it is necessary to say anything about the general Jail administration, for within a month we shall have in Lahore the Jail Committee appointed to consider the general question of Jail administration in the light of the modern science of criminology, and I think the Province may well hope that while the Committee will be able to suggest many improvements based on more modern methods of treating criminals, they will at the same time find that within our existing lights the administration of the Punjab Jails has been both efficient and humane.

"17.—Police.—The increase shown in the memorandum has to be very largely reduced as orders have been issued to abolish these posts by the 1st of April next. As regards expenditure, the increase this year is largely due to the general causes of the increased grain compensation allowance, war allowance and contingencies. Other contributing causes are the introduction of the time-scale pay for the Imperial Police, the sanction of increased rates of local allowance for head constables and constables in the Lahore and Amritsar Districts. There is a rise under the head of Railway Police which is partially due to the revised system of apportionment between the Government and the Railway. The increase under District Executive Force will be reduced by 1,40,000 for the same reasons I mentioned for the reduction of income that is that the punitive posts will cease.

"Lastly, there comes the question under Police of Criminal Tribes. There has been a further increase since last year in the number of settlements which has now risen from 16 to 23, the increase being almost entirely in the agricultural settlements which have been created in the Lower Bari Doab

[Mr. Joseph ; Mr. Woods].

colony, while the population in our settlements has risen from 6,500 to rather over 8,500. The general policy continued much as before and the small variation in the budget figure shows that no startling changes have occurred. Dhariwal (this is not the Dhariwal Camp jail but the Dhariwal Settlement of Criminal Tribes) has lately given a great deal of cause for anxiety owing to the ill-health of the inmates. There is some reason to fear that the site was not a very happily chosen one in the first place, while the sudden change from a life of wandering freedom to one of irksome confinement between walls and barracks varied with work in the mills must in itself tend to the prejudice of health. Government has sanctioned additional medical assistance and the Sanitary Commissioner has been asked to visit the site. Up to now the Deputy Commissioner, Criminal Tribes, has been primarily interested in collecting the worst offenders, housing them in his settlements and finding work for them to do. There are other problems to be faced to which he is quite alive and I may mention that he has recently referred to Government a number of suggestions for brightening the lives of these criminal tribes in their settlements and giving them and especially those who cannot hope to get land in one of the agricultural settlements where there is not land enough for all and where some certainly would not work, some expectation of final release. These are matters about the treatment of these criminal tribes in the future which are engaging Government's attention. That is all I have to say on these subjects."

**The Hon'ble Mr. Woods** :—“Your Honour, the items I have to deal with are XXXI—Civil Works, on the receipt side and 45—Civil Works, on the expenditure side ; and XXIX—Irrigation—Major Works, on the receipt side and 42—Irrigation—Major Works, on the expenditure side. Hon'ble members will observe that the figures under these heads are about the largest in the entire statement and I cannot think of detaining the Council long by discussing the provisions in detail. I will content myself, with a few general remarks.

“I will deal first with those under the control of the Buildings and Roads Branch of the Public Works Department, by quoting from a note supplied by the Chief Engineer of that Branch.

“1. 45—CIVIL WORKS—*Provincial Civil Works in charge of Public Works Officers.*—The Budget grant of Rs. 71,30,000 under head 45—Civil Works—Provincial, was increased during the year to Rs. 89,00,000.

“2. The increase of Rs. 17.70 lakhs is mainly due—

“(i) to the removal of the minus entry of Rs. 10 lakhs made against the Budget Estimate of Rs. 81.30 for probable lapses in view of past actuals, and

“(ii) to the grant of additional funds for expenditure on the road bridges over the Chenab and Phulku at Wazirabad ; and on the Grain Elevator at Lyallpur, both of which works are being pushed on vigorously to completion as early as possible.

“3. The Revised Estimate of expenditure has been placed at Rs. 85,00,000 ; but latest advices favour the view that expenditure, up to the working grant of Rs. 89,00,000, will be incurred in full. There will be heavy adjustments with the North-Western Railway in the March accounts, owing to delays in raising debits for girders and other works for the Chenab Bridge, and also for the railing of stone metal for various roads—the former adjustment alone is estimated at about Rs. 3 lakhs round, while exact figures of outstanding liabilities in regard to the latter are not available but are believed to be large. Further, the revision of establishment salaries on which payments are being made with effect retrospective to October and August last, has increased the expenditure under this head by about one lakh.

[Mr. Woods].

" 4. In the ensuing financial year it is expected that the sum of Rs. 98 60 lakhs, proposed, will be spent; and some of the more important projects on which this sum will be expended are detailed at page 37 of the draft Financial Statement.

#### XXIX.—IRRIGATION—MAJOR WORKS.

" Referring to the Irrigation heads the latest figures under XXIX—Major Works—Direct Receipts for the current year, *viz.*, Rs. 3,20,00,000 (of which the Provincial share is Rs. 160 lakhs) show an increase of Rs. 28 lakhs over the Budget Estimate. The large increase is due to the fact that the areas irrigated in both agricultural seasons of 1919 have exceeded expectations. On some canals the rainfall at the beginning of Rabi 1918-19 was scanty, and the demand for canal water consequently intense; whilst on others timely rainfall permitted of extensive sowings, which had subsequently, in the absence of later rainfall, to be matured with the help of canal water, with the result that the area irrigated was 230,000 acres greater than that of Rabi 1917-18. The area assessed to revenue was relatively still larger; being 2,69,000 acres greater than that of Rabi 1917-18. The Kharif season of 1919 also began under conditions favourable to the extension of irrigation, and the area irrigated was nearly 500,000 acres greater than that of Kharif 1918. The demand for canal water was very keen throughout; and was satisfactorily met, though river supplies were low; as the monsoon rainfall of the year 1919 was fairly normal, and about double that of the year 1918. The monsoon rainfall of 1919 ranged from about 24" in the submontane tracts to about 14" in the south-east of the Punjab and to about 8" in the south-west.

" The estimate for the ensuing year, 1920-21, has been fixed at Rs. 3,16,00,000; which allows for normal weather conditions and for some expansion of irrigation on the Triple Canal system. The Rabi area irrigated to end of January 1920, is 4,30,000 acres larger than that irrigated to end of January 1919. The timely rainfall during January and February has assured the prospects of the current Rabi season, and the outlook from a revenue point of view is very promising.

" The Revised Estimate of Rs. 1,39,00,000, under Indirect Receipts, for the year, is Rs. 2,84,000 more than the Budget figure. The increase occurs chiefly on the Lower Chenab and Lower Bari Doab Canals; and would have been greater still but for the total omission of the figures relating to the Upper Jhelum Canal, on which the question of credits of Indirect Revenue has not yet been finally settled.

" For the year 1920-21, Indirect Receipts have been put at Rs. 1,58,00,000; or 19 lakhs more than the revised estimate for the current year. This estimate of increase is based on the assumption that the question of Indirect receipts on the Upper Jhelum Canal, and in the Gujranwala and Lyallpur Districts of the Upper Chenab Canal, will be decided shortly; and that credits will appear in the accounts not only for the returns of the year 1919-20 but also for the arrears of previous years.

42—EXPENDITURE—*Irrigation Major Works.*—Under the head '42—Major Works—Working Expenses the Revised Estimate for the current year is Rs. 1,13,28,000 (Provincial share Rs. 56,64,000) as compared with Rs. 1,05,28,000 provided in the Budget. The working grant for the year is, however, Rs. 1,11,28,000 only. The increase of 6 lakhs over the Budget figure is due to provision for expenditure on repairs which had been postponed owing to stringency of funds during the war, but which could not be postponed any longer without prejudicing the interests of the public service; and to provision for enhancing the salaries of the Engineer establishment, and the War allowances granted to the Subordinate Establishment.

[Mr. Woods].

" The Budget Estimate for the ensuing year, 1920-21, has been fixed at Rs. 1,06,85,000 ; as less expenditure is anticipated on repairs. The decrease is further due to no provision having been made for War allowances, which, it is understood, are being provided for separately in the Estimates of the Civil Department.

" *General Remarks.*—The gross area irrigated by State canals in the Punjab (including Native States) during the year 1919-20 has been about 11,400,000 acres ; and it is expected that the area of crops successfully matured by canal irrigation will prove to be about 10,300,000 acres.

" It is gratifying to note that the area irrigated in the kharif season shows a tendency to increase, relatively to the area irrigated during the rabi season ; the recent great increase in the value of agricultural produce having stimulated the zamindars to take advantage of the more abundant water supplies of the kharif season.

" The gross revenue receipts ( Direct Receipts only ) of the Punjab State Canals for the year 1919-20 are likely to amount to about 320 lakhs of rupees ; and the Working Expenses to about 111 lakhs ; leaving a net revenue of about 209 lakhs. Deducting interest charges on capital account, to the amount of 76 lakhs of rupees, the net profit is likely to amount to about 133 lakhs ; which will be shared equally by the Imperial and by the Provincial Government. The half share of nett profits, due to the Provincial Government amounting to about 66½ lakhs, is about 22 lakhs greater than the average figure attained to during the past ten years ; and about 11 lakhs greater than the best figure attained to during that period. Under the Provincial Contract with the Imperial Government, the nett profits of irrigation are shared equally between the Provincial and Imperial Governments ; but if the Provincial half share should amount to less than 41 lakhs in any particular year, the Imperial Government has to make good the deficit to the Provincial Government.

" During the past 10 years the Imperial Government has only on two occasions been required to make good the deficit of the Provincial Government below 41 lakhs ; viz., in the year 1909-10, a year of excessive rainfall, when the deficit was about 2 lakhs, and in the year 1915-16, a year of very scanty rainfall, when the deficit was about 13 lakhs.

" The question of revising the Provincial Contract is under the consideration of the Imperial Government, and it is anticipated that the terms of the Contract will be revised so as to yield to the Provincial Government a larger share of the nett profits.

" The total Capital Outlay by the British Government down to the end of the year 1919-20, on Punjab State Canals ( Major Works only ) will amount to about 2,250 lakhs of rupees. The value of the crops raised by canal irrigation during the year, is estimated, at the rate of Rs. 64 per acre matured, to amount to about 3,600 lakhs of rupees ; or nearly 3 times the total Capital Outlay down to date.

" It is just 100 years, now, since the British Government initiated modern canal irrigation in the Punjab, by restoring, and opening for irrigation, down to Delhi, under the name of Western Jumna Canal, the old canal systems of the Emperors Firoz Shah and Akbar.

" The landowners and agriculturists were at first slow to realize the advantages of canal irrigation ; and 50 years ago the aggregate area irrigated by canals in the Punjab was only about 1,251,000 acres, the crops on which were valued at 522 lakhs of rupees.

[Mr. Woods].

"The canal irrigated area is now about 9 times, and the value of crops raised thereon, about 12 times, the figures obtaining 50 years ago.

"For the year 1919-20 the gross receipts of Government (Direct Receipts only) from the sale of canal water amount to about 5 per cent. only of the estimated value of the crops raised by canal irrigation.

"In the Statement which I presented to the meeting of this Council on the 7th March last, I mentioned various important projects for the construction of new canals, or irrigation schemes in this Province. The present state of progress on these projects is as follows:—

"*The Thal Canal Project*.—The designs, estimates of cost of, and report on this Project, were approved of by the Punjab Government in September last, and have been in the Press since then; and the printed papers are about to be forwarded to the Government of India.

"The cost of the Project is estimated to amount to about 929 lakhs of rupees, and the financial return is estimated at nearly 10 per cent. on the Capital Outlay. The area irrigated annually under this Project will be nearly two million acres.

"*The Sutlej Valley Canals Project*—provides for the construction of 3 weirs and canal headworks on the River Sutlej below its junction with the River Beas; and a 4th weir on the River Chenab below its junction with the Sutlej. Five perennial and six non-perennial canals, with an aggregate capacity of 35,000 cubic feet per second, will offtake from the rivers at these weirs.

"The project will provide for the irrigation annually of 2,500,000 acres over and above the area irrigated annually already in the tracts concerned.

"It will render available for colonization nearly a million acres of crown waste land. The cost of the Project is estimated at 1,200 lakhs of rupees, and the financial return therefrom at 10 per cent.

"The States of Bahawalpur and Bikanir are largely concerned in this project, which has been discussed with their representatives during the year under review.

"*The Sutlej Dam Project*.—This provides for the construction of a Reservoir Dam, about 395 feet high, across the River Sutlej, at Bhakra in the Himalayas. The capacity of the Reservoir will be 120,000 million cubic feet or 2,763,000 acre-feet. The Project involves also the construction of a weir and canal headworks on the Sutlej near Phillaur; from which point a canal system will offtake and will be designed to irrigate the country already irrigated by the Sirhind Canal, and by part of the Western Jumna Canal, in which country the area irrigated annually at present is only about 80 per cent. of the gross area.

"The Project is estimated to cost about 1,450 lakhs of rupees, and to yield a return of 7 per cent. on the Capital Outlay. Its magnitude may be judged from the fact that the Assuan Dam, across the River Nile, in Egypt, impounds only 36,000 million cubic feet of water.

"*The Haveli Project*—provides for the construction of a weir and canal headworks on the River Chenab, just below its junction with the River Jhelum; from which a canal system will offtake in order to assure the irrigation of existing Inundation Canals, and to extend the area under irrigation. It is expected to yield a return of 6 per cent. on a Capital Outlay of 200 lakhs of rupees.

[Lieutenant-Colonel Davidson].

"The Wular Barrage Project—provides for the construction of a Barrage on the River Jhelum at Sopor, just below its exit from the Wular Lake in Kashmir; the object being to impound water in that Lake during the summer, for use in the winter by Punjab Canals offtaking from the Jhelum and the Chenab.

"The Kashmir Durbar is still considering the proposals for the execution of this Project which were submitted to it by the Punjab Government in October 1917."

The Hon'ble Lieutenant-Colonel Davidson :—"Your Honour, I beg to introduce the heads of the Budget relating to Medical and Sanitary. The receipt heads XX-A—Medical and XX-B—Sanitation call for no remarks as the Hon'ble Mr. Gibson has explained the reasons for the small increases.

"2. As regards the expenditure head 24-A—Medical it will be observed that there is an increase under each of the sub-heads except "Chemical Examiner" aggregating Rs. 3,91,000. The only items which call for remarks are 'Medical Establishment,' 'Hospitals and Dispensaries,' 'Medical School and College' and 'Lunatic Asylum'. Under the first of these there is an increase of 1½ lakh over the figures of 1919-20, which is partly due to the provision for salaries of officers reverting from military duty but mainly to the provision of Rs. 1,35,000 for the revision of the pay of the Provincial Medical Service which is under consideration.

"3. Under 'Hospitals and Dispensaries' the increase amounts to Rs. 1,57,000. This is partly due to small increases under the several minor heads which call for no special comment but is chiefly due to a sum of ½ lakh provided for grants-in-aid to District Boards and Municipalities for improving and equipping existing hospitals and dispensaries and another ½ lakh for opening new itinerating dispensaries.

"As Hon'ble members are aware the Local Government sanctioned 1 lakh last financial year and 1½ lakh this year to assist local bodies and societies to open new dispensaries, and a similar provision is being made for next year. This assistance has been a great incentive to District Boards and Municipalities, 18 new dispensaries have been opened and many more will shortly come into existence. But the opening of these new dispensaries has naturally increased expenditure by local bodies on medical relief with the result that in some districts especially those which are badly off the requirements of existing institutions have not been fully met. To ensure that these institutions are not neglected Government is providing ½ lakh for grants-in-aid to local bodies.

"4. As regards the establishment of itinerating dispensaries it has been a matter for regret that owing to the great shortage of Sub-Assistant Surgeons it has not been found possible to take any action this year. Things, however, look more hopeful now and it is anticipated that the full number, approximately fifty, will be established during 1920-21.

"5. In addition to assisting local bodies to open new dispensaries, and to undertaking the establishment of itinerating dispensaries, Government has also accepted responsibility for meeting the initial cost of providing new dispensaries in colony areas in cases where local finances are unable to meet the expenditure and have made a start with Muridki.

"6. The next item 'Medical School and College' calls for very few remarks. The transfer of the Medical School to Amritsar has had to be deferred owing to the arrangements for temporary accommodation, pending the construction of permanent buildings, not having matured with the result that it has been necessary to re-budget the sum provided this year. Similarly the

[Mr. Wright].

provision for the acquisition of land for the extension of the Punjab Medical School for Women, Ludhiana, has had to be repeated but the amount for the Maternity Block has been reduced to Rs. 40,000, as it is doubtful whether the project will have advanced sufficiently to admit of the whole amount budgetted this year being spent. The grant to the School has also been increased by Rs. 9,600, on account of salaries to the Lady Doctors.

"7. Under 'Lunatic Asylum' the increase is due to the revision of the pay of the attendants and to the rise in the cost of diet and clothing of patients.

"8. Regarding the expenditure under head 24-B.—Sanitation, the province has again been fortunate this year in having had a mild plague epidemic while malaria has not exceeded the usual seasonal prevalence. Influenza has been prevalent to some extent in a few districts, but except for a sharp outbreak in two villages of the Campbellpore Tahsil, it has not assumed an alarming aspect.

"Rs. 25,000 has been provided for the employment of 3 rural health officers for Gurgaon, Rohtak, and Jullundur, Rs. 75,000 for improvement of the Murree Vaccine Depot, two lakhs as a contribution to the Simla Improvement Scheme and 1 lakh for disposal by the Drainage Board."

The Hon'ble Mr. Wright :—“ Your Honour, I am responsible for the receipt head XIX—Education and expenditure head 22—Education. The Education Department is unable to show anything remarkable in the way of financial receipts though I entirely endorse Mr. Richey's remarks made in this Council last year that there is no more reproductory expenditure than that on education. Our receipts are almost entirely limited to fees. There is shown indeed a decrease in receipts, due to the inclusion of Rs. 10,000 in the sanctioned estimate for 1919-20 on account of two new intermediate colleges at Ludhiana and Multan, which for want of sanction could not be opened this year. Hon'ble Members will however be glad to learn that these colleges will now be opened from May next. The difference between the current year's sanctioned budget and the estimate for 1920-21 as explained in the Memorandum, is due to the transfer of the School of Engineering, Rasul, to the control of the Public Works Department and also to the omission of the annual contribution from the Aitchison College (of Rs. 34,000 for salaries of the superior staff) which is an institution under the control of the Government of India.

“ I now turn to expenditure. Hon'ble Members will see by referring to the statement on page 27 of the Memorandum that my budget has fallen short by Rs. 1,87,000 this year. The partial non-utilization of the provision for the two proposed intermediate colleges at Multan and Ludhiana and the transfer to the Public Works Department of Rs. 48,700 for the acquisition of sites for these institutions, counterbalanced by increased charges under Salaries, Establishment, Grain Compensation allowance and War Allowance account for the apparent saving of Rs. 56,000 under 'Government Colleges—General.' Under 'Government Schools—Special' the change in the figure is due to the anticipated expenditure on Agricultural education counterbalanced by the non-utilization of the provision of Rs. 75,000 for the Carpentry School, Jullundur, and of Rs. 1,14,000 out of the provision of Rs. 2,57,900 for the improvement of the pay and training of teachers. It has been possible to spend only Rs. 1,43,000 this year against the accumulations of the assignment for the improvement of the pay and training of teachers.

“ A grant of Rs. 2,62,500 for Agricultural education has been sanctioned this year by the Government of India and the greater part of this is likely to be utilized this year.

[Mr. Wright].

"The decrease under "Grants-in-aid" from Rs. 32,54,000 to Rs. 31,72,000 is due mainly to school managers being unable to claim the building grants sanctioned for them, and to the non-utilization of the Imperial grant for the year of Rs. 50,000 for the construction of new buildings for the Government Training Class, Sanawar. The increase (from Rs. 92,000 to Rs. 1,20,000) under Government Colleges - Professional is due to the opening of a Training College at Lyallpur and an addition to the staff of the Central Training College. There is nothing calling for notice under other minor heads.

"Turning now to the estimate for next year as pointed out by the Hon'ble Member who introduced the amended draft financial statement you will see that there is an increase of Rs. 14,74,000 over the current year's sanctioned figure, and this very considerable increase I have to justify to the Council. I will deal with each head separately—

" 'University' :— We have provided Rs. 15,000 as recurring grant for the proposed University School of Chemistry about to be established, and Rs. 6,250 for a University Professor of Zoology.

" 'Inspection' :— The increase (Rs. 3,57 to Rs. 3,95) here is due mainly to a proposed revision of the inspection staff on the lines recommended by the Public Services Commission.

" 'Government Colleges—General' :— We have provided for additional expenditure on chemicals for the Science laboratories.

" 'Government Colleges—Professional' :— The increase is due to the opening of a training college at Lyallpur and the revision of the staff of the Central Training College.

" 'Government Schools—General' :— The increase is due to the provision of Rs. 1,00,000 for the provincialization of local Board High Schools and the revision of the staffs of the Victoria Girls' School, Lahore, and of the Lawrence School, Ghora Gali, counterbalanced by the omission of the provision for Aitchison College, Lahore, and the transfer of the lump provision of Rs. 15,000 for the education of the orphan children of soldiers who have fallen in the war, and for the quinization of school children, to the minor head 'Miscellaneous'.

" 'Government Schools—Special' :— The increase (Rs. 7,67 to Rs. 11,44) is due to the opening of two new Normal Schools for men at Mianwali and Moga (making 12 in all), the opening of a Normal School for women at Gujranwala (making 6 in all), the opening of S. V. classes in connection with the Normal Schools for men at Jullundur, Multan, Sargodha and Karnal, the revision of the staffs of the Normal Schools for women at Lahore, Sialkot, Rawalpindi, Ludhiana and Multan; the provision of Rs. 2,00,000 for the purchase of a site for an Institute at Moghalpura for the training of Mechanical Engineers, towards which the Government of India have given an assignment of Rs. 1,50,000 non-recurring and Rs. 40,000 recurring; the provision of Rs. 15,000 for a new Normal School for men to be opened in 1920-21; and the provision, as referred to by the Hon'ble Mr. Maynard in his speech in this Council to-day, of Rs. 3,85,000 for Agricultural education out of the Imperial grant of Rs. 4,9,000. The unspent balance of Rs. 2,03,976 of the assignment for improving the pay and training of teachers has been entered, and will be fully utilized next year in meeting the capital expenditure to be incurred on improvements in the buildings of training institutions. Hon'ble Members will be glad to hear that this Imperial assignment (of Rs. 1,75,000) will be absorbed in recurring expenditure from 1920-21.

"No provision has been made for the Government Engineering School at Basul, which is to be transferred to the control of the Public Works Department with effect from 1st April next.

[Mr. Wright; Mr. Townsend].

“‘Grants-in-aid’ :—Here we have budgetted for an increase of Rs. 7,66,000 (from Rs. 32,54 to Rs. 40,20) the major portion of which, *viz.*, Rs. 4,00,000 is for distribution in grants to local bodies for the erection of school buildings, while another lakh (Rs. 50,000 recurring and Rs. 50,000 non-recurring) has been provided for the expansion of female education; and already in anticipation of the passing of the budget schemes for the utilisation of this latter sum are now being worked out. And we have provided Rs. 1,72,000 to meet the Government share of the additional expenditure to be incurred by local bodies on the extension of vernacular education in rural areas in accordance with the 5-year programmes. We have also provided a sum of Rs. 1,40,000 to meet the additional cost of grants to aided institutions and special grants for provident funds; the expenditure in this direction is growing rapidly each year, and as it is due not so much to an increase in the number of aided schools as to improvement in the pay and qualifications of their staffs, this annual increase is a matter for congratulation as pointing to the increasing efficiency of our secondary schools. The increased provision of Rs. 15,000 under ‘Grants for European education’ is based on the actual expenditure incurred in 1918-19.

“There is nothing that calls for comment under ‘Scholarships.’

“‘Miscellaneous’ :—The increase is due chiefly to the provision of Rs. 11,000 for the establishment of small libraries in large villages and small towns, and to the transfer of the provision amounting to Rs. 15,000 for the education of the orphan children of soldiers who have fallen in the war, and for quinization of school children from the head “Government Schools—General” to this minor head.

In addition to the above, special provision amounting to Rs. 1,17,000 has been made for the revision of pay of the officers of the Provincial Educational Service.

“With these few words I beg to introduce the heads for which I am responsible.”

The Hon’ble Mr. Townsend :—“I am responsible to-day Sir, for some minor heads, practically all of expenditure, such as steam-boiler inspection and the like. The most important head for which I am responsible is that of industries. As the Budget shows, we are asking for considerably more money for it in the next year than in the present one. Well, Sir, the whole-time Department has, as yet, hardly emerged from the nascent condition and I can at present only give general indications as to the objects to which that additional money will be devoted. It will be spent—in the main—apart from the salary of the new Director of Industries and his staff—

- (i) on establishing and improving technical institutions : the technical education of the people must naturally precede any marked industrial development ;
- (ii) in engaging experts to bring up to date those industries which are existing but not likely to flourish in the face of the competition, not only from Europe, America and Japan, but also from other provinces of India, which we will undoubtedly have to face. I would like to emphasize that it is not sufficient to make a satisfactory article : it is necessary also to study the best markets for that article, suitable methods of advertisement, and the like ;
- (iii) in starting those industries for which the Punjab is specially suited.

“I would also like to say that I hope the public of the Punjab will not expect that the appointment of a whole-time provincial Director of Industries and the necessary staff will at once turn the Punjab into an Industrial, as against an Agricultural Province. Agriculture is, and must always remain, our most important industry. But within limits, our industries certainly can be developed and Government will give all possible assistance it can in this direction. But it would be a mistake to expect startling developments at once.”

At this stage the Council adjourned for lunch.

[Mr. Joseph.]

The Council re-assembled after lunch at 3 P.M  
**BILL TO AMEND THE COLONIZATION OF GOVERNMENT  
 LANDS (PUNJAB) ACT, 1912.**

The Hon'ble Mr. Joseph :—“ Your Honour, the Bill, which I desire to introduce now, is one which has not yet been published or circulated for opinion. At the same time there is nothing which anyone desires to make a secret about in any way, nor is there anything in the least revolutionary about it. The present Colonization of Government Lands (Punjab) Act, which is generally known shortly as the Colony Act, provides that succession on the death of a tenant should in the main follow the ordinary succession law to which any of these tenants are accustomed in their own districts. This was settled as a result of the recommendations of the Colony Committee of 1917, but in one respect we do not follow the ordinary succession law, that is to say, when the first colonist, who has the land, dies, the land does not go to all those persons who would inherit his ancestral land. It was felt by the Colonies Committee that it was not desirable in the early stages of a colony that land should be largely and rapidly fragmented, and so it was decided that in succession to the first tenant, ordinarily speaking, one person only should succeed. If you look at section 20 of the Act, you will see: it provides first of all that the colonists' male lineal descendants succeed. That is to say, broadly speaking, when the first tenant died, his sons and grandsons would succeed; failing them—if there are not any—his widow will succeed with a life interest or until she re-marries. If she is already re-married or dead, then the man's unmarried daughter succeeds, or if he has not got an unmarried daughter, then it is open to him to nominate one or more successors from amongst his mother, his married daughters, his daughter's son, his sister, his sister's son or any male agnate member of his family. And once again if he fails to nominate any of these persons, then the Collector can nominate any of them. Therefore sections 20 and 21 provide for this that except for the first succession where succession of a number of people is limited, after that the succession follows the ordinary rule by which the succession of his ancestral land is governed.

“ Well, we have lately given land to 11 women. They are widows, or possibly daughters, of people who did extremely well in recruiting service, but have since died and their widows were included by Government in the list of people to whom small grants of land in the colony were made as a reward for war services. In the same way it is expected that there will be a number of other grants made to women from among the people who received the benefit of the 178,000 acres which have been reserved for the officers and men of the army. A great number of the cases of men whose services the Army Department would wish to recognise are cases of men who have given up their lives for the country in the war and therefore they wish that their daughters or wives should succeed. And if members of the Council followed what I said about the rules of first succession, they will see that it is inapplicable to the case where widows are grantees. The Colony Act did not contemplate a woman grantee at all. It contemplated that they would all be men. As I said, after the original grantee first succeeded, the male lineal descendants and failing them the widow. No widow has a widow and therefore it is quite clear that this section is inapplicable to them. But they may have daughters, and failing daughters the succession then passes to one or other of these persons: mother, married daughter, daughter's son, sister, sister's son or the male agnate members of the family. Well, if the mother of the widow to whom you gave the first grant or any male agnate member of that family were to succeed, it is quite obvious that the land then is passing away from the family of the men in respect of whose services the Government has given the land grant. It is passing to his widow's family, and that it should so pass to the widow's family is contrary both to the intentions of Government in rewarding the man who has given his life and equally it would be contrary, I think, to the feeling of the agricultural classes in general and of the soldiers who have won these awards. And therefore it is necessary to modify that section so as to make it apply to the case where the first grantee is a woman. In deciding who is to

[Mr. Joseph ; Rai Bahadur Bakhshi Sohan Lal.]

succeed to this original woman grantee it is felt that it is better that she should not herself be allowed to select from her late husband's or her late father's mother, married daughter, daughter's son, sister, sister's son, or the male agnate members, but that Government who gives this woman a life interest in the property should on her death give it to some one from her late husband's immediate family or other relatives (as the case may be) and to instal on her death some other representative of the family. Thereafter the succession will be exactly as in other cases. That is the only new thing that this Bill sets out to do: to regulate the succession in cases where the original grantee is a woman and is not, as contemplated by the Act, a man. But in considering this conundrum as to how we were to deal with the original woman grantee we accidentally stumbled on the curious fact that section 21 by which subsequent successions are governed is wrongly drafted and does not do what it purports to do. The intention was that when the male lineal descendants had succeeded on the first death the succession should thereafter follow the ordinary rules which govern ancestral land, but the section as provided reads as follows:—'When after the commencement of this Act any tenant dies who has received his tenancy in succession directly or indirectly from an original tenant

\* \* \* the succession to the tenancy shall devolve upon the person or persons who would succeed if the tenancy were ancestral agricultural land first acquired by the father of such original tenant \* \* \*

"If any Hon'ble member has any doubt about my meaning, let him take a small piece of paper and pencil and let us suppose there is a man *A* who has several sons whom we may call *B*, *C*, *D*. Now the tenancy is originally given to *B* only. *B* dies. After his death, under section 20 the first succession goes to his son whom we will call *X*. Now if *X* leaves a son *Z*, by the custom of the country the tenancy should go to *Z* only, and that was the intention of the framers of the Act and equally of the Colonies Committee, but by the section as framed the tenancy will not go to *Z*, but  $\frac{1}{3}$ rd of it will go to *Z* and  $\frac{2}{3}$ rd of it will go to his great-uncles, *C* and *D*, or to their issue as the case may be. Well this is clearly against the feeling of the country and against the intentions of the Act. Members may ask, why if this is so the difficulty has not arisen in practice? I am unable to say. In point of fact I have not thought it worth while to investigate the point whether any succession has devolved in accordance with the Act contrary to the intentions of the legislature, but I do not suppose that many cases have occurred for this reason. This Act was introduced in 1912 by which time a very large number, I think, of the tenancies in Dyalpur had been converted into proprietary rights. The Act no longer applied. Well in the new colonies, the Lower Bari Doab particularly, probably very few cases of a second succession have occurred at all. There has been one succession, but a second has not occurred. So the only thing the Bill does beyond making a rule for succession where a woman is an original tenant, is to re-draft section 21 and make it clear that the collaterals of the original tenant, that is, the issue of the other sons of the original tenant's father, only succeed where the direct line of the original tenants has died out. So long as there is a descendant in the direct line from the original tenant that descendant will enjoy the property to the exclusion of the collaterals. I now ask for leave to introduce the Bill."

The motion was put and agreed to.

The Hon'ble Mr. Joseph :—“Your Honour, I now formally introduce the Bill which has been circulated and which all members have before them. I think they will find that there is nothing more in it than what I have briefly explained already. I move that it be taken into consideration at the next meeting of the Council on the 18th instant.”

The Hon'ble Rai Bahadur Bakhshi Sohan Lal :—“I second the motion, Your Honour.”

The motion was put and agreed to.

[Mr. Joseph ; Captain Gopal Singh.]

PUNJAB CUSTOMS (POWER TO CONTEST) BILL.

The Hon'ble Mr. Joseph :—“ I now present, Sir, the report of the Select Committee which was appointed to consider the Punjab Customs (Power to Contest) Bill. The report of the Select Committee has already been circulated to all the members of the Council and I do not think there is very much to say in addition to what is there written. But I should like to emphasise, if I may, the fact that we have really in Select Committee removed all the features to which exception could be taken, that is to say if the Bill is to be passed at all, I think there is no feature left in the Bill to which exception could be taken and we have now really a clean cut issue as to whether legislation should be undertaken at all or not. The three main points in which we have modified the Bill are that in the first place in clause 6, while in the Bill, as introduced to the Council, the right to contest an alienation or appointment of an heir depended not only on the contestor being in the male line of descent from the great-grandfather of the person making the appointment, but it depended also on the fact that he should have been born before the alienation or appointment took place. That is to say that even though he was the son of the man who alienated, the Bill as introduced would have rendered him powerless to contest the alienation should he have been born one day after his father alienated the land. That provision has been removed. It has been felt that it was not reasonable to demand that he should have been in existence at the time the alienation was made and also it was felt very strongly that inasmuch as a declaratory decree obtained by any other pre-existing reversioner who might be much more distantly related than him, would inure to the benefit of the after-born son, so that the after-born son, was not debarred from succeeding, it was somewhat ludicrous to debar him from suing. It obviously opened the door to evasion of the provisions of the Bill and therefore both for that reason and in the interests of what seemed equitable the Select Committee has recommended that that provision should be dropped, and that the right to sue should depend solely on the degree of relationship of the objector to the person making the alienation. The second main point on which the Bill has been altered is under clause 5 wherein the Bill, as introduced, was equally applicable to all alienations or appointments of an heir made by a female and to the right of any female to contest any alienation.

“ We maintained its applicability to alienations or appointments of an heir made by a female, but we have recommended the excision of the clause making it applicable to the right of any female to contest an alienation or appointment of an heir. The third point is in the saving of causes of action which arise before the introduction of the Bill. Previously the Bill, as drafted, only saved causes of action in which suits and proceedings had been initiated, but in which a final settlement had not been reached. That seemed to the Select Committee to be insufficient. We, therefore, recommended that all causes of action arising before the introduction of the Act should be saved. As pointed out it really makes a very little difference. It will only save a further small number of cases; the cases of the right of descendants or reversioners beyond the fifth degree to contest alienations or adoptions, made before the introduction of the Act where no proceedings have been initiated but which are still within the prescribed limitation. The number of cases affected, therefore, is small, but at the same time when you are introducing an Act which may possibly provoke a certain amount of opposition it is just as well to admit this point and to save any causes of action which already exist. I think these are the only points that really require any explanation. I now move that the Bill after consideration be passed.”

The Hon'ble Captain Gopal Singh :—“ Your Honour, As a representative of the Zamindars and Indian Army I have the honour to move for the total rejection of the Bill.

“ The policy of the law all along has been to keep alive the sturdy peasantry of the Punjab, which constitutes the backbone of the Indian Army. Any enactment which tends to destroy the small holding proprietor and encourage the big Sardar or Zamindar to swallow up without challenge his neigh-

[*Captain Gopal Singh ; Rao Bahadur Chaudhri Lal Chand.*]

bearing small holding proprietor will ultimately lead to the peasant proprietor being replaced by tenants-at-will, a result, which I am sure, no person in this chamber can view with complacency.

"The measure just now proposed aims at giving free license to any person who happens to have no reversioner alive within the 5th degree; such a man can dispose of his ancestral property in any manner he likes.

"If he is a debauchee or a spendthrift, he can make any alienation, which may be without consideration or necessity or spend money on immoral objects, and there will be no force in the world to control him.

"Land is something sacred to the Punjab peasants. Your Honour will easily find a very large number of villages which have been founded by a single adventurous man and up to this time the village is enjoyed by his descendants, the village common bond is intact up to this day and has never been broken. The village community feels a sort of strength in its descent from a common ancestor, the village lands have been jealously guarded up to this time and not a single stranger has been allowed to enter the village up to this time, this Act will leave the reversioners at the mercy of the man.

"This Bill, if passed, will ruthlessly destroy the ancient customs of the Punjab which have been judicially recognized. This provision can do no good whatsoever to the peasant proprietor; a male childless proprietor is always anxious to destroy his ancestral property and wants to leave nothing for his reversioners; this fact is quite well known to every Punjabee. The State should always interfere to keep intact the feeling of sacredness in land and to control the desire of the childless male proprietor to wreck the ancestral estate.

"This Bill, if passed, will prove most obnoxious to the interest of the Punjab peasantry, and I may humbly submit a most unpopular measure ever enacted by the Legislature which cuts directly at the roots of the Punjab Agricultural fabric.

"The ideas of free disposition of property should not be allowed to enter into the minds of the Punjab peasantry or else the peasantry itself will be disposed of in no time, a result, which I trust, nobody desires, and on these grounds I take the liberty to oppose this Bill most strongly. With these few words I request Your Honour to withdraw this Bill or postpone its consideration to the New Council in which there will be sufficient number of the representatives of the Zamindars."

**The Hon'ble Rao Bahadur Chaudhri Lal Chand** :—"Your Honour, I rise to oppose this motion. As I was one of the two members who opposed the passage of the Bill in any form in the Select Committee, I think an explanation is due from me. To begin with I should like to state what will be the effect of the Bill if it is passed into law. It has been said that this Bill will cut down infructuous and vexatious litigation. A very laudable object indeed, and even my best friends will not forgive me for opposing a Bill which has for its object the mitigation of fruitless and destructive litigation. Now I do not at all admit that litigation will decrease if the present Bill becomes law. On the other hand, it seems to me quite probable that whereas at present very few alienations are contested, the moment people come to know that restrictions and limitations have been enacted, and that members within a narrow circle only within a short period can contest it, the chances are that they will at once contest it. As an analogy there is only one year's limitation for pre-emption and yet we see that there is hardly any sale which is not contested. The reason why people bring in courts cases long after the date of alienation is not because they acquiesced at first and it is out of spite or at the instance of a third party that a suit is filed, but because of the extreme poverty of such persons. It requires the earnings of a whole

[*Rao Bahadur Chaudhri Lal Chand.*]

generation to fight a case in civil court. My Hon'ble friend, Mr. Fazl-i-Hussain, has given very strong reasons against this Bill, but for argument's sake let me admit that civil litigation of the sort under discussion will decrease. But will this decrease of this particular litigation bring peace and prosperity to the people and will it strengthen the ties of brotherhood in the village communities? On this point I am very emphatic and would say 'No.' Why are these cases instituted nowadays? A stranger buys land in a certain *ghata*, or village, settles there and for some time the vendee and the vendor and his relations live in peace. After some time the stranger begins to make his presence felt, and the family of the vendor begins to feel that they have sown a thorny plant in their midst and somehow or other they want to turn him out. A suit is at once filed. In 50 per cent. cases, however, such cases are compromised before any decision is pronounced and the family gets back the land and all future trouble ceases. In the remaining 50 per cent. cases the chances of the two parties are equal. Thus it is only in a minority of cases that the litigation proves vexatious. Let me for a moment admit this much also that we should protect even these 25 per cent. vendees from vexatious litigation. This I must say is not provided in the Bill, nor is it in our power to ensure. We can refuse adjudication of the dispute in a court of law and tell the vendor and his family not to come to us for redress. We may tell him that it is in order to bring finality to disputes and in order to effect improvements in the land by assuring the rich vendees of the safety of their title, that we are putting these restrictions upon his power, but there is a deity to whom the vendor and his family have free access and which never fails to help them in time of need and it is very probable that we are forcing these disappointed villagers to pay homage to that deity, with the result that litigation of a worse type will increase. That deity is their *lathi*. The Simla Conference, in spite of their 'judicial, legal and administrative talent' to quote Mr. Craik's own words did not at all consider this mighty instrument. They have not considered the importance these village communities attach to keeping their land intact in the family. The desire is inherent in their blood and it will take centuries to replace communism by individualism. The moment the vendee finds that his title is safe he will begin to assert himself and the family of the vendor will resent his doing so. The doors of Civil Courts are shut and the chances are that criminal courts will be resorted to and our object will be frustrated. I would, therefore, appeal most strongly to the Hon'ble Members to take this sentiment into consideration before they give their vote in favour of the Bill.

"The feeling to which reference has been made by me is very keen, and if testimony were needed, I would ask the Hon'ble Mr. French to state how many applications he received during the War from men fighting at the front praying for the restoration of the land sold by one of their family members to a stranger back to the family. This was their chief desire, and this was greatest boon they would ask for.

"An illustration may perhaps make this clear. His Majesty the King-Emperor happened to visit a Punjabee sepoy in one of the hospitals in England. His Majesty asked if he had any trouble and the sepoy forgetting that the Emperor was asking about his wounds or about the treatment in hospital submitted that some ancestor of his had parted with a portion of his family land and the same may be restored back to the family. He would not ask for a grant of rectangles, he would not ask for a jagir, which request would have been granted, but would pray for the restoration of that particular plot, probably *barani*, which was his by birth and had gone into the hands of a stranger. Enquiry was made and it was found that the case had been fought up to and lost in the highest court. Your Honour, this is the sentiment all over the Punjab and should not be ignored. As a legal practitioner, although I have not got the experience of 35 years which my Hon'ble

[Rao Bahadur Chaudhri Lal Chand].

friend on my right can boast of, yet I can say with some authority that the custom that we are going to enact for the people and which we are forcing the people to accept as their custom throughout the province does not exist in the whole of the Province.

"Why has this mistake been committed, why did the Simla Conference agree to a proposal which is so much against the sentiments of the people and why again is the Government bent upon violating the pledge it gave when passing the Punjab Laws Act that in matters of this nature they will not interfere? I will answer these questions, but the last one needs a reply from the Hon'ble mover.

"Why has this mistake been committed and why did the Simla Conference agree? The mistake has been committed, because only one side of the question was kept in view and the Simla Conference too discussed only one side of the question. The point as to whom is this Bill likely to affect and what steps should be taken to know their views was not pressed. The Bill wholly effects village communities whose unity the Bill will break if allowed to be passed into law. Have they been consulted and has due weight been attached to their views? I say no. The Hon'ble Mr. Joseph will probably say that most of the District Boards favour the Bill and so do most of the Deputy Commissioners, the men on the spot. Let me quote to the Council the opinion of the District Board of Lyallpur, which consists of men from all districts of the Province and can fairly be said to be an exponent of rural opinion in the Province. It says 'The Board consider that no-interference should be made with the present law effecting the power of reversionary heirs to contest alienations of immoveable property.' I may note that in spite of this strong opinion the Deputy Commissioner of the place probably himself in the chair disagrees, and that shows the amount of prejudice attaching to a proposal from Government. But why blame Government officials, let me take my stand on the opinion of Government officials themselves. The Registrar of Co-operative Societies is in direct touch with the villagers, he knows their sentiments and never inflicts his views upon the people in the way an executive officer gets accustomed to inflict it. I have not got a copy of Mr. Calvert's opinion, but I am sure he was against the Bill, and with Your Honour's permission I would request the Hon'ble mover to read the same over here for the information of the Hon'ble Members.

"After attending a meeting of the Select Committee on the Bill at Lahore I had to attend another meeting at Lyallpur the other day. Mr. Darling, officiating Registrar, asked me what we were doing at Lahore, and on being told about this Bill at once said 'Well, this Bill was sent to me also for opinion by Mr. Calvert and I took the views of over a dozen societies myself on the spot and people were very much against it.' I think I do not require further authority to convince the Hon'ble Members that the village opinion is against this Bill. This, I submit, has not been duly considered.

"The next question remains to be answered. Why was the Simla Conference unanimous about it? With due deference to the members of that august body I would call it a body which did not and could not represent public opinion on the subject. There were eminent judges and able lawyers serving on it. There were big zamindars and jagirdars also serving on it. There were experienced executive officers no doubt, but this was all. The rest of the Province remained unrepresented. This body represented the best judicial, legal and administrative talent of the Province, but it did not go further. The vendor, although one party and the affected party, was not represented. Their exponent, the Registrar of Co-operative Societies, was also excluded and behind the back of this important party or his agent this body sat in judgment and passed a decree. So this decree is at its best an *ex-parte* decree and should not prejudice the judgment of the Hon'ble Members. My

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friend, the Hon'ble Sardar Bahadur Gajjan Singh, in supporting the Bill, is taking a responsibility upon himself against the wishes of the people and I would entreat him to reconsider his decision before the last stroke is hit. I miss here to-day that eminent lawyer who would have defended the small proprietors had he been alive. But fortunately the late Hon'ble Mr. Parker has left his opinion on record and I simply draw the attention of the Hon'ble Members to what he says:—

"I do not know the reasons which led the Conference to accept the principle that it is desirable to lay down specific rules of law limiting the right to sue to contest alienations.

"The present Bill is intended to enact two restrictions on pleadings in certain cases dealing with matters affecting persons subject to agricultural customs.

The first rule (clause 4) lays down the principle that alienations of immovable property, or the adoption or appointment of an heir may not be contested by distant collaterals in the male line and fixes the degree at collaterals in the fifth degree from the common ancestor. Provided that where the person whose act is challenged is a female holding a life interest only, the degree of relationship is to be calculated from the person from whom she derived such interest. Put in this form, I see no objection to the proposal, but I do not approve of the form in which clause 4 stands.

"The fifth clause of the Bill provides that the alienee's or adopted person's or appointed heir's title in non-ancestral immovable property cannot be questioned. This is the present law which is that, if the adoption or appointment is proved, it gives a title to self-acquired property, to which customary law would seem to have no application. The form of clause 5, however, seems to place the burden of proof that the property is "ancestral" on the challenger and not on the alienee or person adopted or appointed. The present law places the burden of proof on the latter, and it seems that where there is an alienation or an adoption or the appointment of an heir, it is for the alienee, person adopted or heir appointed, to justify his title by proving that the property was self-acquired. This seems only just. On the other hand, the challenger can get over the difficulty by alleging or pleading that all the property is ancestral and, thereupon, the defender would have to prove that the part affected by clause 5 was not ancestral and, if he succeeded, the suit would be dismissed as to that part of the property. I do not think that the restriction on pleading proposed in clause 5 would effect any improvement.

"These two main clauses of the Bill appear to me to take a very undesirable form as they place restrictions on allegations made in pleadings or procedure; while the desired rules should be rules of substantive law.

"Turning to the second clause of the Bill I venture to think that it provides a very awkward and unsatisfactory method of getting over the difficulty of finding an accurate definition of the term "agriculturist" or "agricultural." If we are to proceed with the codification of custom a better and safer solution should be found.

"I venture, generally, to express the opinion that piecemeal legislation, of the kind suggested in this Bill, is open to objection on many grounds.

"In my humble opinion, the best course would be to pass a short temporary Act enabling the Government, after consulting the Hon'ble and learned Financial Commissioner and Judges, to codify custom, by declarations made from time to time by notification, of propositions of Customary Law which are to be deemed to have been established as custom and to be in force. When particular branches of custom have been thus dealt with, and have stood the test of a few years' experience, the work of permanent enactment may be commenced. Thus the temporary Act would enable the entire body of Customary Law to be revised and notified, and after, say, five years, the rules declared would be permanently enacted.

"It seems to me that the present Bill could wait till we know more about the task which lies before us, and can deal with something more than the two restrictions specified in it.

"To-day the Hon'ble Members have been asked to assume a power to dictate custom to the people, for what does this Bill mean? This Bill means that the people of the Province have failed to agree to one uniform custom, and the eminent judges of the High Court have also equally failed in their attempt to give uniform verdicts on this point for the different sections or for different parts of the Province, but as this Council feels that its chief function is the reducing of litigation (at whose expense, it is not their look out to see) therefore we sit here to create a new custom and laying all our previous

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pledges not to interfere with custom aside, we give this new custom which is our own creation a force of law. What Legislative Council possesses these extraordinary powers I leave it for the Hon'ble Member in charge to reply.

"Your Honour, there is no one here who would not welcome a decrease in litigation. But the method adopted is not right. This is like suggesting on the part of opposition party that in future sale-deeds should not be accepted for registration or mutations of land sanctioned unless all male reversioners of the vendor related to him within 5 degrees agree to the registration or attestation, and yet there can be no doubt that if such a provision were made, the titles will become very safe and litigation will diminish. There was a time when Government passed the Alienation of Land Act to protect the small zamindars. Am I to presume that the direction of the wind is changing and we should be prepared for further protective measures for the *sahukars*? Pray do not hurry over this Bill. This is not so simple as the Hon'ble mover seems to think it is.

"Your Honour, we in villages attach very great importance to our ancestral property. There has of late been a sudden rise both in the price of the house property in towns and of land in villages. In Lahore and other big towns thousands of owners of houses have been tempted to sell their ancestral houses on account of this rise, but in village communities you won't find one example of a man selling his ancestral land simply because it fetches a fabulous price. I would, therefore, request Your Honour in the name of those inarticulate illiterate villagers, who have such a poor voice in this present Council, to withdraw this Bill or to postpone consideration of this Bill till the next Council, in which we expect a large element of this section of population, meets. Let us not justify our existence by forcing a Bill of such contentious nature upon the village communities behind their back. Postponement to the next Council would mean only giving those affected an opportunity to be heard. With these few words I oppose the motion."

**The Hon'ble Sardar Bahadur Gajjan Singh :—**"Your Honour,—I am very sorry that I am quite unable in this matter to see eye to eye with my Hon'ble friends, Captain Gopal Singh and Rao Bahadur Chaudhri Lal Chand, with whom it has been from time to time my privilege to co-operate. I shall be the first member who will very carefully guard the interests of the rural classes whose interests I am sure both my friends advocate. The question that arises upon this Bill is whether really speaking there was any such question in the Punjab peasantry as would give rise to contest such alienation. My friend has very wisely tried to minimise the very long experience of my humble self at the Bar, but I can safely assert without the fear of contradiction that early in 80's when I joined the Bar, then such rights to contest alienation were entirely unknown. I know the Hon'ble Judges of that time always approached the question in this manner: whether there is any such right which empowers foreigners to contest the validity of such an alienation. For a good many years the reply to this issue was in the negative and all such suits were dismissed. There was no such discontent or hardship at that time. In 1887 for the first time the Chief Court passed a full bench ruling which is known as 107 of 1887. For the first time that ruling laid down that really speaking the property belongs to the tribe or the family, and if the ancestral property is alienated without any necessity, then the collaterals up to a certain degree have got the right to contest that alienation in court. That ruling, as a matter of fact, was confined only to the Central districts of the Punjab, but, as regards my own district, I can speak from my own knowledge that for a number of years the Judges held that that ruling would not apply to them. After several years, probably near 1900, the principle of that ruling was also

[ *Sardar Bahadur Gajjan Singh.* ]

extended to my district, and then to Delhi and other Western districts of the Punjab. Here we find the development of an imaginary right which vested in the agricultural community of the Punjab. We have just been referred to the *Wajib-ul-araz*. We will find that that document is entirely silent on that matter. It can only give the right of pre-emption and no right to contest alienation. But now I think it is too late for me to bring forward that question. The question is settled beyond all doubts and nobody will like to go back. Up to a certain limit the power of contesting alienation exists in certain reversioners. We very well know that unfortunately there is a tendency in the agricultural classes and probably in others in the Punjab to indulge themselves in fruitless litigation. This Bill, Your Honour, is aimed at removing or stopping that litigation—not any litigation which is based on the solid rights of the contestors. If we just go through the Punjab Records and the Customary Law, then we will find that the utmost limit laid down by the learned Judges and the learned authors of that day is not more than 7 degrees. Remote collaterals of more than 7 degrees are not permitted to bring such cases, but in the majority of cases the more remote the collateral the less chance there is for them to succeed. There are cases in which reversioners of 8th, 9th, 10th or 11th degrees have come into court. The result has been that those poor persons wrongly believing that there is a custom which allows them to go into the court, rush to the courts, incur useless expenses and in a good many cases they are compelled to the painful necessity of alienating their own ancestral property. This is the main object of this Bill. I am sure there is no intention in any way in this Council or elsewhere to curtail the legal actual rights of the people to contest such important alienation. If we go, as a matter of analogy to the Hindu Law, we will find that only grandsons are empowered to contest the alienation of ancestral property. By this Act we are giving more power to collaterals who are related up to 5 degrees than in the absence of any custom their personal law would give them. Then something has been said by my learned friend on the left side that if this Bill is enacted into law, strangers will get an ascendancy into villages with the result that the peace of the village will be disturbed. I am sorry I am quite unable to share that view. My friend obviously has not taken into consideration the other law, I mean the Law of Pre-emption. When the alienation in the shape of sale is made, then the collateral has the right to check that stranger from entering the village or the family estate by filing a pre-emption suit. So in that way the introduction of the strangers in the family can be prevented, but if once a stranger is permitted to come in and the right of pre-emption is not asserted, then I fail to understand what remedy is there in the hands of anybody in the village to keep him out and he like others will have the privilege and right to deal with the property. Therefore I submit the apprehensions mentioned by my Hon'ble friend are more imaginary than real. It was then pointed out that the true position of the agriculturists was not considered by the Simla Conference. But I entirely differ from that view. The Simla Conference was representative of the Judges of the Chief Court. It is idle to say that the Judges were not well aware of the rights of the peasant classes or that they could not enter into the feeling of them. If I rightly remember, all the Hon'ble Judges were unanimous on that point that the Bill as such was absolutely necessary. Then I believe, Sir, that that Conference was attended by the learned Financial Commissioners and by a body of other officers who had every means and every opportunity to know and understand the feelings of the people. Therefore to my mind it is perfectly clear that the recommendations of that august body cannot easily be ignored. In fact, I would say, Sir, that the increase of unnecessary litigation should have been handled long before. In fact I should say, Sir, that Government has rather delayed this matter. Nobody would suffer by the introduction of this Act. Collaterals up to the 5th degree

[*Sardar Bahadur Gajjan Singh ; Khan Bahadur Sayed Mehdi Shah ; Rai Bahadur Pandit Jawahar Lal Bhargava ; Rai Bahadur Bakhshi Sohan Lal.*]

will have every right to come into court, while others, who even now come to court, have very little chance of success. We have to see whether there is any very great community of interest between the vendor and those who are related more than 5 degrees. Therefore I am sorry that in the interests of the zamindars I must differ from my learned colleagues and for these reasons I give my support to this Bill."

**The Hon'ble Khan Bahadur Sayed Mehdi Shah :—**" Your Honour, I oppose the Bill. It should be withdrawn or postponed to the next Council in which there will be a large number of zamindars present."

**The Hon'ble Rai Bahadur Pandit Jawahar Lal Bhargava :—**" Your Honour, I strongly support the Bill. It is of a very simple nature and it has been before the Council, I should say for an inordinate length of time. It has been circulated for opinion more than once and the opinions that are in favour of the Bill are not of a few persons but of many persons. I need not name those persons whose opinion is in favour of the Bill, but if the Hon'ble Mover has got all the opinions with him, he will find that a very large number of officials and non-officials support the present legislation. I am surprised to find that objection is taken to the Bill as a whole. The Bill so far as it goes is very limited in its scope. As regards the self-acquired property, the right to contest an alienation about it is very seldom alleged, and I should say never found to exist, but the proposal is that the Bill should be rejected as a whole. As regards ancestral property, also sufficient safeguard has been provided in the Bill for genuine and legitimate reversioners' rights. It aims only at reducing the large number of infructuous and unnecessary suits that are brought into court nowadays. If this law is passed, those suits will be stopped and the zamindars will not be losers in any way. The apprehension that has been referred to by my friend, Chaudhri Lal Chand, is too much exaggerated and imaginary. The objections that could be raised to the Bill have already been considered by the Select Committee and now in its present form it is of a very mild nature and it should be passed as it is."

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal :—**" Your Honour, I also support the motion. This Bill is aimed at restricting the degree of nearness of collaterals to contest an alienation by a childless male proprietor, who, according to the laws of the whole civilised world including Hindu Law which is the basis of all Customary Laws, would have full power to dispose of his property, whether acquired or ancestral, without any control on the part of any of his collaterals. If no limitation is prescribed on the remoteness of the collateral relations, relations of very great remoteness may come forward who have really got no sympathy with the old childless proprietor beyond that of waiting for the day of good luck of his death. The old man may be in urgent need of help in his old age when he is left no energy to win bread for himself and for those dependent upon him, such as wife, daughter or mother. The remote collaterals are as strangers to him as those not related to him and have no real sympathy for the old man and may possibly be not friendly towards him and the old man may be in need of keeping the body and soul together of himself and of his family relations such as daughter, mother or wife. After all the object of controlling the power of a childless proprietor is to preserve the property in the family and for the benefit of the family members or of such near relations who, though separate, can be taken or treated to be members of the family. So in my humble opinion the limit of 4 generations is quite reasonable. Relations descended from ancestor of 4 generations can be expected to have some sympathy for the old man to help him in his old age by money or by service, but remote relations would be expected to have no such sympathy. The childless proprietor even if he is very cautious and particular in preserving the property may still be in need and he will be certainly in need of help

[Mr. Fagan.]

during his old age. It is quite unreasonable that he may not be able to adopt his sister's son or daughter's son merely because there are relations of 10 or 12 generations remote. I think this Bill ought to be passed."

**The Hon'ble Mr. Fagan:**—"Your Honour,—From the speeches to which we have listened in opposition to the motion before the Council, I gather that the arguments which they embody are based on the main principle that any interference with what is known as Punjab custom—that mass of usages of more or less wide local extent,—is in itself undesirable. Now, if this Bill were a measure for the abolition or abrogation of a custom, of a well defined custom, I think it is permissible for me to say that that opposition would command my complete sympathy and support. I would go even further. I would go so far as to say that if this measure embodied any degree of radical interference with custom I myself would personally readily sympathise with the opposition to it. But, as a matter of fact, the argument based on the view that any interference with Punjab custom is undesirable is it seems to me quite irrelevant to the measure before us. That measure is not one abrogating or abolishing or radically interfering with any custom whatsoever. So far from being a measure of that kind it is rather a measure which tends to define, to stereotype, to crystallise and even in a measure to give statutory recognition to a principle which is very widely prevalent not only in the Punjab but in all communities which are not in a very advanced stage of development. That is the principle that private property is subjected to family or communal fetters in the matter of alienation and even in the matter of user. This Bill is so far from abolishing or abrogating any customs, that all that it really does is to define or, if I may use a metaphor, to trim the somewhat ragged and frayed edges of a custom which, endowed though it is with great social significance in this Province, still is, as regards the degree of the relationship of the collaterals who are allowed to dispute an alienation, very indefinite. It is only necessary to read a digest of the cases reported in the Punjab Record on the question of the degree to which collaterals are entitled to dispute alienations to understand quite clearly how very indefinite this limit to which I have referred really is. There is one point on which it seems to me it is very necessary to carefully guard against misapprehension, that is, that this right of disputing alienation is in no way co-extensive with the right of succession. I need not remind the many distinguished lawyers who adorn this Council that that principle has been very clearly laid down in various rulings of which the most important is Punjab Record 24 of 1912. When looked at in the light of the considerations which I have endeavoured to put before the Council, I am afraid not very clearly, the question before it seems to me to narrow itself really to this, whether the body of the custom itself being left intact as this Bill leaves it intact, any restriction of its exaggerated development and of the scope for undesirable excrescences which it so amply affords is really desirable or not. When so put the arguments which have been addressed to us against the Bill seem to me to lose a very great part of their weight. The Bill is of course one which like many others is open to misapprehension and misrepresentation. There will be little difficulty in raising the cry 'custom in danger' but I feel convinced that the zamindars in the Punjab, if they really understand the drift of this measure, will be far from regarding it as undesirable. I speak on the basis of a certain amount of personal inquiry which I have lately made in the course of tours through the Province and what has struck me is that it is not any limitation of the kind which this Bill enacts which is unwelcome. What is really at the bottom of the minds of the people concerned is apprehension as to the degree to which it will be carried. Now as regards this, I do not think I need say much after the very eloquent and cogent speech to which we have just listened—the speech of my Hon'ble friend, Sardar Bahadur Sardar

[ *Mr. Fagan ; Khan Bahadur Malik Muhammad Amin Khan ; Makhdum Sayad Rajan Shah ; Khan Bahadur Mian Fazl-i-Husain.* ]

Gajjan Singh. He has shown us quite clearly that the trend of rulings of the Punjab High Court has been towards limiting the degree to the 5th degree. There are, as he rightly remarks, extremely few cases in which any degree above that has been able to sue successfully in our courts. The proceedings of a Select Committee in this Council are rightly and very rightly enshrouded within the impenetrable folds of official secrecy, but the Select Committee on this Bill has in its report revealed to us the fact that there is at all events one distinguished lawyer who is ready to accept the fifth degree as being suitable if the principle of the Bill is to be admitted.

"The number of cases which the Bill really affects must be comparatively small, and that is an argument to some extent in favour of the Bill. On the other hand of course it is open to the counter argument that if only a few cases are affected why all this bother. As to that it seems to me the obvious reply is that those are the very cases which constitute the undesirable exaggerations and needless excrescences which are apt to grow up around this custom. There are vexatious developments which lead to the needless legislation to which the Hon'ble Sardar Bahadur Gajjan Singh has referred. The Bill in fact is not a measure of radical change or of any violent or needless interference with the customs of the people. It is purely one of moderate regulation and definition. I need hardly point out that the most scrupulous care has been taken to avoid hardship in particular cases. The Hon'ble Mr. Joseph in moving the Bill gave a full account of what had been done in that direction in the Select Committee, and there is no need for me to add anything more to the remarks which he has made.

"In conclusion it seems to me that this Bill is likely to be productive of great benefit and will in no way be unwelcome to the zamindars of the Province provided they understand its import, and that the position as laid down by it is not in any way misrepresented to them."

**The Hon'ble Khan Bahadur Malik Muhammad Amin Khan.**—"Your Honour,—I strongly oppose the Bill. Most of the agricultural people are against it and where is the harm to postpone the Bill to the next Council under the Reforms Act. There will be a larger number of people representing agricultural classes, and I think it is much better to postpone it."

**The Hon'ble Makhdum Sayad Rajan Shah** spoke in Urdu, a translation of which is as follows :—"Your Honour,—The Bill presented by the Hon'ble Mr. Joseph has been discussed and explained in detail. But as this Bill particularly relates to zamindars I wish to say that it should be postponed and be put before the new Council which will contain a majority of zamindars."

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—"Your Honour,—I have listened to the debate with a very considerable interest and now I have stood up to place before the Council what I consider as the right way to approach the principle which is involved in this Bill. But before doing that, I must acknowledge that in the Select Committee when we discussed the Bill and each clause of it, we recognised that there was a good deal to be said in support of the Bill. We came to know that the backward zamindar of the Punjab should realize the value of free alienations inasmuch as they tend to enhance the value of their land ; that if a zamindar is allowed uncontrolled power of alienation, at once the value of his holding goes up and in proportion he is benefited thereby. We also came to understand that in most cases well-to-do zamindars will be in a position to acquire the holdings of their less fortunate brethren and therefore necessarily there will be nothing particularly prejudicial to the interests of the zamindars as a class. Both these arguments have considerable force, but I did not quite feel convinced as to the feasibility

[ *Khan Bahadur Mian Fazl-i-Husain.* ]

of passing a measure which, as has just been observed, really does no good so far as reducing the amount of litigation in the Province is concerned. That is the claim I put forward. Here is a piece of legislation going to be introduced by the Government and what is the object in view? We have been told just now that the attempt is made not with the object of abrogating or modifying the custom, but the attempt is made simply to crystallise it. I will presently show that it is not the case. In the second place we were told that very few cases will really be such as will be prevented from coming into the court, that is to say, most of the alienations are controlled by persons within the 5th degree and there are very few cases where collaterals within the 5th degree are not available to contest alienation, and that cases where alienation beyond the 5th degree have to come in are really few. This statement is really a statement of fact. Not only published rulings but unpublished rulings are not very many wherein collaterals beyond the 5th degree have come to the High Court—to the Chief Court—either to succeed or to fail. Therefore it seems to me that the first argument, that is to say, that we want to reduce litigation loses its force absolutely. If, as a matter of fact, there are not very many cases wherein a plaintiff trying to control the alienation of his collateral succeeds or fails—if these cases are really few and far between, is it necessary to have recourse to special legislation? As a matter of fact, at the time—in February 1919—when the Bill was introduced, Mr. Craik definitely told us that our object in this legislation is twofold: to curtail *mala fide* and infructuous litigation and to give statutory force to certain recognised rules of custom. If this Bill were intended simply to achieve these objects, I do not think either my Hon'ble friend, Rao Bahadur Chaudhri Lal Chand, or other members coming from rural constituencies and District Boards or others sympathising with them would have anything to say against the Bill. But one has only to refer to Rattigan's Customary Law or Mr. Ellis' Punjab Custom to see that there are a large number of reported cases where collaterals beyond the 5th degree have tried their luck and tried successfully. Not only have they tried since 1887—since the Full Bench Ruling that Sardar Bahadur Gajjan Singh spoke of—but, as a matter of fact, they tried it before 1887, and successfully; otherwise it is inconceivable that the Full Bench Ruling should have been imposed on the Province not based on precedence but simply on the basis of theory which was in conflict with the rulings which existed before 1887. As a matter of fact, as early as in 1831 we have a reported case—100 of 1881—wherein in the neighbouring district of Ferozepur collaterals of the 7th degree were successful in controlling the alienation of their collaterals. Now, without getting into the technicalities of the Chief Court authorities, what I really want to do is to warn the Council against starting upon what seems to me to be a very big campaign indeed. What I mean is this: is this Bill the only legislative measure the Government has in view with reference to the Punjab custom? If that is so, I would appeal to the Government not to proceed with it, because I will presently show by going through the various clauses of the Bill that it has really no object in view and will not reduce litigation. It will not do anybody any good, nor will it do anybody any harm. I am frankly ready to recognise that it is a measure which does neither good nor harm, and on that ground alone, if that is the only measure that Government intends to proceed with, it should be dropped. The onus of trying to show that the Bill can be proceeded with and passed lies on those who bring it forward. They have to show positively and affirmatively that this Bill is going to achieve a certain object, and that object is for the good of the country. In order to make good this claim, Your Honour, I would invite the attention of the Council to the various provisions of this Bill. And if I may say so it was the courtesy of the Hon'ble member in charge and the other members of the Select Committee that is responsible for leaving the Bill as it is, that is to say, an absolutely colourless Bill which as I say does neither any harm nor any good to anybody.

[ *Khan Bahadur Mian Fazl-i-Husain.* ]

The two contentious points which were really going to revolutionize the existing custom were after hearing us admitted by the Hon'ble Member in charge and in a very judicial and judicious spirit removed from the provisions of the Bill. He most gladly struck off those two points of custom and agreed that the objections taken against them were potent. Now we find the first clause of the Bill simply gives the name, the second one gives definition, the third says what is the scope of the Bill and the fourth is a saving clause which again was altered by the Hon'ble Member in charge in pursuance of the wishes of those who were opposed to it in the Select Committee. The only provision that is left is the provision in clause No. 6, and that again simply says that 'beyond the 5th degree, please do not come to court;' and as I say there are very few who already do come to court whether to succeed or fail, is it worth while to take all this trouble to legislate in order to make this request more or less to those who can come to court? What is the effect of clause No. 6 of this Bill? I claim that in many cases clause No. 6 does abrogate an existing custom. Even if I admit that there is no other legislation, that would be in the interests of a certain principle—in favour of the right of free alienation—I will have them to recognise that when doing so I am abrogating a custom in several parts of the Province. I am modifying it and knowing that full well I cannot shut my eyes to the fact wherein we can say that beyond the 5th degree such custom does not exist. The peculiar feature of the Punjab custom is that it has no Punjab custom as such, but there are territorial local usages which bind people living within that territory and not only are there those territorial usages but they again are affected and influenced by tribal traditions. Knowing this to be the constituent element of what is wrongly called the Punjab custom, but is really a territorial usage it will be wrong on the part of the Council to remain under the misapprehension to this effect that what we are really doing is only crystallizing custom. For when you have the right given to collaterals of the 6th, 7th, 8th or in some cases even the 9th degree to control the alienation of their collaterals it cannot be said that you are crystallizing the custom; on the other hand, it must be said that we propose to force the custom on some parts of the Punjab. As a lawyer I must say that I feel very doubtful as to the power of the Council to do that. As a lawyer again I must urge upon the Government the inadvisability of even giving an impression to the rural classes that what was laid down as sacred for them in the Punjab Laws Act can be violated by the Council; and as a member of this Council which is now enjoying an extended period of its life I will again urge upon the Government the urgent need of not proceeding with the Bill in this Council but simply postponing the further consideration of the Bill to next year, so that people who then will, to the extent of 80 per cent. of the strength of the Council, be coming from the rural areas may be in a position to decide for themselves whether they are prepared to modify the custom to that extent or not. To my mind it really comes to that: If the people say 'this is too much trouble and in the interest of raising the value of the land and in the interests of enlightenment and advancement we are prepared from to-day not to consider that our custom,' then and then alone it will be possible for the legislature with a clean conscience to proceed to enact a law which is going to change the custom of some parts of the Punjab and some people living in the Province who before now had a different custom to govern them. That is the view, Your Honour, that I personally entertain and which I with all submission place before the Council for consideration.

"Now a few words as to what has fallen from the Hon'ble Members who have supported the Bill. It has been said that, though I do not think my Hon'ble friend was serious about it, as a matter of fact before 1887 this

[ *Khan Bahadur Mian Fazl-i-Husain ; Mr. Joseph.* ]

custom did not exist. I challenge the correctness of that proposition. It is altogether a mistaken notion that before the Full Bench Ruling of 1887—custom in the Punjab was something different. All that that Ruling—107 of 1887—did, in the words of Mr. Craik, was to crystallize the existing custom. The custom of controlling alienation existed long before 1887 and the Ruling of 1887 did nothing more than give it the authenticity of a Full Bench Ruling. A large number of Division Bench Rulings existed already, but, there was a conflict of opinion, and 107 of 1887 simply made that disappear. Therefore my learned friend was not right when he said that, as a matter of fact, this custom is only of short existence.

“ The second point urged was that there was bad litigation not based on solid foundation. That objection, to my mind, disclosed the inherent fallacy as to the nature of this right. If this right of controlling alienation is a substantial right, then how can it be said that one who has come to court on the basis of that right has come relying on something which is not substantial or which is ephemeral ?

“ I have no doubt the Hon'ble Members of this Council must have been considerably impressed by the strong air of opposition to the Bill based upon one consideration and that is—it may be reasonable or unreasonable—the love of the Punjab zamindar to keep his land. And it seems to me that when the Punjab zamindar is anxious either in the interest of drink or otherwise to part with his land, the moment he is doing that, he is also realizing that he is doing something which his brother must condemn and in his own heart he is condemning that action himself. This sentiment—and it really is a very strong sentiment—I think, is one that should not be ignored. Though I cannot claim to have a very close and intimate knowledge of the way in which the rural mind works, still I suppose by heredity I realize that feeling which in spite of some sort of education finds some sort of response in my mind. Therefore in conclusion I beg you, Your Honour, to exercise your power of withdrawing the Bill from consideration at this meeting and so arranging that it may come up for further consideration at any meeting next year when room can be found for it.”

**The Hon'ble Mr. Joseph:**—“ Your Honour,—A certain amount of opposition which has been given to the Bill proceeds, I think, from misapprehension. At least I understood the Hon'ble Sardar Gopal Singh to object to the Bill largely on the grounds that it prevented an after-born son contesting an alienation, but had he written his speech after the report of the Select Committee was circulated, I think he would have realised that section 6 does nothing of the kind, and that we are not any longer concerned with this question as to the date of the birth of a person contesting an alienation or the appointment of an heir. In the same way the Hon'ble Rao Bahadur Chaudhri Lal Chand, if I do not misunderstand him, thought there would be a great rush to the courts because the period in which these suits could be brought is short. There is not one word in the Bill about the period within which these suits can be brought. That is an entirely different Bill which we have not yet discussed. The Hon'ble Chaudhri Lal Chand also wished to hear certain opinions that had been given. He himself quoted at some length one of the opinions of the late Mr. Parker, and perhaps it is unnecessary for me to quote other opinions of Mr. Parker's, though I did mention on the last occasion that this Bill had been circulated in one form or another several times for opinion. On one occasion Mr. Parker said: 'I have no objection to the principle of the Bill.' But the Hon'ble Rao Bahadur Chaudhri Lal Chand did very strongly desire to hear the opinions of the Registrar of Co-operative Societies (Mr. Calvert) and he almost insinuated that Mr. Calvert had been kept in the background and not made a member of the Codification Committee which sat in Simla.

[Mr. Joseph.]

I have before me two opinions of Mr. Calvert on the Bill, one given in 1918 and the other in 1919. Mr. Calvert in the opinion of 1918 says: 'The Bill was discussed at a meeting of Zaildars, Sufedposhes and leading co-operators in Hoshiarpur, and it was considered that it would prove beneficial in checking frivolous litigation. No objection was taken to any portion of it.' In 1919 Mr. Calvert says: 'I have the honour to refer you to your letter No. 4345 (Home—Judl.), dated 14th February 1919, forwarding for opinion copy of a fresh draft of the Punjab Customs (Power to Contest) Bill, and to say that as I had discussed the first draft with co-operators in Hoshiarpur, I sent the second one to Mr. Darling, who discussed it with about 500 zamindars at 8 different Union meetings. He informs me that with the exception of one person feeling was unanimous against change, and that generally the people wished to leave things as they are.' Mr. Calvert adds: 'It is difficult to hazard an opinion as to how far this is due to dislike of change, or to dislike of the idea of restricting opportunities for litigation or to want of foresight as to their real interest.'

"We have no reason to suppose that Mr. Calvert, who was very closely in touch with the opinion of the zamindars and who is also fortunately free from that bias which is generally supposed to affect district officers, is against the interests of the zamindars. Then again Chaudhri Lal Chand quoted *in extenso* an opinion given by the District Board of Lyallpur and he laid considerable stress on it, because the Lyallpur District includes representatives of all the districts throughout the Punjab. As I say this Bill has been circulated several times and the District Board of Lyallpur has been consulted on more than one occasion, and on another occasion they said: 'The district board generally are of opinion that the proposed restrictions on suits are advantageous and to be commended.' I will not therefore go at any greater length into the question of the opinions which have been received. I will merely endorse, I will say ditto to what the Hon'ble Chaudhri Lal Chand expected me to do. He said I would probably say that a great bulk of non-official opinion was in favour of it and official opinion was in favour of it. I do say so as a result of the reading of the various opinions.

"Then a suggestion has been made that the Bill should be reserved for consideration by the enlarged Councils. I venture to think that we cannot probably do that, Sir. We have got either to pass the Bill or to reject it. I speak under correction and I am very likely wrong, but I think it should at all events be considered whether a Bill can stand over from one Council to an entirely different body differently elected. But that is not an important point. The proposal to defer it till the Reforms are in operation is an argument which I have sometimes used myself on a file when I have not found exactly what to say, but I think I have never received any official support for it. If it is proposed to refer the Bill to the reformed Council, it will be obviously just as simple to annul it or again if it is desired not to pass the Bill to-day it can be rejected, and if anyone so desires, it can be introduced later, but I think it will be simpler to confine the issue to whether or not we should pass the Bill.

"A good deal has been said on the question as to whether or not you are really restricting customs. It has been sometimes difficult to understand even in the speech of a single member as to whether or not he does think there are many cases in which we shall be restricting customs, but I am quite prepared to admit that there will be a certain number of cases in which but for the passage of this Act somebody might in the future, somebody beyond the fifth generation, succeed in establishing a right to contest an alienation, but even if this is so, I am not quite certain if

[Mr. Joseph ; Khan Bahadur Mian Fazl-i-Husain ; Rao Bahadur Chaudhri Lal Chand.]

that is a sufficient argument for refusing to pass the Act. After all many Acts are passed, even the Land Alienation Act which is the most beloved of all by the zamindars, which have restricted rights and custom, and I do not think that that could be advanced as a reason vitiating the Act in any way. What we are doing in passing this Act is to prevent the possibility of the institution of a large number of infructuous suits. It has been urged that not many suits beyond the fifth degree have either failed or succeeded in the High Courts, and it has been urged that not many people, although some people have, have successfully contested such an alienation or adoption. But that is not quite the point. The question is how many people may try to bring suits. The suits may not get to the High Courts, but there are suits in the subordinate courts. There are also the constant wrangles at mutation time, and if it is definitely known that there is a certain limit put at the fifth degree, a limit which even one of those who most opposes the Bill considers a reasonable limit *per se* if it is known that there is this limit and no suits can be brought by reversioners beyond that degree, it will give a sense of security to the childless owners with no near relations and it will definitely prevent any infructuous suits of this nature being brought, because they would be thrown out *in limine*....."

**The Hon'ble Khan Bahadur Fazl-i-Husain** :—“ May I point out with reference to the rules. The Hon'ble Member in charge seems to be in doubt whether there is any power under the rules to withdraw a Bill, and I find there is Rule 33 at page 77 of the Regulations which substantially gives the necessary power to withdraw a Bill.”

**The Hon'ble Mr. Joseph** :—“ Yes, the Bill can be withdrawn I understand, but the suggestion was that its consideration should be postponed for the next Council.”

**The Hon'ble Rao Bahadur Chaudhri Lal Chand** :—“ Your Honour,—May I point out that a doubt has been raised by the Hon'ble Member whether a Bill could be passed from one Council to another. As an example, I may suggest that Sardar Bahadur Sardar Gajjan Singh's Bill was passed from the last Council to this Council.”

**The Hon'ble Mr. Joseph** :—“ The Councils were elected under the same constitution. It was also suggested that we were forcing the custom of some part on other parts of the Punjab. I am prepared to admit that there may be a few rare cases of preventing persons succeeding who would otherwise have been unable to bring a suit, but I do not think we are forcing that custom of one part on to another part. My point is that because we say that no one shall bring a suit beyond the fifth degree that does not prevent anybody urging a local custom that people within the fifth degree cannot bring suits. It is quite possible, customs differ everywhere, there might be families whose relations within a certain degree, say within the third degree, would not be able to bring a suit.

“ I do not think I have much more to say. The case has been very fully argued on both sides. We have got now a Bill which those who oppose it, though they say it will do no good also admit will do no harm. It is a Bill in an exceedingly mild form which incorporates some of the recommendations of the Codification Committee which, as pointed out by Sardar Gajjan Singh, represented all the talent of the High Court and the Financial Commissioners and others who certainly have the interests of the zamindars as much at heart as any other body can have.”

The motion that the Bill as amended by the Select Committee should be passed was put and carried.

[*Khan Bahadur Mian Fazl-i-Hussain ; Mr. Joseph.*]

The Hon'ble Khan Bahadur Fazl-i-Hussain asked for a division and the Council divided as below :—

*Ayes (14).*

The Hon'ble Mr. French.  
 " Mr. Wright.  
 " Khawaja Yusuf Shah.  
 " Mr. Maynard.  
 " Mr. Gibson.  
 " Sardar Gajjan Singh.  
 " Pt. Jawahar Lal.  
 " Mr. Woods.  
 " Bakhshi Sohan Lal.  
 " Mr. Townsend.  
 " Mr. Joseph.  
 " Col. Davidson.  
 " Mr. Fagan.  
 " Mr. Hallifax.

*Noes (7).*

The Hon'ble Capt. Gopal Singh.  
 " Chaudhri Lal Chand.  
 " Sayad Mehdi Shah.  
 " Makhdum Rajan Shah.  
 " Mr. Fazl-i Hussain.  
 " Mirza Ikram Ullah  
 Khan.  
 " Malik Muhammad  
 Amin Khan.

The motion was therefore carried.—

### PUNJAB LIMITATION (CUSTOMS) BILL.

The Hon'ble Mr. Joseph :—“Your Honour,—I am in the unfortunate position of presenting another report of a Select Committee—the report of the Select Committee on the Punjab Limitation (Customs) Bill. This Bill to look at it is very much more alarming than the last, but in point of fact it is much simpler. We are only concerned now with the question of limitation. I went into this very Bill at the last meeting of the Council and did my best to explain the points at issue and in the Select Committee we really only made one alteration, that is, in section 6 which is the saving clause dealing with the question of limitation for suits which have not yet been brought and the limitation which is now allowed is less than it was under the laws previously in force. The clause as drafted before was considered by the Government of India to be somewhat clumsy—an opinion which we fully shared in Select Committee and in altering it and making it simpler in language we have also so altered it that in no case will the limitation be extended by the introduction of the change of law. As drafted previously it said that these suits could be brought within one year. Notwithstanding anything herein contained, any person who has at the commencement of this Act a right to bring any suit for which the period of limitation prescribed by this Act is shorter than the period prescribed by the Indian Limitation Act or the Punjab Limitation Act and whose right to sue would be barred by the provisions of this Act may exercise such right at any time within one year from the commencement of this Act. That is how the clause was drafted when the Bill was introduced and the effect of this is that if somebody's limitation was expiring the day after the new Act comes into force the new Act would extend it for 364 more days. As we have it now in the Bill as amended it is: ‘Notwithstanding anything herein contained, any suit for which the period of limitation prescribed by this Act is shorter than the period of limitation prescribed by the Indian Limitation Act, 1908, or by the Punjab Limitation (Ancestral Land Alienation) Act, 1900, may be instituted within the period of one year next after the commencement of this Act or within the period prescribed for such suit by the Indian Limitation Act, 1908, or by the Punjab Limitation (Ancestral Land Alienation) Act, 1900, whichever period expires first. That is to say, we extend the period for one year subject to the condition that it was not going to run out within the one year. That is the only alteration made by the Select Committee and I now move that the Bill after being considered be passed.”

[*Captain Gopal Singh.*]

**The Hon'ble Captain Gopal Singh** :—“ Your Honour,—I have the honour to move for the total rejection of the Bill and beg to state that all these Customary Laws are meant to protect the agricultural land of the peasants from passing into the hands of those people, who are other than the descendants of or collaterals of the last male owners. The object of the law will be defeated if the limitation for suits attacking alienations opposed to Customary Law, be reduced from 12 to 6 or 3 years. Indian peasantry is as a rule illiterate and slow in protecting its rights; it is not prompt in taking the necessary action. It is common knowledge that the mortgagee or the vendee are always in a better position than the collateral of a mortgagor or vendor. Those who invest money in land are better qualified to contest any suits—assailing their interests than the collateral of a mortgagor or the vendor who generally happens to be a spendthrift, a profligate or a man addicted to many kinds of vices.

“ He possibly may be a man of embarrassed conditions, and hence an easy prey in the hands of the mortgagee or the vendee. Generally his sons or collaterals belong to the ignorant simple class of zamindars (peasants). Suppose for an instance a boy of 18 years of age finds his uncle has mortgaged or sold his holding for a sum of Rs. 5,000. There are several reasons, any of which may stand in the way of the young man to bring a declaratory suit against the mortgagee or the vendee if the limitation be 6 years and the result will be that alienation opposed to Customary Law will be immune from attack and the sturdy peasantry will be replaced by big zamindars who will let out their lands to tenants-at-will.—

“(a) The young man may be too immature in intellect between 18 and 24 years and may not have the courage to oppose a powerful influential zamindar or Sardar who happens to be mortgagee or the vendee, while if 12 years be allowed to him, he will have ample time between the age of 18 and 30 years to muster courage to face the vendee or the mortgagee.

“(b) Young man may be too engrossed at the age of 18 in his own personal private affairs and may be too poor to arrange for a loan to launch an attack against the all-powerful Sardar or big zamindar. It is common knowledge that the Sardars or big zamindars will exert all their influence in seeing that he can not borrow money for the litigation.

“(c) Some bad harvests may dislocate the financial position of the young man and he may find it extremely difficult to attack the alienation in those days. For it is common knowledge that without ample funds the young man will be no match for the all-powerful zamindar or Sardar, however strong his case may be. Let it be remembered that the Sardar or the big zamindar will not allow the young man to take rest even if he wins in the first court, because the Sardar or the big zamindar must carry on litigation to the High Court, where he can engage the best lawyers and defend his case, so the young man finds that a large amount of money is required for the successful prosecution even of a good case, and it must take some years to collect the necessary amount.

“(d) The reduction of limitation will certainly go to favour the vendee or the mortgagee, they require no protection whatsoever, they are people, who can take legal advice and who are generally given to dealings in land and who know full well how to protect their rights. If any legislation is to be made,

[*Captain Gopal Singh.*]

it should be to protect the rights of the poor and needy and of the ignorant small proprietors, otherwise the object of the Alienations of the Land Act will be defeated. The strong sturdy peasantry will disappear within 50 years, and that peasantry will become tenants-at-will of the big zamindars and Sardars who will have purchased their holdings.

"(e) When once the powerful zamindars come to realise that their purchase of land have become comparatively safe owing to shorter period of limitation they might be tempted to encourage the peasant to indulge in unnecessary expense of various kinds and thus help to ruin the small land-owning peasants.

"(f) Take the case of a minor who finds an alienation against his interest at the age of 12. Limitation of 6 years will pass when he attains the age of 18 years. The law will give him only 3 years more within which he has to make up his mind and to collect funds in the face of all powerful big zamindars to file a declaratory suit. You may imagine that the boy to be an orphan and under the protection of the same licentious man who has disposed of his own holding and is now living on the land of the minor which he cannot legally alienate. Can it be imagined for a moment that the influence of the profligate man will be sufficiently removed within 3 years for the minor to attack an alienation against Customary Law. The minor may possibly spend these 3 years in recovering his own land without which he cannot even dream of contesting those alienations.

"Alleged possible plea in favour of reduction of limitation will be that the proof is destroyed within 12 years.

"The reply is that everybody is presumed to know the law and especially the law which has been in existence for many years past. There is well known maxim of *Caveat-Emptor*, he who purchases land or otherwise deals in land must run some risk; he must keep proofs at his own risk. Twelve (12) years is not a long period within which proof is destroyed. Then again the courts have full discretion in such suits to see whether an alienation is or is not for consideration and legal necessity. The court can distinguish the cases in which proof has disappeared for no fault of the vendee or the mortgagee and in those cases full allowance has always been made by courts of law in favour of vendee or the mortgagee. The period of limitation for the recovery of loan under the Punjab Loan Limitation Act was extended from 3 to 12 years, while the period of limitation for such suits under Indian Limitation Act, which applies to the rest of India, is 3 years.

"While on the contrary the present proposed amendment relating to curtailing of the period of limitation from 12 years to 3 years for declaratory suits under Punjab Customary Law is not compatible with the above policy. We all big zamindars or Sardars and money-lenders should sacrifice our own interests for the protection of the sturdy peasantry of the Punjab, which forms the back-bone of the Indian Army and bulwark of the British Empire. If the other course is adopted, we shall clearly help to wipe out the same land-owning classes and bring about the state of affairs prevalent in the United Provinces, Bengal and in England. The big zamindars of the Punjab should not prove themselves big fish which devour the smaller fry. On these grounds I regret I am constrained to oppose most strongly the proposed change in the law of limitation.

[*Captain Gopal Singh ; Khan Bahadur Mian Fazl-i-Hussain ; Mr. Joseph.*]

"As regards article (2), clause B, and article (4), clause B, and article (6), clause B, of the schedule, I beg to submit the following :—

"Under the present Limitation Act the limitation for suits to recover possession of land by on heir who had obtained a declaratory decree against the mortgagee or vendee, was 12 years,—*vide* Act I of 1900, schedule article 2, the reduction of limitation to 3 years will clearly work hardship on the decree-holder. No argument can be advanced in favour of reduction of limitation because the proof is quite safe in this case, the dispute having been settled by a declaratory decree. Take the case of a decree-holder who happens to die 2 months after the vendor leaving a minor son, if the minor son does not bring the suit for possession within 3 years of the death of the vendor, the limitation will expire under the proposed Act of Limitation, because the time will begin to run against the minor from the date of vendor's death: the limitation having commenced during the lifetime of his father, thus the decree obtained by his father will be nullified because the minor may not have major and able relation willing to protect the minor's right. Take the case of another decree-holder who dies before the vendor and his son is of the age of 18 years when the vendor dies. The present law of limitation will give the son 3 years within which he is to bring the suit. The boy may be too foolish, too ignorant or too careless and may neglect to bring the suit for possession within 3 years, the result will be that the land will remain with the vendee, although it has been judicially decided that the sale was not for consideration of legal necessity."

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain :—**"Your Honour,—There are one or two points to which I wish to draw the attention of the Council and especially of the Hon'ble Member in charge and other members of the Select Committee. It will be noticed that there are two clauses Nos. 4 and 6 with reference to the point of limitation applied to pending suits or rights which have come into being. The members of the Select Committee will remember that similar provisions existed in the other Bill wherein the point was discussed whether rights which have accrued before the enforcement of the new Law should be governed by the new law or by the old law and in the Bill which has just been passed into law we decided after mature consideration that all rights which have accrued previous to the Bill becoming law should be excluded from the purview of the new law, and it seems to me that if section 4 of that Bill (No. 11) were simply put into this Bill in place of clauses 4 and 6, that objection will be removed. Clauses Nos. 4 and 6 of the present Bill are practically the same as the two clauses that exist in Bill No. 11, and we had come to the conclusion after discussing the whole matter that such rights as had already come into being before this Bill had passed should not in any way be interfered with."

**The Hon'ble Mr. Joseph :—**"I rise, Sir, to a point of order. It appears to me that the Hon'ble Member is pressing an amendment. Khan Bahadur Fazl-i-Husain was a member of the Select Committee, but was unable to attend its meetings and he advanced his criticism in writing. The motion which he is now proposing appears to be an amendment, and as far as I know, no notice of this amendment has been received."

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain :—**"The Hon'ble member in charge is perfectly right in what he says and the only reason for my having failed to give this notice was that most of us were under the impression that these Bills would be taken in the order of the Agenda which we had originally received and therein the four resolutions fixed for to-day were to be discussed before the consideration of these Bills and we therefore were under the impression that such business as would not be finished to-day would come up on the

[ *His Honour the President; Khan Bahadur Mian Fazl-i-Hussain.* ]

18th. Then it would have allowed plenty of time for an amendment to have come in. That is why this Bill of limitation was not carefully studied by me and my amendment with reference to that is not in. My Hon'ble friend, Rao Bahadur Chaudhri Lal Chand, is in the same position. No doubt it was pointed out to us this morning that under the rules as they existed resolutions cannot take precedence over any other business that may be fixed for the Council."

**His Honour the President** :—"At the present moment the Hon'ble Member is not really moving an amendment?"

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain** :—"I wish to, but I cannot, Your Honour, unless the Rules of Business are suspended in order to enable me to do so. It is for Your Honour to decide whether in view of the peculiar circumstances of the case that should be done or not. I along with other Hon'ble Members who are also anxious to join me request that the Rules of Business may be suspended in order to enable us to move these two amendments one with reference to what is really a matter of drafting and the other with reference to the substantial principle with regard to the period of limitation."

**His Honour the President** :—"I do not as at present advised propose to dispense with the Rules of Business. I think the Hon'ble Member should speak to the motion before the house which is for the passing of the Bill."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain** :—"Then there are two observations, Your Honour, that I have to make. One is that clauses 4 and 6 of this Bill curtail the period of limitation with reference to such rights concerning which the right to sue has accrued which was not the case with reference to the earlier Bill No. 11. That will be a matter for consideration for the members of this Council whether in view of that distinction having been drawn to the prejudice of the right of the individual how they consider the matter of voting for the Bill. The second point is as to the substantial period of limitation. The present Bill in its repealing clause simply mentions the fact that Act I of 1900 is repealed. Act I of 1900 simply made provision for limiting or for providing limitation for those cases in which childless male proprietor had made an alienation. The present Bill is more extensive inasmuch as it applies to the cases of alienation made by the widow as well, with the result that in law these alienations which are considered as almost void in their inception are relegated to the same position as alienations by the male proprietor. That is a very substantial restriction on the right of the individual to sue, and as has been pointed out before in matters of immovable property the Indian Limitation Act, places the period of limitation on 12 years, and after all we cannot claim to be more advanced than the rest of India and it seems to me rather premature to restrict the period within which a suit can be brought to the prejudice of the individual to a greater degree than prevails elsewhere in India. Therefore on that ground, that is to say, that the period of 12 years has been reduced to 6, I am opposed to the Bill. I should have expected the Hon'ble member in charge when expressly reducing the period of limitation to state the grounds on which the Bill is based and how is it that a period of 12 years which is considered appropriate in the case of Indian Limitation Act and was considered appropriate in the case of the Punjab Limitation Act, I of 1900, is now considered to be too much. The only ground which I gather from the speeches made or from the Statement of Objects and Reasons is that we should not keep a title in doubt or shade. Now that principle would apply almost to anything which is in the interest of the vendee's title not being kept in the shade. You might reduce the limit of 12 years to 3 years or 6 years. After all that is more or less the same thing.

[ *Rai Bahadur Pandit Jawahar Lal Bhargava ; Sardar Bahadur Sardar Gajjan Singh ; Mr. Joseph.* ]

So I fail to see how the simple enunciation of this principle 'do not keep the title in doubt for long' should be considered sufficient to reduce the limit from 12 years to 6 years and in some cases to 3 years. Serious cases of hardship are likely to rise in the Punjab if this Bill is enacted into law."

**The Hon'ble Rai Bahadur Pandit Jawahar Lal Bhargava:**—"Your Honour,—I support the Bill as it is. There are two objections which have been raised to it. One is that no reason has been given why the period of limitation is being curtailed.—That reason is quite apparent. One of the reasons is as has already been anticipated by the Hon'ble Mr. Fazl-i-Hussain that the period within which the title of the alienee could be kept in suspense or doubt should be curtailed as far as possible. That is one of the reasons. The other reason is that such suits should be brought within such period as the evidence may be available. When such suits are brought after a long period after the alienations are made, false evidence is produced before the court and genuine evidence is hardly available. These are the main reasons which I think are aimed at by the enactment of this Act. As regards the objection that by repealing the Punjab Limitation Ancestral Land Act of 1900 it will be repealed so far as alienation by females is also concerned, as a matter of fact that Act does not apply to the alienations that are made by females. It applies only to the alienations that are made by males and about ancestral property only. So this Act would not in any way affect the period of limitation of suits in which alienations by females are contested.

"I support the motion and I think that the Bill should be passed in its present form."

**The Hon'ble Sardar Bahadur Sardar Gajjan Singh:**—"Your Honour,—I beg to support the motion. My reasons are that I am firmly convinced that the Bill, if passed into law, will be most beneficial for the agriculturists. If a right to contest the alienation has any meaning, I submit, Sir, it should be exercised as soon as possible otherwise those in whose favour a customary right exists are likely to suffer. Various pleas of assent and acquiescence are raised if the suit is delayed. Therefore I am firmly of opinion that if this measure is passed into law, it will benefit that class. The apprehensions of my esteemed friend, Captain Gopal Singh, are not well-founded. He said that in course of time all small proprietors will become tenants-at-will. I fail to see why. My friend has argued the case in a way as if he does not want any limitation. Probably the same reasons would apply to limitation of 12 years. So it is my unpleasant duty to disagree with him. He says, 'why 6 years for us and 12 years for the rest of India?' I submit, Sir, there are special reasons for that. As far as I know there is no other Province in India in which collaterals are entitled to come into court and contest alienation on the ground of custom alone. Therefore our features are special and, I submit, Sir, the security of titles and the improvement of the value of land—all these are considerations strongly in favour of my view that this Bill will prove beneficial. I might remind Captain Gopal Singh that in another case in which more money has to be raised the period of limitation is one year—I mean the law of pre-emption. No one ever has complained that the right to pre-empt is limited to one year. We all know that in pre-emption cases the plaintiff has to find the purchase money to put into court. Well in this case a declaratory decree has only to be obtained and a small sum of money has to be obtained. Therefore I submit, Sir, that the apprehensions of my learned colleague are not well-founded, and I have no doubt that the Act will be for the benefit of those for whom it is intended."

**The Hon'ble Mr. Joseph:**—"Your Honour,—I have very little more to say. I will reply to some of the criticisms of the Hon'ble Mian Fazl-i-Hussain. I am surprised that in dealing with them, though he was a member

[ *Khan Bahadur Mian Fazl-i-Husain Mr. Joseph.* ]

of the Select Committee, I have heard them now for the first time. As I understand, he feels that sections 4 and 6 of the Bill will to some extent curtail the period for suits already instituted....."

**The Hon'ble Khan Bahadur Fazl-i-Husain** :—"No, suits in connection with the rights which have accrued."

**The Hon'ble Mr. Joseph** :—"If those rights have accrued and the suits have been instituted, then by section 4 they are saved because clause 4 distinctly lays down the Act shall not affect any suit pending in any court on the date on which this Act comes into force. If, on the other hand they have not been instituted, then by clause 6 the limitation will be the limitation as it was under the old law or one year from the date of the introduction of this Act whichever is period shorter. That is a section passed on the analogy of section 30 of the Indian Limitation Act and it seems to me to be a perfectly reasonable provision. Then the Hon'ble Khan Bahadur Mian Fazl-i-Hussain said he would have expected me to state the grounds on which the Bill is proposed. I thought I had done so somewhat to the discomfiture of the Council at the last meeting, when I did it at considerable length. The point is, as the Hon'ble Pandit Jawahar Lal has pointed out, that we want to get testimony while it is fresh, and at the same time we want to secure the title. The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asks what is the point in six years, why not three years, why not four, why not any other number of years. The Hon'ble and Gallant Champion of the sturdy peasantry has urged that we should protect the interests of the young man of whom he has drawn so harrowing a picture, a man who may be too idle or too stupid to bring a suit within six years or too deeply engrossed in his academic studies or too much given to indulgence. Well, that is so, but then the same argument would apply under the old law to the unfortunate boy of 12, and his argument is an argument for lengthening the period. Whatever period of limitation is fixed you can suggest hard cases. What we have got to do really is to balance the various considerations, and to fix the optimum period. The period of 6 years was fixed as the best period. That is to say, it is long enough to give everybody time enough to make up his mind to bring his suit. It is short enough to prevent testimony becoming obliterated and difficult to obtain. Those are the two desiderata which we have sought to bear in mind. I now move that the Bill be passed."

The motion that the Bill as amended by the Select Committee be passed was put and carried.

#### ADJOURNMENT.

The Council adjourned to monday, the 8th March 1920, at 10-30 A.M.

LAHORE :

M. HARRISON,

The 24th March 1920.

Secretary, Legislative Council.

*Incl. in  
G. March*

## APPENDIX A.

Further information promised by the Hon'ble Mr. Maynard while replying to Questions Nos. 75, 76 and 77, asked by the Hon'ble Rai Bahadur Bakhshi Sohan Lal at the Council Meeting held on the 10th November 1919.

*Answer to 75 (a).*—These shops are situate just off the bazar and are not surrounded by residential houses. Lanes leading to such houses pass by the shops but there are other approaches and the residents need not necessarily pass the shops.

They have been in their present situation for a great many years and no complaint has ever been made to the Collector. Therefore, the suggestion conveyed in the Hon'ble Member's question is unjustified.

*Answer to 75 (c).*—The sales in London Proof gallons have been :—

	1914-15.	1915-16.	1916-17.	1917-18.	1918-19.
Bhaun ...	1,078	842	885	1,004	923
Kangra ...	437	541	362	450	387

*Answer to 76 (b).*—1. See Answer to 75 (c) above.

2. Kangra and Bhaun together form one small town and the combined population is 3,620. The liquor obtained at these shops is consumed to a large extent by persons who visit Kangra from outside. It is the headquarters of the Tahsil and also contains the Munsif's Court. When the Courts and offices are closed the sales of these shops fall considerably.

3. *From*

*To*

	Ichhi.	Rajoli.	Thanpuri.	Daulatpur.
	Miles.	Miles.	Miles.	Miles.
Bhaun ...	4	6	4	5
Kangra ...	5	7	5	4

77. *The following is a copy of the Circular referred to in the answer to question No. 77.*

Financial Commissioner's Circular letter No. 7159, dated 28th October 1915.

The Financial Commissioner desires to call the attention of all officers concerned with the administration of the Excise Department to the rules published in Punjab Government notification No. 93, dated 15th January 1915 (as amended by notification No. 1053 (C. & L.), dated 17th September 1915) which have been framed with the object of giving effect to the statutory obligation imposed by section 35 (2) of the Excise Act, the obligation to ascertain local public opinion before granting a license for a new retail shop. The amendment in the rules which has now been introduced consists in the substitution of municipal committees and district boards for special excise advisory committees, as the bodies to be consulted for the purpose of giving effect to the policy under consideration. This substitution has been approved in the orders contained in paragraph 6 of the Secretary of State's despatch No. 77, dated 29th May 1914.

But while it is advisable to limit the scope of rules having the force of law to the subject matter of the statutory provision under which the rules are framed, *i.e.*, in the present case to the ascertainment of local public opinion before opening a shop which is (a) for the retail consumption of liquor, and (b) established on premises not previously licensed, it is no less desirable, as a matter of executive policy rather than of statutory obligation, to give to boards and committees an opportunity of expressing their views in regard to other questions of excise administration especially when changes in arrangements are proposed to be brought into operation. Accordingly not later than the 31st October in each year the Collector shall refer to the local bodies concerned, *i.e.*, in municipal areas, the committee of the municipality or notified area, in rural areas, the district board, any changes which he proposes to make in the excise administration of the district during the year beginning with the 1st April following under the following heads to which the rules in Punjab Government notification No. 93, dated 15th January 1915, do not apply :—

1. Hours of sales.
2. Grant of new licenses other than licenses for the consumption of liquor.
3. Grant of special licenses for fairs.
4. Situation of shops.
5. Proposed reduction of licenses.
6. Regulation of amenities offered and methods of conducting shops.
7. Methods of maintaining order and decency in shops.
8. Conditions of licenses in general, including restriction of sale on the premises.

In making such reference the Collector should intimate that he will be prepared to consider, not only representations in regard to the proposed changes, but also any representations connected with matters falling under the foregoing heads which the board or committee concerned may desire to put forward, even though no change in respect of such matters has been notified as in contemplation.

3. The Collector should consider any representations on the above points which reach him from the local bodies before December 1st whether they deal with his proposals or embody proposals initiated by the local bodies.

4. Not later than a fortnight before the date fixed for the auctions of licenses for the coming year the Collector should record an order dealing with all such representations received from local bodies in which he shall state to what extent he has been able to give effect to them. Copies of this order should be sent to the Commissioner and to the local bodies concerned. A copy should also be submitted with the annual Excise Report of the district.

## APPENDIX B.

( *Vide* ANSWER TO QUESTION NO. 50 IN COUNCIL PROCEEDINGS, DATED 10TH NOVEMBER 1919. )

*Statement showing the number of Zamindar Constables who are Hindus, Muhammadans, Sikhs and Christians, respectively.*

Hindus.	Muhammadans.	Sikhs.	Christians.	Total.
1884	9,119	690	12	11,645

APPENDIX C.  
(Vide Reply to Questions Nos. 10 and 11.)

1	2	3	4	5	6
District.	Whether Act VIII of 1918 (The Village Petrol Act) has been applied anywhere in the district.	Brief reasons for its application.	Whether Order, Patwa was being carried out before Act VIII of 1918 became law.	Whether Order, Patwa is still being carried out under the voluntary system.	Remarks.
Hissar	No	NI	Yes	Yes	
Rohtak	Yes during the recent disturbances only in villages near the Railway line.	To protect the Railway line and telegraph wires.	Yes	Yes	
Gurgaon	Yes in 203 villages	Failure of voluntary system	Yes	Yes	
Karnal	No	NI	No	Yes	
Ambed	Yes in 26 villages	Failure of voluntary system	No	Yes	
Simla	No	As check to burglary	Yes	No	
Hoshiarpur	Yes in 19 villages	NI	Yes	Yes	
Jalandhar	No	NI	No	No	
Ludhiana	No	NI	Yes	Yes	
Kangra	No	NI	No	No	
Ferozpur	Yes	Increase in crime and failure of voluntary system.	Yes	Yes	
Lahore	Yes in 2 villages only	Increase in crime	Yes	Yes	
Amritsar	Yes in 148 villages	Failure of voluntary system	Yes	Yes	
Gurdaspur	Yes in 84 villages	Increase in crime	Yes	Yes	
Sialkot	No	NI	Yes	Yes	
Cape Fear	No	NI	Yes	Yes	
Montgomery	No	NI	Yes	Yes	
Lyallpur	Yes in 16 villages	Increase in crime and failure of voluntary system.	Yes	Yes	
Jhang	Yes	Ditto	Yes	Yes	
Multan	Yes in many villages	Ditto	Yes	Yes	
Muzaffargarh	In 72 villages	Ditto	Yes	Yes	
Dera Ghazi Khan	No, as Frontier Crimes Regulation is in force.	NI	Yes	Yes	
Gujrat	No	NI	Yes	Yes	
Shahpur	No but steps are being taken to introduce it in some places.	Increase in crime and failure of voluntary system.	Yes	Yes	
Jhelum	No	NI	Yes	Yes	
Rawalpindi	No	NI	Yes	Yes	
Attock	No	NI	Yes	Yes	
Mianwali	No	NI	Yes	Yes	

**APPENDIX D.**

**AMENDED DRAFT FINANCIAL STATEMENT OF THE GOVERN-  
MENT OF THE PUNJAB FOR THE YEAR 1920-21.**

HEADS OF ACCOUNT	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
Opening balance	1,94,52	2,26,85	2,30,95	2,54,25
<i>Provincial Revenue and Receipts.</i>				
I—Land Revenue	1,42,59	1,51,68	1,45,69	1,37,63
IV—Stamps	30,69	30,25	39,40	40,40
V—Excise	52,59	55,28	64,25	72,50
VI—Provincial Rates	31	32	33	32
VIII—Income Tax	18,77	20,62	25,25	27,50
IX—Forest	21,54	36,95	36,56	48,19
X—Registration	4,06	3,75	5,00	5,00
XII—Interest	2,41	2,38	2,47	2,79
XVI-A—Law and Justice—Courts of Law	6,53	6,60	8,08	7,16
XVI-B—Law and Justice—Jails	6,76	6,22	5,05	4,55
XVII—Police	1,86	2,11	3,59	3,43
XIX—Education	5,33	5,46	5,36	5,08
XX-A—Medical	76	75	76	81
XX-B—Sanitation	1,61	1,09	1,33	1,33
XXI-A—Agriculture	7,01	7,93	8,25	8,36
XXI-B—Scientific and Miscellaneous Departments	30	32	31	31
XXII—Receipts in aid of Superannuation	85	85	86	86
XXIII—Stationery and Printing	1,01	92	1,04	1,05
XXV—Miscellaneous	10,06	7,43	8,58	8,59
Direct Receipts—				
XXIX—Irrigation—Major Works.	1,38,59	1,46,00	1,60,00	1,53,00
	Indirect Receipts—			
	Portion of Land Revenue due to Irrigation.			
	68,02	68,08	69,50	79,00
XXX—Irrigation—Minor Works and Navigation.	1	3	3	3
	1,13	1,30	1,21	1,17
XXXI—Civil Works	1,74	1,49	2,09	1,81
	2,54	2,40	2,70	2,60
Transfers between Imperial and Provincial (vide Appendix A).	46,85	31,85	54,20	42,75
Total Provincial Revenue and Receipts	5,73,76	5,91,50	6,49,92	6,61,35
<b>GRAND TOTAL</b>	<b>7,68,28</b>	<b>8,18,35</b>	<b>8,80,87</b>	<b>9,15,60</b>

(of rupees.)

HEADS OF ACCOUNT.				Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>Provincial Expenditure.</i>							
1—Refunds and Drawbacks	...	...	...	1,25	1,29	1,45	1,35
2—Assignments and Compensations	...	...	...	34	35	34	35
3—Land Revenue	...	...	...	49,41	54,75	57,86	60,26
6—Stamps	...	...	...	98	99	1,08	1,12
7—Excise	...	...	...	1,17	1,48	1,30	1,51
10—Income Tax	...	...	...	29	54	55	98
11—Forest	...	...	...	17,96	26,15	24,63	37,64
12—Registration	...	...	...	1,34	1,37	1,70	1,56
13—Interest on Ordinary Debt	...	...	...	1,83	2,26	2,19	2,58
18—General Administration	...	...	...	12,27	12,63	14,11	15,09
19-A—Law and Justice—Courts of Law	...	...	...	46,22	48,18	52,64	54,92
19-B—Law and Justice—Jails	...	...	...	23,38	20,45	23,26	22,30
20—Police	...	...	...	71,19	72,33	83,45	77,49
22—Education	...	...	...	53,56	60,44	58,57	75,18
24-A—Medical	...	...	...	11,67	17,84	14,29	21,75
24-B—Sanitation	...	...	...	8,06	10,64	10,12	12,89
25-A—Agriculture	...	...	...	16,84	26,87	22,58	29,08
25-B—Scientific and Miscellaneous Departments	...	...	...	1,69	2,07	2,63	3,94
29—Superannuation Allowances and Pensions	...	...	...	25,91	27,11	25,76	26,59
30—Stationery and Printing	...	...	...	8,45	8,96	9,24	9,46
32—Miscellaneous	...	...	...	19,55	24,72	20,41	66,43
33—Famine Relief	...	...	...	17	1,00	7	...
Working Expenses—							
42—Irrigation—Major Works	}	Civil	...	1	...	...	...
		Public Works	...	51,50	52,64	56,64	53,42
		Interest on debt	...	37,84	38,08	38,01	38,24
43—Minor Works and Navigation.	}	Civil	...	31	29	30	39
		Public Works	...	3,31	3,95	5,16	3,49
46—Civil Works	}	Civil	...	8,00	13,60	13,34	15,66
		Public Works	...	62,33	71,30	85,00	98,60
Total Expenditure				5,37,33	6,02,28	6,26,62	7,32,04
Closing balance				2,30,95	2,16,07	2,54,25	1,83,56
<b>GRAND TOTAL</b>				<b>7,68,28</b>	<b>8,18,35</b>	<b>8,80,87</b>	<b>9,15,60</b>

**Transfers between Imperial and Provincial Revenues:**

(Figures in thousands of rupees.)

	Accounts, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>TRANSFERS FROM IMPERIAL TO PROVINCIAL—</b>				
<i>Recurring—</i>				
(1) Fixed adjusting entry	4,86	4,86	4,86	4,86
(2) In connection with the surrender by the Local Government of Rs. 1 crore out of the Provincial balances.	3,50	3,50	3,50	3,50
(3) On account of the Imperial share of the sale-proceeds of sites for shops and residences in towns in the Punjab.	2,14	1,21	6,97	4,00
(4) For education	10,38	10,38	10,38	9,38
(5) For maintenance and equipment of science laboratories of the Islamic College, Lahore.	30	30	30	30
(6) For University	35	35	35	35
(7) For a grant to the Lawrence Military Asylum, Sanawar	40	40	...	...
(8) For the Lawrence Memorial School, Murree	12	12	12	12
(9) For the improvement of pay and training of teachers	1,75	1,75	1,75	1,75
(10) For Government Training Class at Sanawar	...	25	25	25
(11) For Sanitation	4,00	4,00	4,00	4,00
(12) For the improvement of the sanitary services...	22	22	22	22
(13) In connection with remission of appropriations from cesses	2,08	2,08	2,08	2,08
(14) To compensate Provincial revenues for the loss of income from the recovery in stamps of fees for the inspection of records.	10	10	10	10
(15) For remission of certain recoveries from local bodies	3,04	3,04	3,04	3,04
(16) For relieving municipalities of police charges	5,22	5,22	5,22	5,22
(17) To meet the expenditure for the grants of Rs. 100 per annum each to the holders of titles of Mahamahopadhyaya and Shams-ul-Ulma.	1	1	1	1
(18) Provisionalisation of the salaries of officers of the Civil Veterinary Department and of the charges of the Caneel Specialist.	1,00	1,00	1,16	1,31
(19) In connection with the creation of the new Province of Delhi	18	18	18	18
(20) In connection with the scheme for the import of charas and bhang in bond from the Punjab into Delhi.	13	13	13	13
(21) For loss in Income-tax revenue necessitated by changes in taxation	...	4,30	4,30	4,30
(22) On account of payments to be made to Chiefs of Keonthal and Kotli...	-2	29	...	...
(23) For the establishment of an Institute at Lahore for the treatment of disabled soldiers.	...	...	20	25
(24) Towards the establishment of an Institute at Mughalpura for the training of Mechanical Engineers.	...	...	40	40
	39,71	43,64	48,87	48,70
<i>Non-recurring—</i>				
(25) Construction of road bridges over the Chenab and Phalku rivers at Wazirabad.	...	...	5,75	3,60
(26) On account of the Imperial share of the contribution to the Walker Hospital, Simla.	6	...	6	...
(27) On account of transfer of control of Sir Harcourt Butler School, Simla	...	...	...	4
(28) For archaeological expenditure	6	...	2	...
(29) For a grant to Khalsa College	1,50	...	...	...
(30) Special repairs to the tomb of Anaf Khan at Shahdara	...	...	5	...
(31) Towards the construction of buildings for Government Training Class at Sanawar	50	...	47	...
(32) For agricultural education	4,69	...	2,82	...
(33) For Carpentry School, Jullundur	1,50	...	...	...
(34) For Punjab Publicity Committee	1,50	...	1,84	1,65
(35) Towards the cost of Director of Civil Supplies	26	...	19	5
(36) For the erection of temporary quarters for the inmates of the Institute at Lahore for the treatment of disabled soldiers.	...	24	10	...
(37) Towards the establishment of an Institute at Mughalpura for the training of Mechanical Engineers.	...	...	1,50	...
	10,07	24	12,60	4,74
<i>Total Transfers from Imperial to Provincial</i>				
	49,78	43,88	61,47	51,44
<b>TRANSFERS FROM PROVINCIAL TO IMPERIAL—</b>				
<i>Recurring—</i>				
(38) On account of change in classification of the charges of P. W. Section of the Account Office.	...	23	23	23
(39) On account of the Provincial share of the enhanced receipts from Excise.	55	55	55	55
(40) On account of the Provincial share of the enhanced receipts from Income-tax.	2,07	10,74	5,87	7,40
(41) On account of cost of treasure guards (police or barkandaz) employed in the Public Works Department.	51	51	51	51
<i>Non-recurring—</i>				
(42) Towards the cost of installing electric heaters in Christ Church, Simla.	...	...	1	...
(43) For up-keep of the European Lunatic Asylum at Ranchi	...	...	10	...
	...	...	11	...
<i>Total Transfers from Provincial to Imperial</i>				
	3,13	12,08	7,27	8,69
<b>NET TRANSFERS FROM IMPERIAL TO PROVINCIAL</b>				
	46,65	31,85	54,20	42,75

## MEMORANDUM BY THE FINANCE MEMBER.

## PART I.

1. The first part of this memorandum which is based on the provisional orders of the Government of India on the Second Edition of the Budget, deals with the general financial position of the Province in the current and ensuing year. The second part which has, as usual, been prepared by the Under-Secretary, Finance (Mr. Hearn), explains the estimates of revenue and expenditure under the different major heads as well as any important variations under minor heads.

2. The following table affords a general view of the position :—

	1918-19.		1919-20.		1920-21.
	Revised.	Actuals.	Budget.	Revised.	Budget.
	Rs.	Rs.	Rs.	Rs.	Rs.
Opening Balance ... ..	1,94,52	1,94,52	2,26,85	2,30,95	2,54,25
Revenue ... ..	5,64,81	5,73,78	5,91,50	6,49,92	6,61,35
Expenditure ... ..	5,81,98	5,87,83	6,02,28	6,26,62	7,32,04
Closing Balance ... ..	2,26,85	2,30,95	2,16,07	2,54,25	1,83,56

It will be observed that the actuals of 1918-19 show an increase of about 9½ lakhs on the revenue and about 5½ lakhs on the expenditure side over the Revised Estimate. The important differences between the figures of actuals and the revised under receipts are :—

*(In thousands of rupees.)*

IV—Stamps ... ..	...	...	+ 1,54
VIII—Income-tax ... ..	...	...	+ 1,27
IX—Forest ... ..	...	...	- 1,46
XXV—Miscellaneous ... ..	...	...	+ 2,03
XXIX—Irrigation—Major Works ... ..	...	...	+ 3,03

The Government of India did not accept the proposals made by telegram in March to increase the Revised Budget under "IV—Stamps" by 1,50, otherwise the difference which is due to the large receipts which came in during February and March would not have occurred. The increase under "VIII—Income-tax" can be ascribed to the difficulty which was experienced in forecasting the results of the work of the Special Assessing Agencies and the large amount of collections under the new Act near the close of the year. The decrease under "IX—Forest" was due chiefly to the delay in transit of Bashahr timber because of the exceptionally low water in the Sutlej and its tributaries. The difference under "XXV—Miscellaneous" was caused by the sale proceeds of the Pindi Bahau-ud-Din town sites being transferred from the Imperial to the Provincial head. Owing to the irrigation of large areas on the Upper Bari Doab Canal very late in the season the Direct Receipts under "XXIX—Irrigation—Major Works" were increased, while the Indirect Receipts were enhanced by the adjustment of arrear credits. The chief variations on the expenditure side are :—

*(In thousands of rupees.)*

3—Land Revenue ... ..	...	- 1,27
19—B-Law and Justice—Jails ... ..	...	+ 1,66
20—Police ... ..	...	+ 1,16
45—Civil Works—Public Works ... ..	...	+ 7,33

The decrease under "3—Land Revenue" is accounted for by various small savings. The increase under "19—B-Jails" is partly due to the influenza epidemic, while the high price of food grains and of raw materials was a contributing cause. The increase under "20—Police" was due to grants to certain Criminal Tribes settlements having been sanctioned late in the year. The excess over the Revised under "45—Public Works" was due to the unusually high expenditure incurred at the close of the year on the repairs of roads, the purchase of stock and the purchase of land for the new Civil Secretariat.

REVISED ESTIMATES, 1919-20.

3. The original Budget for 1919 20 provided for an income of 5,91 lakhs and an expenditure of 6,02 lakhs, or a deficit of 11 lakhs. The revised figures show that both these estimates are likely to be largely exceeded. The income figures are no less than 58½ lakhs better, but 22½ lakhs of this total are due to increased grants from the Government of India, the amount of which cannot be foreseen at the time of framing the Budget and the net improvement of revenue is really 36 lakhs. The estimated excess over the Budget on the expenditure side amounts to 24½ lakhs. The anticipated deficit of 11 lakhs has thus been converted into a surplus of over 23 lakhs.

4. The factors which have contributed to the increase of revenue are several. The rabi crop was somewhat poorer than was even anticipated, and although the monsoon was copious while it lasted, it withdrew prematurely and the autumn harvest was not much better than normal. Consequently fixed land revenue collections are somewhat disappointing. On the other hand the climatic conditions were such throughout the year that there was a great demand for canal water and this fact coupled with the normal expansion of irrigation on the newly opened portions of the Triple Canal Project is responsible for a considerable increase in the direct and indirect receipts from Irrigation which more than counterbalance the loss of fixed land revenue.

A second factor is the increasing prosperity of the agricultural and commercial sections of the population which is reflected in the large sales of liquor and in the increased receipts under Stamps, Income-tax and Registration.

The third and perhaps the most important cause is economic and almost worldwide in its effects, namely, inflation of currency without a proportionate increase of production, resulting in high prices and the devaluation of money. The operation of this factor is most strikingly illustrated in the vend of excise license fees. There a gradual decrease in the number of licenses for sale combined with a large increase of the wherewithal to purchase is resulting in progressive and phenomenal increases in receipts.

5. The last named factor, namely high prices, is the principal cause also of the excess on the expenditure side. When the current year's Budget was framed it was anticipated that the prices of the necessaries of life had reached their highest point and would begin to fall. But this expectation has unfortunately not been realised. Prices during the current year have stood higher than ever and acute distress has been caused thereby among persons on small fixed incomes. This has necessitated alleviatory measures in the shape of enhanced allowances to the lower paid Government officials, which are the main cause of the increases under the heads Land Revenue, General Administration, Registration, Jails, Police, Irrigation and Civil Works. Part of the increase is also due to revision of pay of services dealt with by the Public Services Commission and in the case of Jails and both branches of the Public Works Department to the high cost of labour and materials. The excess over the Budget due to the above causes would have been much greater, but for considerable savings under Forest, Education, Medical, Agriculture and Miscellaneous which will be explained subsequently.

6. It is clear from the above that the excess over the Budget on both the revenue and expenditure side was not due in the main to errors in budgeting, but to climatic and economic conditions which could not be foreseen or

provided for. The net result of the year's working is expected to show an increase in the balance of Rs. 23½ lakhs, thus raising it to Rs. 2,54,27,000. In view of the difficulties created by the after effects of the War this result may be considered highly satisfactory.

7. The reasons for the more important differences between the Budget and the Revised Estimates under the chief revenue and expenditure heads, which are given in detail in the second part of the memorandum, may be briefly referred to here. On the receipt side the decrease under Land Revenue is all under ordinary revenue and is due to the unfavourable rabi of 1919 and to remissions of land revenue for war services. The losses from these causes are, however, partly offset by an increase under Sales of Government Estates and Sales of Waste Lands taken together of 3 lakhs and an increase of the same amount under Miscellaneous.

8. The large increase under "IV—Stamps" is partly due to the Budget figure being low, the Government of India having refused to accept a proposed addition of 1½ lakhs in the final edition of the Budget, but principally to the large increase in the value of land and other property, to the development of business and possibly to increased litigation. The much larger increase under General than under Court Fee Stamps appears to be due to extensive speculation in land in the larger cities of the Province, the same land changing owners frequently in the course of the year, each time at a largely enhanced price.

9. Under "V—Excise" it is estimated that the Budget figure will be exceeded by no less than 18 lakhs (Provincial share 9 lakhs). In so far as this increase is due to enhanced vend fees, the principal cause is as explained above, the devaluation of money, but by far the largest part of it is under still head duty and must therefore be ascribed to increased consumption of liquor. This fact, however regrettable from a temperance point of view, affords a clear indication of the prosperity of the agricultural and other classes which form the liquor drinking population.

10. Under VIII—Income-tax the large rise under the Imperial Sub-head Excess Profits Duty is due to the fact that the Budget figure of 3 lakhs was a very rough estimate framed by the Government of India. The Revised Estimate is 17 lakhs only 7 of which are expected to be realised during the current year. With regard to ordinary income-tax, it was explained under this head in part II of last year's memorandum that the introduction of the new Act, together with a considerable extension of the policy of employing special Assessing Agencies, had caused dislocation, and it was impossible to collect all the dues before the end of the year. The actual arrears amounted to about 10 lakhs, the collection of which in the current year has more than set off a loss of 6½ lakhs due to the exemption of incomes under Rs. 2,000 per annum. The dislocation, however, has extended into the current year and considerable arrears of the demand are again expected. But for this the excess of the Revised over the Budget would have been greater.

11. The large increase under Irrigation—Major Works has been explained in paragraph 4 above.

12. On the expenditure side the excess under the head 8—Land Revenue due to increased Grain Compensation and temporary allowances would have been greater, but for savings of about 2 lakhs due to delay in sanction to the formation of the new Sheikhpura District and inability to utilize a provision for arresting denudation in the Siwalik Hills.

13. The decrease under "11—Forest" appears to be caused chiefly by an over-estimate of the expenditure on the extraction of resin at the Jallo Factory.

14. The increases under "19-A—Law and Justice—Courts of Law" "19-B—Jails" and "20—Police" can in the main be attributed to the extra cost of Grain Compensation, War and temporary allowances to the subordinate estab-

ishments, while contributing causes are in the case of Courts of Law and Police, the disturbances and in the case of Jails, the higher cost of diet and raw materials.

15. Under the Education head the savings are accounted for by the inability to utilize fully the Budget provision out of grants for the Carpentry School at Jullundur and for improvement in the training of teachers. The decrease under "24-A—Medical" is due chiefly to the postponement of the removal of the Medical School to Amritsar and large savings on Salaries, very few officers having returned from military duty. The transfer of most of the grant of 2 lakhs for agricultural education from the head "26-A—Agriculture" under which it was erroneously credited, to the head Education and a mistake by which the whole expenditure of three years on the reclamation of bara land was entered in this year's Budget account for the savings under "26-A—Agriculture."

16. The decrease under "32—Miscellaneous" is nominal only and is due to the 6 lakhs provided for miscellaneous and unforeseen expenditure having been allotted and distributed over the appropriate major heads.

17. The excess in both branches of the Public Works Department (42—Irrigation, Major Works and 45—Civil Works, in charge of Public Works Officers) is largely the result of the high prices of materials and labour and of increased expenditure on Grain Compensation and temporary allowance and salaries. In the case of the Irrigation Branch the excess is swelled by extensive repairs to canal banks damaged by the heavy monsoon rains and in the case of the Roads and Buildings Branch to more rapid progress in the construction of the Chenab Bridge than was expected, necessitating an additional grant of about three and a quarter lakhs.

#### BUDGET ESTIMATES, 1920-21.

18. The Budget has been framed in the expectation of a favourable agricultural year and on the assumption that the present high prices will not drop appreciably and that the existing prosperity of the agricultural and commercial classes will continue. The estimated increase of Rs. 11½ lakhs on the revenue side over the Revised of the current year will not, however, provide a sum anything like sufficient for the anticipated expenditure owing to the necessity of not unduly checking the expansion of the growing departments such as Forests, Education, Medical, Agriculture and Civil Works, while at the same time making provision for the very heavy expenditure in the shape of increased pay, travelling and other allowances of all Government servants necessitated by the high cost of living. The estimated expenditure amounts to no less than Rs. 7,32 lakhs and exceeds the anticipated expenditure of the current year by over a crore, and the actual expenditure of 1918-19 by nearly two crores. The excess of expenditure over revenue is Rs. 70½ lakhs, reducing the balance from Rs. 2,54 lakhs to Rs. 1,84 lakhs. Such a large excess on the wrong side of the balance sheet, especially when so much of the new expenditure is recurring, cannot be viewed with equanimity, and it is obvious that the Provincial balance, large as it is, cannot continue to be drawn on at this rate for long. But next year is the last year of the existing financial settlement, and it is hoped that under the new Reforms Scheme Settlement, the Province will be left with sufficient revenue to meet its growing expenditure. Unless this anticipation is realised, a considerable increase of taxation will be necessary.

19. The Budget under "I—Land Revenue" has been framed in the expectation of a favourable agricultural year. An excellent rabi seems almost assured, but the character of the kharif is of course an unknown factor. Ordinary land revenue is therefore expected to exceed this year's estimate by nearly 20 lakhs, but as the improvement is in the irrigated area the whole increase goes in the shape of indirect receipts for "XXIX—Irrigation, Major Works". The fact that the land revenue head shows a decrease is due entirely to a drop in the receipts from sales of waste lands and Government estates, the income from which must now inevitably decrease, as the colonies grow up.

20. It is not easy to estimate the excise income as so many new factors are coming into play. The still head duty on country spirit and the duty on

opium and charas are being raised from the 1st of April 1920, and it is difficult to forecast the effect of these changes on consumption, but a very large increase of revenue seems assured as the actual receipts from the auction of vend fees held in January last are no less than 13 lakhs above last year's record figures. The rise under income-tax is justified by the expectation that the arrears of the current year will be more fully collected next year and by the growing prosperity of the Province combined with a substantial increase in the special assessing agency. The growth of the activities of the Forest Department is remarkable and is expected to produce another large increase of revenue. The high figures under "XXIX—Irrigation—Indirect Receipts" is explained in the preceding paragraph. A contributing cause is recovery from next year of the indirect receipts due from the Upper Jhelum Canal.

21. On the expenditure side provision has been made for the return from military duty of a larger staff, and for increased pay and travelling and other allowances of all establishments. Provision for the latter in the case of the subordinate establishments has been made in a lump sum under "32—Miscellaneous" and so the increase under the various heads affected is not so large as it would otherwise have been and in some cases it accounts for a fictitious decrease as, for instance, under Jails, Police and Irrigation. The increase under "3—Land Revenue" allows of lump provisions of two lakhs for preventive measures to arrest denudation of the Siwaliks, a similar sum for the construction of patwarkhanas, one lakh for survey marks required for the Sind Sagar Survey, and half a lakh for increase of the emoluments of Treasurers' staffs. The increase under "11—Forests" is the corollary of the expansion in revenue. The price of duplicating part of the plant of the Jallo Resin Factory and 2 lakhs as the initial instalment of the cost of a comprehensive scheme of re-organisation of the department are provided for. Under "18—General Administration" 1½ lakhs are included for the cost during next year of the introduction of the Reform Scheme. Under "19-A—Courts of Law" provision has been made for the cost of codification of Customary Law and for increases in the rates of diet money and travelling allowance of witnesses. The very satisfactory increase under Education makes liberal provision for the expansion of that department. It includes 4 lakhs for agricultural education, 2 lakhs for the training of teachers, 4 lakhs for building grants to local bodies for vernacular schools, a lakh for the expansion of female education and a similar sum for the provincialisation of local bodies high schools and two lakhs towards the cost of a training school for mechanics. The chief causes of the important increase under "24-A—Medical" are lump provisions for the revision of the pay of the Provincial Medical Service, the transfer of the Medical School to Amritsar, a greater number of itinerating dispensaries, a new grant for the improvement of existing dispensaries and anticipation of the return of a larger staff from military duty. Under "24-B—Sanitation" two lakhs are provided towards the cost of the Simla Improvement Scheme, a lakh for the new Drainage Board and an equal sum for rural Health Officers in certain districts and improvements to the Vaccine Depots at Lahore and Murree. The increased allotment under Agriculture is intended to provide, as far as this year's financial conditions permit, for the necessary expansion of this important department. Five lakhs are included for operations in seed, 3 lakhs for extension of the Lyallpur agricultural station, 1½ lakhs for the purchase of additional well-boring machinery, one lakh for the reclamation of bara land, and a like sum for the acquisition and equipment of District Board demonstration farms and a small instalment of half a lakh towards the cost of a comprehensive scheme for the expansion of the staff and equipment of the Department. The phenomenal increase under "32—Miscellaneous" is, as explained above due to lump provisions being made under this head of 35 lakhs for temporary allowances to, and revision of pay of, subordinate establishments and 7½ lakhs for increased travelling and conveyance allowance.

22. Under "45—Civil Works—in charge of Civil Officers" provisions amounting to 13 lakhs have been made for the improvement of communications, while 9½ lakhs are included for the development of colony towns and areas. A return to more normal conditions has made possible a marked expansion

under "45—Civil Works, in charge of Public Works Officers". Thirty lakhs are provided for works in progress and 22½ lakhs for new communications, materials and departmental major and minor works. The former include the construction of a laboratory for the Agricultural College, of hostels for the Government College and Mayo School of Art, of two Normal Schools in the Gujranwala and Gujrat Districts, of a new building for the Government High School at Jhang, of new buildings for the district headquarters of Sheikhpura, of a road from Fatehjang to the Khaur oil wells, further progress on the construction of the Chenab and Phalku road bridges, and of the Larji-Mandi Road, a market at Baha-ud-din and the acquisition of land for the Medical School at Amritsar. The most important of the new works are a new chamber for the enlarged Legislative Council and offices for the Executive Council and Ministers, the acquisition of playing fields for the Central Training College, the extension of the High Court, improvement of the Brockhurst Estate, Simla, purchase of railway trucks for the carriage of road metal, construction of a new tahsil and thana at Wazirabad, acquisition of land for the Carpentry School at Jullundur, building of a Training College at Lyallpur, and Government Colleges at Multan and Ludhiana, a Normal School at Campbellpur, a new Vaccine Institute at Murree, a new Engineering Workshop at Lyallpur and a new Sessions Court-house at Hissar.

23 Among general financial questions arising during the current year the most important is the new financial settlement under the Reforms Scheme. The subject is dealt with in paragraphs 200—207 of the Report on Indian Constitutional Reforms and in paragraphs 60—63 of the Government of India Reform Despatch of the 5th of March 1919. As Hon'ble Members are probably aware, under the existing financial settlement the Government of India takes a share of the important revenue producing heads, and out of its surplus makes doles to the provinces for necessary expenditure, while under the Reforms Scheme the reverse will be the case. The question of the income which this Province will receive and the contribution which it will have to make to the Government of India under the Reform Scheme is at present under the consideration of the Committee on Financial Relations which will visit Lahore on March the 11th to hear the views of the Local Government and of the non-official members of the Finance Committee. It is not therefore possible to go into greater details about the future arrangements in this memorandum.

24. Another vitally important question is the necessity of alleviating the distress and difficulty caused to all Government servants by the high cost of living. The pay of all Services dealt with by the Public Services Commission has now been revised excepting the Agricultural, Veterinary and Provincial Forest and Medical Services. Among subordinate establishments the pay of most of the clerical establishments dealt with by the Committees of 1912 and 1913 has been improved in accordance with the Committees' recommendations and substantial increases have been granted during the year to Veterinary Inspectors and Sub-Inspectors, Sub-Assistant Surgeons, the Subordinate Forest Establishment, Excise Inspectors and Sub-Inspectors and a few minor establishments. But except where the scale of pay is based on war or post-war prices as, for instance, in the case of Sub-Assistant Surgeons and the Veterinary establishment, the revision is now out of date. The measures taken by this Government to meet the situation are as follows. With the sanction of the Government of India the higher rate of Grain Compensation Allowance sanctioned as a war measure in 1915 will be continued until six months after the war or until the pay of any establishment entitled to draw Grain Compensation Allowance is permanently revised. The War Allowance introduced on the 1st of October 1918, for all Government servants drawing Rs. 50 per mensem and under was doubled with effect from the 1st of April 1919 for six months, and from the 1st of October 1919 a scheme of temporary allowances more generous than the war allowance was introduced for all Government servants drawing Rs. 75 or less whose pay had not been revised with reference to present prices. This allowance will be drawn until the pay of the officials concerned is permanently revised or for six months after the termination of the war, whichever period is shorter. Meanwhile the Hon'ble Mr. Hallifax

has been placed on special duty since the beginning of the year for the purpose *inter alia* of permanently revising as soon as possible the pay of all subordinate establishments where necessary. A Committee has also been convened under the presidency of Mr. Halifax to propose increased rates of travelling, horse and conveyance allowances within certain limits fixed by the Government of India, and it is intended to introduce these concessions from the 1st April, 1920.

25. To carry out the recommendations of the Public Services Commission or to meet the difficulties created by the war and high prices certain other improvements in the conditions of the various Services and establishments have been sanctioned by the Secretary of State or the Government of India. Just before the beginning of the current financial year the introduction of the rupee scales of leave allowances recommended in paragraphs 81-83 of the Public Services Commission Report was sanctioned. To remove the hardship created by the embargo on leave during the war the Secretary of State has sanctioned as a temporary measure the accumulation of privilege leave up to a period of six months. Improved privilege leave and furlough rules have been introduced, the most important of which are permission to officers subject to the European Service or Indian Service leave rules, to accumulate privilege leave up to 6 months and to officers subject to the European Service leave rules to take a maximum of 8 months furlough or combined leave on full average salary. The Local Government has also been given power to relax certain existing restrictions on the frequency with which leave can be taken. With regard to pensions, improved rates have been granted to gazetted officers in certain of the Imperial and Provincial Services, while Local Governments have been given power to allow non-qualifying service to count for pension and to condone a deficiency of non-qualifying service up to 12 months in each case. A further valuable concession is the increase of the rate of interest on deposits in the General Provident Fund from 4 to 5½ per cent. from the 1st of April 1919.

26. A most important innovation from the standpoint of the convenience of the general public is the recent decision of the Government of India that at places where the treasury business is conducted by a branch of one of the Presidency Banks cheques on banks which have clearing accounts with the Presidency Banks shall be accepted in payment of Government due or in settlement of other transactions.

27. A minor but much needed measure of relief is the improvement of the pay of Treasurers' staffs which will be introduced from the 1st of April 1920. Under the old system the treasurer who employs and will continue to employ his own men, received pay for them at certain rates from Government. The rates were low and there was no guarantee that the treasurer paid his employees at Government rates or that he even entertained the staff for which he received pay. The system was really a contract one, though it was not recognised as such. Under the new scheme a scale of staff has been fixed for each treasury in the Province and a consolidated grant on the basis of this scale is allotted to each division for distribution by Commissioners at their discretion. The payments to the treasurers, which are nearly 100 per cent. more than formerly, are subject to the conditions that they do not reduce their staff below the fixed scale and they pay their employes not below the rates fixed by Government.

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**PART II.**  
**REVENUE.**

**I—Land Revenue.**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>REVENUE AND RECEIPTS.</b>				
<i>I—Land Revenue—</i>				
Ordinary revenue ... ..	3,66,71	3,81,64	3,66,91	3,84,76
Sale of Government estates	9,06	6,65	10,65	5,05
Sale-proceeds of waste lands and redemption of land tax.	30,44	37,92	36,12	29,15
Assessment of alienated land less quit-rents—service commutations.	1,75	1,84	1,84	1,92
Rents, etc., of fisheries ... ..	14	13	17	17
Miscellaneous ... ..	13,13	11,35	14,70	12,21
Total	<b>4,21,23</b>	<b>4,39,53</b>	<b>4,30,39</b>	<b>4,33,26</b>
<i>Deduct—</i> Portion of land revenue due to Irrigation transferred to XXIX—Irrigation—Major Works.	1,36,04	1,36,16	1,39,00	1,53,00
Net total shared ...	<b>2,85,19</b>	<b>3,03,37</b>	<b>2,91,39</b>	<b>2,75,26</b>
<i>Deduct—</i> Imperial share—one-half ...	1,42,60	1,51,69	1,45,70	1,37,63
Provincial share—one-half ...	1,42,59	1,51,68	1,45,69	1,37,03

When the budget was framed the prospects of the Rabi harvest were somewhat poor, but it turned out even worse than anticipated. Larger suspensions and smaller recoveries of arrears have therefore been made and this reduction has been swollen by substantial remissions on account of war services for which no provision was made in the budget, and it would have been even greater if it had not been for the high prevailing prices of agricultural produce. Influenza, moreover, seriously hampered the sowing of the rabi in several districts—notably Multan and Gujranwala. Although therefore the kharif was average, these causes have made it improbable that the budget figure will be reached and the revised estimate (Provincial share) is 6 lakhs below it.

The budget for 1920-21 has been framed in expectation of a normal monsoon and a rabi which is likely to be above the average with due allowance for remissions on account of war services.

The revised figures under sales-proceeds of Government estates and waste lands have been fixed after careful consideration of actuals and the latest information with regard to intended sales in Lyallpur and Montgomery. Under sale of waste lands a decrease is anticipated next year since by that time a great part of the instalments due on the sales made in previous years will have been paid up.

The enhancement of rent from Rs. 2 to Rs. 5 per acre on irrigated and sailab lands and a greater matured area under temporary cultivation in Montgomery District is mainly responsible for the rise in the revised figures under Miscellaneous.

## \* IV—Stamps.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19	Budget, 1919-20	Revised, 1919-20.	Budget, 1920-21.
<i>IV—Stamps—</i>				
Sale of general stamps ... ..	27,24	20,00	30,20	32,54
Sale of court-fee stamps ... ..	37,67	37,98	45,45	45,45
Sale of plain paper to be used with court-fee stamps.	67	75	72	77
Duty on impressing documents ...	1,40	1,35	2,00	1,80
Fines and penalties ... ..	57	40	40	41
Miscellaneous ... ..	3	2	3	3
Total ... ..	<b>61,38</b>	<b>60,50</b>	<b>78,80</b>	<b>80,80</b>
<i>Deduct—</i> Imperial share—one-half	30,69	30,25	39,40	40,40
Provincial share—one-half ... ..	30,69	30,25	39,40	40,40

\* Not open to discussion.

Increased speculation chiefly perhaps in respect of landed property and the general development of business after the stagnation due to the War have caused a large and unexpected improvement in the figures for sales of general stamps. The effect of these causes is reflected also in the sale of court-fee stamps. The change in the status of the Chief Court is the reason for the rise in the receipts from duty on impressing documents owing to the payment of fees by Pleaders on admission and enrolment to the High Court. There are no signs of a diminution in business activity and hence a small increase over this year's figures is anticipated next year.

## V—Excise.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>V—Excise—</i>				
Licence and distillery fees and duties for the sale of liquors and drugs	94,25	97,39	1,17,24	1,32,28
Acreage on land cultivated with poppy...	3	2	4	2
Transit duty on excise opium ... ..	68	1,50	99	1,16
Gain on sale-proceeds of excise opium ..	9,97	11,61	10,28	11,54
Fines, confiscations and miscellaneous	4	5	4	5
Total ... ..	<b>1,05,17</b>	<b>1,10,57</b>	<b>1,28,50</b>	<b>1,45,00</b>
<i>Deduct—</i> Imperial share—one-half ...	52,58	55,29	64,25	72,50
Provincial share—one-half ... ..	52,59	55,28	64,25	72,50

The presence of large bodies of troops no doubt accounts in part for the expansion this year in the Excise income, but the main reason is undoubtedly the general prosperity of the Province which is nowhere better reflected than under this head. At the time of framing the budget, it was not anticipated that the consumption of spirits and liquors would remain at the high level of 1918-19, but the actuals of the year show that this expectation was not well founded, and it is now anticipated that there will be a small increase on the record figures of 1918-19 for still-head duty, and a large one over the figures entered in the budget.

A further phenomenal increase in Excise income is assured next year by the bids at the January auctions for bazaar licenses, since partly owing to the experiment tried in a few districts of granting licenses for 3 years but chiefly owing to abundance of money the receipts are expected to exceed the return of last year's auctions by about 13 lakhs.

Consumption of liquor shows every tendency to increase, and it is doubtful whether this will be more than checked by the rise in still-head duty from Rs. 6-4-0 to Rs. 7-8-0 with effect from the 1st of April 1920, and it is therefore anticipated that there will be an increase of about 7 lakhs under this head due to the increased duty. The consumption of opium continues to decrease, but the further rise in the duty from 1st April 1920 practically ensures an improvement in the receipts under this minor head. As a result of these causes, the budget has been put at the record figure of 1,45,00,000, though there is every reason to believe that this sum will be exceeded rather than the reverse.

#### VI—Provincial Rates.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>VI—Provincial Rates—</i>				
Rates and cesses on land ...	31	32	33	* 32

#### \*VIII—Income-Tax.

(Figures in thousands of rupees.)

HEAD OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>VIII—Income-tax—</i>				
Excess Profit Duty—Imperial ...	...	3,00	7,00	10,00
Super Tax—Imperial ...	2,78	2,50	3,09	5,36
Total ...	2,78	5,50	10,09	15,36
Income-tax ...	37,54	41,25	46,50	55,00
Deduct—Imperial share—one-half ...	21,55	26,13	33,34	42,86
Provincial share—one-half ...	18,77	20,62	23,25	27,50

\*Not open to discussion.

The large increase under Excess Profits Duty is due to the budget figure being a rough estimate framed by the Government of India. The revised estimate is 17 lakhs, of which seven are expected to be collected during the current year and ten in 1920-21. The increase under Super Tax is justified by the progress of actuals.

Under ordinary income-tax the collection of large arrears of last year's demand has to some extent been set off by the anticipated non-collection of the whole of this year's tax before the end of the financial year owing to the delay in the announcement of assessments by the Assessing Agencies. Although the full effects of the reconstruction of income-tax procedure by Act VII of 1918 and the introduction of the Assessing Agencies have yet to be felt, it is satisfactory to note that the general activity of these Agencies coupled with the rise in incomes and prosperity has more than counterbalanced the loss of 6½ lakhs due to the exemption of incomes under Rs. 2,000. It is hoped, however, that by next year the conditions under which the tax is collected will have become more stable, and that therefore the arrears outstanding at the end of the year will be reduced to a normal figure and it is for this reason that the increase in the budget over this year's figures has been made.

### IX—Forest.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>IX—Forest—</i>				
I—Timber and other produce removed from the forests by Government agency.	10,15	26,29	23,87	37,51
II—Timber and other produce removed from the forests by consumers or purchasers.	7,12	6,00	7,43	4,41
III—Confiscated drift and waif wood ...	50	25	64	50
IV—Revenue from forests not managed by Government.	...	3	8	4
V—Miscellaneous ...	3,70	3,73	4,54	5,73
Total ...	21,54	36,35	36,56	48,19

The budget of this year allowed for a very large increase of 70 per cent. over the actuals of 1918-19, and it is satisfactory to find that there is every prospect that it will be slightly exceeded. The reasons for the improvement in the figures can be ascribed generally to better prices, the recoveries of outstandings and greater demand for firewood, timber, resin and turpentine. The increase under head III is on account of the heavy floods this year and that under head V to the larger receipts expected from the sale of temporary cultivation leases in Changa Manga, Chichawatni and Khanewal plantations.

A further improvement in the forest revenues is anticipated next year owing to (a) the extension of the system of departmental working to the Kulu forests (which while causing a large increase under head I will adversely affect head II to a smaller extent), (b) increased receipts expected in the Bashahr Division from the supply of spruce and fir sleepers to the Railway Department, and (c) the expansion in the outturn of resin and turpentine, while the temporary cultivation leases referred to above will, it is expected, continue to swell the receipts under V—Miscellaneous.

## X—Registration.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>X—Registration—</i>				
Fees for registering documents ...	3.12	2.85	3.90	3.00
Fees for copies of registered documents	68	66	80	80
Miscellaneous ...	26	24	30	30
Total ...	4.06	3.75	5.00	5.00

The improvement over the budget is due to an increase in the number and value of registered deeds owing to the termination of the War, the poor rabi harvest, and the high prices of land and house property and in the expectation that the figure which has been adopted in the revised bill, if anything, be exceeded this year, it has been repeated in next year's budget.

## XII—Interest.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>XII—Interest—</i>				
Interest on loans to municipal and other public corporations (excluding Presidency Corporations).	1.27	1.10	1.16	1.30
Interest on loans to land-holders and other institutions.	6	9	9	8
Interest on advances to cultivators ...	98	1.08	1.10	1.25
Interest on advances to Co-operative Credit Societies.	6	7	8	11
Interest on miscellaneous loans and advances.	4	5	4	5
Total ...	2.41	2.38	2.47	2.70

Little change is expected in the sanctioned budget, while an increase in next year's receipts is expected which is chiefly due to the increased rate of interest paid on the outstanding advances.

**\*XVI-A—Law and Justice—Courts of Law.**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
Sale-proceeds of unclaimed and escheated property	29	24	32	30
Court-fees realized in cash	9	6	5	5
General fees, fines, and forfeitures	4,82	5,05	642	5,51
Miscellaneous fees and fines	1,28	1,22	1,25	1,26
Miscellaneous	5	8	4	4
<b>Total</b>	<b>6,53</b>	<b>6,60</b>	<b>8,08</b>	<b>7,16</b>

\* Not open to discussion.

Some increase under this head was anticipated at the time of framing the budget, but the improvement which has occurred is larger than was expected, as the receipts have been swollen by Rs. 55,000 by the fees and fines levied by Courts of Martial Law.

The figure for next year has been fixed after excluding receipts due to the abnormal conditions of this year.

**XVI-B—Law and Justice—Jails.**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>XVI-B—Law and Justice—Jails—</i>				
Jails	1,14	72	1,05	55
Jail manufactures	5,02	5,50	4,00	4,00
<b>Total</b>	<b>6,76</b>	<b>6,22</b>	<b>5,05</b>	<b>4,55</b>

With the termination of the War the indents of the military both for jail labour and manufactures have practically ceased. The manufacture of jail blankets for the Army stopped from last March and Khewra and Dhariwal now remain the only jails from which any large receipts from the hire of jail labour can be expected. The figures of this year have been improved to some extent by outstandings recovered from the Military and the further decrease in the anticipated receipts of next year is due to the absence of this cause.

**XVII—Police.**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>XVII—Police—</i>				
Police supplied to public departments, private companies and persons.	1,10	1,55	2,81	2,57
Cash receipts under the Arms Act	1	...	2	1
Fees, fines and forfeitures	23	26	21	21
Superannuation receipts	1	2	1	3
Miscellaneous	51	28	54	66
<b>Total</b>	<b>1,86</b>	<b>2,11</b>	<b>3,59</b>	<b>3,48</b>

The increase is due almost entirely to the recoveries on account of punitive police who were stationed in various places as a result of the

disturbances. The figure under Miscellaneous has been swollen by receipts from the Criminal Reformatory Settlement which were not included in the original budget.

### XIX--Education.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>XIX--Education--</b>				
Fees, Government Colleges, General ...	67	80	69	80
Ditto ditto Professional	3	2	4	3
Fees, schools, general ... ..	3,88	3,90	3,90	3,90
Ditto special ... ..	12	10	11	7
Miscellaneous ... ..	68	64	62	28
<b>Total</b> ...	<b>5,33</b>	<b>5,46</b>	<b>5,36</b>	<b>5,08</b>

It has not been found possible this year to open the two Secondary Colleges at Multan and Ludhiana, and hence the anticipated fees amounting to Rs. 10,000 from the scholars have not been realised.

As the School of Engineering, Rasul, is being transferred to the control of the Public Works Department with effect from next year, the receipts from this source have been omitted and the reduction of Rs. 34,000 under Miscellaneous is due to the omission of the annual contribution from the Aitchison College which will probably in future be adjusted by reduction of expenditure.

### XX-A--Medical.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>XX-A--Medical--</b>				
Medical School and College fees ...	57	57	57	62
Lunatic Asylum receipts ...	9	11	10	11
Medicines sold by Civil Surgeons ...	1	1	9	1
Miscellaneous ... ..	9	6		
<b>Total</b> ...	<b>76</b>	<b>75</b>	<b>76</b>	<b>81</b>

The small increase in 1920-21 in the figure for fees is due to the expectation that the Medical School will open at Amritsar on October 1st, 1920, with a resulting increase in the numbers both of the School and College.

**XX-B--Sanitation.**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>XX-B--Sanitation--</i>				
Sale-proceeds of vaccine lymphs ...	37	32	35	37
Sale-proceeds of quinine packets ...	1,00	60	80	80
Sale-proceeds of articles from Plague Disinfection Depot.	20	13	15	18
Other receipts ...	4	4	3	3
<b>Total</b> ...	<b>1,6</b>	<b>1,09</b>	<b>1,33</b>	<b>1,38</b>

The small change which has been made is based on the progress of actuals and has been repeated in the budget.

**XXI-A--Agriculture.**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>XXI-A--Agriculture--</i>				
Agricultural receipts ...	4,96	6,40	6,11	6,72
Veterinary receipts ...	2,05	1,53	2,14	1,64
<b>Total</b> ...	<b>7,01</b>	<b>7,93</b>	<b>8,25</b>	<b>8,36</b>

The high prices of agricultural produce have favourably affected the receipts from the Government farms, while credit is expected during the current year from the sale-proceeds of agricultural machinery sold to the Military authorities to meet their urgent requirements at Bushire. Against these improvements in the revenue have to be set off smaller recoveries than were anticipated from the sale of seeds by the Department.

The veterinary receipts have been raised as the Java Government have intimated their intention of purchasing a large head of cattle from the Hissar Cattle Farm.

The budget is mainly determined by the sale-proceeds of seed—an item which is difficult to estimate. The figure under this minor head has been adopted at one lakh over the revised, mainly owing to the fact that the advances of this year have been one lakh over those of last year.

**XXI B—Scientific and Miscellaneous Departments**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT	Actuals, 1918-19	Budget, 1919-20	Revised, 1919-20	Budget, 1920-21
<i>XXI B—Scientific and Miscellaneous Departments—</i>				
Examination fees	1	2	2	2
Fees for inspection of boilers	28	28	28	28
Receipts from Industrial operations	2	1	2	1
Miscellaneous	4	6	4	5
<b>Total</b>	<b>35</b>	<b>37</b>	<b>36</b>	<b>36</b>

**XXII—Receipts in aid of Superannuation, Retired, and Compassionate Allowances.**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT	Actuals, 1918-19	Budget, 1919-20	Revised, 1919-20	Budget, 1920-21
<i>XXII—Receipts in aid of Superannuation, Retired, and Compassionate Allowances—</i>				
Contributions for pensions and gratuities	55	55	56	56

**XXIII—Stationery and Printing.**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT	Actuals, 1918-19	Budget, 1919-20	Revised, 1919-20	Budget, 1920-21
<i>XXIII—Stationery and Printing—</i>				
Sale of gazettes and other publications	7	8	8	8
Other Press Receipts	94	84	96	97
<b>Total</b>	<b>101</b>	<b>92</b>	<b>104</b>	<b>105</b>

**XXV—Miscellaneous.**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>XXV—Miscellaneous—</b>				
War Boards ...	...	30	...	...
Unclaimed deposits ...	1,22	1,00	1,00	1,10
Sale of old stores and materials ...	5	3	5	4
Sales of lands and houses ...	3,23	30	4	33
Fees for Government audit ...	14	12	14	18
Rents ...	7	9	9	9
Miscellaneous fees, fines and forfeitures ...	27	28	32	29
Miscellaneous ...	5,06	5,30	6,55	6,55
Percentage on capital cost of furniture supplied to high officers ...	1	1	1	1
Extraordinary items ...	1	...	...	...
<b>Total</b> ...	<b>10,06</b>	<b>7,43</b>	<b>8,58</b>	<b>8,59</b>

The increase under the minor head Miscellaneous is due to the payment for damage done to Government property during the riots being credited under this head. The receipts under War Boards are being adjusted by corresponding reduction of the expenditure under 32-Miscellaneous.

**XXIX—Irrigation—Major Works**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>XXIX—Irrigation—Major Works—</b>				
<b>Direct receipts—</b>				
In charge of Civil Officers (owner's rate)	8	8	7	7
Imperial share—one-half ...	4	4	4	4
Provincial share—one-half ...	4	4	3	3
<b>Direct receipts—</b>				
In charge of Public Works Officers ...	2,77,19	2,02,00	3,20,00	3,16,00
Imperial share—one-half ...	1,38,60	1,46,00	1,60,00	1,58,00
Provincial share—one-half ...	1,38,59	1,46,00	1,60,00	1,58,00
<b>Indirect receipts—</b>				
Portion of Land Revenue due to Irrigation (transferred from I—Land Revenue).	1,36,04	1,36,16	1,39,00	1,58,00
Imperial share—one-half ...	68,02	68,08	69,50	79,00
Provincial share—one-half ...	68,02	68,08	69,50	79,00

The very large increase this year in the Direct Receipts is due to the fact that both the harvests of 1919 were such that owing to weather conditions there was an exceptional demand for water on the perennial canals. This was especially so in the case of the kharif crops on the Sirhind, Western Jumna and Upper Bari Doab Canals which were sown on a larger area than anticipated by the aid of good and timely rainfall and owing to the early cessation of the monsoon were matured by canal irrigation. In addition the expansion of

irrigation on the Lower Bari Doab and the Upper Chenab Canals exceeded expectation. The Lower Chenab and Lower Bari Doab Canals show increases under Indirect Receipts owing to a larger area than anticipated having been sown, but these have been partly absorbed by decreases on the Upper Chenab and the omission of receipts from the Upper Jhelum Canal owing to the question of indirect revenue not having yet been finally settled.

The budget has been framed in the expectation of a good rabi and a normal kharif with due allowance for the usual expansion in the area under irrigation. The increase under the Indirect Receipts has been made in the expectation that the question of the Indirect Receipts from the Upper Jhelum Canal will be settled next year.

### XXX—Irrigation—Minor Works and Navigation.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>* XXX—Irrigation—Minor Works and Navigation—</i>				
In charge of Civil Officers ...	1	3	3	3
In charge of Public Works Officers ...	1,13	1,30	1,21	1,17

### XXXI—Civil Works.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>XXXI—Civil Works—</i>				
In charge of Civil Officers ...	1,74	1,49	2,09	1,81
In charge of Public Works Officers	2,54	2,40	2,70	2,60

The receipts under the first minor head have been inflated by higher bids for Road Tolls and Ferry leases and increased receipts from Ferry tolls in the Dera Ghazi Khan District.

### Transfers between Imperial and Provincial.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>Transfers between Imperial and Provincial—</i>				
Net contribution from Imperial to Provincial.	46,65	31,85	54,20	42,75
<i>(Details in Appendix A to Financial Statement.)</i>				

In the case of the recurring transfers the only alteration of any importance in the revised is in the share of the sale-proceeds of sites of shops and residences in towns in the Punjab, where the Provincial revenues have benefitted to the extent of 5 lakhs over the budget estimate. Since the budget was framed non-recurring grants amounting to over 12 lakhs have been made of which the most important are Rs. 5,75,000 towards the cost of the bridge over the Chenab and Phalku rivers at Wazirabad, Rs. 2,62,000 for agricultural education, Rs. 1,84,000 for the Publicity Committee and Rs. 1,50,000 towards the establishment of an Institute at Moghalpura for the training of Mechanical Engineers. The Provincial revenues have also benefitted by a decrease of nearly 5 lakhs on the estimated Imperial share of the enhanced receipts from income-tax due to the increased taxation imposed in 1916. In all, the total transfers from Imperial to Provincial Revenue are Rs. 22½ lakhs over the amount entered in the budget.

In the budget no noteworthy alteration has been made in the recurring grants while the only non-recurring ones of any importance are 3 lakhs for the Chenab and Phalku bridges and Rs. 1,65,000 for the Publicity Committee.

### EXPENDITURE.

The following causes are responsible for a rise under practically every head :—

- (i) The doubling of the war allowance with effect from April 1st, 1919, for six months and the temporary allowance which has been sanctioned by the Government of India with effect from October 1st, 1919, for all Government servants on pay of Rs. 75 and under. These two measures are estimated to cost 20 lakhs over and above the budget figure which was fixed in anticipation of war allowance being drawn at the original sanctioned rate up to October 1st only.
- (ii) The high prices of food-grains and the consequent high rates at which Grain Compensation Allowance has been drawn. This accounts for an estimated increase of 6½ lakhs over the budget allotment which was fixed on the basis of Grain Compensation Allowance being drawn for 9 months at the middle rate only.
- (iii) Increased contingent charges necessitated by the disturbances and the increase of postal rates from 1st January 1919.

The apportionment of the charges due to the recent revision of the pay and strength of the district clerical establishment has now been made on the lines recommended by the District Establishment Committee and is the cause of variations under several heads, especially under those for Land Revenue, Excise and Law and Justice.

### 1—Refunds and Drawbacks.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>EXPENDITURE</b>				
<i>1—Refunds and Drawbacks—</i>				
Refunds—Provincial ... ..	1,25	1,29	1,45	1,35

The allowance which was made for further expansion in income-tax refunds at the time the budget was framed has been found to be insufficient owing to the fact that some of the assessments by the Special Agencies have been upset on appeal. A lower figure has been adopted in the budget as the current year's estimate included special refunds on account of readjustment of land revenue in the case of certain jagirs in the Lahore District.

**\*2—Assignments and Compensations.**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
2—Assignments and Compensations ...	34	35	34	35

\*Not open to discussion.

**3.—Land Revenue.**

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
3—Land Revenue—				
Charges of district administration ...	24,60	29,49	28,70	31,89
Survey and settlement ...	6,93	7,26	7,46	8,02
Land records ...	17,71	17,87	21,56	20,20
Allowances to district and village officers	13	10	10	12
Management of Government estates ...	4	3	4	3
Total ...	49,41	54,75	57,86	60,26

Besides the general causes which have already been alluded to the variation in the revised figures for charges of district administration is principally due to the delay in the receipt of sanction from the Secretary of State to the formation of the new Sheikhpura District for the cost of which a sum of Rs. 1,33,000 was entered in the budget on the assumption that it would come into existence from the beginning of the financial year, and a saving of 1½ lakhs being the lump provision for preventive measures to arrest denudation of the Siwaliks in Ambala and Hoshiarpur with which scheme it was found impossible to proceed this year. The big rise under Land Records is due to increased Grain Compensation Allowance and War Allowance.

In the budget a lump provision of 35 lakhs for temporary allowances and revision of pay of all establishments has been made under the head 32—Miscellaneous, instead of distributing this amount among the various major heads as has been done in the revised, and this accounts for a nominal decrease as compared with the revised under these various heads.

The moieties of four lakhs on account of revision of pay of the Indian Civil Service and Rs. 1,37,000 on account of that of the Provincial Civil Service have however been included under this head and the other moieties under 19-A—Law and Justice, while lump provisions of Rs. 2,05,000, Rs. 2,10,000 (as compared with Rs. 20,000 in this year's budget) and Rs. 1,00,000 have been made respectively for the reclamation of the Siwaliks, construction and repairs to patwarkhanas and survey marks required for the Sind Sagar survey. For some time past district treasuries have submitted that the expenditure of their establishment exceeded their emoluments and Rs. 45,000 has accordingly been provided to meet the cost of a scheme for enhanced payments which is to be introduced with effect from 1st April. The only other new scheme of general interest and importance which comes under the major head is the appointment of shorthand writers for 13 Deputy Commissioners at a cost of Rs. 11,700.

## 6—Stamps.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>6—Stamps—</b>				
Superintendence ... ..	35	36	39	45
Charges for the sale of general stamps...	70	7	90	90
Charges on the sale of court-fee stamps	26	30	28	29
Discount on plain paper ... ..	4	5	5	5
Stamp paper supplied from Central Stores	52	52	64	55
Total ... ..	1,96	1,98	2,16	2,24
Deduct—Imperial share—one-half ...	98	99	1,08	1,12
Provincial share—one-half ...	98	99	1,08	1,12

The only variation of any importance is under charges for the sale of general stamps and is due to increased sales.

## 7—Excise.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>7—Excise—</b>				
District executive establishments ...	1,95	2,58	2,19	2,59
Distilleries ... ..	39	38	41	43
Total ... ..	2,34	2,96	2,60	3,02
Deduct—Imperial share—one-half ...	1,17	1,48	1,30	1,51
Provincial share—one-half ..	1,17	1,48	1,30	1,51

A lump provision of Rs. 48,000 sanctioned for the entertainment of extra establishment in connection with the detective agency is likely to be only partially utilised this year and this accounts for the drop in the figures for the Revised. In next year's budget the entertainment of an Excise Expert and further extension of the Excise establishment have been provide for.

## 10—Income-tax.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>10—Income-tax—</b>				
Collection of income-tax ...	53	1,08	1,10	1,85
Deduct—Imperial share—one-half ...	29	54	55	92
Provincial share—one-half ...	29	54	55	93

The increase in the budget is due to the proposed expansion of the Special Assessing Agencies. At present there are six of these Agencies and it is proposed that their number shall be increased to 11. The valuable results which have attended their work have shown that many assessable incomes now escape taxation and it is anticipated that a large increase in the Income-tax Revenue will be obtained by an extension of their activities.

## 11—Forest.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>11—Forests—</b>				
<b>A—Conservancy and Works—</b>				
I—Timber and other produce removed from the forests by Government agency.	5,83	12,18	8,72	17,52
II—Timber and other produce removed from the forests by consumers or purchasers.	4	4	3	3
III—Confiscated drift and waif wood.	21	18	29	21
IV—Revenue from forests not managed by Government.	...	...	...	...
V—Rent of leased forests and payments to shareholders in forests managed by Government.	84	81	39	29
VI—Live and dead stock	25	1,07	1,51	1,94
VII—Communications and buildings	88	89	1,40	2,90
VIII—Demarcation, improvement and extension of forests.	51	1,57	1,51	1,69
IX—Miscellaneous	2,97	2,82	3,06	4,06
<b>Total Conservancy and Works</b>	<b>12,46</b>	<b>19,91</b>	<b>17,81</b>	<b>28,64</b>
<b>B—Establishment—</b>				
I—Salaries	1,48	1,64	1,87	2,10
II—Establishments	2,28	2,88	2,63	3,06
III—Allowances	1,31	1,22	1,32	1,28
IV—Contingencies	45	50	50	56
V—Lump provision for the extension of forest establishment and activities.	...	...	...	2,00
<b>Total Establishment</b>	<b>5,50</b>	<b>6,24</b>	<b>6,82</b>	<b>9,00</b>
<b>Total</b>	<b>17,96</b>	<b>26,15</b>	<b>24,63</b>	<b>37,64</b>

The decrease in the revised under Minor Head A. I is due principally to an over estimate of the productive capacity of the Jallo Resin factory. The big floods experienced this year as a result of the heavy monsoon have been the cause of the receipt of a larger quantity of drift timber in the depôts

Under head A VI provision was made for Motor Lorries for the Rawalpindi West Division which have, however, not been purchased and for plant for the Resin Factory which is not likely to arrive this year. Savings on these items have been counterbalanced by the increase in cost of tramway materials for Changa Manga. The increase under head A VII is due mainly to the cost of six wire ropeways required for departmental extraction of timber in Bashahr and to the construction of certain buildings in the Multan and Chenab Divisions. The increase under IX—Miscellaneous is due to the larger quantity and higher price of food-stuffs purchased for sale to the workmen in Bashahr and Kulu.

The increased activities of the Forest Department have been alluded to under IX—Forest, and comprise extensive departmental timber exploitation works in Bashahr, Kulu and Rawalpindi East Division, the extraction of a larger quantity of resin in the Rawalpindi Division, and the extension of the Jallo Factory with consequent heavier charges on the carriage and packing of manufactured products of the Resin Division. In addition to these schemes which in themselves account for considerable additional expenditure, a provision of two lakhs has been made as an initial instalment for a comprehensive scheme of re-organisation and expansion of the Department. The small change under Salaries and Establishments is due to the cost of the revision of pay of the Indian and the Subordinate Forest Services.

### 12—Registration.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
12—Registration—				
District charges ... ..	1,34	1,37	1,70	1,56

The changes are largely due to the apportionment of the charges for Establishment on the lines recommended by the District Establishment Committee.

### \*13—Interest on ordinary debt.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
13—Interest on ordinary debts—				
Interest on Provincial Advance and Loan Account.	1,83	2,26	2,19	2,58

\*Not open to discussion.

A progressive growth in the interest charges must be expected with the rise in the rates charged for loans, and in addition it is anticipated that there will be an increase in the amount of the loans outstanding.

## 18—General Administration.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>18—General Administration—</b>				
Salary of the Lieutenant-Governor ...	96	96	1,02	1,00
Sumptuary allowance ...	6	6	6	6
Staff and household expenses of the Lieutenant-Governor.	58	71	65	74
Expenditure from contract allowance ...	19	18	18	20
Tour expenses ...	34	45	41	45
Legislative Council ...	8	8	8	9
Civil Secretariat ...	3,80	3,82	4,88	5,89
Financial Commissioners ...	2,32	2,35	2,40	2,44
Commissioners ...	3,04	3,07	3,47	3,27
Civil office of account and audit ...	90	95	96	95
<b>Total</b> ...	<b>12,27</b>	<b>12,63</b>	<b>14,11</b>	<b>15,09</b>

The small increase shown in the Revised against the Salary of the Lieutenant-Governor is on account of the leave allowances of Sir Michael O'Dwyer, while in the budget no deduction on account of the 4 per cent. annuity charge, which is paid by all officers of the I.C.S., will in future be shown owing to the fact that these charges are now funded for the benefit of the officers on retirement. The pay of officers on special duty in connection with the disturbances and the heavy charges on telegrams account for the increase which is shown under Civil Secretariat in the Revised, while leave arrangements and the continuation of some officers on special duty are the main reasons for the increase in the Budget figure over that of the current year. One and a-half lakhs have also been provided to meet various charges entailed by the introduction of the Reforms.

## 19-A—Law and Justice—Courts of Law.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
	Rs.	Rs.	Rs.	Rs.
<b>19-A—Law and Justice—Courts of Law—</b>				
High Court ...	5,42	6,09	6,40	6,77
Law Officers ...	3,20	3,16	3,39	3,23
Administrator-General and Official Trustees	3	3	4	5
Civil and Sessions Courts ...	17,77	18,39	20,26	19,25
Courts of Small Causes ...	53	54	55	53
Criminal Courts ...	18,44	18,97	21,20	24,19
Refunds ...	83	1,00	80	90
<b>Total</b> ...	<b>46,22</b>	<b>48,18</b>	<b>52,64</b>	<b>54,92</b>

In the revised the increase under the head High Court is due to several reasons which do not merit detailed mention, while the further increase in the budget of next year is caused by provision being made for various schemes among which may be mentioned :—

	Rs.
Provincialisation of the Section Branch of Translators ... ..	12,336
Revision of the High Court establishment ...	6,240
Publication of the Lahore Law Report ...	11,000

The figure under Law Officers has been inflated this year by additional fees to Public Prosecutors engaged in connection with cases arising out of the disturbances. Leave arrangements, deputation of officers to the Martial Law Commissions and a lump provision for the Codification of Customary Law are contributing causes to the increase under Civil and Sessions Courts, the main factor in which is, however, the general one of increased Grain Compensation Allowance and War Allowance. The decrease in the budget figure is due to the omission of the latter charge, but is to some extent counterbalanced by an increase in the cost of the Codification of Customary Law for which Rs. 54,688 has been entered.

The apportionment of District Establishment charges accounts largely for the increase which is shown under Criminal Courts, while a further increase is necessitated in the budget by the moiety charges on account of the increase in pay to the Indian Civil Service and the Provincial Civil Service being debited under this head. Rs. 80,000 have also been provided for an increase in the rates of diet money and travelling expenses of witnesses.

### 19-B—Law and Justice—Jails.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>19-B—Law and Justice—Jails—</b>				
Jails ... ..	18,06	16,38	20,76	19,55
Jail manufactures ... ..	5,23	3,57	2,49	2,75
Refunds ... ..	9	...	1	...
<b>Total</b> ...	<b>23,38</b>	<b>20,45</b>	<b>23,26</b>	<b>22,30</b>

In the revised the increase in the number of prisoners as the result of the disturbances and the very high prevailing prices of foodgrains account for an increase in the dietary charges of no less than Rs. 2,39,500 over the budget estimate, while increased cost of clothing and bedding for prisoners and uniform for warders due to the high prices of cotton and woollen yarn is responsible for an increase of Rs. 92,000. The drop in the expenses connected with jail manufactures is due to the stoppage of military demand for jail-made articles, and consequent decrease in purchase of raw material—especially woollen yarn by the Jail authorities.

The budget has been fixed in anticipation of a normal jail population and a high level of prices for the necessary food and clothing of the prisoners while provision for acquisition of land for a demonstration farm for the Borstal Central Jail has been made. The figure under Jail manufactures has been slightly raised as compared with the Revised as it is expected that the present large stocks of cotton yarn will soon be exhausted.

### 20—Police.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>20—Police—</b>				
Superintendence ... ..	2,30	2,06	2,12	1,87
District executive force ... ..	59,98	60,75	70,60	65,49
Special Police ... ..	1,89	1,42	1,61	1,57
Railway Police ... ..	4,78	5,10	5,88	5,30
Criminal Investigation Department ...	2,62	2,81	3,06	3,07
Cattle pounds ... ..	2	4	...	...
Miscellaneous ... ..	10	9	11	12
Refunds ... ..	5	6	7	7
<b>Total ... ..</b>	<b>71,19</b>	<b>72,33</b>	<b>83,45</b>	<b>77,49</b>

The excess over the budget is largely due to the general causes of increased grain compensation allowance, war allowance and contingencies which alone under District Executive Force account for an increase of Rs. 7,62,000, while the punitive police employed as a result of the disturbances have involved an extra expenditure of Rs. 1,40,000. The introduction of the time scale of pay for the Indian Police with effect from 1st January 1919, is responsible for additional expenditure of Rs. 1,37,000 which has been distributed over the various minor heads while the increased rates of local allowance sanctioned for the Head Constables and Constables in the Amritsar and Lahore Districts account for an increase of Rs. 51,000. A contributing cause of the rise under the head Railway Police is the revised system of apportionment of the cost of Railway Police between Government and the Railway Companies. The disappearance of charges for cattle-pounds is due to their transfer to the local bodies concerned.

The effect of the causes referred to above will be felt only partially in the next year and the budget has been fixed at an intermediate figure between past actuals and the revised of the present year.

## 22—Education.

(Figures in thousand of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>22—Education—</b>				
University ... ..	87	88	92	1,17
Direction ... ..	75	97	99	98
Inspection ... ..	3,40	3,57	3,60	3,95
Government Colleges, General ...	1,96	2,65	2,09	2,69
Government Colleges, Professional ...	1,01	92	1,20	1,36
Government Schools, General ...	9,81	8,97	9,25	9,64
Government Schools, Special ...	3,84	7,67	6,80	11,44
Grants-in aid ... ..	30,26	32,54	31,72	40,20
Scholarships... ..	1,76	1,77	1,71	1,80
Miscellaneous ... ..	40	49	49	78
Refunds ... ..	...	...	...	...
Lump provision for revision of pay of Provincial Educational Service.	...	...	...	1,17
<b>Total ...</b>	<b>53,56</b>	<b>60,44</b>	<b>58,57</b>	<b>75,18</b>

In the revised the partial non-utilization of the lump provision of Rs. 78,700 for the two new Secondary Colleges at Multan and Ludhiana counterbalanced to some extent by increased charges under Salaries, Establishment, Grain Compensation and War allowances, account for the saying under Government Colleges, General. The change in the figure under Government Schools, Special, is due to various conflicting causes among which the most important are the expenditure of 1½ lakhs on Agricultural education, provision for which was made in the Agricultural budget, and the non-utilization of the whole of the lump provision for the Carpentry School, Jullundur (Rs. 75,000) and of Rs. 1,32,000 out of the total provision of Rs. 2,57,000 for the improvement of pay and training of teachers.

The decrease under Grants-in-aid is the net result of the increase which occurs chiefly under Maintenance Grants to Colleges and Schools and grants for European education counterbalanced by savings from Miscellaneous Grants and Building Grants.

The Budget provides for a large expansion. The institution of a strong School of Chemistry by the Punjab University is being assisted by Government by a recurring grant of Rs. 15,000, which is expected to increase in time to Rs. 30,00, and Rs. 6,250 have also been provided in the budget for a University Professor in Zoology. Rs. 23,360 have been entered under Inspection to provide for the revision of the Inspecting Staff on the lines recommended by the Public Services Commission. Under Government Colleges, General a provision of Rs. 70,000 for the two new Secondary Colleges has been made in the expectation that they will shortly be opened. The main cause of the in-

crease under Government Schools, general, is the provision of Rs. one lakh for the provincialisation of Local Board High Schools, which is counterbalanced by various small savings as compared with this year's budget. The provision for Agricultural Education (Rs. 3,85,000) has been made under Government Schools, Special, and not in the Agricultural budget, while Rs. 2 lakhs have been entered for the institution of a Training Institute at Moghalpura for Mechanical Engineers towards which the Government of India have given an assignment of 1½ lakhs non-recurring and Rs. 40,000 recurring. The only other noteworthy alteration under this head (—Rs. 55,000) is due to the transfer of the cost of the Rasul Engineering School to the Public Works Department budget. The larger provision under Grants-in-aid is due mainly to the following :—

- (a) An increase of Rs. 1,72,000 in the grant to local bodies for vernacular education due under the 5 years' programme for the extension of vernacular education by District Boards,
- (b) a provision of 1 lakh (Rs. 50,000 recurring and 50,000 non-recurring) for expansion of female education, and
- (c) a provision of 4 lakhs for building grants to local bodies for Vernacular Schools.

The provision of Rs. 11,000 for a scheme to establish libraries in large villages and small towns is the cause of the increase under Miscellaneous.

#### 24-A—Medical.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>24-A—Medical—</i>				
Medical establishment ... ..	3,50	4,80	4,88	6,55
Hospitals and dispensaries ... ..	3,58	5,77	4,86	7,34
Grants for medical purposes ... ..	5	8	8	9
Medical School and College ... ..	3,56	6,01	3,85	6,37
Lunatic Asylums ... ..	92	1,11	1,04	1,33
Chemical Examiner ... ..	8	7	8	7
Refunds ... ..	...	...	...	...
Total ... ..	11,67	17,84	14,29	21,75

The return of Medical Officers from Military employment has been delayed longer than was at one time expected and this has been responsible for a saving this year which is, however, counterbalanced by increased expenditure due to the revision of salaries. To the same cause may be ascribed the delay in equipping new Itinerating Dispensaries with a resulting saving of Rs. 32,000. The plans for the transfer of the Medical School from Lahore to Amritsar have not sufficiently matured to enable the lump provision of Rs. 1,33,970 provided for this purpose being expended in the current year and it has been repeated in next year's budget.

The lump provision of Rs. 1,40,000 for the construction of a Maternity Block at the Punjab Medical School for Women, Ludhiana, has likewise not been utilised, as it was not possible to acquire the land owing to difficulties which arose over the site of the building. As it is probable that there will still be a little delay in the matter, a provision of one lakh only has been entered in the budget. A lady doctor has now been recruited for the post of Lady Assistant to the Inspector-General and necessary provision for her pay has been repeated in the budget. Among other provisions in the budget may be mentioned—

	Rs.
Grants-in-aid to District Boards and Municipalities for improving and equipping existing hospitals and dispensaries ... ..	50,000
Establishment of new itinerating dispensaries ... ..	50,000
Opening of a dispensary at Muridke ... ..	15,898

#### 24-B—Sanitation.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
	Rs.	Rs.	Rs.	
<b>24-B—Sanitation—</b>				
Sanitation and Vaccination Establishment.	82	1,06	94	1,49
Grants for sanitary purposes ... ..	4,47	6,23	6,27	7,24
Expenses in connection with bubonic plague, malaria and epidemics.	2,54	3,13	2,62	3,82
Bacteriological laboratories and Pasteur Vaccine Institutes.	23	2	28	34
Refunds ... ..	...	...	1	...
<b>Total ... ..</b>	<b>8,06</b>	<b>10,64</b>	<b>10,12</b>	<b>12,89</b>

There has been a saving of Rs. 66,300 on the budget figure for expenses in connection with bubonic plague and the only other noteworthy alteration in the Revised is due to the post of the Deputy Sanitary Commissioner being vacant. The increase in the budget is due mainly to the expected return of more officers from military duty which will permit of larger expenditure in connection with bubonic plague, malaria and epidemics and to the request by the Government of India that 2 lakhs should next year be contributed by this Government towards the Simla Improvement Scheme. The Drainage Board has a grant of 1 lakh placed at its disposal and Rs. 25,000 have been provided for expenditure in connection with the re-organisation of rural health in the Punjab and about Rs. 75,000 for improvements to the Vaccine Depot at Murree.

## 26-A—Agriculture.

(Figures in thousands of rupees.)

HEADS OF ACCOUNTS.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 192-21.
<b>26-A—Agriculture—</b>	<b>Rs.</b>	<b>Rs.</b>	<b>Rs.</b>	<b>Rs.</b>
Agriculture ... ..	10,10	19,44	14,16	19,08
Veterinary charges ... ..	5,60	5,72	6,71	7,51
Co-operative credit ... ..	1,14	1,71	1,70	2,49
Refunds ... ..	...	...	1	...
<b>Total ... ..</b>	<b>16,84</b>	<b>26,87</b>	<b>22,58</b>	<b>29,08</b>

The saving shown in the Revised is to some extent only nominal as the expenditure in connection with Agricultural education for which 2 lakhs were entered in the budget has been taken to the Education head, but a further reduction of over 4 lakhs under Agriculture is anticipated and is due mainly to the following causes. The provision which was made in the budget for reclamation of bara lands in the Lower Bari Doab Canal colony was the total expenditure expected in connection with the scheme for the next 3 years and the utmost that can be spent this year is estimated at one lakh. Owing to the extreme difficulty of obtaining machinery from England there will be a saving of Rs. 65,000 on well-boring machinery. It has not been found possible to complete the boring of the well at the Agricultural College and it is anticipated that there will be a saving of Rs. 15,000 (which has been transferred to next year's budget) out of Rs. 40,000 provided for the water supply installation. Owing to a delay in respect of the plans for the Serai for the visitors of the Gurdaspur Farm only a small portion of the total provision of Rs. 41,400 will be utilised this year.—

The increase under veterinary charges over the sanctioned budget is due primarily to three causes:—

- (1) The transference of the Office of the Camel Specialist at Sohawa to the Civil Department with effect from 1st September 1919.
- (2) The introduction of the double dose system with the result that the expenditure on serum has exceeded the estimate by Rs. 41,000.
- (3) The revision of pay of Veterinary Assistants with effect from the 1st October 1919.

The Budget provides for largely increased expenditure, and among the lump provisions for Agriculture may be mentioned:—

	Rs.
(1) Reclamation of bara lands in Lower Bari Doab Canal Colony ... ..	1,01,100
(2) District Board Demonstration Farms ... ..	1,00,000
(3) Well-boring machinery ... ..	1,00,000
(4) Seed operations ... ..	5,00,000
(5) Extension of Lyallpur Agricultural Station by acquisition of 273 acres of land ... ..	2,75,000
(6) Machinery for new Agricultural Engineering workshop... ..	55,000
(7) Staff and running expenses of the Lyallpur wheat elevator ... ..	25,000
(8) Entertainment of 3 Additional Deputy Directors of Agriculture ... ..	18,000
(9) Statistical Bureau under the Director ... ..	5,000

The increase under Veterinary charges is due to the additional expenditure anticipated from the recommendations of the Public Services Commission, and the revision of pay of the Veterinary Assistants. The rapid expansion in the work of the Co-operative Societies to cope with which additional establishment is urgently required is responsible for the increase under this head.

### 23-B—Scientific and Miscellaneous Departments.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1916-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>23-B—Scientific and Miscellaneous Departments—Scientific—</i>				
Provincial Museums	11	12	12	12
Donation to Scientific Societies	...	1	1	1
Examinations	7	5	5	5
Gazetteers and statistical memoirs	...	2	2	2
Provincial statistics	85	11	10	10
Preservation and translation of ancient manuscripts	...	...	...	...
Inspector of Factories	2	14	11	82
Registrar, Joint Stock Companies	39	41	58	82
Steam Boilers Inspection, establishment.	17	18	18	20
Development of Industries	52	76	82	207
Miscellaneous	27	28	56	82
Refunds	2	...	...	1
<b>Total</b>	<b>1,69</b>	<b>2,07</b>	<b>2,63</b>	<b>3,04</b>

Increased expenditure in connection with the work of Civil Supplies accounts for the only change of any importance in the Revised, while the increase in the Budget is due mainly to—

(1) Increased expenditure, amounting to 1 lakh round, in connection with the establishment of a separate office of Director of Industries, and expansion in the activities of that Department.

(2) Provision of Rs. 10,000 to meet the expenses of the Cement Expert who has been engaged to report on the possibilities of the establishment of a Government Cement Factory in the Province.

(3) Extra establishment for the Fisheries Department at an estimated cost of Rs. 5,228.

## 29—Superannuation Allowances and Pensions.

(Figures in thousands of rupees.)

Heads of account.	Actuals, 1918-19.	Budget, 1919-20.	Revised 1919-20.	Budget, 1920-21.
<b>29—Superannuation Allowances and Pensions—</b>				
Commuted value of pensions ...	1.06	1.25	70	1.00
Superannuation and retired allowances.	24.07	25.00	24.25	24.75
Compassionate allowances ...	42	47	42	45
Gratuities ...	28	33	34	34
Pensions for distinguished and meritorious services.	5	5	5	5
Refunds ...	3	1	...	...
Total ...	25.91	27.11	25.76	26.59

The change in the Revised has been made on a consideration of actuals.

## 30—Stationery and Printing.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised 1919-20.	Budget, 1920-21.
<b>30—Stationery and Printing—</b>				
Stationery purchased in the country	1.59	1.23	1.26	1.26
Government Presses ...	2.37	2.92	3.10	3.14
Printing at private presses ...	28	32	35	43
Lithography ...	50	46	52	53
Stationery supplied from Central Stores.	3.71	3.97	4.01	4.10
Refunds ...	...	...	...	...
Total ...	8.45	8.86	9.24	9.46

The figures show a small increase which is largely due to higher prices.

## 32 - Miscellaneous

(Figures in thousands of rupees.)

HEADS OF ACCOUNT	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>32 - Miscellaneous</i>				
Rents, Rates and Taxes	3	3	3	3
Rewards for proficiency in Oriental languages and allowances to Language Examination Committee	3	10	4	5
Donations for charitable purposes	2,00	1,15	1,60	6
Charges on account of European vagrants	2	3	2	3
Rewards for destruction of wild animals	1	0	1	3
Petty establishment	5,60	5,11	5,12	5,10
Irrecoverable temporary loans written off	1	1	1	...
Miscellaneous charges for treatment of patients at Pasteur Institute, Kasauli	17	14	16	10
Lump provision to meet additional cost on account of new travelling allowance	...	31	...	...
Contributions	10,48	10,39	10,58	10,56
Miscellaneous and unforeseen charges	1,50	6,77	1,48	48,50
Miscellaneous refunds	4	5	5	5
Annual stipends to holders of literary titles	...	...	1	1
War boards	1,60	...	1,84	1,68
Books and Periodicals	...	...	...	...
Lump provision for Standing Board of Economic Inquiry	...	...	...	20
<b>Total</b>	<b>19,55</b>	<b>24,72</b>	<b>20,41</b>	<b>66,43</b>

The variation in the Revised is mainly nominal and is due to the expenditure which has been met out of the Government reserve of 6 lakhs having been distributed among the appropriate major heads. Among the items which are now shown in the Revised under Miscellaneous and Unforeseen charges are :—

	Rs.
(1) Charges in connection with the disturbances and other Miscellaneous charges.	60,000
(2) Increased grants on account of one-third share of the surplus income of the Bashahr State Forests.	45,245

No provision was made in the budget for expenditure in connection with the Publicity Campaign, but the expenditure which is anticipated this year under this head is estimated at Rs. 1,84,000.

In the budget under Contributions are included the usual consolidated and development grants to district boards while the large item of Rs. 48,50,000 for Miscellaneous and Unforeseen Charges is chiefly made up of the following items :—

	Rs.
(1) The revision of pay of the non-gazetted establishments.	85,00,000
(2) Liberalisation of travelling allowance rules.	6,00,000
(3) Increased horse and camel allowances	1,50,000
(4) Government reserve	5,00,000

### 88—Famine Relief.

(Figures in thousand of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
88—Famine Relief—	68	4,00	30	...
Imperial share — three-fourths	49	3,00	23	...
Provincial share—one-fourth	17	1,00	7	...

It is impossible to budget with any approximation to certainty under this head, and the Government of India have suggested that no provision should be made in the budget of next year and any expenditure on famine relief which may be necessary will be met, so far as the Government share is concerned, from the Government reserve.

## 42—Irrigation—Major Works.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>42—Irrigation—Major Works—</b>				
<b>Working expenses—In charge of Civil Officers—</b>				
Owner's rate refunds ...	3	1	1	1
Imperial share—one half ...	2	1	1	1
Provincial share—one half ...	1	...	...	...
<b>Working expenses—In charge of Public Works Officers—</b>				
...	1,03,00	1,05,28	1,13,28	1,06,85
Imperial share—one half ...	51,50	52,64	56,64	53,43
Provincial share—one half ...	51,50	52,64	56,64	53,42
<b>Interest on debt* ...</b>				
...	75,69	76,17	76,02	76,48
Imperial share—one half ...	37,85	38,09	38,01	38,24
Provincial share—one half ...	37,84	38,08	38,01	38,24

\*Not open to discussion.

The increase under Working Expenses—In charge of Public Works Officers is due to extensive repairs to canal banks necessitated by the heavy monsoon, larger expenditure under War Allowance and Grain Compensation Allowance, and to a *pro rata* distribution of charges which have dropped under the head 49—Capital owing to a decrease in expenditure under that head.

## 43—Irrigation—Minor Works and Navigation.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised 1919-20.	Budget, 1920-21.
<b>43—Irrigation—Minor Works and Navigation—</b>				
In charge of Civil Officers .....	31	28	30	39
In charge of Public Works Officers	3,81	3,95	5,10	3,40

The increase in the Revised is due to expenditure unprovided for in the Budget in connection with the new Drainage Division, Upper Bari Doab Canal and to an increased expenditure on the Thal Survey. The decrease in the budget is due to smaller expenditure anticipated on the Thal Survey.

## 45—Civil works.

(Figures in thousands of rupees.)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>45—Civil Works—</b>				
In charge of Civil Officers ...	8,00	13,60	13,34	15,66
In charge of Public Works Officers ...	62,83	71,30	85,00	93,60

In view of past actuals, 10 lakhs were deducted from this year's budget for probable lapses. Owing however to the earlier sanction of estimates, more normal conditions, the return of many officers to civil employment, and the absence of any serious outbreak of influenza or other epidemic which in the previous year seriously affected the supply of labour, it is expected that the savings will be far less than was at one time anticipated. Additional expenditure on the road bridge over the Chenab and Phalku rivers, the grain elevator at Lyallpur and revision of the Engineers establishment makes it probable that the figure of 85 lakhs will be worked up to. Under Civil Works—In charge of Civil Officers grants for improvement of metalled roads were reduced by one lakh and a saving of Rs. 30,000 is anticipated under Grants to new municipalities and notified areas in colony towns. Against these savings, however, must be set off an expenditure of 1 lakh round for the illumination of public buildings on the occasion of the peace celebrations.

In the Budget under "Civil Works—In charge of Civil Officers" the following items have been included :—

	Rs.
Communications Board ...	75,000
Colony roads ...	5,05,000
Grants to new municipalities and notified areas in the colonies and for expenditure on other works	4,00,000
Grants for improvement of metalled roads ...	4,00,000

No lump deduction has been made for probable savings, under Civil Works—In charge of Public Works Officers as the experience of this year has clearly shown the increased spending capacity of the Department and sufficient scope for its exercise exists in the large number of necessary works which are long overdue as a result of the stagnation caused by the War. The budget is made up as follows :—

	Rs.
Minimum standard figures for departmental major and minor works.	3,62,309
Works in progress ...	25,52,100
Major works for which funds were granted in this year's budget, but which have not yet been started.	4,69,000
Minor works for which funds were granted in this year's budget, but which have not yet been started.	10,000
Repairs ...	26,92,700
Establishment ...	10,35,000
Tools and Plant ...	90,000
Suspense ..	50,000
New expenditure ...	25,98,248
Total	98,59,357

Among the items of new expenditure the following are the most important:—

	Rs.
Council Chamber for the Reforms Council and offices for Ministers.	1,50,000
Development of Brockhurst Estate, Simla (building residences, flat and European Clerks' quarters).	1,00,000
Improving and bridging gaps on the Grand Trunk Road (Beas Section).	30,000
Re-designing certain old wooden bridges on Grand Trunk Road between Jhelum and Rawalpindi.	50,000
Purchase of Steam Road Rollers ...	50,000
Purchase of railway trucks for carriage of stone metal.	1,00,000
Purchase of steam tractor and trucks ...	40,000
Reserves for unforeseen requirements, Archaeological and Historical works and Tools and Plant and Suspense.	2,32,000
Minor Works of the Public Works Department	1,50,000
Construction of a combined Tahsil and Thana at Wazirabad.	70,178
Construction of a Court-house for the District and Sessions Judge and two Sub-Judges, Hissar.	46,169
Remodelling and extending the present High Court building.	1,00,000
Acquisition of land for the proposed Carpentry School at Jullundur.	75,000
Building for the Training College at Lyallpur...	50,000
Buildings for the proposed Government Colleges at Multan and Ludhiana.	50,000
Building for Normal School at Campbellpur ...	75,000
Acquisition of playing fields for the Central Training College, Lahore.	2,00,000
Acquisition of "Green Villa," Murree, for the Punjab Vaccine Institute and erection of quarters for the staff.	62,000
Construction of a new Engineering Workshop at Lyallpur.	57,980

#### Provincial Balances.

When the budget estimates were passed last March the opening and closing balances of the current financial year were expected to amount to Rs. 2,26,85,000 and Rs. 2,16,07,000 respectively. The actual opening balance improved by Rs. 4,10,000 on the forecast owing to larger receipts under Excise and Income-tax at the close of the previous year. The closing balance now expected is for the reasons previously given in detail in this memorandum better than the budget estimate by Rs. 38,18,000 though it must be noted that of this sum Rs. 23,38,000 represents the Provincial share of the proceeds from the sale of Government estates and waste lands which should be treated as capital.

This balance also includes the following unspent accumulations of Imperial assignments for special purposes :—

For General education—		Rs.
Recurring	...	2,29,000
Non-recurring	...	50,000
Technical education—		
Recurring	...	20,000
Non-recurring	...	2,50,000
Agricultural education—		
Non-recurring	...	5,31,000
For Sanitation—		
Recurring	...	2,43,000
Non-recurring	...	7,90,000
Grant for wheat profits	...	1,87,000
Total		<u>23,00,000</u>

The sanction of the Government of India has been obtained to the adoption of a very large deficit budget for 1920-21.

Expenditure is expected to exceed revenue by no less than Rs. 70½ lakhs and this will reduce the closing balance to Rs. 1,83,58,000 and the unspent balances of assignments to Rs. 12,40,000. The exclusion of this unspent balance of assignments leaves a total closing balance of Rs. 1,61,18,000 over and above the minimum balance of ten lakhs required to be maintained under the rules.

LAHORE :

The 6th March 1920.

B. T. GIBSON,

Financial Secretary to Government, Punjab.

## APPENDIX.

Statement of re-appropriations exceeding Rs. 10,000 which have been sanctioned by the Local Government since the beginning of the financial year.

				Rs.
2—Assignment and Compensation	...	...	For payment to certain Jagirdars and Muafidars as compensation for loss of revenue.	24,680
3—Land Revenue charges of District Administration			To meet the excess over the provision for the revision of the District Office establishment in the Punjab.	11,372
Ditto	ditto	ditto	To meet the excess over budget grant for grain compensation allowance.	15,600
Ditto	ditto	ditto	For purchase of tents and camp furniture, etc., for Sheikhpura District.	12,700
Ditto	ditto	ditto	On account of the grant of restititional personal allowances to certain clerks of the District Office establishment.	29,300
Ditto	ditto	ditto	For the purchase of a house for the residence of the Deputy Commissioner, Ferozepore.	10,400
6—Land Revenue Survey and Settlement		...	To meet expenditure in connection with the Sind Sagar Canal and Colonization Scheme.	17,460
8—Land Revenue, Land Records and 12 Registration...		...	To meet the excess over budget grant for grain compensation allowance.	90,000
18—General Administration—Civil Secretariat		...	To meet increase in telegraph and other charges resulting from the disturbances.	23,000
20—Police Superintendence	...	...	Additional grant for rewards	50,000
20—Police District Executive Force	...	...	To meet the Headquarter allowances for the Lower Subordinate of the Police in Lahore and Amritsar Districts.	1,26,000
Ditto	ditto	...	To meet excess expenditure on account of increase in postal rates.	93,160
Ditto	ditto	...	Punitive police charges for Lahore	1,25,000
Ditto	ditto	...	To provide for charges on account of additional police for the Isa Khel tract in the Mianwali District.	15,241
22—Education—Grants-in-Aid	...	...	Grant to the Gurudatt Anglo-Vernacular Middle School, Kangra.	15,000
30—Stationery—Government Press	...	...	For the purchase of new type for the Simla Branch Press.	16,300
30—Stationery supplied from Central Stores	...	...	For the purchase of printing machinery required for the Simla Branch Press.	13,000
32—Miscellaneous other than reserve	...	...	To meet excess over the sanctioned grant for payment to Raja Padam Singh, Chief of Basahar.	17,900
42—Irrigation—Major Works—Working Expenses—In charge of Public Works Officers.		...	To meet anticipated increased expenditure	1,50,000
Ditto	ditto	ditto	Ditto ditto	1,50,000
43—Minor Works and Navigation—In charge of Public Works.		...	Ditto ditto	63,000
45—Civil Works—Public Works	...	...	For preparation of the project for the Sutlej River Hydro-Electric Scheme.	25,000

NOTE.—Re-appropriations which are merely the result of an item of expenditure being debited to some head other than that under which budget provision had been made have been omitted.

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*Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab assembled for the purpose of making Laws and Regulations under the provisions of the Government of India Act, 1915.*

The Council met at the Government House, Lahore, at 10-30 A.M., on Monday, the 8th March 1920.

PRESENT :

- ✓ His Honour Sir EDWARD DOUGLAS MACLAGAN, K.C.I.E., I.C.S.,  
Lieutenant-Governor, *Presiding*.
- ✓ The Hon'ble Mr. LEWIS FRENCH, C.I.E., C.B.E., I.C.S.
- ✓ The Hon'ble Mr. WILLIAM THOMAS WRIGHT.
- ✓ The Hon'ble Captain Sardar GOPAL SINGH, O.B.E.
- ✓ The Hon'ble Khan Bahadur Khwaja YUSAF SHAH, C.I.E.
- ✓ The Hon'ble Mr. HERBERT JOHN MAYNARD, C.S.I., I.C.S.
- ✓ The Hon'ble Mr. BASIL THEODORE GIBSON, I.C.S.
- ✓ The Hon'ble Rao Bahadur Chaudhri LAL CHAND, C.B.E. ✓
- ✓ The Hon'ble Sardar Bahadur Sardar GAJJAN SINGH, O.B.E.
- ✓ The Hon'ble Khan Bahadur Sayad MERIDI SHAH, O.B.E.
- ✓ The Hon'ble Rai Bahadur Pandit JAWAHAR LAL, Bhargava.
- ✓ The Hon'ble Mr. FRANK WAVEBLING WOODS.
- ✓ The Hon'ble Rai Bahadur Bakhshi SOHAN LAL.
- ✓ The Hon'ble Sayad MAKHDOM HAJAN SHAH.
- ✓ The Hon'ble Khan Bahadur Mian FAZI-I-HUSSAIN.
- ✓ The Hon'ble Mr. CHARLES JOSEPH HALLIFAX, O.B.E.
- ✓ The Hon'ble Khan Sahib Mirza IKRAM ULBAH KHAN.
- ✓ The Hon'ble Mr. MUSTACE ALEXANDER ACKWORTH JOSEPH, I.C.S.
- ✓ The Hon'ble Khan Bahadur Malik MUHAMMAD AMIN KHAN.
- ✓ The Hon'ble Lieutenant-Colonel DAVID MACDONALD DAVIDSON,  
M.D., I.M.S.
- ✓ The Hon'ble Mr. PATRICK JAMES FAGAN, C.S.I., I.C.S.

RESOLUTION *re* HIS MAJESTY'S PROCLAMATION ON REFORMS.

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain :— "Your Honour, it is my privilege this morning to move a resolution that stands in my name. It runs as follows :

"That this Council recommends to His Honour the Lieutenant-Governor, that on its behalf, its dutiful homage and loyal devotion be conveyed to His Most Gracious Majesty the King-Emperor, and expression given to its sense of profound gratefulness for the Royal Proclamation issued by His Majesty on the occasion of giving his Royal assent to the Government of India Bill,

[*Khan Bahadur Mian Fazl-i-Hussain*].

declaring the noble and lofty principles of Government which are to guide, in future, the policy of His Majesty's officers, to enable the Indian nation to attain full Responsible Government, and full political freedom, as an equal member of the British commonwealth; and further, its assurances of a most loyal and hearty welcome to His Royal Highness the Prince of Wales, on his visit to India, be tendered.

"Your Honour, I must first explain the delay that has occurred in presenting our homage and loyal devotion to His Most Gracious Majesty on this occasion. The Proclamation was issued as long ago as 21st December and as this is the very first meeting that has taken place since then, we are not surely behind any other Council in paying our homage to His Most Gracious Majesty, that is to say, we have taken the earliest opportunity we could.

"In moving this resolution it is necessary for me very briefly to show the occasion for the Proclamation and then to say a few words with reference to the significance it has for all Indians and, I believe, for all interested in India's development. I have no intention whatsoever of going into details or going through the various stages of the struggle which resulted in passing the Reforms Act or the issue of the Proclamation. Although struggles and stages have passed and have gone what we look forward to is the future—the time during which we hope to have the best fruits of our labours. As Your Honour is aware, during the last five or six years the Empire was engaged in a most deadly struggle against a powerful enemy and in achieving a great success that Providence enabled the Empire to attain it was not only the success of physical force against physical force but it was the success of principles of democracy, principles of the full recognition of the rights of people against the principles of autocracy and despotism which had enslaved the minds of the people in an iron discipline. It showed after all that however great a despot may be, however great his discipline may be and however great his scientific knowledge may be, still all these did not count as long as the principle of the supreme importance and sanctity of the individual is not recognised. All that iron discipline fell against the supreme might of the representative institutions of Britain, and against the co-operation—the wonderful union that existed amongst the various units of the Empire. No doubt all the units of the Empire did not assume and did not possess equal rights, and the units might have failed but for the strength of the Empire—by strength, I mean, the moral strength, the spiritual strength, the real strength and not merely the physical strength. It was faith that enabled them to wait for the day when the Empire was free from the deadly struggle in order to do the right to all the units that constituted the Empire. That was the occasion for the Royal Proclamation, that was the occasion when this deadly struggle was over and when the Empire in its counsels of peace was maturing the plans of lifting the various units of the Empire to a certain platform common for all. It was in this connection that the Reforms Act was planned, matured and eventually passed. But after all, Your Honour, Reforms Act is a legislative measure which has been preceded by many and, as it is, it is only a transitional measure. The Royal Proclamation has a significance all its own and that significance lies in the mind—the mentality—showing the sympathetic appreciation of the longings of millions of human beings in whose minds the one desire to emulate the representative institutions of England has been planted and is now developing. That sympathetic recognition is the one that marks out this Proclamation as against any other charter of liberty that one nation might have conferred on another. The second point which is beautifully brought out in the Proclamation is that it is not a mere generous gift from a wealthy nation to a poor nation but that it is the recognition of the inherent right of the Indian people to have

[*Khan Bahadur Mian Fazl-i-Hussain.*]

what Britain is pleased to give. It is not a gift in the sense of giving a few crumbs to a poor people but it is the gift of the guardian who has restored what the ward is entitled to after the ward has shown that he deserves that right to be given to him. This giving and this receiving constitute one of the noblest features of human relations, that is to say, where the giver recognises that the occasion is such as the development of the receiver calls for it; and the receiver is also not ashamed of receiving that generous gift because he realises that he deserves to receive that gift.

"But, Your Honour, all these reforms by themselves are of no avail to the country because all these reforms can be undone by the persons who have to work them up; that is to say, these reforms do not stand the slightest chance of success if either the people of India or the officers of His Majesty do not mean them to succeed. Either of these two parties, either of these two groups, either of these two responsible people can mar the Act and only the co-operation of the two can make it. It is in that sense that the Royal Proclamation provides a guidance which no ends of Acts can possibly secure. When I say that there are two parties which can help in making the Act a success I am not quite exact inasmuch as the warning that has been conveyed by means of this Proclamation to the Indian people deserves to be considered by them and pondered over very carefully indeed. Any section of the Indian people if so inclined can make success of the Act almost impossible. We have perhaps conflicting interests—varied interests, there are Muhammadans, there are Hindus, there are Sikhs—again there are rural classes, there are urban classes,—if any of these many classes and sections and communities takes it into its head to be obstructive, it can easily obstruct the successful working of the Act. It is only when these various sections, communities, and creeds join their hands together and willingly and readily and conscientiously co-operate with the officers of His Majesty that a successful prosecution of the great programme that this Act places before them can be achieved. So in conveying this warning the Proclamation provides that great help which the Act does not contain. I have no doubt that the various sections of the Indian people will find themselves either left in the corner or their claims not sufficiently recognised and in some cases they may have justification for thinking so, but I will appeal to them in the interests of the future of India to the effect that let them be prepared to make sacrifices in the interest of the future advancement of the country and for the space of the next 10 years bear the sacrifice in order the better to be able to have their rights secured to them when the first stage on the road to full self-government is gone through without any mishap. I trust that the many dangers that are ahead of us will not do us much harm.

"But I can assure this Council that until we have the whole-hearted co-operation of His Majesty's officers it is almost impossible for us who are ignorant—almost ignorant of the great art of administration—to cope with the situation. We have yet to learn a good deal and that is the one ground on account of which the British people have permitted us to take but one step on the road to self-government. Here it seems to me necessary to emphasise the fact which in some quarters is likely to be misunderstood and that is, the great appreciation in which all educated Indians hold the very important work that has been done by the services in the past. No one who looks and passes through the various gazetteers, the various settlement reports, the various records of sixties, seventies and eighties can help admiring the great energy, the great love of justice, the great desire to help the Indian people that is disclosed by these records. One is simply surprised at the amount of intelligence, the amount of hard labour, the amount of sympathy that even matters of small details have secured from hard-worked officials. I think I am justified in urging that the educated

[*Khan Bahadur Mian Faal-i-Hussain*].

Indian view is not rightly appreciated when it is said that they do not appreciate at all what has been done by the services for them. In fact when a system has more or less grown out of date and there is a particular section of the people who want to change the system it is exceedingly difficult for them to do so without hurting those who defend it, and persons at the time employed in that system are likely to take it for granted that it is those individuals and not the system which are being attacked. I suppose it is but human to take up that attitude. I believe it is also human for the critics to make the most by enlarging upon individual cases and forgetting what others and their predecessors had done, but these are things of the past. I have no doubt in the words of the Proclamation whatever the enthusiasm of the critic in the past may have done and whatever the defects of the system might have been we should forget all and if there is anything to forgive we should forgive generously. There again the message is clear.

"The Royal Proclamation conveyed the message of what our final goal is: the demand of the full self-government, the demand of the much-coveted goal of becoming a responsible unit of the British Empire and all that has been given in the shape of the first step towards these objects would not have been effective, but for the other human touch that one has to acknowledge in the Proclamation and that is the amnesty clause. Your Honour's sympathetic consideration of the people's prayers, of the cases of those people who came under that clause, has been fully recognised by the educated classes. They are grateful to Your Honour for doing what lay in Your Honour's power in placing the balm on the oppressed and in some cases the wounded hearts of the people. There are some who are still awaiting such relief as Your Honour with due regard to the limitations that are placed by the proclamation on that amnesty clause is prepared to grant. It is possible that the Provincial Government is not entirely free in the matter, and that it can only make such recommendation as it thinks right in the interest of the good order of the people. We wish Your Honour to do no more than the Proclamation provides for, but we trust that the feelings of the people at large in this matter will receive due and sympathetic consideration at Your Honour's hands. These small things—because after all they are small with reference to the great issue involved in the political development—have a very soothing and good effect so far as the future working of the scheme is concerned.

"So far as the non-official European community in this Province is concerned, I have no hesitation in saying that, in small numbers as they are in this Province as compared with Bombay or Bengal, their good will can be safely counted upon when we enter upon this work of reforms. The relations between the non-official European members and Indian non-official members have been always of the best; for instance, the late Mr. Parker has been one of their closest and dearest friends in all their aspirations.

"No doubt at present our Sikh friends have been putting forward different sorts of claims, but I have not the slightest doubt that again in the interests of this land of the five rivers they will realize that, as soon as the rules and regulations are framed, for the next 10 years there is nothing to be gained by Muhammadans, Hindus or Sikhs by maintaining their bickerings. During the space of the next 10 years they let each community keep what it has been able to get and use to the best advantage of the Province. Let them make such progress as circumstances admit.

"I believe, Your Honour, I am right in hoping that in working these reforms the co-operation of His Majesty's officers in the Province will be as readily forthcoming as His Majesty desires. I can assure them on behalf of the non-official members that they recognise their limitations, their inexperience, their own desire to get on as other parts of India are getting on, and that

[*Khan Bahadur Mian Faqir-i-Hussain ; Sayad Makhdum Rajan Shah.*]

in securing that co-operation they will never be found wanting in anything that may legitimately be expected of them; and I trust that during the period when we are making these rules and regulations and holding elections that co-operation will already have begun and there will be no heart-burning at this stage. The reason why I want this stage, that is to say, the stage of the framing of rules and regulations and holding of elections to be smooth is because we expect the visit of His Royal Highness the Prince of Wales here in order to introduce the reforms. It would be really sad if during the course of these elections and framing of regulations anything takes place which creates heart-burning or distress or anything which may militate against that object which the Royal Proclamation had in view. I just conclude by mentioning that His Royal Highness the Prince of Wales' visit is looked forward to in India and in the Punjab, so that we may show our great and abiding love and devotion to the Emperor and may have the occasion of showing that whatever our wishes, whatever our troubles, whatever our difficulties in home administration may be, to the person of the Emperor the homage, the allegiance and duty we owe, are matters which can never in any way be interfered with by the passing events in the home administration or by questions which may from time to time come up.

"With these submissions I commend this resolution to the Council."

The Hon'ble Sayad Makhdum Rajan Shah spoke in Urdu a translation of which is as follows:—"Your Honour, I intended to move this very resolution which has been moved by my Honourable friend; when I came to know that my Honourable friend was moving it, I considered it proper that I should make a speech in support.

"This Resolution is not a mere formal one, but it truly indicates the heartfelt feelings of the millions of the Punjab populace. We, who are the elected members of this Council would fail in the discharge of our duties, *viz.*, the representation of the public, if we did not express here the real gratitude which is pulsating through the Punjab public on the Royal Proclamation of our King-Emperor. This Proclamation is from a heart both true and pure, and it is due to this truthfulness and purity of mind that His Imperial Majesty has won the hearts of all the Punjab people. From the poor cottage of the village labourer to the wealthy house of the citizen, praises of His Majesty are being sung. It is of the greatest importance that these expressions of hearty gratitude from His Punjabi subjects should be conveyed to His Majesty. The Royal mercy shown by His Majesty in pardoning political prisoners is truly in accordance with Eastern ideas and has had the magical effect of conquering the hearts of the inhabitants of our eastern country. We cannot, but be heartily thankful to Your Honour's Government for the vast measures in which the Royal orders have been acted upon in the Punjab—and for this Your Honour's name will ever be remembered, as that of Lord Canning. Your Honour would pardon my presumption though if I would venture with the greatest respect to urge, that this clemency instead of being bestowed gradually be bestowed now at once in its fullest measure. The importance of such benign action will thus be greatly enhanced, and the gratitude of the Punjab people will know no bounds.

"The Punjab people anxiously await the time when the martial law and other political prisoners, who are still in jail, or who have been fined, will also be pardoned and hope that the orders pardoning them may be issued at a very early date. The newspapers of the Punjab which are still suffering from the grip of the law should also be freed. We also expect that the Government officials of the Punjab will in compliance with the royal commands, so courteously treat the subjects of the Punjab and their leaders as to succeed in conquering the hearts of the Punjab people in the same way as His Majesty has done.

[*Sayad Makhdam Rajan Shah.*]

The obligation imposed by His Majesty's royal command do not only bind the Indian Local Governments and the Government officials, but in the same strong measure require that the subjects should leave no stone unturned to fully co-operate with the Government and its officials and they should commit no such act as would revive the unpleasant memories of the past which should be entirely forgotten and obliterated as is the real intention of His Imperial Majesty. It is the duty of every sensible Punjabee that he should guard against his countrymen ever entertaining such ideas the result of which would be to create discord between the Government and the subject such an idea that one should not be fit to become a leader of a country or a nation until he is imprisoned over and over again in sedition and riot cases should never be allowed to prevail among the Punjab people. The public speakers also be disillusioned of the idea that until strong and harsh words against the Government are used their speeches are as butter without salt.

“Worthy personalities like the Hon'ble Surendra Nath Banerjee, who only yesterday commanded paternal respect in all political circles and the elderly lady Mrs. Besant, who was respected as a mother and the wise politician Lord Sinha, who was selected as Chairman of the National Congress are to-day being openly condemned on the public platform because of their advocating that the young public should remain aloof from extreme measures and adopt moderation in their political demands. The feeling against such persons should never be shared by the people of the Punjab. It is also the duty of the leaders of the country that they should lead their countrymen in the right path instead of themselves being carried away by their fancy for their speeches being cheered, and themselves being honoured by public processions, thereby giving their nose strings to the extremists whose patriotism amounts to nothing but antagonism against the Government and their officials, and to speeches which violate the Law.

“It is one of the important duties of the Government to maintain peace in the country, but it should be remembered that the Government and its officials can only tolerate to a certain extent. The unpleasant results of such extreme measures are bound to greatly prejudice our hopeful political careers, deprive the Indians from the benefits of the Reform Act and stand in the way of His Imperial Majesty's noble idea of granting India complete Self-Government by steps. A new era has been started in this country after the passing of the Government of India Act and the Royal Proclamation. Both Government officials and subjects should now commence a new life. The authorities should bear in mind that those days are now over when they used to hear the words “Sat Bachan” and “Ji Hazur” and the administration cannot be run smoothly without their co-operation with the public. The public should similarly realize that to remain aloof from the officials and to sow discord between the Government and the subject is nothing less than betraying their own people. In short both the parties should now be prepared to meet each other with true hearts :

تب مزا الفت کا ہے کتبہ میں ہر دون کتبہ کو ہے۔

“Love is only enjoyable when it is reciprocated.”

“My real aim in saying all this is that the practical way of expressing our gratitude for the Royal Proclamation is by both parties heartily uniting and co-operating in making the present Reform Scheme a success.

“The latter part of the resolution refers to the welcoming of the Prince of Wales to India and who knows the loyal feelings of the Punjab people would readily admit that the welcome which will be accorded will be true and pure. When the Prince of Wales visits the Punjab, it will be proved to him, how the Punjab heartily and lovingly welcomes him.

[*Sayad Mahdum Rajan Shah ; His Honour the President ; Sardar Bahadur Gajjan Singh ; Mr. French ; Khan Sahib Mirza Ikram Ullah Khan*].

"The whole of the Punjab atmosphere will reverberate with one voice.

آہے آمدنست باعث آبادی ما

ذکر تو بود ز منم شاد بی ما

'Oh thou who hast come for our welfare

Thy remembrance is the source of our ecstasy.'

**The Hon'ble Sardar Bahadur Gajjan Singh** :—"Your Honour, I give my hearty support to the resolution so ably moved by my friend, the Hon'ble Mian Fazl-i-Hussain, but in giving this support I particularly beg to bring to Your Honour's notice that while sentences of the convicts tried by the Multan Special Tribunal were almost all remitted and all these men restored to liberty long before the announcement of the Royal Proclamation of clemency, the convicts of the Lahore Conspiracy cases received a different treatment. Your Honour, the Multan men had committed no less serious offences than offences committed by the Lahore Conspiracy convicts, but Government was generous enough to forgive all these men, I believe, on political grounds, but it is my painful duty to point out that no such forgiveness was shown to the Lahore Conspiracy men, who acted under foreign influence."

**His Honour the President** :—"I would ask the Hon'ble Member that it would be better to deal with the resolution and that he should not enter into controversial subjects of any kind. Still I leave it to the Hon'ble Member to decide for himself."

**The Hon'ble Sardar Bahadur Gajjan Singh** :—"It is not my intention, Your Honour, to enter into any controversial subject, but it is my intention to bring particularly the case of the Lahore Special Tribunals to Your Honour's notice. This is a subject which is not a new one. It is a subject which I mentioned in my Budget Speech of 1919 long before the disturbances. I brought this subject to the notice of your distinguished predecessor and I have every reason to believe that it was mainly on account of the disturbances that no action was probably taken. Now that action has been taken with reference to some of them, I honestly hope that in order to give full effect to the wishes of His Majesty's Proclamation."

**The Hon'ble Mr. French** :—"I rise to a point of order, Sir. May I ask what this has to do with the resolution."

**His Honour the President** :—"That is just what I have to bring to the notice of the Hon'ble Member. I am quite ready to hear whatever the Hon'ble Member has to say, but I wish that the Hon'ble Member should at present confine himself to the terms of the present resolution."

**The Hon'ble Sardar Gajjan Singh** :—"All right, Your Honour."

**The Hon'ble Khan Sahib Mirza Ikram Ullah Khan** :—"Your Honour, I rise to support this resolution with all my heart. After all that has been said by my Hon'ble friend it is not necessary to dwell at length on this resolution, which I believe shall have a unanimous support of this Council. I may, however, say a few words on behalf of myself and on that of my constituency that our loyalty to the throne of His Most Gracious Majesty has been, and shall ever remain, most devoted. We have never been backward to others in sacrificing our all at the feet of His Majesty's throne, nor shall we ever flinch to repeat our sacrifices should another occasion arise for the same. The Proclamation which has emanated from the Royal Fountain of Grace has fostered a new spirit in India, and for the matter of that, in the Punjab after the great crisis through

[*Khan Sahib Mirza Iqbal Ullah Khan ; Rai Bahadur Bakhshi Sohan Lal.*]

which this Province passed last year. The Proclamation can rightly be called the Magna Charta of India in the true sense of the word inaugurating a new régime, to which the people had long aspired. The Reformed Government of India Act is surely a great advance over the existing conditions of the Rule and we all trust that before long the goal of full Responsible Government as has been set forth in the Royal Proclamation will be reached. After victory of the Great War in which Great Britain joined merely to defend the principle of freedom it was natural that the people of India would receive this charter of liberties. It is really with a sense of profound gratitude that we should offer our thanks not only for the declaration of political freedom being the goal of British Policy in India, but also for providing substantial measures for the first advance towards that goal.

"In the words of the Proclamation 'A new era is opening' and the future of the country depends on the mutual co-operation between the officials and the people and I assure Your Honour that we shall render every possible help to the Government in working the new Reform Scheme and bringing it to successful end in view of getting more privileges that may lie before us on the path of full Responsible Government.

"I shall be failing in my duty if I pass over the subject of the Royal Clemency shown in the Proclamation without offering our grateful thanks to His Majesty for the same and also to you, Sir, as well as to His Excellency the Viceroy for liberally carrying out the wishes of His Majesty and this action of magnanimous statesmanship and mercy has touched the hearts and imaginations of the people.

"Need I assure Your Honour that the people of this country are eagerly waiting for the occasion when His Royal Highness the Prince of Wales will arrive in India and when they shall extend to him their most loyal and hearty welcome. The occasion shall be the most auspicious for India as her new Parliament will then be opened by His Royal Highness."

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal:**—"Your Honour, in supporting the resolution, I am voicing the innermost feelings of not only the rural population of my constituency of the Jullundur Division which I have the honour to represent in this Council but of all classes and communities, rural as well as urban, residing in the Province rather of the whole of India as one united whole, that they are almost grateful to His Most Gracious Majesty for the Royal Proclamation issued by His Majesty on the occasion of giving His Royal assent to the Government of India Bill, declaring the noble and lofty principles of Government and for raising the political status of India to the level of that of the British colonies with a further prospect of its gradual advancement to complete Responsible Government and to the ultimate elevation of the people of this country to the level of equality with all the civilized nations of the world, not only in their political rights, but also as a necessary consequence in their social intellectual and educational status. The Act to which His Gracious Majesty has given His Royal assent is the reappearance of the dawn to the people of India after a very long dark night and has placed a great future for their development into political independence and freedom which are the strongest foundation stones for all the highest character, best health, greatest wealth, immense prosperity and strongest power of a nation. The people of this country are highly gratified by the pronouncement in the Royal Proclamation of His Majesty's intention to send His Royal Highness the Prince of Wales to India next winter to inaugurate the new Chamber of Princes and the New Constitution in British India. The happy visit of the Prince of Wales and the opportunity to the people to see him is expected to obliterate all possible trace of bitterness if any still existing in any part of the country between the

[Rao Bahadur Chaudhri Lal Chand.]

people and those responsible for Government, and we are fully confident that the people of this country are whole-heartedly combined in tendering a most loyal and hearty welcome to His Royal Highness the Prince of Wales on His next visit to India."

**The Hon'ble Rao Bahadur Chaudhri Lal Chand:**—"Your Honour, I regard it a privilege to associate myself with the resolution that has been so ably moved by the Hon'ble Mian Fazal-i-Hussain. The passing of the Government of India Act is in itself a great event not only in the history of our country but in the history of England as well. The way in which British statesmen have solved the Indian problem is simply praiseworthy. The sympathetic attitude of the Viceroy and the Secretary of State apparent in their joint Report is worthy of all praise. As a matter of fact, both of them in their own way are deserving of our gratitude. The joint Committee of the two Houses, in some respects, improved the Bill favourably for India and our hearts go to them also filled with feelings of thankfulness and gratitude. The able steering of the Bill through the two Houses by Mr. Montagu and Lord Sialha are great feats of statesmanship. Our hearts are filled with gratitude for all those who helped in the passing of the Bill. But the last stroke is such, that it overshadows all the other acts of individuals or of bodies. We were expecting nothing, but the assent to the Bill when all of a sudden, the boon of a Royal Proclamation was bestowed upon us. This document has been rightly termed 'the Magna Charta of Indians.' We do not find words to express our deep gratitude to His Majesty. This is really a Royal Act and His Majesty has by one stroke of pen brought all shades of opinion down to his feet and all such now join in paying homage to His Majesty. The voice that has been sent to India by means of this Proclamation has filled the hearts of all Indians with pleasure and an echo goes out in chorus which says 'Long Live His Gracious Majesty King-Emperor George V.' His Majesty has exhorted the people to co-operate and has also commanded the officers of the Government to work with the same spirit. 'A new era' has, therefore, begun. No nation in the world respects Royal words so much as we Indians do. Our history is full of examples of loyal devotion of the people to the Crown. The hearts of Indians have been won and we are at present unanimous in fulfilling the exhortations of His Majesty to the very letter. It is Royal acts of this kind which prompt people to shed their precious blood in the defence of the Empire. It was not the rope of subjection that could lead us on to Mesopotamia, Flanders and East Africa. It was not the attraction of a high salary which prompted our men to join the army in large numbers. It was not, I say, merely the love of glory or winning laurels in the battle fields which evoked such a great enthusiasm in all the military classes when the call for recruits was made in the hour of need. It was not again the high rate of interest offered by Government which induced our rich brethren to pour money like water when the War loans were opened. It was not out of any *dabdo* or fear that the poor agriculturists, themselves in debt, went in large numbers to subscribe to the War loan. It was all due to the great regard we Indians have for our Sovereign. This has not been taught to us by the Englishmen. This we have inherited from our forefathers and is thus our birthright. The Central Government of Europe forgot to take into consideration this fact when they began to cherish hopes of rising as soon as news of trouble in Europe reached this country. Their calculations were wrong. They counted falsely on our Muhammadan brethren when they induced the Turks to join with them. They did not remember that we could sink differences in order to obey our Sovereign and that the ties of loyal devotion to the Crown were stronger than the ties of mere unity of religion. We have given proof of our devotion to the Sovereign and His Majesty may rest assured that so far as

[*Rao Bahadur Chaudhri Lal Chand, Rai Bahadur Pandit Jawahar Lal Bhargava.*]

the people of India are concerned, the words of the Proclamation will be respected and obeyed to their very letter. The Hindus will make it into their *Gita* and the Muhammadans will equally respect it.

"I said above that His Majesty has asked his officers also to start with feelings of co-operation. Much has already been done in that direction by Your Honour and during this short period Your Honour has won the hearts of the Punjabees. But I cannot help saying that much remains to be done. I presume officers are busy in giving effect to the Royal Command and it will take some time before every case is laid before Your Honour but delays are liable to be misinterpreted by evil-disposed persons.

"The resolution speaks of the lofty principles of Government that are to be our guide and the responsibility that we are about to shoulder. In this connection I have to say a few words to my countrymen.

"Some of us are of opinion that we have got enough and we should thankfully accept it and should give the scheme our full support to make it a success. There are others who say that the promise has not been fulfilled and therefore we are dissatisfied. But one thing everybody ought to admit that it is a step forward. Now-a-days our leaders are wasting much of their energy in abusing each other and finding fault with Government. In our own province they are busy in passing judgments about the fitness or otherwise of the different sections of the population to shoulder the burden. Some are further busy in denouncing every representative body that has not been sanctioned by them so much so that this Council sitting as an Advisory Body to make rules is regarded as a reactionary body. People outside the Advisory Body Chamber do not know how freely rules are being discussed in that Chamber and what use is made of this by the Reforms Commissioner. For their information I may say here that the Hon'ble Mr. Hallifax has been giving all shades of opinion a very patient hearing and in every little case he has been trying to satisfy public opinion. People are welcome to send their suggestions to him with the assurance that the same will receive his best and sympathetic consideration. Attempts are in some quarters being made to make the rural vote as little effective as possible. To them I say that the whole scheme will fail if rural voters send urban representatives, as that will create a friction among the voters and the members as no one will be able to subside. I would therefore appeal to my towns brethren not to attempt usurping the seats that have been vouchsafed to the rural classes, but only help them in selecting right persons from their own midst. The minority should not make an attempt to rule the majority.

"Your Honour, I have dwelt on the one part of the resolution so far. His Majesty has further promised to send his dear son the Prince of Wales to India to inaugurate the new era. I join with my Hon'ble colleague the mover in assuring Your Honour on behalf of my constituency that we will give a most loyal and hearty welcome to His Royal Highness the Prince of Wales. With these few remarks I support the resolution."

**The Hon'ble Rai Bahadur Pandit Jawahar Lal Bhargava:**—"Your Honour, there is not a single heart throughout the length and breadth of India, which is not aglow with warm gratitude and loyal devotion to the beloved Emperor for His Majesty's truly Royal Proclamation.

"In India the Royal word has a sanctity and significance, all its own. It is not strange, therefore, that every Royal Proclamation goes direct to the hearts of the people and captures their imagination in a striking manner. But, Your Honour, of all the Royal Proclamations, the Proclamation issued by His Majesty on the occasion of giving His Royal assent to the Government of

[*Bai Bahadur Pandit Jawahar Lal Elariata ; Captain Sardar Gopal Singh.*]

India Bill ranks foremost from every point of view and no expression of gratefulness, however exuberant, can adequately measure the depth of feeling of the Indians in general and the Punjabis in particular. This Proclamation came at a very opportune moment in the history of the last year. It came not only as a healing balm to the sore and the afflicted, but it truly came as a double blessing: it sought to heal as well as rejuvenate. It not only sought to abridge the gulf of the past but it promised to pave the way for the future.

"In compliance with the Royal Proclamation many political and martial law prisoners have been let off in this Province and Your Honour has been instrumental in bringing cheer and comfort to many a desolate and forlorn home. The restrictions upon the liberties of many persons have been withdrawn and I am fully confident that the fullest effect will be given to the letter and spirit of the Proclamation by the authorities concerned. I may in this connection also remark that the people of the Punjab are anxiously waiting for the day when through Your Honour's recommendation and instrumentality clemency will be exercised in these deserving cases also which are yet under consideration.

"Amnesty, however, is only a matter of passing history. The Proclamation as a document of rare value derives its importance from the fact that it enunciates the lofty principles which are to guide in future the policy of the Government and declares in unmistakable terms the goal of British rule in India. It pledges the Royal word for the redemption of the full political freedom of India. It secures for India equal partnership in the commonwealth of the Empire and places India on a level with the component parts of the Empire.

"The illustrious statesmen of the United Kingdom have been holding out this place for India for a long time and the politicians of India have been dreaming of the promised land from a number of years. The Royal Proclamation has cast away all doubts and brought to fruition the long cherished hopes. His Majesty has furnished through the Proclamation a beacon light to the people of India and the officers of the Government, which will serve as an infallible guide for the attainment of full responsible Government.

"Your Honour, the people of India have by tradition and nature reverential regard for the members of the Royal family. It need hardly be said that the affection of the people of India will know no bounds in welcoming His Royal Highness the Prince of Wales, specially when he is coming on the blessed mission of inaugurating the new Chamber of Princes and the new Constitution of India. The inmost feelings of devotion and loyalty will go forth from every Indian heart to greet His Royal Highness the Prince of Wales who has so graciously been pleased to undertake the trouble of visiting India and allowing his name to be associated with the inauguration of the new Reforms.

"With these few words I support the resolution wholeheartedly."

**The Hon'ble Captain Sardar Gopal Singh** :—"On behalf the Sikhs of the Punjab (who stood side by side with their English comrades in arms and fought and shed their blood for the British Empire and whose loyalty remained unshaken at all critical times more specially during the mutiny, Kabul war and during the recent world war) I cordially support the resolution.

"It will not be out of place to put in a word on behalf of the Sikhs (whose services, status in the Punjab, their military and political importance and their strength in the Indian Army are well known to His Majesty's Government which I need not repeat for they have been already recognised by

[*Captain Sardar Gopal Singh ; Khan Bahadur Sayad Mehdi Shah ;  
Khawaja Yusuf Shah ; Khan Bahadur Malik Muhammad Amin ;  
Mr. Maynard.*]

allowing them a separate electorate) and to say that their representation on the Punjab Council should be properly secured to them.

"We the Sikhs are grateful to His Imperial Majesty the King-Emperor for the continued keen interest and sympathy he always showed towards the welfare of his Indian subjects.

"The Royal Proclamation is a further proof of His Imperial Majesty's love for his Indian subjects.

"The Indian Army had fully proved their steadfast loyalty to the British Crown during all critical times, in the past as well as in the present and had been true to their salt and I further take the liberty of assuring Your Honour that whenever in future any external or internal troubles may arise, the Indian Army of His Majesty, whom I am proud to represent in this Council, will always be ready to stand by Government and their loyalty will remain unshaken up to the last drop of their blood at all risks, so that no enemy of Government could ever dare to threaten India and its Government. In conclusion I once again cordially support the resolution."

**The Hon'ble Khan Bahadur Sayad Mehdi Shah** :—"I heartily support this resolution, Your Honour."

**The Hon'ble Khawaja Yusuf Shah** :—"I heartily support the resolution, Your Honour. In connection with the Reforms Scheme I am quite sure that the policy of His Majesty's Government will be loyally carried out by His Majesty's officers in this country. But at the same time, Your Honour, I appeal to the representatives who will work on this Council to co-operate and promote mutual co-operation, mutual confidence and mutual good will with officers. Your Honour, a large number of representatives and more particularly from the rural constituencies who will be elected on this Council will be new to the work and I must say that it will be all to their advantage to co-operate with officers because they will be new to the work and they will have to learn a good deal. I say this on the same principle as in a big firm, new or junior partners have to work under the guidance of old and senior partners for some time to learn the work. With these few remarks I heartily support the resolution."

**The Hon'ble Khan Bahadur Malik Muhammad Amin** :—"I also support the resolution, Your Honour."

**The Hon'ble Mr. Maynard** :—"The Hon'ble Mover of this Resolution spoke of the need of co-operation of the officials with the representatives of the new electorate in order to give effect satisfactorily to the Reforms. It would be idle to deny that some things had been said which may have led people to believe that that co-operation would not be given. Such things had been said by some officials, they had also been said by some non-officials. It would be idle also to deny that some officials, if the framing of the Reforms had rested with them, would have framed something which differs from that which has now received the sanction of law and the sanction of the Sovereign. It is equally true perhaps that some non-officials would have framed somewhat differently. But I as doyen of the official members of this Council, one who has served the Punjab for 33 years, rise to give to Your Honour and to this Council my assurances of complete co-operation. (*Loud cheers.*) I would not ignore the difficulties or the doubts, but I draw the attention of Your Honour and of this Council to the guarantees which exist for a true and hearty co-operation on the part of officials."

[Mr. Maynard : Khan Bahadur Mian Fazl-i-Hussain.]

"For many years past Englishmen, many non-officials and some officials, have expressed their belief that self-government in India was the true goal of all efforts that have been made by Great Britain in this country. It is true that of late perhaps such expressions of opinion on the part of the officials have grown somewhat rarer than before. That is because the difficulties of the question were looming closer and closer, questions as to how, when and how much. When these questions became urgent questions then it became necessary that officials should close their mouths. As soon as the Statute had passed which declared what was the nature of the Reforms then the necessity for such silence disappeared. The law gave sanction to those vague expectations which had formerly existed and removed the doubts which had before assailed us on those questions of how, how much and when. Respect for the Law, a respect which is a necessary tradition of all the services, was reinforced by reverence to the expressed will of our Sovereign. When the Sovereign expressed his will, then all question of the support which his servants would give disappeared. Again there is yet another guarantee for the co-operation of officials. We have given and are giving our lives to the service of this country. We desire her good. It is a tradition of our work which has been taught to us by all our experience that it is necessary above all things to make an institution work. We know that no institution can work unless there is complete and hearty co-operation between all those whose concern it is to make it work. Therefore we know that without our hearty co-operation the institution of the Reforms would not work. We therefore know that by withholding that co-operation we should be inflicting an injury upon India, upon the country which we serve and whose good we desire. That is one of the guarantees of our hearty co-operation.

"But, Sir, there remains yet another guarantee. Great Britain has given to the world the knowledge of how to make free institutions work. When the seats and the limits of existing Empires have changed it will remain the undying glory of my country that she first found the secret of liberty for herself and then passed on that secret to the other nations of the world. All those nations which enjoy free institutions have either borrowed them, embodied them from Great Britain or have received them as a free gift from her, and we who in other parts of the world help to give effect to this our country's mission are sharers in the glory of that mission. Your Honour, we are administrators and as administrators we cannot unlearn the caution which our experience has taught us. We are men and as men we cannot wholly forget the personal hopes and the personal interests of the career which we have chosen. But I know that I probe the hearts of my fellow officers that I speak for them those innermost thoughts which are the best thoughts when I give to Your Honour and to this Council this assurance. Instinct—for the belief in free institutions is bred in our bones: duty—for we respect the law: loyalty—for we reverence the will of the Sovereign: the love of India—for we know that without our co-operation the Reforms will fail and the country which we serve will suffer: and, finally, pride in the glorious mission of our own country, which has taught the nations how freedom may stand with order: all these things combine to make us pray from the heart for the success of this great new experiment. As we have served, so we shall serve giving the best that is in us. (*Loud cheers.*)"

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain :—Your Honour, I had expected that the resolution which I have had the privilege of moving will receive a general support and that expectation has been fully realized. Now it simply remains for me to acknowledge the assurances that have been given by the Hon'ble Mr. Maynard on behalf of the official members of this

[ *Khan Bahadur Liaqat Faisal Hussain,* ]

Council. The Hon'ble Mr. Maynard has had the opportunity of working with a large number of non-officials for some time in the University and in a large number of Boards which are doing excellent work under his guidance. If I may say so, he has had the occasion of co-operating with the noisiest section of the Indian public, I mean, the educated classes in the University; and he knows fully well the co-operation which they seek. That co-operation which he promises has been a reality with him in the past and I trust that in the same way it will be a reality in the future and if possible even to a greater extent.

"I myself never had any doubts, even when the critics were criticising at their loudest, that the true spirit of the Englishman can ever permit him to refuse to see the Indians attain their goal. It is not in the nature of an Englishman to say: 'I have taken you so far—now I will leave you to your own devices; you can proceed further or not, but I have got nothing more to do with you.' The determination to see a thing through is a peculiarly English virtue. It is, as a matter of fact, one of the things that we admire and want to imitate. That is the feeling of responsibility, the consciousness that a debt is owed to a nation which is paying the highest compliment that it is possible for a nation to pay to another, that is to say, to imitate its constitution, to wish to follow it and imitate it and that is the compliment which at this stage all the Indian people are paying to the British—trying to imitate their representative institutions. I consider, Your Honour, that that phase of the Indian thought should be fully appreciated by all the English people, and it would be a guarantee to them that nowhere in the Indian thought as a whole could there be any room for any idea other than of friendship for all the English people who are in this country. I heartily respond to all that has been said by the Hon'ble Mr. Maynard on behalf of the officials and assure him that the Indians who have the privilege of trying to work out these reforms will not be found lacking in any of the things which are likely to make the work of His Majesty's officers easy and effective. As a matter of fact, what we wanted was not co-operation pure and simple in the sense of a grudging co-operation, but a hearty co-operation and after what has been said by the Hon'ble Mr. Maynard I am sure that I and all other non-official members of the Council feel that that hearty, willing, real co-operation will be forthcoming and I feel hopeful as to the future of the Reforms. This is all that I need say at this stage and I trust Your Honour will convey this humble resolution to the proper authorities to be conveyed to His Majesty."

#### The resolution—

"That this Council recommends to His Honour the Lieutenant-Governor, that on its behalf, its dutiful homage and loyal devotion be conveyed to His Most Gracious Majesty the King-Emperor and expression given to its sense of profound gratefulness for the Royal Proclamation issued by His Majesty on the occasion of giving His Royal assent to the Government of India Bill, declaring the noble and lofty principles of Government which are to guide, in future, the policy of His Majesty's officers, to enable the Indian nation to attain full Responsible Government, and full political freedom, as an equal member of the British Commonwealth; and, further its assurances of a most loyal and hearty welcome to His Royal Highness the Prince of Wales, on his visit to India, be tendered."

was put to the Council and carried—all standing while the President read the text.

[Khan Bahadur Mian Fazl-i-Hussain.]

**RESOLUTION re APPOINTMENT OF AN INDIAN TO THE  
STAFF OF THE MEDICAL COLLEGE, LAHORE.**

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain :—“ Your Honour now I have to place before the Council a resolution dealing with the Lahore Medical College. The resolution reads as follows :—

‘That this Council recommends to His Honour the Lieutenant Governor that in connection with Dr. Caleb’s retirement from Professorship in the Medical College, Lahore an Indian be appointed to the College staff.’

“ I think two years ago I moved a resolution in connection with this very subject and in that resolution I had taken up the position of a cosmopolitan inasmuch as all that I had urged for at the time was that the scope of selection be widened, outside the Indian Medical Service, that is to say selection for professorship in the Medical College be not limited to the Indian Medical Service but that if eligible candidates are to be found outside the Indian Medical Service the authorities should be given the power to make their selection from outside the Indian Medical Service. The position was, as I have submitted, a cosmopolitan one, and I believe that that resolution was supported by all the non-official members of the Council and was, I believe, accepted by the Government. The resolution that I am now to move is not so much of a cosmopolitan one inasmuch as it puts forward a definite and distinct plea for the appointment of an Indian. The reason for this change is that at the time I was under the impression that the right thing to do is to give everyone a chance irrespective of nationality but it seems to me that the struggle that has been waged in Europe between the powers of autocracy and the powers of democracy has made us believe that however good this cosmopolitan principle may be, it is necessary for every country to be more patriotic inasmuch as it should tap its own resources and should encourage its own people and that wide cosmopolitan outlook in the interests of the development of one’s own country should be narrowed down. As a matter of fact the principle underlying this resolution forms the part of the preamble to the Reforms Act of 1919, which states that it is the clear policy of Parliament to provide for the increasing association of Indians in every branch of Indian administration. Therefore the principle underlying this resolution takes its stand upon the Law as it stands and therefore it is not necessary for me to say a great deal on that account. I will now just state that the Medical College at Lahore was started in the year 1860, and in the year 1918, over two lakhs of rupees were spent on it. The total number of students in that institution is 325 and the teaching staff consists of 15 or 18 Professors: two of Medicine, two of Surgery, two of Hygiene, two of Pathology, two of Midwifery, one of Physiology, one of Anatomy and one or two others, I believe, of the Diseases of the Eye, Ear and Nose, and so on. For the last 20 years or so Dr. Caleb was on the staff of the Medical College and he was the only Indian on the staff of the College. His retirement thus deprives the staff of the Indian element altogether. I do not mean by this to imply that if there is no Indian on the College staff, the College suffers in its efficiency or that its discipline cannot be maintained. These are not the grounds on which I want this resolution to be considered by the Council. My grounds are: first that an opportunity should be given to Indians to work as colleagues with the European staff of the Medical College, that this will enable them later on, after having acquired experience by working with their efficient colleagues in the Medical College, whenever occasion arises to be in a position to start supplementary medical institutions in other parts of the Province. One Medical College for such a big Province cannot possibly be considered to be enough. The efforts of the Government in this direction should in course of time be

[*Khan Bahadur Mian Fazl-i-Hussain ; Sayad Makhdum Rajan Shah.*]

supplemented by the people's own. In other civilised countries there are colleges and hospitals other than those which are provided by the Government for the people and unless Indians in large numbers, in overgrowing large numbers are in a position to work with their European brethren in fellowship in managing colleges it cannot be expected that they can as easily learn the work of starting Colleges by themselves. I submit that this ground by itself is enough to justify my asking the Government to see that at least one and in course of time more Indians should be put on the Medical College staff. Over and above that I find from a recent *Communiqué* that it has been finally settled now that in the Indian Educational Service in course of time no less than 50 per cent. of the total strength of service should be Indian. Is it not right then that in the Medical College which is also an Educational Institution, although its members do not belong to the Indian Educational Service, a similar goal be fixed and steps be taken gradually to work up to it? It is not, I believe, necessary for me to say much as to the efficiency of Indians, fully qualified Indians being available to take Professorships in the Medical College without in any way lessening the efficiency of that Institution, because that under no circumstances should deterioration in efficiency be allowed to take place. If Dr. Caleb almost a generation ago was available to take up such an important post, if Dr. Caleb was available to do this work efficiently and as was said at the last time when this resolution was moved he filled this chair of Physiology with great distinction and was the source of strength to the administration of the College and to the teaching of the College, why after the lapse of a generation another Indian should not be forthcoming to take his place? What we want is a man who has got good academic degrees, experience and whose influence on students is likely to be beneficial and there is no reason why such an Indian should not be forthcoming. Perhaps I will be accused by some of provincialism if I go forward to suggest that we in the Punjab naturally would prefer a Punjabi being selected for this position of distinction and trust. It is not that I have got a very narrow vision in the matter of recognition of Indian rights, but I think it is only the sense of self-respect that makes one assert that amongst the Punjabis there are men who are as good as men produced by any other province in any walk of life. It is only that they are probably not as talkative or self-asserting as members of other provinces. That again I am not pointing out in any spirit of caviling or criticising others but giving expression to what I feel is the strength or weakness of my own fellow Punjabis. That was hardly necessary for me to urge, Your Honour, because Your Honour, almost a Punjabi yourself, is fully familiar with their strong and weak points and their interest is sure to be fully safeguarded in any selection that may have to be made. With these remarks urging that in this connection an Indian, preferably a Punjabi, be appointed; that it should be done in the interest of the Institution and in the interest of obeying the law which has been laid down in the Reforms Act; that it should be done in the interests of the policy which has been laid down by the Secretary of State of associating Indians in various walks of the administration; and in the belief that such Indians, preferably Punjabis, are available and forthcoming, I trust that this resolution will receive the unanimous support of the members of this Council and later on the recognition and consideration that it deserves at the hands of the Government."

The Hon'ble Sayad Makhdum Rajan Shah spoke in Urdu a translation of which is as follows:—"Your Honour, at first I had a mind to move an amendment to the resolution moved by the Hon'ble Mian Fazl-i-Hussain, that the appointment should be filled by an Indian, most deserving and the ablest, so that no one should have reason to complain that the post has been filled by an Indian for the sole reason of his being an Indian and not for the

[*Sayad Mahdum Rajan Shah ; Rai Bahadur Pandit Jawahar Lal, Bhargava ; Sardar Bahadur Sardar Gajjan Singh ; Khan Bahadur Khwaja Yusuf Shah ; Rai Bahadur Bakhshi Sohan Lal ; Khan Sahib Mirza Ikram Ullah Khan ; Khan Bahadur Malik Muhammad Amin Khan ; Colonel Davidson.*]

reason of his ability, and eminence. But later on I understood that the Hon'ble Mian Fazal i Hussain would clear the matter up as he agreed with me on the point and therefore I did not consider it necessary to propose any amendment. An Indian should not be deprived from a high post because he was Indian, nor an Indian should be exalted to a high post because of his being an Indian, but we should look upon the ability and right of a candidate as apart from any distinction of caste and creed.

"Taking this principle in view and with a belief that in this country there are ablest and highly deserving Indians who are fit for the post of a Professor, I support the resolution. On the very principle, the Punjabi patriots desire the appointment of the Hon'ble Mr. Shadi Lal as Chief Justice of the Lahore High Court."

**The Hon'ble Rai Bahadur Pandit Jawahar Lal, Bhargava :—**"Your Honour, I support the resolution. I need not repeat the grounds which have been given by the Hon'ble Mover. They amply justify the recommendation set forth in the resolution. It will simply suffice to say that it is desirable that on the staff of the Medical College, Lahore, there should be at least one suitable Indian, preferably a Punjabi, who may be expected to fill the post with efficiency and distinction.

"With these few words I support the resolution."

**The Hon'ble Sardar Bahadur Sardar Gajjan Singh :—**"Your Honour, I support the resolution."

**The Hon'ble Khan Bahadur Khwaja Yusuf Shah :—**"Your Honour, I also support the resolution."

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal :—**"Your Honour, I also support the resolution."

**The Hon'ble Khan Sahib Mirza Ikram Ullah Khan :—**"Your Honour, I also support the resolution."

**The Hon'ble Khan Bahadur Malik Muhammad Amin Khan :—**"Your Honour, I also support the resolution."

**The Hon'ble Colonel Davidson :—**"Your Honour, for this particular post the Government of India has already intimated its intention to appoint an European Indian Medical Service officer, but if owing to administrative changes he is not appointed other arrangements will be made. The name of a European officer has been brought to the notice of the Government of India, but they have been informed that if he is not available any good officer, European or Indian, may be sent.

"I should add that Government accept the principle that at least one, and possibly two chairs, at the College should be reserved for Indians. It has been recommended that an officiating vacancy during the summer should be held by an Indian Indian Medical Service officer, in a post which will become permanently vacant next year. It is also possible that a new chair may be created and in that case efforts will be made to provide another Indian professor.

"If the Hon'ble Member is prepared to omit the words 'in connection with Dr. Calch's retirement from Professorship' then I am prepared to accept the resolution."

[*Khan Bahadur Mian Fazl-i-Hussain*]

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain:**—"I am quite prepared, Your Honour, to accept the amendment suggested by the Hon'ble Member in charge of the subject, that the words 'in connection with Dr. Caleb's retirement from Professorship in the Medical College, Lahore' be deleted, the words 'staff of the Medical' added after the word 'the' in the third line of the resolution, the word 'staff' at the end be also deleted and the word 'Lahore' added. And in doing so I have to express my gratitude to the Hon'ble Member in charge of this department and also to Government in having already considered the needs of the Indians in this matter and I am sure the Members of this Council as well as educated Indians outside this Council will feel highly grateful to Your Honour for having done this much needed reform in the Medical College."

The amended Resolution—

"That this Council recommends to His Honour the Lieutenant-Governor that an Indian be appointed to the staff of the Medical College, Lahore."

was put and carried.

#### RESOLUTION *re* STATUS AND EMOLUMENTS OF MUNSIFS.

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain:**—"The 3rd resolution that stands in my name, Your Honour, reads as follows:—

"That this Council recommends to His Honour the Lieutenant Governor that necessary steps be taken to raise the status and emoluments of Munsifs in the Punjab to the level prevailing in other Provinces in India."

"This resolution concerns the judiciary in the Punjab and before giving figures in this connection and stating my case, I may as well make mention of just one or two things which lead up to it. The first thing is: we in the Punjab believe that we do as good work as is being done in any part of India but that for some reason or other the wages that workers earn, the distinctions that the workers achieve are in no way of the same value or quality as workers in other provinces attain and achieve. For instance, take the case of the Munsifs that form the subject-matter of this resolution. Our Munsifs work as first class Munsifs—the same sort of work as is being done by Munsifs of the United Provinces or Bengal or Madras or Bombay, who are paid for quite differently from what they are paid for in the Punjab. Munsifs get Rs. 175 a month in this Province when they are appointed. They rise up to Rs. 250. There are three grades of them: first, second and third. The posts of these three grades are: the highest grade, 14 appointments, Rs. 250; in the second grade there are 25 appointments, pay being Rs. 200; and in the third grade there are 51 appointments, pay being Rs. 175. So the Hon'ble Members must have seen that there are in all 90 Munsifs in the Punjab, of whom only 14 get Rs. 250 a month and more than half of them, *i.e.*, 51, get Rs. 175 a month. Out of these 90 Munsifs at least 75 are Munsifs exercising first class powers. Therefore we may take it that 75 at least out of 90 do the work which first class Munsifs (Munsifs exercising 1st class powers with reference to jurisdiction, deciding cases up to the value of Rs. 1,000 and so on) do. Now in the Punjab similar work is entrusted to E. A. Cs. whose minimum pay is Rs. 250. E. A. Cs. drawing Rs. 250, Rs. 300, Rs. 400 also do the same work and a number of Assistant Commissioners drawing much higher pay for some years exercise no powers higher than 1st class Munsifs. Now as a whole the same work that is being done by a Munsif at Rs. 175—the same work, presumably of the same quality and in some cases not of the same high

[*Khan Bahadur Mian Fazl-i-Hussain; Rai Bahadur Pandit Jawahar Lal, Bhargava.*]

quality—is done by E. A. Os. drawing Rs. 250 and by Assistant Commissioners drawing Rs. 400, Rs. 500 and in some cases Rs. 600. This is in the Punjab. If the work entrusted to the Munsifs was not of as high an order as that entrusted to E. A. Os. or Assistant Commissioners, it will be a different thing altogether. When one man is given the same work as X, Y, Z, I fail to see why that work should not be paid for in the same way as the work done by X, Y, Z. The thing does not end here. The Munsifs in other Provinces get much higher pay than falls to the lot of Munsifs in the Punjab. Their pay ranges from Rs. 250 to Rs. 500. It is apparent from the Public Services Commission Report that it recommends that the Munsifs in the Punjab who are doing 1st class work be paid in the same way in which the E. A. Os. are going to be paid and in the same way as the Munsifs of similar status in other Provinces are going to be paid. But while people of more importance, I mean officers of more importance than the Munsifs have seen their hopes being materialised in some way or other, these Munsifs who constitute a small class and are not as important as other classes have been more or less feeling that perhaps being the weaker in judiciary, in influence and power they are being more or less overlooked by the authorities. And the excuse that I have for bringing up this matter before the Council is that, as one co-operating in the administration of justice in the Province, I feel that unless the judiciary is satisfied, well-paid, contented, it cannot be expected to do that amount of work which it is expected to do and I am sure that unless contentment, satisfaction and freedom from the financial worries of life in these hard times are secured for them, Munsifs cannot be expected to do that large amount of work which they are expected to do every day. Sometimes I wonder how it is possible for a man of the class from which Munsifs come—educated people, graduates, sometimes possessing Law degrees—drawing Rs. 175, writing writing, writing indefinitely, from 10 to 4 o'clock and then writing judgments at home, and sometimes lengthy judgments covering 15 or 20 pages just about a dispute of Rs. 29-4-0 which is the subject-matter of a contest between a Zamindar and a Sahukar. Perhaps out of these Rs. 29-4-0 Rs. 18 or Rs. 19 is interest. I admire that member of the judiciary inasmuch as he puts in any amount of work and very high quality of work, as has been remarked by the Hon'ble Judges. This is my excuse for bringing in the case of these low-paid, hard-worked, to my mind considerably intelligent and efficient judicial officers before this Council and I trust that the request I am making, that is to say, what has been vouchsafed to those men by the Commissioners of the Public Services Commission Report be not denied on the ground that, as I say, they are few and not very important and not very influential, and for that reason they should not go to the wall. I trust these apprehensions of the service are not well-founded but I believe this is simply a case of more important things putting this aside for the time being and that in the near future the Government will be in a position to do something for them. I need hardly remind the Council that a sum of Rs. 175 is not what it was 30 years ago. Now a good honest Munsif cannot possibly aspire to keep a pony and trap on this pay and if he walks to the Court possibly his dignity may suffer and there may be difficulty in administering justice as he is expected to do. With these words I commend the resolution to the Council."

**The Hon'ble Rai Bahadur Pandit Jawahar Lal, Bhargava:**—"Your Honour, I second the resolution. The resolution is important not only for the officers of the department but for the general public as a whole. It is no secret that in the Punjab the lot of a Munsif is not a happy one. He is the most hard-worked of all the judicial officers and the amount of work which is expected from him is also very considerable. He has to decide not only cases of small value but in certain cases he has to dispose of unclassified as

[*Rai Bahadur Pandit Jawahar Lal, Bhargava ; Rao Bahadur Chaudhri Lal Chand ; Rai Bahadur Bakhshi Sohan Lal.*]

well as land suits which are sometimes of a very complicated nature and require a great deal of labour and time for their disposal. A Munsif, in order that his judgments may command public confidence, is expected to possess sufficient legal knowledge, strong commonsense, tact and patience and in order to attract persons of requisite character and calibre it is necessary that the status and the emoluments of the post be raised. Bearing in mind the proposal or the demand which is often made that Munsifs should be recruited from the legal profession it becomes all the more necessary to raise the status and emoluments in order to make it worth while for a member of that profession of some experience to join the service. It is very necessary that the emoluments and status of the Munsifs of this Province be brought in line with those of the other provinces."

**The Hon'ble Rao Bahadur Chaudhri Lal Chand :—**"Your Honour,—the Hon'ble Mover has so ably laid his case before the Council and has advanced such convincing arguments that it is difficult to attempt an improvement. I, therefore, simply associate myself wholeheartedly with what he has said and without detaining the Hon'ble Members long would request Your Honour to take the necessary steps. The work that the Munsifs have to do is one of very great responsibility and men of character and ability alone can discharge the high duties with some satisfaction to the people and the Government. There are at present in that service men of diverse abilities and characters. On the one hand there are men of very high educational qualifications and character whose presence is a boon to the people. But on the other hand there are men in that service who are really a disgrace to the bench. It is the former who are keeping the *Izzat* of the service alive and for the sake of increasing their number if not for anything else, the pay of the Munsifs should be raised. One reason why officers become corrupt has been the low salary and the poor prospects. The man who can pass decrees of thousands of rupees every day, who can order the sale of moveable and immoveable property of the people, who can send people to jail because they are too poor to pay their debts should be a man of character and ability.

"How we can fill the service with such able and honest men or how we can reduce the chances of corruption depends upon the proper handling of this resolution. I do not at all mean to say that the Munsifs' lot is the worst and his case can be singled out for steps to be taken in advance of other services in the Revenue, Police and Canal Departments. I frankly admit that there are harder cases than that of a Munsif which require early attention of the Government. But taking the resolution as it stands I repeat that if men of character and ability are needed to give justice to the people, and if sale of justice has to be stopped the pay and status of Munsifs must be raised at once.

"If these judicial officers are not paid properly the result will be that most of them will act like the Proverbial-judge who gave impartial justice to the cats. I, therefore, heartily support the resolution."

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal :—**"Your Honour, I do not think the very simple though most important resolution which has been so ably moved by my Hon'ble friend Mian Fazl-i-Hussain requires any lengthy arguments to establish its absolute necessity in these times of costly living. We are fully aware, and the history of the judicial administration throughout the world supports us, that the purity and strength of judiciary are the basis of all purity and strength of the Empire. The Munsifs' posts being the lowest steps in the ladder for higher appointments in the judicial administration of the country have naturally to be recruited from young men of the best education, best intelligence and best moral character, or from among the young rising members of the Bar of the above stated proved

[*Rai Bahadur Bakshi Sohan Lal ; Sardar Bahadur Sardar Gajjan Singh.*]

qualifications, but how can this be possible so long as the present salaries of the Munsifs, Rs. 175 to Rs. 250, are materially not improved to such an extent as to attract best young men of education and intellect suited for the efficient discharge of the duties of the office. No one can deny that the highest confidence held by the people in the justice of courts of Law and Equity in Great Britain is mainly due to the fact that the Judges from the lowest to the highest grades are selected there from amongst the members of the Bar and are paid handsomely. Even in some of the Provinces of this country where the emoluments and prospects of Munsifs are better than those in this Province, the judiciary attracts better men and therefore commands much greater confidence than in the Punjab and they have been proved to be more efficient, more independent and better fitted to administer justice and law even in the higher grades of subordinate and superior judiciary than those in the Punjab. Now that in this Province by the raising of the status of the highest court of justice from Chief Court to High Court, the salaries, emoluments and pensions, etc., of the Judges of the highest court have been increased by about 25 per cent., there is nothing unnatural for the Judges of the lower grades expecting increase in their salaries and emoluments and pensions, etc., by the same ratio; specially for the Munsifs whose service from the standpoint of quantity and quality of the work expected to be done by them is one of the most hard working or rather over-worked services. It is however very strange that while almost all the Imperial and Provincial services of higher or equal grade are being reorganized and more or less improved in their emoluments, very little has so far been done to improve the salaries and emoluments of the service of a Munsif during the last more than 40 years since the time that it was originally introduced in this Province in the old seventies of the last century.

"When the service was originally introduced in this Province in 1876 under Judicial Administration Act XXV of 1875 the appointments were mainly recruited from matriculated young under-graduates or from the Vernacular *Amila* of the readers, etc., at a time when the cost of living was less than one-fourth of what it is at present. Now that qualified Graduates and Lawyers of the Punjab University or even members of English Bar are invited to join the service, it is absolutely necessary to raise its emoluments and status to a respectable level, fitted to the position which they are expected to maintain and to the responsibilities entrusted to them of administering justice between man and man. My own personal opinion is that the starting salary of the Munsif ought not to be less than Rs. 250 per mensem and that his status, prospects and emoluments, etc., ought not to be in any way inferior to that of the Extra Assistant Commissioner. The prevailing impression is gaining ground that no attention is being paid to the prospects of the Munsifs, because they are almost entirely recruited from amongst the sons of the soil. This impression whether justified or unjustified ought to be removed. Therefore improvement in the status, salaries and emoluments of the Munsifs in these times is one of the greatest necessities of the time, and the demand made by the resolution for the improvement of the status and emoluments of the Munsifs in the Punjab by the Hon'ble Mover is very modest and is nothing but bare justice and has my hearty support."

**The Hon'ble Sardar Bahadur Sardar Gajjan Singh:**—"Your Honour, the Hon'ble Mover has made out a very strong case in moving the resolution. Almost all the reasons have been adduced by him. I would content myself by saying that this is a class of servants who discharge almost the same functions as the Extra Assistant Commissioners. They are required to decide cases up to the value of Rs. 1,000 but this is an artificial value. Sometimes the real value of the cases is Rs. 2,000, Rs. 3,000, Rs. 4,000 or Rs. 5,000,

[*Captain Sardar Gopal Singh; Khan Bahadur Khawaja Yusuf Shah;  
Mr. French.*]

and then, Sir, they are men of very high qualifications and all of them are men with family, children and education—men who have to educate their sons and daughters. For all these reasons I submit that the lot of the Munsifs ought to be brought into line with the other provinces and I see no reason why the Munsifs of this Province should be treated as inferior to any.

“With these words I support the resolution.”

**The Hon'ble Captain Gopal Singh** :—“Your Honour, the Munsifs in the Punjab are not so well paid as their fellow brother officers in United Provinces, Bengal, etc., while their work in the Punjab is in no way lighter and easier than that of the Munsifs of United Provinces, and Bengal, etc. Considering the heavy and hard official work done by this class of the Judicial Officers in the Punjab, I humbly request Your Honour to consider the case of their status and emoluments favourably, which they fully deserve. As the case of the status and emoluments of the Punjab Munsifs has been ably put in and explained with full details by my Hon'ble friend the Mover of the resolution and other Hon'ble Members, I hardly think it necessary to add anything more to it.

“With these few words I give my hearty support to the resolution.”

**The Hon'ble Khan Bahadur Khawaja Yusuf Shah** :—“Your Honour, I heartily support the resolution. If my information is correct, I am told that the High Court has already moved in this direction and I do not find any reason why the Munsifs of the Punjab should not be brought to the same level as the Munsifs in other Provinces. With these remarks I uphold the resolution.”

**The Hon'ble Mr. French** :—“Your Honour, I have listened with much interest and attention to the speeches which the Hon'ble Mover of the resolution and other Members have made in the interests of an able, industrious and I fear, I must say, inadequately remunerated body of public servants—our Munsifs. Incidentally I agree with the Hon'ble Mover of the resolution that, generally, the work that we do in this province does not meet with the recognition that it deserves.

“Under Rule (3) (c) of the rules relating to the discussion of resolutions the introduction of this resolution has only been possible with Your Honour's express sanction, because the subject matter of the resolution is really under discussion between the Governor-General in Council and the Local Government. But that permission has been readily accorded by Your Honour in order that Government may assure this Council that the interests of the Munsifs are receiving sympathetic consideration and that I may explain roughly how the case stands. The points which the Hon'ble Member has raised in his resolution were, as he is evidently aware, discussed by the Public Services Commission. It is now 4½ years since the Royal Commission made its recommendations about the various services in India. It is written in our Scriptures : ‘Cast thy bread upon the waters : for thou shalt find it after many days.’ It is possible, I am sure it is a fact that many a public servant anxious about his future prospects during the long weary years of the war has felt his faith in the assurances of the Hebrew sage severely tried and has been inclined to believe that the flowing waters have carried away for ever the bread cast by the Royal Commission. But that is not so. At the close of the war, that is to say early last year, the Supreme Government called on Local Governments for their proposals as to the improvement of the status and

[*Mr. French ; Khan Bahadur Mian Fazl-i-Hussain.*]

emoluments of the services. In July last this Government submitted its proposals in connection with the amelioration of the pay and prospects of the Provincial Civil Service and of the Munsifs. As regards the Munsifs our proposals were fairly drastic and I believe liberal, although for financial and other reasons—and even in these days when we think in millions it is necessary to consider finance—our proposals did not go as far as those in the Hon'ble Mover's resolution. Quite recently, in fact just as His Honour was starting on his late tour, we received from the Government of India the sanction of the Secretary of State to the improvement of the pay and prospects of the Provincial Civil Service. The sanction of the Secretary of State was given in general terms; in fact he gave us a framework and has directed us to build in the details. Certain limits have been laid down and conditions imposed and although this is not strictly relevant to the resolution before the Council, I may say for the information of the Hon'ble Members that I am arranging with the Provincial Civil Service Association which is, I believe, a representative body, that they should be consulted. I hope that the elaboration of the scheme for the Provincial Civil Service will be facilitated by this procedure: but in any case, its pay (as finally sanctioned) will be raised from the 1st of December 1919. As regards the Munsifs we have been informed that their case is under consideration and that orders will be communicated shortly. We have every reason to believe that the Secretary of State will consider our proposals sympathetically and I have no doubt that the result will be that the status and emoluments of the Munsifs will be generally improved. In view of this explanation I must on behalf of Government leave it to the Hon'ble Member to proceed with this resolution or to withdraw it. If he decides on the former course, Government will offer no opposition but will undertake to forward the recommendations of this Council to the Government of India, although it must not be understood in adopting that course as thereby identifying itself entirely with the recommendations embodied in the resolution."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain** :— "Your Honour, I first beg to express my gratitude to you for having made an exception in favour of this resolution by granting the necessary permission for this resolution being moved. In the second place I am very glad that my expectations in the way of Government sympathetically considering the case of Munsifs have been fully realized. But I find myself in a position of difficulty and uncertainty as to the best course to adopt with reference to this resolution. If the Hon'ble Member in charge had been kind enough to give me a hint whether the proposals forwarded for the consideration of the Secretary of State were more or less on the lines of the Report or the recommendations made by the Royal Commission my task would have been comparatively easy; for then I would have had no hesitation in withdrawing the resolution for it would have served no . . . ."

**The Hon'ble Mr. French** :— "May I say, Sir, that our recommendations were based largely on the recommendations of the Public Services Commission."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain** :— "In that case I see there is no advantage to be gained by proceeding further with the resolution and with Your Honour's permission I beg to withdraw it."

The resolution was by permission withdrawn.

RESOLUTION *vs* PROHIBITION AGAINST AUCTION SALE OF LIQUOR LICENSES FOR MORE THAN ONE YEAR.

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain :—“ The last resolution that stands in my name, Your Honour, reads as follows :—

‘ That this Council recommends to His Honour the Lieutenant-Governor that licenses for sale of liquor for a period of more than one year be not issued or auctioned.’

“ The subject matter of this resolution brings a complete change so far as our thoughts are concerned and inasmuch as it is of a very considerable importance. I beg the Hon'ble Members to bear with me for a while to examine this question and to formulate an opinion thereon. The subject matter of this resolution is Excise. The subject matter of this resolution is also Revenue. But I have not the slightest doubt, Your Honour, that the Hon'ble Members will not in any way feel tempted by the prospect of a large sum of revenue being obtained from this source, inasmuch as I find from what was said in connection with the introduction of the Budget by the Hon'ble Member in charge of this subject that this year at least the increase of revenue has been accompanied by increase in the quantity of liquor consumed by the Province. No doubt, it was said that the unfortunate result is due to larger funds being in the pockets of the wheatseller, the Zamindar, none the less it is unfortunate as that increase of prosperity has not been accompanied by the increase of self-control and that the administration has perhaps not done all that it could have done to keep the tempting liquor away from the labourer coming to the market or the Zamindar coming to the market to sell his grain. I am not quite familiar myself with the ins and outs of this Department but when preparing this resolution I have looked into some reports and the rules and regulations in order to present this resolution to this Council. I find that the Excise Manual definitely lays down that the auction of licenses for the sale of liquor is an annual affair, that is to say, licenses for sale of liquor are auctioned for one year every year. The only way in which the department can help the cause of temperance is, I understand, by reduction of the number of shops and by taking such steps as may be necessary to delay the satisfaction of drinking liquor by making it difficult, if not impossible, for the purchaser to buy and drink up his liquor on the spot and also by raising the price of liquor. So far as the reduction of shops is concerned, I believe the department has been vigilant and trying to do so. So far as devising means to prevent the consumption of liquor itself in shops is concerned, I understand, the sealed bottle system has been introduced and has proved beneficial but so far as making money is concerned, I believe the department has not been able to resist the temptation to increase the revenue, in that line. Now when I find that in one district in the city as well as in the mofussil the money derived from this source has increased in one year by Rs. 50,000, I naturally put myself the question, what is this increase of revenue due to? Why is there a man who is willing to offer one lakh and fifty thousand rupees this year while last year he was only willing to offer one lakh for the purchase of this license? So far as the price of liquor is concerned, it is the same this year as it was last year. What is this man going to gain by paying Rs. 50,000 more than he did last year? He cannot raise the price of liquor. Therefore the only way in which he can pay up the additional Rs. 50,000 is by pressing his goods on the customers, that is to say, by inviting more customers, by securing more customers than he was able to secure the year before. So it seems to me that when the department accepts larger sums on auctioning licenses, at the same time it is virtually giving its consent to press for the sale of liquor more effectively so far as the license-holders are concerned. If this contention of mine is not accepted by the department, then what it comes to is this, that last year the department sold the license for much less than it was worth. This process cannot be expected to go on as on seeing the figures for the last three years I have found that persistent and considerable rise takes place year after year. I should have thought that once a liquor vendor has let himself in for a license and has given a fairly large amount, what the department is interested then to do is not to make it easy for him to earn all the money that he has paid to the department but, if possible, to wait

[*Khan Bahadur Mian Fazl-i-Hussain ; Mr. Maynard.*]

and watch that he fails to make as much money as he has paid to the department, so that in future the purchasers of these licenses may know that they should not bid to such high figures as they have now more or less become used to do. The spirit of fair dealing which is no doubt involved in seeing that the man does not lose on his purchase, I think, is misplaced in the hands of the man who has to administer this department, if this tendency for pressing liquor on the people for purchasing is not to come to an end. Now the Temperance Societies in the Province have been more or less always pressing their point of view on the department and when the department comes to an Indian Minister they think all that they have and wanted will be realized. What temperance workers find difficult to tolerate is Government getting more and more money for selling licenses. Though it pays the tax-payer in a way I believe most of the Hon'ble Members would realize that any other form of tax would be more honourable to the traditions of this province than the increased taxation which is accompanied by increased sale of liquor. What I should like to see is as years grow, the quantity of liquor sold to decrease and the amount of revenue to increase. I know the principle, it will be said, is good in theory but a breaking point arrives where consumers instead of buying the liquor at a high price begin to have recourse to illicit distillation. None the less it is the duty of the department to see, not that the revenues grow but that the prices rise and that illicit distillation is not resorted to and that the quantity consumed decreases. Now that is a very difficult task to accomplish. I should have thought that with all the difficulties involved in it anyone in charge of the department would be very chary as to binding the department for a period longer than one year. It has been felt by the public interested in temperance that inasmuch as Excise is a transferred subject in the new régime the representatives of the people will be able to achieve wonderful results, so much so that within a year the consumption of liquor and of drugs will almost disappear. Not that I share that hope, that expectation, that I believe it is possible for the representatives of the people within a year to reform the public, the drinking public to such an extent, nor perhaps I believe it is in their interest that it should come to a stop so soon because it may injure their health but this is the belief that people entertain. Possibly it is in such wild hopes that the failure of the new administration may lie. But all the same it is not right for the Hon'ble Member in charge, if he has done so, to do anything which may appear to be binding upon the administration of the Excise Department of the future, and give ground either to them or to the people to say that their hands are tied, they can do nothing, had it not been for this, the evil of drinking would have come to an end. It is in the interest of the Government to see that an occasion is not given to the people to criticise with good reason for any of the measures taken during the year preceding the new régime.

"I think at this stage it is hardly necessary for me to say more than what I have already said and I hope that the usual practice which has been observed till now will be adhered to and that the new licenses will not be auctioned; although in some cases auctions have taken place, further trouble of re-auctioning for a period of more than one year may not be resorted to. This inconvenience shall be borne rather than an occasion given for public criticism, justifiable or otherwise to the effect, that the hands of the future administration will have been tied and that this is not fair. In these circumstances I do not at this stage propose to say anything more than what I have done."

The Hon'ble Mr. Maynard :—“Your Honour, in the first portion of the Hon'ble Mover's speech he seemed to be proving that the system of auctioning licenses is radically a bad one. His argument was that to increase the sums which are charged for licenses we must inevitably tend to increase the pressure upon the vendors to increase the sale of liquor. That I understand was his argument and that amounts to saying that one should cease to auction the privilege of selling liquor and should give it on a low fixed fee. Now the logical sequence of the Hon'ble Mover's position in this matter would appear to be this. If it is true that every time you increase the payment made by the vendor for the privilege of selling liquor you give an additional, a new

[Mr. Maynard.]

inducement for increasing the consumption of liquor, the proper course would be to charge the vendor nothing at all for that privilege. If he was charged nothing then that particular inducement to which the Hon'ble Member had referred would disappear. In other words if we gave away licenses there would be the minimum of inducement to the vendor to bring pressure to bear upon the people. Well, Sir, at the same time the Hon'ble Member said that it was highly desirable to increase the price. Does he think that if, in lieu of making considerable payments to Government the vendor received the privilege for nothing or little that he would be likely to maintain price at a figure which was deterrent to the consumer? I think the answer to that is emphatically no. As this question of auction has been raised I should state very briefly what the actual practice in the Punjab has been and what the reasons for it are. As the Hon'ble Member is aware, the normal system of the Punjab is to auction the privilege of vend. Well, there is of course a possible alternative system and that is the system of fixed fees or of fees computed according to what is assumed to be the volume of sale. I should like to explain briefly to the Council what are the principal disadvantages of this system as against the auction system, that is to say of a system of fixed fees either fixed absolutely or adjusted by a computation upon the probable volume of the vendor's sale. Directly you have fixed fees for the privilege of vend, someone has to select the vendor. Directly it devolves upon an official to have any voice in the selection of the vendor there is an opportunity the extent of which I will leave to the imagination of the Hon'ble Members—an opportunity lodged in the hands of the Excise subordinate staff to obtain money from the competitors for that privilege. In other words the tendency of this system is to deprive Government of the payments which would otherwise be made for the privilege of vend and to pass a portion of those profits by corrupt means into the pockets of the subordinate members of the Excise staff. That is one—and a great one—of the objections to a system of fixed fees for vend. But there is yet another and a very strong objection which has been very well illustrated by the experience of the United Kingdom. Under a system of fixed fees, even though it be a system which endeavours to compute the value of the privilege of vend it is virtually impossible from year to year or from period to period to bring the payment to be made by the vendor up to the actual value of the privilege of vend. In the United Kingdom this has been the principal source of the difficulties of the Excise administration and in the way of Excise reforms. Licenses have become a valuable property and it has become a practical impossibility to oust vendors without the payment of compensation on a scale which makes reforms very difficult. That is one of the objections to a system of fixed fees of vend.

"Well, Sir, there are then undoubtedly objections to the system of fixed fees. I admit that there are also certain objections to the system of auction. The auction system has this very great disadvantage that it introduces an element of gambling into the procedure. The man who held a license last year feels compelled to bid very highly for the continuance of his license this year. It is perfectly possible that those about him—his rivals—try to blackmail and endeavour to raise the bid against him rather more than he ought to bid for the privilege of vend and that being so, having paid so much, he has recourse to malpractices in order to recover his money. He may do it by adulteration or by pressing people to drink more, and there are other malpractices of which he may be guilty. Now no doubt there are disadvantages in the system of auction just as there are disadvantages in the system of fixed fees. You have to choose between the two sets of evils and it has been concluded that the lesser evil is the system of auction.

"Of certain alternative systems we have then one which, though not free from objections, is nevertheless the less objectionable of the two. The reasonable course appears to be to maintain your auction system but not to repeat the attendant evils of auction unnecessarily frequently. The Hon'ble Member has said that one year is the period prescribed in the Excise Manual. But there is nothing sacred in the Excise Manual. The Excise Manual is a manual of instructions for Excise officers according to the needs of the administration. A portion of it no doubt is a

[Mr. Maynard.]

reproduction of the Excise Law and of notifications which issue from time to time, but by far the larger portion is the executive rules which are changed from time to time as may appear to conduce to the needs of the administration. There is no peculiar sanctity about the Excise Manual and there is no peculiar sanctity about a one-year period. A one-year period may do, a two-year period may do, a three-year period may do. All that is needed is that the period shall not be so short as to make unduly frequent the evils of gambling and on the other hand shall not be so long as to make possible the introduction of the evils of vested rights. Having regard to all these practically contradictory considerations I took the step of advising Government to introduce experimentally a three-year period in certain districts. There were six districts involved and in these districts the system has been introduced for country liquor licenses and foreign liquor licenses which are for sale in the bazaars and for consumption on the premises. The districts are—Simla, Jullundur, Ferozepore, Amritsar, Rawalpindi and Lyallpur. The Hon'ble Mover has suggested that the principal object of doing this was a fiscal object to get more money. Well, as the head of one of the money making departments, I do not ignore the advantage of increasing the revenues when those revenues can be increased. The primary object was not a fiscal object. The object was to lessen the evils of a frequent repetition of this peculiar gambling which takes place when these auctions occur. Perhaps I might explain very briefly that the actual fiscal results would be something of this kind. The increase for the whole Province amounted to 48 per cent. The increase in the six districts, where this new system was introduced, amounted to 57 per cent. But it must be borne in mind by Hon'ble Members that in auctioning licenses for a period of three years Government forestalls the increase which might otherwise be obtained in the second and third years of the period. It may not be certain—it is by no means certain, that there is an actual fiscal advantage in the step that has been taken.

“ I shall now tell you very briefly why these six districts were selected. It was thought desirable to introduce a system of this kind only in districts in which it could be considered that the Excise system was stabilised, that is to say, that the number and the location of shops, the amount of still-head duty, the nature of the arrangements made in the shops had reached a point at which stability for some years could be counted upon. Now still-head duty, as Hon'ble Members are aware, is being raised with effect from the 1st of April 1920 throughout the Province. In the second place in these particular six districts, along with some eight or ten others, a system has newly been introduced which I believe will be in the interests of temperance and good order and will be regarded from that point of view by all those interested in reform. I refer to the system of sale in sealed bottles for consumption off the premises only. Throughout these six districts this system is being introduced from the 1st of April 1920. Moreover, prior to the taking of this step a very careful scrutiny had been made in the number and the location of Excise shops throughout the Province. In these six districts it has been reduced by as many as 9 per cent. of the total. So it was considered that the Excise system in regard to country liquor had been stabilised in these districts in which it was decided to introduce this new method.

“ The second part of the Hon'ble Member's speech was devoted to a suggestion that it was a mistake to introduce or to commit in any way the future administration of the Province when the subject of Excise has been transferred to a Minister. I personally feel very sorry indeed if I forestall the future of reforms when the Excise administration falls in the hands of an Indian Minister. I anticipate with certainty the very remarkable reforms and achievements which will make their administration the envy of their predecessors. But I think there is a good deal of misunderstanding on this subject and I should like to clear it up. I think the Hon'ble Member believes that the future of Excise administration is committed in a manner it has not as a matter of fact been committed. In the first place I presume that everybody here is aware that every license may be cancelled for any breach of the terms by the licensee or by any servant or by an agent.

[*Mr. Maynard, Khan Bahadur Mian Fazl-i-Hussain.*]

That is the position under the law. That is one point. A more important point from this point of view is that there is no claim to compensation for any change of condition, for any increase of duty or any other matters connected with the Excise administration. Section 41 of the Act makes matters even plainer. It says that the officer who grants the license may withdraw it for any reason on payment of fifteen days' license fee and on payment of no other compensation provided fifteen days' notice is given. There is thus absolutely no legal barrier in the way of withdrawal of any license on payment of fifteen days' license fee and on giving of fifteen days' notice. I do not wish to say that there is no barrier of an equitable character. If there is no breach of condition on the part of the licensee then I personally should hold very strongly that the withdrawal of a license might demand equitable even if not legal, payment of compensation. But in the event of any very radical and subversive measures of any kind in connection with Excise the small amount of equitable compensation which will be due to this particular licensee would be a mere fraction of the total amount of compensation which the administration would be called upon to pay.

"In conclusion, I want to say this that this system which has been adopted in these districts could not in any event be extended further until we come to the time of next auctions in January 1921, by which time we all believe that the Reformed Council will be established and no doubt the subject of Excise will be transferred to the hands of a Minister. Therefore there is no possibility or question of this experiment being any further extended, even it were clear that there is any fiscal advantage in the arrangement made. I may say that I should be perfectly prepared to accept the resolution with a slight modification, if it were to run as follows:—'That this Council recommends to His Honour the Lieutenant-Governor that no more licenses for sale of liquor for a period more than one year be granted until the constitution of the Reformed Council'

"With that modification I should be quite willing to accept the resolution."

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain:**—"The Hon'ble Member in charge has stated that in six districts licenses for a period of three years each have been auctioned, and that there is no danger or any possibility of any licenses in any other district than these six districts being auctioned before the introduction of reforms. Then he has given a very clear statement as to the advantages and disadvantages of the two rival systems: that is to say, auction system and the fixed fee system. He has suggested that there are evils in both, but he considers that the evils of the fixed fee system are greater than the defects of the auction sale system. He has further pointed out that he has tried to minimise the evils of the auction system by having a recourse to auction the licenses for a period of more than one year, *i.e.*, for three years. This, he says, has been done with a view to stem the gambling spirit, so that there may not be a free scope every year, but every three years. As I have said before, I am not an expert in the methods of this department: in fact, I have a very slight acquaintance with it and not having studied the ins and outs of the department I cannot claim to make any statement with authority, but as an amateur, claiming but a nodding acquaintance with the department I think it is my duty to hazard one or two suggestions for the consideration of the Member in charge with a view to persuade him to change his mind even with regard to the six districts whose licenses have been auctioned for the next three years. As I said before, Your Honour, there are no limits to the hopes and expectations of the people, especially of the Temperance Societies as to what is going to be done by the representatives of the people in the management of this department. It is quite possible that an enterprising Minister may say: there are evils in the fixed fee system, there are evils in the auction system, I am not going to have recourse to either. I am going to limit the amount of liquor quantity that is going to be consumed during one year. I will put down that figure at so much. I will not allow these professional men to sell liquor in their own interest as they have to push the sale of their commodity. What I am going to do is this:

[*Khan Bahadur Mian Fazl-i-Hussain.*]

establish an agency to which people will not go unless they are horribly compelled to do so; for instance, the Police, nobody will go to the Police if he can help it, because he does not receive a very good reception from them. If he goes to a private seller of liquor, well, he is more or less at home with him, but if there is a State official in charge of the liquor shop who has a fixed pay and who is going to get a certificate from the Minister that he has sold not such a large quantity but such a small quantity of liquor, is it not conceivable that in that case the sale of liquor will not increase by leaps and bounds, but it will have a fair chance of being reduced? Therefore as against these both systems, the auction sale system and the fixed fee system, there is an alternative in the shape of the State sale of liquor of a limited quantity at a high price conducted by respectable people who have no advantage to secure by pressing their goods on the passers by or on the people. On the other hand, it is also possible that in order to help these State officials we may have the co-operation of an officer of the Temperance Society with his tracts on temperance sitting by his side and placing before the intending purchaser a pamphlet and saying: 'you are going to take this liquor, you have a right to do so, but I can assure you that people have died of having recourse to liquor.' It is quite conceivable that a representative of the people will be able to secure the co-operation of the Temperance Society. However, that as I say is the suggestion of an acquaintance with the department and an amateur. This will indicate that there are possibilities that the ingenuity of the Temperance Society will discover to enable the Minister to try many experiments. If the Minister has the support of the people, it is quite possible that a sort of propaganda work may be started and within a short time this may appeal to the sentiments of the people and may reduce their desire for drinking. In that case what will be the position of the unfortunate license holders of these six districts? They will find that there is a campaign against drinking started under the auspices of the Minister responsible for this department persuading people not to drink. He was under the impression that he has paid such a heavy fee, and that the officers looked at it with equanimity and would not prevent people from drinking because people were exercising their free will. Now all of a sudden a new propaganda has been started, and that poor man is ruined. I think it is in the interest of the professional liquor seller not to proceed to buy the license for three years, but be content with one year. In the second place it seems to me that the three year system as against one-year system runs the risk of one tending to create vested interest and also creating a class of sellers of liquor which to my mind is a very serious matter indeed. If you change your auction purchaser of license every year, the result is that he has not got the chance of doing it the next year, but if he has it for three years the thing sinks into his mind, and that becomes his profession and possibly the whole of the family make up their mind, having reaped a good harvest, to become doomed to liquor traffic for the future. In the third place it seems to me that besides tending to create vested interests and confirming a man into the profession, which I am sure the Hon'ble Member in charge looks at with disdain, it is bad for the citizens to have the sale of a dangerous material like liquor placed in the hands of a man who threatens to become an expert. If he is a man who is fresh to the job, he will not know all the evil devices to push the sale of liquor and he will be amenable to the supervision of the department. These are the three very serious points, to my mind, against the long term license.

"Then the Hon'ble Member-in-charge said that while people may say that it is money that he wants well it is a temptation but there is nothing wrong in it. But as a matter of fact this is not a charge that I level against him. On the other hand I believe that the department is going to be the loser by this change, if this game of selling more and more liquor on the part of auction purchaser continues, I believe in Amritsar in the year 1919 (January 1919) the amount realized was nearly Rs. 50,000 more than it was realized in January 1918; this year probably it was, as the Hon'ble Member said, 57 per cent. more—then is there any reason to believe that if this tendency continues, if the agriculturist goes on to prosper as the Hon'ble

[*Khan Bahadur Mian Fazl-i-Hussain, Mr. Maynard.*]

Member said that he is doing, is there any reason to believe that in January 1921 another increase would not be taking place? I do not think that as a matter of fact the department is the gainer by the sale of three-year licenses as against the licenses for one year. But I should not be understood to mean that on that ground I attack the three-year system. My grounds are other than those of purely financial considerations. As to the gambling spirit its remedy as a matter of fact is the one that I suggested that is to say a State seller of liquor, rather than the auction or fixed fee system.

“Now I will go on to the second part. I have no doubt that the Hon'ble Member in charge would be the very last person to think of tying down the hands of the Minister of the future; in fact if anything he would leave him free. He seems to be under the impression that there are three things which do not in any way tie down the hands of the Minister of the future. First, that the licenses can be cancelled on the breach of any of the conditions which I think the shopkeepers are always breaking: therefore he can be called to book any time. The second, that the license-holder has no claim for compensation arising out of the change of conditions or any increase in duty or any other matter. The Excise administration can come down upon the license-holder in one way or the other. The third, that licenses can be withdrawn at any time without much claim to compensation. There is no legal barrier and the claim to compensation will not be very prohibitive. Therefore with these three safeguards the Hon'ble Member in charge seems to be under the impression that he has not tampered with the discretion of the future Minister in any way. My submission is that as a matter of fact all these conditions impose restrictions which are equitable and moral rather than legal. Although these are small conditions and if a man were going to catch hold of the license-holder in that legal spirit he will be in a position to do so but that will not be morally right. That will not, to my mind, be right from an administrative point of view. The Minister will be taking action from motives other than those of mere supervision. He will be on the look out for the breach of any of these three conditions and therefore to my mind it is not right to place the Minister in that position that he should be on the look out to take advantage of any breach of conditions and take hold of the license-holder in this manner. I will bring my submissions to a close by an appeal to the Hon'ble Member in charge to think whether the advantages to be gained by the department from the sale are in any way commensurate with the loss due to the criticism to which this measure has already been subjected. I believe a resolution passed by a public meeting held under the auspices of the Temperance Society, Amritsar, complaining bitterly against the three year's auction was forwarded to the Government of India, which in course of time must have been sent to the Hon'ble Member in charge for consideration—is there anything to be gained by giving occasion for this criticism. I for one am not convinced that the advantages to be gained by this control of the sale of liquor in these districts for a period of three years as against one year in any way counterbalance all the agitation that has been generated in the minds of the public. If the licenses are sold every year, no loss to the revenue will result and if there is a loss I have no doubt the Government will cheerfully bear it in the interests of the temperance movement.”

**The Hon'ble Mr. Maynard:**—“Your Honour, there is just one thing I wish to say. I am not entitled to say anything but, with Your Honour's permission, I will say just one thing. The Hon'ble Mover suggested that the effect of introducing a three-year period would be to bring into existence a class of professional men—experts who would be particularly well placed in pressing liquor on their customers. I would just say briefly that in practice there is already a professional class and only a limited number of persons with whom this occupation is generally hereditary are willing to take up Excise contracts. That is to say they are already professionals—they are already Experts and the mere extension of period will not make any difference in this respect.

[Mr. Maynard.]

"In the second place I should like to say one other thing about the system. It is suggested that there is a possibility under the new Reformed Council that there might be a State seller, possibly a policeman and the other possibility was I understand a temperance advocate who might be sitting on the right hand of the seller and saying: 'good man, do not buy this dreadful stuff.' Well, I should like just one word to say about the State seller of liquor. It is assumed by the Hon'ble Member that the State seller will be an absolutely reliable person and free from corruption but it has not in practice been found that persons placed in this position under the various forms of Public House Trusts are prevented from making money. Whatever the theory may be, the practice always comes to this: that the liquor is made over to someone to sell and he makes what he can out of it. I will not discuss the other possibility of the temperance advocate sitting on the right hand of the State seller. But I will, if I may, say just one thing about an attempt which was made in the United States—a country which has now gone dry, and has theoretically ceased to drink liquor. This system was introduced some little time ago in North Carolina. It was known as the "dispensary system" and consisted in introducing respectable officials to sell liquor. In the first place, the respectable people did not like to sell but there was another difficulty to which I should like to draw attention that the population objected to this method so strongly that the militia had to be called out to suppress riots, but the militia sympathized with the rioters and declined to act against them, so that the law became a dead letter."

The resolution was put and negatived.

#### ADJOURNMENT.

The Council adjourned to Tuesday, the 13th March 1920, at 10-30 A.M.

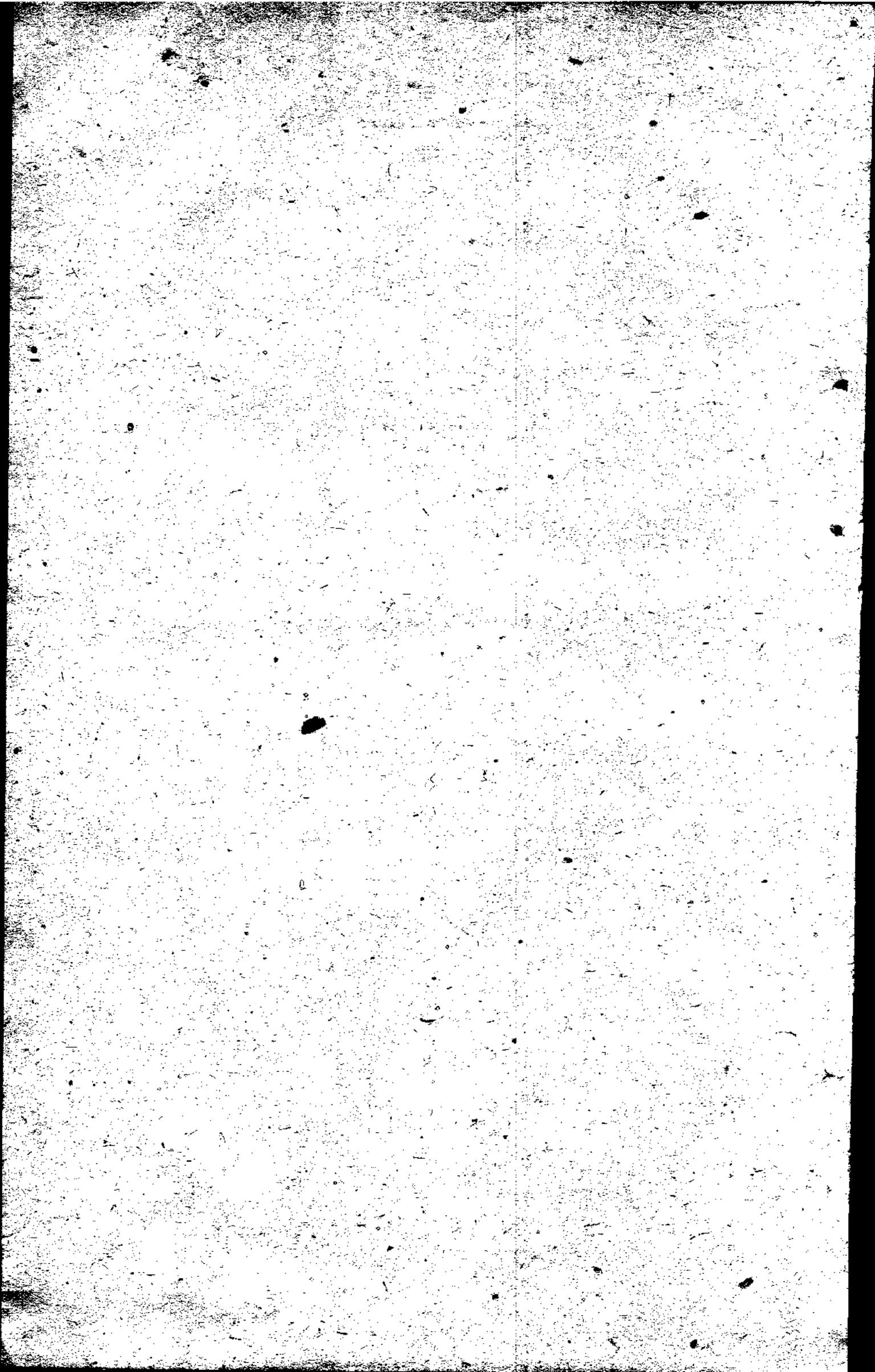
LAHORE:

The 22nd March 1920.

*ended on  
8 March*

M. HARRISON,

Secretary, Legislative Council.



*Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab assembled for the purpose of making Laws and Regulations under the provisions of the Government of India Act, 1915.*

The Council met at the Government House, Lahore, at 10-30 A.M. on Saturday, the 13th March 1920.

PRESENT :

- ✓ His Honour Sir EDWARD DOUGLAS MACLAGAN, K.C.I.E., C.S.I., I.C.S.,  
Lieutenant-Governor, *Presiding.*
- ✓ The Hon'ble Mr. LEWIS FRENCH, C.I.E., C.B.E., I.C.S.
- ✓ The Hon'ble Mr. WILLIAM THOMAS WRIGHT.
- ✓ The Hon'ble Captain Sardar GOPAL SINGH, O.B.E.
- ✓ The Hon'ble Mr. HERBERT JOHN MAYNARD, C.S.I., I.C.S.
- ✓ The Hon'ble Mr. BASIL THEODORE GIBSON, I.C.S.
- ✓ The Hon'ble Rao Bahadur Chaudhri LAL CHAND, O.B.E.
- ✓ The Hon'ble Sardar Bahadur Sardar GAJJAN SINGH, O.B.E.
- ✓ The Hon'ble Nawab Sir BAKRAM KHAN Mazari, K.C.I.E.
- ✓ The Hon'ble Khan Bahadur Sayad MUHDI SHAH, O.B.E.
- ✓ The Hon'ble Rai Bahadur Pandit JAWAHAR LAL, Bhargava.
- ✓ The Hon'ble Mr. FRANK WAVERLING WOODS.
- ✓ The Hon'ble Mr. FREDERICK CRIGHTON WALLER.
- ✓ The Hon'ble Rai Bahadur Raizada BHAGAT RAM.
- ✓ The Hon'ble Rai Bahadur Bakhshi SOHAN LAL.
- ✓ The Hon'ble Sayad MAKBUM RAJAN SHAH.
- ✓ The Hon'ble Khan Bahadur Mian FAZI-I-HUSSAIN.
- ✓ The Hon'ble Mr. CHARLES JOSEPH HAMILTON, C.B.E., I.C.S.
- ✓ The Hon'ble Mr. CRAWF ARMOND HAMILTON TOWNSEND, I.C.S.

[Mr. John Powell; Khan Bahadur Sayad Mehdi Shah; Mr. Fagan;  
Mr. Wright.]

✓ The Hon'ble Khan Sahib Mirza MUHAMMAD IKRAM-ULLAH KHAN.

✓ The Hon'ble Mr. JOHN POWELL, O.B.E.

✓ The Hon'ble Diwan Bahadur Diwan DAULAT RAI.

✓ The Hon'ble Mr. EUSTACE ALEXANDER ACKWORTH JOSEPH, I.O.S.

✓ The Hon'ble Khan Bahadur Malik MUHAMMAD AMIN KHAN.

✓ The Hon'ble Lt.-Col. DAVID MACDONALD DAVIDSON, M.D., I.M.S.

✓ The Hon'ble Mr. PATRICK JAMES FAGAN, C.S.I., I.O.S.

#### OATH OF OFFICE.

The Hon'ble Mr. John Powell took the oath of allegiance to the Crown.

#### QUESTIONS AND ANSWERS.

The Hon'ble Khan Bahadur Sayad Mehdi Shah asked :—

Enhancement  
of remunera-  
tion of  
Zaildars and  
Lambardars.

1. "Is Government aware of the feeling among Zaildars and Lambardars that their duties have now enormously increased and whereas in former times a Zaildar or Lambardar could successfully carry on his work single-handed, he has now to employ three or four men more to assist him in the discharge of official duties? If so, will Government kindly consider the advisability of enhancing the remuneration of Zaildars and assigning to them duties which are more compatible with their official and social position?"

The Hon'ble Mr. Fagan replied :—

"No representations relative to a feeling such as that specified in the question have reached Government, nor were any such submitted to the Financial Commissioner who has during the recent winter made extensive tours in portions of the Province. Under the circumstances Government does not propose to take action of the kind suggested."

The Hon'ble Khan Bahadur Sayad Mehdi Shah asked :—

Appoint-  
ment of In-  
dians to In-  
dian Educa-  
tional Service.

2. "(a) Will Government kindly state how many Indian gentlemen in the Punjab have been appointed to the Indian Educational Service during the last three years and how many of them are Muslims.

"(b) In view of the proposal to increase in Indian element in the Indian Educational Service to the extent of 50 per cent. of the whole service, will Government kindly see that at least half of the new appointments to the Indian Educational Service to be made in future should be filled by Muslims."

The Hon'ble Mr. Wright replied:—

"(a) During the last three years six Indians have been appointed to the Indian Educational Service. Of these two are Indian Christians who were appointed in England by the Secretary of State. One a Sikh has since retired. Of the remaining three one is a Muhammadan and two are Hindus.

"(b) It would for obvious reasons be impossible to attain the proportion suggested by the Hon'ble Member at once. It can only be reached in the course of time as vacancies occur."

[Khan Bahadur Sayad Mehdi Shah ; Mr. Wright ; Colonel Davidson.]

The Hon'ble Khan Bahadur Sayad Mehdi Shah asked :—

3. " Will Government kindly lay on the table a statement showing the number of Muslims and non-Muslims appointed to the Provincial Educational Service in the Punjab since 1st April 1919 ? "

Number of  
Muslims and  
non-Muslims  
in Provincial  
Educational  
Service.

The Hon'ble Mr. Wright replied :—

" Since 1st April 1919 seven Hindus and one Muhammadan have been appointed to the Provincial Educational Service. Of the seven Hindus, four are Assistant Professors, two are heads of special professional institutions and one an Assistant Inspector. The Muhammadan is an Assistant Inspector."

The Hon'ble Khan Bahadur Sayad Mehdi Shah asked :—

4. " In view of the contemplated reorganisation of the Inspecting Staff of the Education Department, will Government kindly see its way to increase the number of Muslim District Inspectors in the Province ? "

Muslim Dis-  
trict Inspector  
of Schools.

The Hon'ble Mr. Wright replied :—

" This matter is not being overlooked and as opportunities offer it is hoped that the number of Muslim District Inspectors will be increased."

The Hon'ble Khan Bahadur Sayad Mehdi Shah asked :—

5. " Will Government kindly state how many of the Indian Professors in the Lahore Central Training College are Muslims ? "

Number of  
Indian Pro-  
fessors in  
Training  
College.

The Hon'ble Mr. Wright replied :—

" There are nine Indian Professors, Assistant Professors and Lecturers in the Central Training College. Of these five are Hindus, three Muhammadans and one a Christian."

The Hon'ble Khan Bahadur Sayad Mehdi Shah asked :—

6. " Will Government kindly lay on the table a statement showing the number of Hindu, Sikh and Muslim Demonstrators, Assistant Professors and Clinical Assistants in the King Edward Medical College and Lecturers and Demonstrators in the Medical School, Lahore ? "

Assistant  
Professors  
and Clinical  
Demonstra-  
tors of Medi-  
cal College  
by creed.

The Hon'ble Colonel Davidson replied :—

" A statement\* showing the information asked for is laid on the table."

The Hon'ble Khan Bahadur Sayad Mehdi Shah asked :—

7. " Will Government kindly state if the new School Board has been constituted? Have Muslims secured an adequate representation on the Board ? "

Muslims on  
the new School  
Board.

The Hon'ble Mr. Wright replied :—

" Yes, the new School Board has been constituted. There are 12 members on the Board, three of whom are Muslims."

The Hon'ble Khan Bahadur Sayad Mehdi Shah asked :—

8. " Will Government kindly lay on the table—

" (a) a statement showing the number of Muslim and non-Muslim Fellows elected by the Registered Graduates ;

" (b) a statement showing the number of Muslim and non-Muslim Fellows elected by the Faculties ? "

[Mr. Wright ; Khan Bahadur Sayad Mehdi Shah ; Sardar Bahadur Captain Gopal Singh.]

The Hon'ble Mr. Wright replied :—

"(a) There are 10 Fellows elected by the Registered Graduates and they are all Non-Muslims.

"(b) There are 5 Fellows elected by the Faculties, one of whom is a Muslim."

The Hon'ble Khan Bahadur Sayad Mehdi Shah asked :—

Muslims in  
Science Fa-  
culty.

9. "(a) Is it a fact that there is not a single Muslim in the whole Faculty of Science in the Punjab University which contains as many as 31 members ?

"(b) Is Government aware that there are at least 6 Muslim M.Sc.s. at present working in the various colleges affiliated to the University ?

"(c) Will Government kindly see its way to make provision so that the Muslim interests may be properly represented in the Science Faculty ?"

The Hon'ble Mr. Wright replied :—

"(a) Yes, there is no Muslim.

"(b) Only five are known.

"(c) Fellows are assigned to Faculties by the Senate, and Government has no share in determining their assignment. It has been ascertained that the Chancellor, in his next nomination of a Muslim Fellow, will endeavour to nominate one who has scientific qualifications."

The Hon'ble Khan Bahadur Sayad Mehdi Shah asked :—

Muslims on  
Boards of  
Studies.

10. "(a) Will Government kindly lay on the table a statement showing the number of Muslim and non-Muslim of each of the 21 Boards of Studies in the University of the Punjab ?

"(b) Will Government kindly see that Muslims secure an adequate representation on these Boards in whose hands the selection of text-books and the appointment of University Examiners in the first instance rests ?

The Hon'ble Mr. Wright replied :—

"(a) Most of the Boards of Studies consist of five members. The following Boards have Muslim members and the number is given against each :—

Philosophy	...	...	...	1
Law	...	...	...	1
Punjabi	...	...	...	2
Arabic, Persian, Urdu and Pashto	...	...	...	4

"(b) The Board of Studies are elected by the Faculties. Government has no voice in this matter."

The Hon'ble Sardar Bahadur Captain Gopal Singh asked :—

Harni Zamindars as Criminal Tribes.

11. "(a) Will Government be pleased to state whether it is a fact that Harni zamindars as a body are still treated in a similar manner as the Criminal Tribes are treated, and are not permitted to leave their village jurisdiction without a permit ?

"(b) If so will Government be pleased to remove this restriction from that class of zamindars ?"

[Mr. Joseph; Sardar Bahadur Captain Gopal Singh; Mr. Gibson;  
Mr. French.]

The Hon'ble Mr. Joseph replied:—

"(a) It is a fact.

"(b) Government is not prepared to admit that all Harnis are really Zamindars. Lists all over the province are being revised with a view to retaining only the really criminal element, and the exemption of all well-behaved men. To quote one instance in Gurdaspur District 382 registered and restricted members have been entirely exempted and only 47 retained. It is expected that nearly half of the latter number will be exempted on a further scrutiny."

The Hon'ble Captain Sardar Gopal Singh asked:—

12. "Will Government be pleased to raise the pay of a village chaukidar to Rs. 8 a month in order to enable him to meet the great rise in the cost of living?"

Raising of  
the pay of  
village  
chaukidars.

The Hon'ble Mr. Joseph replied:—

"On the recommendation of local officers the maximum limit of remuneration of village chaukidars was raised to Rs. 6 per mensem less than two years ago. Government is however prepared to invite the opinions of Commissioners on the suggestion made by the Hon'ble Member."

The Hon'ble Captain Sardar Gopal Singh asked:—

13. "(a) Is Government aware of the great inconvenience and discomfort suffered by passengers travelling by Rail?"

Inconvenience  
in Railway  
travelling.

"(b) Will Government be pleased to state whether the Railway rules and regulations allow 24 passengers to travel in one II class compartment and the III class passengers to be even more closely packed? Is it a fact that owing to want of accommodation passengers are often compelled to ride on the footboard?"

"(c) Will Government take some steps to remedy existing state of affairs as indicated in the above questions?"

The Hon'ble Mr. Gibson replied:—

"(a) Government is aware of the inconvenience and discomfort which are the inevitable consequences of the restriction in the Railway service necessitated by the shortage of rolling stock. The Railway Administration is endeavouring to remedy this shortage which is the direct outcome of the War.

"(b) The proper accommodation of the usual type of II class compartment is 9, and this is clearly marked on the carriage. Travelling on the footboard by passengers is an offence and every endeavour is made to prevent it. It is however understood that, in the hot weather especially, many passengers prefer this mode of travelling.

"(c) The reply is contained in the reply to question (13) (a)."

The Hon'ble Sardar Bahadur Captain Gopal Singh asked:—

14. "(a) Is Government aware that the distinction drawn between the Punjab and other Provinces in the matter of the grant of licenses under the new Arms regulations is resented by the residents of this Province?"

Licenses  
under the  
Arms Act in  
the Punjab  
as compared  
with other  
Provinces.

"(b) Will Government be pleased to consider the advisability of according exactly the same privileges under the Arms Act to residents of the Punjab as are accorded to the inhabitants of the United Provinces?"

The Hon'ble Mr. French replied:—

"(a) It is assumed that the Hon'ble Member's question refers to the entries in schedule II of the new rules. Government has received a copy of a resolution on this subject passed by a meeting of Sikhs at Amritsar in

[Sardar Bahadur Captain Gopal Singh ; Mr. Hallifax ; Mr. Joseph.]

December last. It must, however, be pointed out that the new rules impose no extra disability on the residents of this Province so far as arms other than fire-arms are concerned. The possession of such weapons continues, as heretofore, to be governed by the provisions of section 15 of Act XI of 1878.

"(b) Government cannot accept the implied assumption that conditions in the Punjab are identical with those in the United Provinces, but the matter referred to is receiving due consideration."

The Hon'ble Sardar Bahadur Captain Gopal Singh asked :—

Representa-  
tion of Sikhs  
in the Punjab  
Legislative  
Council.

15. "Is Government aware that the Muhammadan minorities in the United Provinces and Madras have been given a much larger representation than the Sikh minority in the Punjab? and, if so, will Government be pleased to place the Sikhs in the Punjab on as favourable a footing as the Muhammadans of the United Provinces and Madras?"

The Hon'ble Mr. Hallifax replied :—

"Government does not admit an exact analogy between the case of the Muhammadans in the United Provinces and Madras and that of the Sikhs in the Punjab. It, however, fully recognises the special reasons, which justify the allotment to Sikhs, in this Province of a number of seats in the Legislative Council in excess of the number to which they are entitled on a calculation based merely on census figures. Government therefore assures the Sikh community that its case will be treated on its merits and as favourably as possible."

The Hon'ble Sardar Bahadur Captain Gopal Singh asked :—

Number of  
constables  
and head con-  
stables by  
religion.

16. "Will Government be pleased to give figures showing the number of head constables and constables in the Punjab Police arranged by their respective religions and also the number of zamindars employed in the Police?"

The Hon'ble Mr. Joseph replied :—

"The Hon'ble Member was informed in my reply on the last occasion he raised this question, in November last, that the information so far as head constables was concerned would be found in the statement laid on the table on February 17th, 1919, in response to his earlier question: and that information was being collected as regards constables. He has since been informed that the number of constables who are zamindars is 14,645, of whom, 9,119 are Muhammadans, 1,834 Hindus, 690 Sikhs and 2 Christians. Unfortunately the desired information has not been supplied for non-zamindar constables. This has been called for and will be communicated as soon as received."

The Hon'ble Sardar Bahadur Captain Gopal Singh asked :—

Term of office  
of Manager,  
Golden Tem-  
ple, Amrit-  
sar.

17. "(a) Has Government seen a letter published in the *Loyal Gazette*, Lahore, on the 3rd November 1919, and an article published in one of the latest issue of the *Khalsa Advocate*, Amritsar, regarding the Golden Temple, Amritsar?"

"(b) Will Government be pleased to reconsider the matter to fix the term of office of the Manager and Managing Committee of the Golden Temple as was done up to 1888 and to appoint Sikh Trustees of the Nankana Sahib?"

[Mr. French ; Rai Bahadur Bakhshi Sohan Lal ; Mr. Gibson.]

The Hon'ble Mr. French replied :—

"(a) Government has seen the letter and an article published in the issue of the *Khalsa Advocate*, dated the 10th February last.

"(b) The question of the management of the Golden Temple at Amritsar, has been under the consideration of Government for some time. It has been decided to defer action until the Reforms Scheme has been brought into operation. The elected representatives of the Sikh constituencies will then be consulted as to any changes which may be contemplated. A similar course will, if necessary, be adopted in regard to the Nankana Sahib institution."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

18. "Will Government be pleased to state how far is it correct—

"(a) that Lala Lalji Mal of Abohar in Ferozepore District is one of the members of the Ferozepore District Board ;

Lalji Mal of  
Ferozepore  
District  
Board.

"(b) that since the month of May up to the present time, notwithstanding several meetings of the District Board having been held, a notice of any such meetings was not issued to Lala Lalji Mal requiring him to attend the meetings ?"

19. "If so, will Government be pleased to state—

1841.

"(a) whether omission to issue notices of District Board meetings to Lala Lalji Mal was due to any mistake and oversight or due to any deliberate action of the President or any of the officials in the District Board office ;

"(b) whether any orders oral or written were passed, or any instructions given by the President of the District Board, Ferozepore, for not issuing any notice of the meetings to Lala Lalji Mal, if so, what are those orders or instructions ;

"(c) whether Lala Lalji Mal submitted any representation to the President, District Board, complaining against his exclusion from the District Board, and with what result ;

"(d) whether the meetings of the District Board of which no notice was issued to one of the members were legally valid or not ?"

The Hon'ble Mr. Gibson replied :—

18. "The answer to both parts of this question is in the affirmative."

19. "(a) and (b) Lala Lalji Mal had rendered himself liable to removal from the board by failure to attend its meetings regularly, and he was also considered in other ways an unsuitable member of the District Board. As his term as a nominated member was to expire at a comparatively early period the President did not consider it necessary to move Government for his removal from the District Board but overlooking the fact that he was himself committing an irregularity thereby, directed the Secretary on the 30th May 1919 to ignore Lala Lalji Mal in issuing notices for meetings for the future.

"(c) No such representation from Lala Lalji Mal was received by the President.

"(d) The question whether the meetings referred to were legally valid, is one which can be tested in the Courts and the Government does not propose to pronounce upon it."

[ *Mr. Joseph ; Mr. Fazl-i-Hussain ; His Honour the President ;  
Bakhshi Shahn Lal.* ]

**BILL TO AMEND THE COLONIZATION OF GOVERNMENT LANDS  
(PUNJAB) ACT, 1912.**

**The Hon'ble Mr. Joseph :—**"Your Honour, before formally moving that the Bill to amend the Colonization of Government Lands (Punjab) Act, 1912, be taken into consideration, I desire with your permission to invite the attention of all members of the Council in the Chamber to a misprint in the Bill as it lies before them. I am much indebted to Mr. Halifax for calling my attention to it.

"Clause 4 of the Bill as printed should read as follows :—'For section 21 the following shall be substituted, namely :—

'When after the commencement of this Act, any male tenant, who is not an original tenant, dies (the word 'dies' has been left out), or any female tenant dies, marries or re-marries the succession to the tenancy.....'

I will ask with Your Honour's permission all Hon'ble gentlemen to incorporate the word 'dies' in the third line of clause 4.

"It is unnecessary for me to say anything more about the Bill. As I explained when introducing it its objects are two-fold. Firstly, to correct a mistake that exists in section 21 of the existing Act—a copy of the existing Act is also before the Hon'ble Members of the Council—which I do not think will be disputed ; secondly, to provide for succession in the case, not contemplated by the Act, where the original grantee is a woman. There is no other change whatever proposed. In the case of the male original tenant the succession on his death will follow exactly what the law is at present. I now formally propose that the Bill be now taken into consideration."

**The Hon'ble Mr. Fazl-i-Hussain :—**"Your Honour, before the amendments are taken with reference to the Bill, would it not be right on the part of some members to speak to the motion that it be taken into consideration?"

**His Honour the President :—**"The Bill, I think, must be now taken into consideration, as it was passed at the last meeting that it should be taken into consideration on the 13th. We must now proceed with the amendments and then subsequently it will be for the members if they wish to speak on the motion that the Bill be passed."

**The Hon'ble Mr. Fazl-i-Hussain :—**"As Your Honour pleases."

**The Hon'ble R. B. Bakhshi Shahn Lal :—**"Your Honour, I have already given notice to the Secretary that I wish to withdraw the amendments which were proposed by me because section 20, clause (a), covers the case of sister or mother or step-mother being nominated as heirs by the Collector if the deceased tenant does not make any nomination. So I do not think it is necessary for me to press the amendments of which I gave notice."

"The amendments were with His Honour's permission withdrawn."

**The Hon'ble Mr. Fazl-i-Hussain :—**"The amendments that stand in my name, Your Honour, are six in number, and inasmuch as they refer to three clauses (3, 4 and 2) if Your Honour bespeaks to suspend the rules of business, I would like to take up these six amendments in three groups, that is to say, all the amendments dealing with one clause in one group."

[ *His Honour the President; Mr. Fazl-i-Hussain.* ]

**His Honour the President.**—“Which amendments do you propose to take up now?”

**The Hon'ble Mr. Fazl-i-Hussain.**—“The amendment to clause 4, Your Honour, that is amendment No. (3) on the list of business as follows:—

That in clause 4, *delete*—

‘male’ in line 4

‘or any female tenant’ in lines 5 and 6 of the clause;

and ‘marries or remarries’ in line 6 of the clause;

lines 9 to 17, *i.e.*, the whole of sub-clause (a);

‘(b) in all other cases’ in line 18.”

**His Honour the President.**—“Very good.”

**The Hon'ble Mr. Fazl-i-Hussain.**—“The Bill as presented by the Hon'ble Member in charge attempts to correct a mistake which is apparent on the face of section 21 of the Act of 1912, and it is surprising how Bills presented, considered by the Council and passed, after some time disclose that they were passed without really receiving the due attention of the Council that is responsible for seeing that they are passed in proper order. I am at one with the Hon'ble Member in charge of the Bill in saying that section 21 as it is in the present Act was the result of not only a mistake but apparently a howler. So one ought to be really very careful in the matter of proceeding with legislation and drafting and so on. Now the object of the present Bill is two-fold. One is to rectify the mistake that is in section 21 and also to provide for those cases which were not provided for by the Act of 1912, that is to say, cases of the intended grantees who before the grant coming into effect have died and in consequence Government has had to deal with this problem should the proposed grant fail, that is to say, not be made, or should it be made to the person best entitled to the grant by virtue of the right to succeed to the person to whom that grant was going to be made. Therefore I acknowledge that the Bill in this respect is going to supply a need that is real and that is felt. But the proposed section 21 of the future or clause 4 of the Bill lays down:—‘For section 21 the following shall be substituted, namely—.....’ Then it makes provision first for the rectification of the old mistake and then for an addition. In my humble opinion the attempt to correct the old section 21 and at the same time combine with it a new provision to govern the case of succession to the female grantee is not well advised. It would have been far better, if section 20 was going to be retained, to split up section 21 into two parts—one providing for the rule of succession on the death of the person who has succeeded the original male grantee, and the second part to deal with the case of succession subsequent to the death of the female grantee. The view that I want to place before the Council is that the acquisition by the grantee is self-acquisition, that is to say, it is not succession by way of inheritance of ancestral property and therefore it is hardly necessary for us to think of laying down the exact course of succession. Why not adopt the very simple method of treating it as self-acquisition of the man for whom that grant was intended? A is the person on whom Government want to confer that grant. If he is alive he gets that grant. Then how should it devolve subsequent to his death? The answer is simple: just as any other acquisition made by that man would devolve upon his heirs. He has purchased a house, he has bought a square of land, just as the devolution of that house or that square of land will take effect similarly will the acquisition of this square of land take effect. And this is really what the principle underlying the proposed section 21 involves for it says: ‘When after the commencement of this Act, any male tenant, who is not an original

[ *Mr. Joseph ; Mr. Fazl-i-Hussain.* ]

tenant dies, the succession to the tenancy shall devolve on the person or persons, who would succeed if the tenancy were agricultural land acquired by the original tenant.' That is to say, the principle that I am submitting is exactly the principle which the Hon'ble Member in charge has incorporated in clause 4, first part and sub-clause (b)."

The Hon'ble Mr. Joseph.—"I want to say that I have not incorporated any principle."

The Hon'ble Mr. Fazl-i-Hussain.—"Even so, the principle that I rely upon is there in this case, that is to say, in clause 4. Now where is the difference between the case of a male grantee after whose death the succession is going to be governed as if it were succession to self-acquired estate of the widow grantee and the case where the grantee has died and his widow or his daughter has become a nominal original grantee? To all intents and purposes the original grantee is the person for whom that grant was intended. Why should not in this case also the same rule apply, that is to say, that the grant should be treated as if it were conferred on the person for whom the grant was intended. The estate of the family would go in succession as is customary throughout in the Punjab, that is, after the death of the woman grantee the land would devolve upon the next heir as if it had actually been made to the person for whom it was originally intended, that is to say, the father or the husband of the woman who actually came into possession of that grant, and this would absolutely simplify clause 4 and the old section 21 inasmuch as it would simply read like this :—'When after the commencement of this Act, any tenant who is not an original tenant dies, the succession to the tenancy shall devolve on the persons or persons who would succeed if the tenancy were agricultural land acquired by the original tenant.' Simply say so, defining the 'original tenant' to mean any person on whom the grant is actually made if it is male or the person to whom the grant would have been conferred had he remained alive and in lieu of whom the possession is given to either the widow or the daughter as the case may be. To my mind then the whole of clause (a) will become unnecessary, or 'any female tenant' will become unnecessary, 'marries or remarries' will become unnecessary.

"The second point is that inasmuch as the law of succession is to be the law of succession which governs the man to whom the grant was actually made or for whom the grant was intended though actually made to his daughter or widow, as the case may be, there can be no distinction between the rules of succession governing the two cases. Similarly in line 6 'marries or remarries' will drop out. Lines 9 to 17, the whole of sub-clause (a) goes out and in (b) 'in all other cases' is dropped in line 18. It will simply read as follows: 'when after the commencement of the Act any tenant who is not an original tenant dies, the succession to the tenancy shall devolve on the person or persons who would succeed if the tenancy were agricultural land acquired by the original tenant.'

"This is the purport of my suggested amendment No. (3) and I claim that this is an improvement upon the proposed clause 4 inasmuch it places the two cases under the same law.

"Secondly, there is no real distinction between the two cases and just as in clause (a) we have got 'or from the male agnates of the person on account of whose services the tenancy was allotted to her;' this is the definition that would go subsequently into clause 2. Although a separate amendment I will just read what the change in clause 2 will come to. Clause 2 will read thus :—

" 'Original tenant' means any tenant to whom a tenancy is first allotted by the Collector and includes the transferee of such a tenant, and with

[ *Mr. Joseph ; Mr. Fazl-i-Husain ; His Honour the President.* ]

reference to the female it will add : ' Provided that in the case of a female original tenant it means the person on account of whose services the tenancy was allotted to her.'

"These words I have really taken from clause 4 (a). Simply transfer it to the definition and the whole matter becomes absolutely simple."

**The Hon'ble Mr. Joseph** :—" May I rise to a point of order. I want to ask the Hon'ble Member where he has taken his words from."

**The Hon'ble Mr. Fazl-i-Husain** :—" May I invite the Hon'ble Member's attention to page 2 of the Bill. There he will find that clause 4 (a) reads :—

"In the case of a female, to whom the tenancy has been first allotted, on the successor nominated by the Collector from the issue of such female tenant, or from the male agnates of the person"—then comes the definition of the person—"the person on account of whose services the tenancy was allotted to her." These were the last words."

**The Hon'ble Mr. Joseph** :—" My point is, Sir, that the Hon'ble Member is now including in clause 2 words which he did not previously intend to include."

**His Honour the President** :—" I think Mr. Joseph means that the Hon'ble Member is moving an amendment of which he has not given a notice."

**The Hon'ble Mr. Fazl-i-Husain** :—" I am simply making a mention of this fact in order to render the amendment in clause 4 clear. It is to make it clear to the Members of this Council that these words which I am asking to be omitted really have to go with the definition just to explain the nature of the amendment in view."

"Now, just one word, Your Honour, as to why I am proposing this change and if this change is not accepted by this Council would any one suffer or would any principle be interfered with or departed from ?

"Now, if this amendment that I am suggesting is not accepted what would be the result ? There would be two courses of succession, two laws of succession, one for the man who was alive and took the grant himself and one for the man who died unfortunately and therefore was not able to take possession of the grant from the Government. I want to show whether this assertion that I am making is correct or not. So far as the man who is alive and takes possession of the grant, section 20 makes provision as to how on his death the next heir is to be found, makes provision for his son, failing his son comes in the widow, failing her the unmarried daughters, failing them the successor or successors nominated by the tenant and failing them the successor or successors nominated by the Collector. In the case of a man who has died and left behind a widow we notice that the course of succession that is provided for in section 20 is not allowed to her. Why ? Where is the difference ? Why not take it that the widow is simply representing the estate of her husband ? Why not allow the same principle of succession to govern the devolution of this estate on her death ? It seems to me there is no justification for laying down two different principles. The injustice of it, in the case of a person who has died, is that there the principle of succession is not recognised, while a greater discretion is given to the Collector in the matter thus increasing his work unnecessarily without any rhyme or reason. Therefore I beg to place this amendment before the Council hoping that in the interests of simplicity and in the interests of uniformity, the principle of succession in the case of a person who is alive at the time of the grant and in the case of a person who died before the grant, there being no real

[ Mr. Joseph. ]

distinction between the two cases, will be the same, and this amendment will be adopted and thus no distinction made between the two cases which are really not different."

**The Hon'ble Mr. Joseph** :—"I find it a little hard to answer this, for the amendment as explained by the Hon'ble Member is something quite different from that of which he gave notice. He has got to transfer to clause 2, I understand, something which is at present in clause 4; and that will have to go somewhere else. But so far as I follow him he really feels that there is some injustice as I understand in making a separate rule of succession in the case where the original tenant is a woman and in the ordinary case as it now exists where the original tenant is a man. He also wants to alter the case of the original succession in the case of a man. As the law stands now we have got a perfectly clear rule of succession. The original tenant, who is always supposed by the Act to be a man, is succeeded in the first instance by his male lineal descendants in the male line of descent. Should he have no male lineal descendant in the male line of descent he is succeeded by his widow who has an interest for her life or until her remarriage. Should he have no widow he is succeeded by his unmarried daughters until they die or marry. Should he again have no unmarried daughters then it is open to him to nominate either his mother or his married daughter or his daughter's son or his sister, or his sister's son or any of the male agnate members of his family. He has a very large discretion and should he again fail to nominate, the Collector is bound to nominate from that number of people. That is the rule of first succession. I would like to explain that the Hon'ble Member in moving his amendment spoke of self-acquired property as the rule of succession. He did not fully understand that it was the intention of the Colonies Committee and the Government of India and of the framers of this Act that the succession to colony tenancy should follow as an ordinary rule, not the case of self-acquired property, but the rule of succession to ancestral property. It was only in deference to the strongly expressed opinion of various colonisation officers that if on the first succession the land in default of the existence of the male lineal descendants were to pass to uncles and other more distant relatives it would be extremely inconvenient where the tenant had to comply with a great number of conditions and where the Colonisation Officer has always to keep a man up to the mark and see that he keeps his land properly, and that he has built a house. It was felt that it would be inconvenient at an early stage to split up the grant in many divisions or deal with a number of tenants and so it was proposed that so long as the tenancy was held as a non-occupancy tenancy-at-will the ordinary rules of succession of ancestral property should not apply, but that the man should be succeeded by one heir only. Instead of that it was decided that on the first succession this special rule under section 20 should apply. It was supposed that the conditions would be less fluid after the first succession and there would be no objection by that time or at all events less objection to the ordinary law of succession of a multitude of reversioners. The same rule of succession applies on all occasions except on the occasion of the first succession. In the first succession we have got the male lineal descendants only of the original tenant to succeed, and if there are no male descendants the widow of the tenant succeeds, failing her the unmarried daughters of the tenant. But if he has no daughters, he has a right to nominate from amongst his mother, his married daughter, his daughter's son, his sister, his sister's son and the male agnate members of his family. And if he fails to exercise that right, then the Collector is bound to nominate from among these persons, after which the ordinary law applies. Now this law has been in force for a number of years. We have never

[ *Mr. Joseph ; Mr. Fazl-i-Hussain.* ]

heard of anybody objecting to it ; no complaints of it have ever occurred, nor has it ever occurred, so far as I am aware, to any Hon'ble Member to move an amendment to this Act. But this rule of succession is clearly inapplicable to cases which have now arisen, that is, the original female tenant. The Act never contemplated a female tenant. Now owing to the war we have some cases where grants have to be made to widows or daughters of certain persons. Therefore we have to provide some rule of first succession to the original female tenant. Because we have to do that there is no earthly reason why we should now interfere with the rule of succession in the case of the male original tenant which worked perfectly well in scores of thousands of cases and of which no complaints have ever been heard. Therefore I should strongly deprecate any attempt being made to alter the rule of succession so far as it applies to that class and I think that the Council should confine its attention to the necessity of providing some rule of succession for these hitherto unthought of cases, that is, of the original female tenant. Well, the original female tenant cannot be succeeded by her widow and again when we come to the question of nomination in the absence of male lineal descendants or unmarried daughters if she were to be allowed to nominate her mother or her sister or her sister's sons or the male agnate members of her family, the result would be that instead of the land remaining in the family of the man—the soldier who has given his life for the country and in recognition of whose services we are now giving a grant of land to his widow or his daughter, instead of that land on her death remaining with the family of the soldier it will go away to the family of his wife. It is certainly not what Government intends in giving a grant in recognition of the soldier's services and I think I may say that this would certainly not be considered correct and suitable by the family of the man who has given his life for the country and therefore I think that we must provide for the land remaining in the family of the man in recognition of whose services this grant is really made. The question then arises what we should do when his widow or daughter, whoever it be, dies, and the provision we have made is that she should not have the right to select her successor because it has been thought that this would give rise to a great deal of litigation and quarrelling in the family. If she is given the right to select her successor there is certain to be a great number of complaints of undue influence being exercised. Therefore we say that as Government has in recognition of this man's services given a temporary limited life interest to this woman it should after her death or on her remarriage see to whom this grant is to be permanently made. Once that has been done thereafter the succession will follow in the ordinary course, exactly as it does in the case of original male tenants. That seems to be a perfectly simple scheme and I do not myself see any objection to it. But if there is any strong feeling on the part of the Council that she should have the right to choose from amongst her husband's or her father's agnates, I do not think that Government will raise any objection to it, but my own private opinion is that it would produce a quarrel in the family and it is better that Government who has given her this land should on her death or remarriage make a final assignment of the grant to some other member of her late husband's or father's family."

**The Hon'ble Mr. Fazl-i-Hussain :—**"Your Honour, I must have expressed myself very badly indeed to be so little understood with reference to the amendment that I have just moved. I never attempted to move the amendment, that is to say, amendments Nos. (1), (5) and (6). That was not the amendment which I placed before the Council and concerning which the Hon'ble Member in charge has been addressing the Council. My amendment was at present No. (3) with reference to clause 4 and the objections

[ *His Honour the President; Mr. Fazl-i-Hussain.* ]

raised by the Hon'ble Member in charge were chiefly directed against the amendments to clause 3. To say that I want the family of the widow to succeed is wrong, nothing is farther from my thoughts. I never wanted her family to come into the estate which really was intended for her husband. As a matter of fact I am stating in my amendment that on the death of the female who should succeed—the person who is entitled to be the heir of the person for whom the grant was intended, that is to say, the husband or the father or the

**His Honour the President** :—“ You are moving amendment No. (3), are you not ? ”

**The Hon'ble Mr. Fazl-i-Hussain** :—“ No, Your Honour, I am replying to the speech by the Hon'ble Member in charge concerning clause 4—I mean my amendment No. (3) with reference to clause 4. Therefore most of the criticism of the Hon'ble Member in charge does not apply to this amendment at all.

“ I will now try to state once more what this amendment is intended to achieve, but before doing so I will just dispose of one other point made by the Hon'ble Member in charge. He stated that originally the intention was that this grant should be treated as ancestral property of the grantee, and that it was only in order to avoid certain administrative difficulties that the first succession was to be departed from the principle of ancestral property. If that is so, Your Honour, then I must urge that the proposed amendment of section 21 does violence to that principle inasmuch as the proposed section 21, clause 4, clearly states that the principle of succession to be applied is ‘ as if it were the self-acquired property of the original tenant. ’ In that case the Bill is doing violence to the principle which according to the Hon'ble Member in charge was going to regulate succession to the estate. Personally I am of opinion that that is not the right principle which should regulate the succession to the acquisition of a soldier. His next heirs should succeed to it as if that property was acquired by him and in fact it is acquired by him. If the principle of treating the grant as ancestral property which has been mentioned by the Hon'ble Member in charge is to govern succession, then section 21 of the old Act should be modified to that extent. Then why change it? The only grounds for changing it can be that it should be treated as self-acquired property and if you proceed thereupon then why make any change with reference to a female tenant who is only by accident coming into possession. All the dangers that the Hon'ble Member in charge urged would threaten the course of succession, that is to say, the relatives of the woman will come in are imaginary, as they cannot possibly come in if my amendment is accepted, because it says that on her death the succession will be as if the original grantee had been in possession of the land and had died. His heirs will come in and not her. I do not see the danger and I trust if I have been able to make my position clear to the Council and the Member in charge that he would see his way to simplify clause 4 which is section 21 of the Bill, and make a uniform principle of succession for all grantees whether dead or alive at the time when the grant is actually being handed over. Had there been any distinction between the two cases it would have been perfectly reasonable to provide two courses of devolution of the estate, but the Hon'ble Member in charge has mentioned no such distinction. His only fear is lest the family of the soldier should be deprived of the estate and instead of his family benefiting the grant may go to the family of his widow. But there is no such danger involved in it. I am not for benefiting her family and my amendment does not admit of her family coming in at all.

[ *Mr. Fazl-i-Hussain ; Mr. Joseph ; His Honour the President.* ]

"Then the Hon'ble Member-in-charge said that no cases have arisen. No doubt, Your Honour, the span of life is not very long in this century with all the influenza and other things coming into being. But how could any cases arise when the Bill came into being in 1912? It has hardly been in existence for 8 years and how could we expect any complaints to come into being in connection with an Act which is so very young as all that? Therefore the non-existence of complaints to my mind does not justify the opposition to this amendment. As a matter of fact, as I said, the position to my mind is an exceedingly simple one. Succession to the grantee whether it is the male or the female, should be treated as has been treated in clause 4—succession to self-acquired property, irrespective of the person who has been actually put into possession. I do not see that the amendment introduces a new principle or involves a change to which the Government as such could take exception. I believe the reason why there is some diffidence in accepting this suggestion is because this Bill has come straight from the Hon'ble Member in charge to the Council for disposal without having passed through the stages either of soliciting public opinion or eliciting opinion of Members of Council, or having gone to a Select Committee with the result that we are discussing the draft now at this meeting without really having passed through those stages to see the pros and cons of the suggestion. However, if the Hon'ble Member in charge feels that what is there in the Bill is all right and that the suggestion does not make for improvement, I have nothing more to say. But I thought it was my duty to bring these matters to the notice of the Hon'ble Member in charge and of the Council."

The Hon'ble Mr. Joseph :— "I have nothing more to say as we have already discussed this before. I do not think I can add to what I have already said. I should like, however, to remove a misapprehension that clause 4 does not provide for the succession as to ancestral property. If you look at the definition of 'original tenant'—you will see that 'original tenant' means: 'any male to whom a tenancy is first allotted by the Collector and includes the male transferee.' Clause 4 says that if any male tenant, who is not an original tenant, dies the succession to the tenancy shall devolve on the person or persons who would succeed if the tenancy were agricultural land not acquired by him, but by the original tenant. It is not his self-acquired property."

The amendment, No. 3, was put to the vote and lost.

The Hon'ble Mr. Fazl-i-Hussain :— "With reference to the second set of amendments, Your Honour, they refer to section 21 of the Act and clause 3 of the Bill. It is apparent . . . ."

His Honour the President :— "Which amendment do you wish to deal with?"

The Hon'ble Mr. Fazl-i-Hussain :— "I think in view of the situation I must move the three amendments all together—Nos. (1), (5) and 6 which are as follows :—

- (1) In clause 3, omit sub-clause (c), and substitute '(c) daughters of the tenant.'
- (5) In clause 3, after sub-clause (b), add 'and in the case of a female tenant, the husband of the tenant until he dies or remarries, or loses his rights under the provisions of this Act.'
- (6) In clause 3 after sub-clause (d), add 'and in the case of female tenant, the successor or successors nominated by the tenant by registered deed from among the male agnates of the person on account of whose services the tenancy was allotted to her.'

[Mr. Fazl-i-Hussain.]

"In the old section 20 the rule of first succession is laid down and so far as one can see it is very largely in consonance with the general principles of custom prevailing in the Province, that is to say, on the death of a male owner the next heir is the son and in default of son the widow for life or till re-marriage or in default of that unmarried daughters and so on. This amendment is intended to remove the distinction between married and unmarried daughters, inasmuch as in accordance with the principles of Customary Law when this estate is going to be considered as the estate of the original grantee, Customary Law admits of no distinction between married and unmarried daughters. It is only in those cases where the property is ancestral that the distinction is made between the two cases, that is to say, between married daughters and unmarried daughters, unmarried taking the estate till their marriage and then succession again opening out for somebody else. We have just accepted the principle that the property is to be treated as the property acquired by the original grantee. When he dies, in default of his son and widow, or his daughter, whether married or unmarried, in accordance with the principles of custom succeed him. I believe this position is not likely to be contested by the Hon'ble Member-in-charge, that is to say, in cases of self-acquired property on the death of a male proprietor without sons all daughters succeed him. The principle is stated in Rattigan's Customary Law as I have just stated it now to the Council. Therefore the old section 20 to that extent is wrong and I am taking the present opportunity of rectifying that mistake. If the Council is of the opinion that it is a mistake and the Hon'ble Member-in-charge is pleased to admit it, then the mistake should be corrected. With reference to No. (1), I do not think I need say any more.

"The result by referring to the clause also is simple as I have stated. We simply omit in sub-clause (c) the word 'unmarried' in 'the unmarried daughters of the tenant,' inasmuch as marriage does not cause forfeiture of the estate. The clause enforcing forfeiture of the estate on remarriage naturally becomes useless and just as the son succeeds on the tenant's death in his default the tenancy devolves on the widow and in default of the widow on the daughter. This custom is universal with reference to self-acquired property. So I trust if possible this defect in the existing section 20 might be removed.

"Now coming to amendment No. (5) it says that in clause 3 after sub-clause (b), *add* 'and in the case of a female tenant the husband of the tenant until he dies or remarries, or loses his rights under the provisions of this Act.' That implies that the female tenant is to be treated in the same way in which the male tenant is going to be treated, and in view of the fact that my amendment No. (3) of clause 4 has already been rejected, I do not see any advantage in proceeding with amendment No. (5) to clause 3 which in principle involves the further principle that no distinction should exist between the two cases. Therefore I do not want to add anything with reference to amendment No. (5).

"As to amendment No. (6) saying that after sub-clause (d) *add* 'and in the case of female tenant, the successor or successors nominated by the tenant by registered deed from among the male agnates of the person on account of whose services the tenancy was allotted to her,' that also deserves the same fate as has befallen amendment No. (5); that also cannot be proceeded with to any advantage.

"In closing my remarks with reference to amendments Nos. (5) and (6) I may point out that once the principle underlying clause 4 is conceded, I really do not see any advantage whatsoever in retaining clause 3 at all or section 20 at all. As a matter of fact under the old Act, section 20 existed because section 21 had stated that the property should be treated as the ancestral property acquired by one above him, that is to say

[ *Mr. Joseph ; Mr. Fazl-i-Hussain.* ]

**The Hon'ble Mr Joseph** :—“ May I rise to a point of order, Sir. Is this an amendment to get rid of the whole section 20 ? ”

**The Hon'ble Mr. Fazl-i-Hussain** :—“ As a matter of fact I just stated to the Council that there is no advantage in proceeding with amendments Nos. (5) and (6) in view of the fact that my amendment with reference to clause 4 or old section 20 has already failed. Therefore I do not think the Hon'ble Member-in-charge need fear any further amendment coming on the top of this. What I mean to convey is this—and I have no doubt that if he finds that there is any force in this suggestion, there is no reason why a few months hence he may not be prepared to come out with another Bill to make the necessary alterations—what I am suggesting is that in view of the law as passed on the Hon'ble Member in charge's own motion in clause 4, there is no justification left for the existence of old section 20 or new clause 3. It becomes superfluous, unnecessary. There is the principle that it should be treated as self-acquired property of the original grantee. There it ends. Often the succession will be the succession in accordance with the usual principles governing self-acquisition of land. I do not mean that it should be treated as the self-acquisition of the second man, I mean the person who has for the first time taken possession of the land.

“ Clause (d) does not come into existence at all till clauses (a), (b) and (c), are exhausted, and in fact this again is a sort of restriction on the power of alienation. Clause 3 (section 20) is a clause of restriction on the power of disposal, the power of alienation which really is contrary to the principle of the Act itself inasmuch as the Act recognises transfers subject to the provisions of clause 2. As a matter of fact I believe this Act 5 of 1912 also was passed by this Council without having passed through the opinions and Select Committee stages and in my humble opinion it is not free from any defects. With these words I leave the motion before the Council.”

**The Hon'ble Mr. Joseph** :—“ I do not need to detain the Council any longer. I have disposed of all the questions already. Practically speaking all these amendments would have the effect at least of altering the law as it stands in the case of succession to the original male tenant. As it has stood so for the last 8 years—a period which the Hon'ble Mr. Fazl-i-Hussain thinks a very short one to show us whether any of the scores of thousands of people concerned filed any complaints—it seems to be quite obvious that if there were any necessity to alter the existing rule of succession applying to them, a large number of people would have come forward with complaints about it and we should have heard of it during those 8 years.

“ These amendments are very much the same as those that stood in the Hon'ble Bakhshi Sohan Lal's name ; that when the first tenant had no male lineal descendant to succeed, had no widow and had no unmarried daughters, instead of leaving him the option of choosing from amongst the persons from whom he can now choose, that is to say, his mother, his married daughter, his daughter's son, his sister, his sister's son and the male agnate members of the family, that instead of giving that option we should have a definite rule of succession laid down giving certain persons such as married daughters or, in the Hon'ble Bakhshi Sohan Lal's amendment, the mother and the step-mother of the tenant a preferential right to succeed. We discussed the case yesterday and the Hon'ble Member came to the conclusion that there was really no occasion whatever for altering the existing law so far as it applies to the ordinary male tenant. These amendments of the Hon'ble Mr. Fazl-i-Hussain would have exactly the same effect of altering the rule of succession as it is now applicable and there seems to me to be no occasion to do so. With reference to his remarks that it is invariably the rule that in the case of self-acquired property the married daughters have the right to succeed, I do not propose to follow him into the field of Customary Law, but I do press again that we are not treating—and the law never has treated—the succession of the colony

[*Mr. Fazl-i-Hussain ; Mr. Joseph.*]

tenancy exactly as the succession to properly self-acquired by the original tenant. If the Hon'ble Member will study again sections 20 and 21 of the existing Act or if he will study the Bill that is now before the Council he will see that the broad principle underlying the succession is that succession should follow not the rule of self-acquired property but the rule of ancestral property."

**The Hon'ble Mr. Fazl-i-Hussain:**—"Just one word, Your Honour, and that is with reference the last remark made by the Hon'ble Member-in-charge. I cannot quite follow the position. The Hon'ble Member-in-charge says that if I read carefully clauses 3 and 4 of the present Bill and sections 20 and 21 of the old Act of 1912, I will find that the principle of succession adopted in these provisions is not that of self-acquired property but of ancestral property. I fail to see it. Section 21, that he has done away with, was the section which did bring in to a certain extent the principle of succession governing the succession of ancestral property. But he has himself killed it by bringing, indirectly, the clause which says it should be treated as if it were agricultural land acquired by the original tenant. He has himself killed that principle and then he says if I were to read it carefully I will find that it is not the principle that governs the succession of self-acquired property. Without expressly stating that it did not exist in the old Act he has brought in that principle without any restriction whatever. To say that in clause 3 or in section 20 a different principle of succession applies again I fail to see. Take it that it is the same principle as applies to self-acquired property, who would succeed? Only the sons, as laid down in sub-clause (a) to clause 3. Again in the case of daughters it is the same principle. I fail to see how it can be said that the Act shows that the principle which underlies the devolution of an estate is the principle governing the succession to ancestral property. To my mind the principle which governs devolution of self-acquired property has been adopted with the difference only that he or, at all events, the framers of the first Bill seem to have deprived the daughters who had the misfortune of getting married and thus being deprived of their right to succeed, and this on the face of it is unfair. It is justified neither by the principles of English Law nor of Muhammadan Law, and if it is considered that this is the principle of Customary Law in the matter of self-acquired property again it is not so and I do not believe that that position has been challenged by the Hon'ble Member-in-charge."

The amendments were put to the vote and lost.

**The Hon'ble Mr. Joseph:**—"I now move, Sir, that the Bill to amend the Colonization of Government Lands (Punjab) Act, 1912, be passed."

The motion was put and carried.

#### REVISED FINANCIAL STATEMENT, 1920-21.

**The Hon'ble Mr. Gibson:**—"Your Honour, I beg to present the Revised Financial Statement\* for the year 1920-21. The changes in it as compared with the amended draft Financial Statement are detailed in the note which is in the hands of the Hon'ble members; but I must begin by asking them to make a correction. The orders of the Government of India were incorrectly transmitted by the Telegraph Department and although we asked for a correct version, we did not receive it until after we had to print up this Statement in order that in accordance with the rules it might be in the hands of Hon'ble members yesterday. The receipts under Land Revenue are stated to have been raised by 5 lakhs but the correct figure is 4 lakhs. This involves alteration in the Statement under I - Land Revenue and we must reduce the Budget figure by 1 lakh accordingly. In the same way the total provincial receipts is less by 1 lakh and the closing balance on the other side is less by 1 lakh.

[ *Rai Bahadur Bakhshi Sohan Lal : Mr. Gibson.* ]

" I do not propose to detain the Council for more than a minute or two in offering a few explanations of the changes. They will see that in the Revised Estimates the provincial share of Land Revenue is raised by 2½ lakhs. This is principally due to a better kharif than we anticipated which has led us to expect considerably more fluctuating land revenue than had been expected in the previous estimates. Also the actual figures under Sales of Government Estates and under Miscellaneous have improved, and although there has been a considerable falling off under Sales of Waste Lands, the net improvement is as shown 2½ lakhs. For the same reasons income from Land Revenue in the Budget is raised by 4 lakhs in expectations that the causes operating this year will continue to operate next year. The increase of Rs. 75,000 in education expenditure may be explained a little further. The original provision was a very small one for the education of the orphans of soldiers who had fallen in the war. Since then the scheme has been extended and it is proposed to provide education free for the sons also of soldiers who were disabled in the war and the amount that is expected to be required is as shown in the note. It is possible that we may be able to get the Government of India to re-imburse part of this expenditure from the Silver Wedding Fund but at present we have provided it in our Budget.

" Under Agriculture, which is a very important head and for which we have perhaps been able to do less than for others, we have provided an extra 1½ lakhs, Rs. 48,000 of which are for grants to local bodies for building new Veterinary Hospitals in a number of places where they are required. Rs. 20,000 are for the cost of the Soil Survey Staff and Rs. 9,000 for a Soil Physicist. Both these latter items are part of an urgent scheme for the expansion of the Agricultural Department. Another item which really belongs to the same department but which is shown under Civil Works is an item of ½ lakh for buildings for Agricultural Assistants and Mukaddams at the Montgomery Seed Farm. You will also see that ½ lakh has been provided for aeroplanes for survey purposes. The Government of India have offered us six aeroplanes free of charge and it is proposed, if the Local Government agrees, to test their usefulness for crop and land surveys. Therefore the money has been provided in the Budget. The Local Government has not yet definitely decided whether it will be used for this purpose but if it is not it can very easily be used for some other purpose under the head of Agriculture which is very badly in need of expansion. Under 45—Civil Works, Rs. 47,000 are provided for the building of accommodation for the Government Training Class at Sanawar. This is really an Imperial work and the whole of the cost is given to us in the shape of an assignment by the Government of India and we are simply the Government of India's agents. In the same way at the instance of the Government of India a maternity block is being added to the Walker Hospital, Simla, and we have agreed to meet one-fourth of the initial and recurring expenditure. The amount provided in the Budget represents our one-fourth share of the non-recurring expenditure. It is hoped that the maternity block will be completed by next year as Her Excellency Lady Chelmsford is anxious to open it herself. The net result of these changes is that our closing balance is better by 3 lakhs than is shown in the amended draft Financial Statement last week. With these few remarks I beg to introduce the Revised Financial Statement for the year 1920-21."

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal** :—" With Your Honour's permission, may I ask if any provision has been made for the industrial progress and development of the Province and also for extension of any railways in the Province ?"

**The Hon'ble Mr. Gibson** :—" As regards industrial progress I expect that my friend the Hon'ble Mr. Townsend will reply to the Hon'ble member's

[ Mr. Townsend ; Mr. Gibson ; Rai Bahadur Bakhshi Sohan Lal ;  
His Honour the President ; Mr. Fazl-i-Hussain. ]

question. The reply with regard to railways is in the negative. We cannot provide any money until any scheme is matured. No matured scheme involving expenditure of funds is at present before the Local Government."

**The Hon'ble Mr. Townsend** :—"As regards what the Hon'ble member says about industries, I would refer him to what I said the other day while introducing the Budget. I pointed out then that a considerable sum of money, well over one lakh more than previous year, is at the disposal of the Director of Industries for such things as he should think fit to initiate during the year. I also gave a rough idea as to what those schemes will be and explained that at the present stage of the development of the Department it is impossible at present to do more than we are doing."

**The Hon'ble Mr. Gibson** :—"I would also refer the Hon'ble member to the announcement in the Financial Memorandum which showed that two lakhs have been provided for acquiring land for the Institute for Training Mechanics at Moghulpura. This is in addition to the items mentioned by the Hon'ble Mr. Townsend."

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal** :—"I understand that certain lines have been surveyed and that surveys have been completed. One is Pathankot to Nurpur and there is another line from Amritsar to Ramdas and still another from Mukerian to Hoshiarpur. I do not know how far I am correct but so far as I am able to ascertain the surveys of these lines have been completed and certain schemes have been submitted to Government and I hope they have received the consideration of the Government—at least on these three lines."

**His Honour the President** :—"As a Budget question I would just point out that money for railways, except in special cases, is provided by the Government of India and would not come into our Budget."

**The Hon'ble Mr. Fazl-i-Hussain** :—"Your Honour, now that the Budget is presented, I should have expected that there will be the usual array of well considered, properly typed criticisms of the Budget, but I find that there are none forthcoming, so I take upon myself to submit a few points concerning the Budget which has been just presented to us.

"It is difficult when just a few hours before the meeting radical changes in the way of more money dropping in come before the Council and the members, for they are not in a position to suggest how the money that has come in as a sort of windfall can be invested in something really useful during the course of the next year. That is the reason why I for one did not submit any resolutions on the Budget for getting more money either for education or sanitation or agriculture or to suggest that some counter attractions to jail life be put into practice. Therefore the remarks that I am going to make will necessarily be vague, but certainly touching upon the principles underlying the Financial Statement that is before the Council. I am sorry that I am not able to move a resolution on account of the fact that this intimation of more money coming in has come very late. It is gratifying that this year we have embarked upon a more or less generous expenditure on really profitable concerns in the Province, that is to say, education and sanitation, and that we have not only spent, or, to be more exact, are likely to spend this year all our income, but we have also drawn upon our balance. That, I say, is gratifying because the Provincial administration of finance should be on generous lines and not in the *bania* spirit which would enable us to hoard up the money which some superior power may look at and feel tempted to take away from us. We should make the best of the money we have and not hoard it up, for hoarding is not the way in which State finance is to be managed,

[ *Mr. Pahl-Hussain.* ]

"After making these more or less vague statements, I proceed to submit a few remarks in connection with the subject which is nearest to the heart of the constituency that I represent, that is the University. During the last three or four years our budget statement always showed Rs. 75,000 that the Government of India have always been very anxious we should invest in improving the teaching and improving the prospects of teachers. I find that we have in the present case also made provision for improving teaching, that is to say, we have made further provision for training classes. That is as it should have been, but so far as the second part of what the Government of India wanted us to do, that is to say, improving the pays of teachers, I do not find much trace of it in the Budget. That to my mind was an injunction from the Government of India with reference to the aid given to us. I have no doubt that the Hon'ble Member in charge of that department is very anxious that the prospects of teachers should improve but that wish is not enough. Something more should be done in order to materialise that wish. I trust he will be in a position during the course of this day to give us an assurance that some scheme with reference to the improvement of the pays and prospects of teachers is in hand and will be put into action as soon as practicable. Here I may remind the Council that a large number of teachers, who are to bring out the best intelligence from the rural districts during the next four or five years in order to staff the Reformed Council to a very large extent, is now in the hands of persons who are paid at the rate of Rs. 13 or Rs. 14 a month—a pay on which I have not the slightest doubt the Hon'ble Member in charge is not able to find a servant of any description, not to speak of a bearer or cook; and in the University, I understand no less than Rs. 18 is the minimum pay, along with allowances and so forth, for a chaprasi not to speak of a daftri. But the pay of village teachers is seldom beyond Rs. 15 and the pay of teachers (Junior Vernaculars) who come into a school in the last grade is not more than Rs. 20. It cannot be expected that men who cannot have enough to live upon are going now really to give the necessary teaching and training to the pupils who are entrusted to them.

"The second point with reference to education is a remark which has by now become trite, that is to say, the delays in Government works. To illustrate this remark, now it is, Your Honour, very nearly three years—I was barely one year in this Council when I agitated in the Council for a hostel for the Government College. Forthwith it was promised. It was stated that it shall be provided. Very properly that scheme had to wait till the war was over, but the war has been over now for more than one year. Last year I was told that that was a 'work in progress' and that it will be proceeded with. Your Honour, till yesterday that 'work in progress' had not progressed any further than it had been last year and even now it shows no signs of any progress, not to say that even foundations were not detected by me when passing by that quarter. I am referring to the Rose Cottage that was purchased by the Government at a fairly large amount of money, I believe Rs. 1,00,000 was invested in it. That plot is not being put to any use except for heaping some old brickbats on it and I have not the slightest doubt that the department can make better use of this plot which is quite close to the District Courts as well as the Government College, but nothing is being done nor is it being cleared up to supply a sort of open ground for the students who would like to use it. I trust that the Hon'ble Member in charge of the Education Department or the Public Works Department would be in a position to say whether that scheme has been given up or whether it is to be proceeded with, whether there is any chance of building this hostel which, I understand, was badly needed—and it was recognised by Government that it was badly needed—whether there is any prospect this year or the next of its being built up.

[ *Mr. Fazl-i-Hussain.* ]

"The third point is the question of economy. I do not mean to suggest that economy is not one of the distinctive features of Government Departments but it does appear to me that in the matter of new Government Colleges which are going to be opened at Ludhiana and Multan, economy is not the strongest feature of that scheme. Rs. 70,000 have been budgeted for it, and I understand that that is a provision more by way of recurring expenditure. It is not likely that in either of these institutions the number of students would be above 50 and it is probable that in one place, at all events, it will not be above 30. To make provision for Rs. 35,000 to be spent during the year for teaching a 1st year class of 30 or 40 boys—it seems to me that it is if not sheer waste, something very near it. Some members of this Council have experience of the various schemes of starting new colleges of a fine type. One such college is going to come into being in Rawalpindi. I have no doubt that in that college there will be 30 or 40 boys in the first year class and that it will be run during the course of the year with very nearly one-half of the expenditure that is being provided for each of these colleges. I have heard often that cheap education is not the best class of education. I have myself said that on many suitable occasions. But we, here in the Punjab as well as in India, have to get full 16-annas worth out of every rupee that we invest whether in education or in any other department and no doubt it would be ideal to have a graduate teaching the infant class, but can we afford it? Is it not right that we should make the rupee go as far as possible in disseminating not bad education but as good education as is being provided for in similar institutions in the Province, that is to say, not spending too much money, but bringing in as large a return as money similarly invested in similar institutions. I trust that unless some steps, which cannot be retraced, have already been taken, Government will be pleased to look into this matter and see that more than absolutely necessary money is not spent in starting these institutions. As a matter of fact, I should go so far even as to say that there is no occasion to start these institutions on a scale more generous than that prevailing in the case of the corresponding class at Government College, Lahore. There is no occasion for it. What I insist upon is that we must have the best value for every rupee that we spend on any new scheme, and it seems to me that the men whom we intend to employ, the pay that we intend disbursing in starting these first class institutions, can be utilised by Government to a more effective purpose and in other institutions already in existence.

"Now I will pass on to my next favourite subject and that is sanitation. Last year I was responsible for a resolution asking, I believe, for four lakhs additional for this department; also that certain radical improvements be affected in that department. I am very glad to notice that in the present budget provision has been made for most of the suggestions that I had made last year. I am also very glad to be able to state that the department which was somewhat neglected, receiving stepmotherly treatment from the Director-General of Medicine inasmuch as his first interest was Medicine and only second interest was sanitation, now is given a proper mother to look after it and has developed a great deal. Since Colonel Forster has taken charge of the department—and that is his sole charge—he has really done a great deal to bring the department to a position of responsibility and utility. We notice that he was in charge of this department before, but he was never able to do before what he has been able to do now. I presume because at that time sanitation was one of the two or three children he had to look after and he devoted more time to medicine in the Medical College than he did to sanitation, and that he has now interested himself in thinking over the various ways in which the cause of sanitation can be advanced. I believe the work involves an enterprise of two different kinds. One is an educative propaganda and the other is the

[ *Mr. Fazl-i-Hussain.* ]

supply, the crying demand of the people in that line. What I mean thereby is this. There is great need for, say, tanks for drinking purposes in certain places where it is impossible to have wells for drinking purposes. Now for a munificent Government or a rich person it is not difficult to provide a village with a tank. Perhaps a village has got a tank but that tank is not much good unless that village has been educated to keep that tank in proper order and clean. Therefore the work of sanitation involves two-fold work, the educative work to look after the new improvements that are being placed at the disposal of the people, as well as meeting the demands of that village from the resources of the Province in matters of the kind which are essential for the well-being of the people. I trust that the rural areas whose sanitation is a crying need of the times will receive that generous attention from Colonel Forster that they fully deserve, and that his attention will not be solely occupied by bringing into being expensive schemes of sewage and water supply for the urban areas only. It is a sort of warning which I venture to utter that being himself a resident of an urban area he will not neglect the needs of the rural people which though few, to my mind, are more pressing than the needs of the highly developed citizens.

" Having educated the people and provided them with superior sanitation naturally the next department that calls for some remarks is justice. It is now, I believe, admitted by Government that a man who starts upon litigation seldom sees the fruits of that litigation in his own life-time. That is one of the things to be provided for his heirs. I believe last week, in answer to my question, the Hon'ble Member in charge of that department said that it was not correct that it always took five years in the High Court for an appeal to be decided, but that there are cases in which the appeals have been decided in four years. I stand corrected, Your Honour, but if the Hon'ble Member in charge wanted to imply that four years is a reasonable time in which an appeal need be decided then I demur to it. It seems to me that during the last six years, as a reply of the Hon'ble Member in charge of the department showed, no serious efforts have been made to do away with the arrears. On the other hand, those arrears have gathered considerably and now stand at a figure which strikes horror in a person who is not familiar with the usual delays of law. I trust that the Government will call upon the authorities responsible or upon itself, if necessary, to see that this state of things does not continue any longer. To say that the time of the High Court is taken up by criminal work, to my mind is no justification for neglecting the disposal of civil work that that court is called upon to do. If the Province is litigious, I think it is clearly the duty of Government not to discourage litigation by delaying the disposal of cases. That possibly may have been the policy of Government, I cannot say—I trust it is not—but if this is the only way to discourage litigation, that is to say, preventing its early disposal, I am afraid my experience of the last 15 or 20 years shows that that policy has not succeeded. Is it not likely that a new policy for the disposal of their claims within a year from their institution might succeed better in showing to the people that if they institute a hopeless claim it is rejected very soon, that it is the man himself who has suffered the consequences and not his son or grandson. I trust that some action will be taken in the matter in due course.

When talking of administration of justice, Your Honour, one naturally is reminded of the last year and all that it cost. It is not at all the right thing to do to revive unpleasant memories and I have not the slightest intention of doing so. I notice that the Government have taken a most salutary action in the way of saving one lakh of rupees and spending a few nice words instead. What I mean is the reduction of Police expenditure to the extent of one lakh of rupees, simply by feeling that that expenditure is not needed; and in lieu of a large number of policemen who would have been maintained out of this

[ Mr. Gibson ; Mr. Fazl-i-Hussain ; Mr. Maynard. ]

one lakh of rupees simply making certain statements which were, I have no doubt, intended to assuage the feelings of the people. If by nice words and nice treatment so much expenditure of money can be saved, and I believe it has been saved, I have no doubt that that policy will be able to affect further reduction in such expenditure as is not absolutely necessary. The corresponding deficit in our income by remitting indemnity, is not a deficit in the real sense of the word, inasmuch as the expenditure that indemnity was intended to meet will never be incurred. There again I think the Budget has considerably improved by the remission of indemnity and by the exclusion of extra engagement of Police.

**The Hon'ble Mr. Gibson.**—“ Perhaps the Hon'ble Member does not understand the position. In the original estimate one lakh was provided on the income side for recoveries of the cost of the punitive police and the same sum was provided on the expenditure side. As it has been proposed to discontinue the punitive police from the 1st of April the money on both sides of the account becomes less by an equal amount. It has nothing to do with indemnity. It does not cost Government anything either way.”

**The Hon'ble Mr. Fazl-i-Hussain.**—“ I do not think I had misunderstood the position. I perfectly well realise that certain money was needed. That money is not now needed. Therefore that money is not required to be paid. That is a simple enough affair from the point of view of commonsense. But if there is any financial subtlety in it naturally I stand corrected.”

“ Proceeding further, Your Honour, I have just one word to say about excise—the subject about which a resolution was moved only the other day. Last year when discussing the question of excise, I was more or less reprimanded by the Hon'ble Member in charge of that department for not having known my case. I had just insinuated that growing excise revenue is a danger; that that means more drink. I was told nothing of the kind, this Government reduces the quantity of liquor somewhat but at the same time has the gift of increasing the revenue under this head. And I was told that this is the best policy of excise that any Government can follow. What I had stated last year, according to the Hon'ble Member in charge I am now justified in stating this year. That is to say, my fears of the last year have been realised. I do not say that the temptation to get more money has been responsible for the increase in consumption of liquor. I do not say that the department is responsible directly for encouraging people to drink, but I do say that when the department raises its income from this source from the vendors of liquor, the holders of licenses, that there is a very great and strong temptation—a very natural temptation—for those people to make some money on the licenses that they have taken and that in consequence we are face to face with the most startling position that the consumption of liquor and I understand the consumption of liquor and of drugs as a whole is on the increase.....”

**The Hon'ble Mr. Maynard.**—“ There is no rise in the consumption of drugs. On the contrary there is a diminution.”

**The Hon'ble Mr. Fazl-i-Hussain.**—“ I stand corrected. But so far as liquor is concerned we are face to face with the proposition how we are going to fight the increasing consumption of liquor. We are told that this rise is due to the increase in prosperity. Is it intended to be conveyed, Your Honour, that the only way to fight this increase is by reduction of prosperity or would it be by some increase in the power of control? I would say that the first alternative would not be the one that suggests itself to the Hon'ble Member in charge of this department. I trust he will devise some means of strengthening the power of control rather than of reducing the power to spend. I understand he did make an effort to introduce the system of counter attractions, but

[ *Mr. Gibson ; Mr. Fazl-i-Hussain.* ]

apparently the people are under the impression that by placing counter attractions near the liquor shops you might be directing attention to liquor shops rather than diverting attention from the liquor shops. However, I am not in a position to make any suggestion myself but this is a matter which I entirely leave to the Hon'ble Member in charge of the department. If he thinks the solution suggested by America after a great deal of experience may be of advantage perhaps he will adopt it.

"With reference to the Department of Forests, there is a considerable increase on both sides, that is to say, of expenditure as well as of income. As to the expenditure the Hon'ble Member in charge of the department used to say that the Forest Department is the goose that lays the golden egg. I had pointed out that it is possible to overfeed that goose and in consequence suffer instead of gaining. I find that the increase in income barely corresponds with the increase in expenditure. But I was told that it is only in the beginning that a new department has to be fed liberally so that in future the return may be out of all proportion to the expenditure for that year. That stage, Your Honour, has not yet arrived and my doubts are simply based on more or less vague sort of information that it is not easy to run Government departments cheaply or inexpensively and perhaps from the business point of view Government investments do not bring as good a return as business concerns do. But with reference to this I have no more remarks to offer.

"I am very glad indeed that the Department of Agriculture is continuing to receive greater attention from the Government. That is as it should be. The Punjab, essentially an agricultural Province, should have its Agricultural Department specially strong.

"The last department about which I venture to make a few remarks is the Jail Department. The Annual Report of that Department does not make any remarks other than those which were made in the preceding reports, that is to say the great and considerable experience gained during the war as to the way in which the inmates of jail can be utilised as mechanics and artisans, with a little training. And the other point in connection with Jails was that their inmates were not always men of a depraved class, men with depraved moral instincts, but quite a fair proportion of them were....."

**The Hon'ble Mr. Gibson.**—"May I rise to a point of order, Sir. What financial principle is involved in what the Hon'ble Member says?"

**The Hon'ble Mr. Fazl-i-Hussain.**—"The point as to financial principle is how to reduce the expenditure on jails and increase the income accruing from those departments and I always understood that it is only in this connection that one can make a suggestion as to jails. So, I believe the remarks I am going to offer are certainly within the rules laid down.

"I was going to state, Your Honour, that so far as jails are concerned, they are inhabited by a large number of people who are not really morally so depraved that they should be in jails, but on the other hand they are there more or less by accident. Is it right that they should be put together along with those persons who are really criminals of the usual type? If, as I suggest, some counter attractions are provided in the shape of robust games and reviving of provincial contests and matches, those people who really fight for the sake of fighting and commit riots just for the sake of committing riots, and so forth should not be so numerous and possibly would not crowd up our jails, and thus these men may be better fitted to occupy their place as good citizens. For instance from Jhelum they do come into jails in large numbers but really they are not the type of men who should be in jails. I believe it is in the absence of amusements and counter attractions that they break

[ *Rai Bahadur Pandit Jowahir Lal.* ]

each other's heads and thus come into jails and possibly come out worse than they had come into them. That is a point that I trust would invite the attention of the Government and some sort of commission might in course of time go into this matter and see whether something cannot be done for these people who are not intended for jails at all. This is all that I have to say about this year's Budget."

The Hon'ble Rai Bahadur Pandit Jowahir Lal, Bhargawa.—"Your Honour, I congratulate the Hon'ble Finance Member for the lucid and interesting manner in which he has prepared the Amended Draft Financial Statement and the Revised Financial Statement for the year 1920-21, in spite of the disadvantage of which he complained in his opening speech. As regards the general nature of the Budget it can safely be said that it is satisfactory so far as it goes. To start with we have got more money in our hands than we anticipated. It was anticipated that there would be a deficiency of 11 lakhs but the result of the working of the year has been not only that that deficiency has been made up but that a surplus of over 28 lakhs is in our hands now, though it includes amounts which ought to have been spent and have not been spent during the year.

"On the income side I want to make a few remarks as regards Excise. Of course, the ideal policy of this department has been to secure maximum of income from minimum of consumption. The department has, no doubt, been trying to reduce the consumption by raising the still head duty, by trying to close certain shops and by introducing the sealed bottle system, but the results show that the object aimed at has not been secured. Last year it was pointed out that the consumption was decreasing but this year it is admitted that there has been much income from still head duty with the result that the consumption has increased. The reasons that are given for its increase are the prosperity of the agricultural classes and commercial classes. Whether as a matter of fact that prosperity exists or not, do not wish to join issue with the Hon'ble Member in charge of the department but the question is whether this prosperity has anything to do mainly or largely or to any extent with the increase in the consumption of liquor. Inquiries will prove that the increase is not only in the classes which are called prosperous but the evil habit of drinking is increasing in those classes also which cannot be called prosperous. Anyhow it cannot be denied that the evil is increasing and the result is, the deterioration of the character of the people which is the real capital of the nation. Certain drastic measures which may considerably reduce the consumption are therefore necessary to be adopted. Last year I suggested that public opinion may be invited as to the advisability of some legislative enactment in order to reduce the consumption as far as possible. I would repeat the same suggestion again. Personally I am for total prohibition but if that cannot be considered practicable, at least some effective measures are necessary in order to check the growth of this evil. As regards the amounts that have been budgeted for Education and Agriculture, I would say that they are liberal but doubts have been raised in certain quarters whether any provision has been made for the expansion of compulsory primary education or not (under the head of Education). It appears that municipalities and district boards will take action under the Punjab Compulsory Education Act and money will be required for contributing to those municipalities and other local bodies. In order to remove this doubt that has arisen, I hope the Hon'ble Member in charge of the department will explain whether the amounts that have been budgeted for include expenses that may be expected for primary compulsory education or not.

[ Mr. Wright. ]

"As regards the provisions that have been made for Education, Agriculture and Sanitation I may also express a hope that the amounts that have been budgeted for will be spent and not be allowed to remain unspent as has been the case in past years. Of course, the answer may be that the money is not to be thrown away as this answer was given last year. I am not in favour of throwing away any money but I would request that strenuous efforts be made to utilise the money that has been budgeted as usefully as it possibly can be."

**The Hon'ble Mr. Wright.**—"Your Honour, the Education Department has the advantage of the fullest sympathy of this Council and it is satisfactory to note that a generous attitude is always shown by the members towards it. At least this is my experience and I have found increased expression in the way the Finance Committee of this Council were anxious to meet our demands especially during this year of financial stringency, and funds for many important schemes we have in hand have been forthcoming even at a period like this."

"I am grateful to the Hon'ble Khan Bahadur Mian Fazl-i-Hussain for his reference to the improvement of the pay of teachers. This is a matter which has received constant care and attention for it is recognised as undoubtedly going to the foundations of any well-conceived system of education. With regard to the training of teachers the Hon'ble Member does not say that we have not gone very far in this direction, but I may perhaps be allowed to point out that we have already made considerable improvements in the staff of the Central Training College, Lahore. We are also making improvements in the building and equipment. We have established a new Training College at Faisalpur, which is in connection with the Agricultural College there, and this College will undertake a very great and important work in future in the spread of agricultural education throughout the Province. We have also started other Senior Vernacular Classes to meet the very great demand which now exists owing to the altered conditions brought about by schemes for the expansion of vernacular education and the passing of the Compulsory Primary Education Act. We have now 12 Normal Schools for men where there were only six such schools six years ago. We have six Normal schools for women and one has been opened very recently. We are steadily and vigorously pushing on this essential part of our work. Our desire is also to push on the question of the improvement in the pay of teachers and something was done in this direction last year. Immediate and very welcome relief has recently been given to all grades drawing up to Rs. 75 per mensem, in common with other departments. The scheme for the revision of the inspecting staff, now just sanctioned, will help us to some extent and the scheme for improvement in the Subordinate Educational Service and the Provincial Educational Service will, I trust, be matured very shortly. Every one will admit Sir, that the desire of the Government is to do what is right and adequate in the matter. The pay of village teachers was increased to Rs. 15 a month a few years ago and during the last two or three years, mostly in the last two years, it has in some districts been further improved under reforms made by this department—and in some districts the pay of these teachers is now fairly satisfactory. When we consider the great number of applications for admission to our training institutions—secondary and primary—it seems certainly to show that members of the educated public have the fullest confidence in the department and that some thousands of our young men regard the Education Department as a fit sphere in which to devote their lives. I own, Sir, that the department has its own attraction for many high-minded persons, but I consider that its increasing popularity shows that there is confidence in what is being done both as regards the work itself and also in the matter of the pay and training of teachers."

"No one is keener than the officers of the department concerned to see the hostel for the Government College, Lahore, materialise into a well-equipped

[ Mr. Wright ; His Honour the President ; Mr. Fazl-i-Hussain. ]

institution and I should like to inform the Hon'ble Member that it is a big scheme but that it is now to be begun at once. The Public Works Department tell me that they are commencing immediately. The delay is greatly to be regretted but I fear, owing to the circumstances, it was unavoidable. The Hon'ble Member referred to the need for economy in the Government Colleges about to be started at Ludhiana and Multan. I understand the Hon'ble Member does not accuse the department of neglecting this very important financial aspect—the economy of its funds. In these colleges at Multan and Ludhiana we wish to continue that careful administration of Government money as we have done in the past. The estimate of the number of students given by the Hon'ble Member and those I have received vary slightly. At Multan 45 students in the 1st year and at Ludhiana 60 students—and probably double in the 2nd year—are expected according to our estimates. It is true that during the 1st year we shall be compelled to run the colleges on apparently extravagant lines because we shall have only one class for one year, as it is not contemplated to open the second year class at the same time. This will last only for a year. A comparison has been made by the Hon'ble Member with certain other colleges. I would suggest that some of these latter colleges are in themselves in the nature of missionary colleges, at all events to a certain extent, and Government Colleges cannot compete with these institutions on those lines or on similar lines. I have had the advantage of a fairly long conversation with the Hon'ble Member which I might say has been fruitful. I may assure him that economy in this matter will not be lost sight of.

"With reference to the enquiry made by the Hon'ble Rai Bahadur Pandit Jowahir Lal I desire to say that there was no need to make special provision of funds at present for carrying out schemes under the Primary Education Act passed last year, as any sums required can be met out of the lump provision for grants to local bodies for vernacular education.

"So far only one municipality has applied for sanction to putting into effect Part II of the Primary Education Act, viz., Multan. Government has agreed to find 50 per cent. of the additional expenditure which they may incur during the three years 1919-20-1921-22.

"The position will then be reviewed again in the light of the conditions expected to arise."

His Honour the President.—"The discussion on the Draft Financial Statement having now closed we proceed with the Resolutions."

#### RESOLUTION re RESIDENTIAL QUALIFICATION IN A CONSTITUENCY.

The Hon'ble Mr. Fazl-i-Hussain.—"The first resolution that stands in my name—

that this Council recommends to His Honour the Lieutenant-Governor that in the Rules of Election to the Reformed Legislative Council of the Punjab, the right of a voter in a constituency to stand for election to represent that constituency be not fettered by the imposition of a residential qualification in that constituency

deals with the question of election to the Reformed Legislative Councils, a subject of very great importance in the interests of the future administration of this Province. I may mention that the matter of framing rules and regulations under the Reforms Act has been entrusted by the Government to an officer of great experience advised by all the non-official Members of this Council. Some people have taken objection as to the competency of this body to advise. It is not for me to meet those objections, but now that the

[ *Mr. Faal-i-Hussein.* ]

Government has given opportunity to all persons or institutions to present their model rules and regulations for the consideration of the Government, I trust the response to this request of this permission will be so great that in future Government will feel that from the public great help indeed can be derived. If, on the other hand, the response is not considerable, the suggestions not worth much, the claim of the critics will not have been substantiated.

"What we all want is that on the Reformed Councils we should have what are called the best men. I believe the Government and the people are at one on this point, but, as usual, difficulties come in when one has to discover these best men or to define what they consist of or what they are made of. Some people have an idea that on these Reformed Councils the best men who ought to come in are men who stand out in the Province as what one might call the aristocracy of intellect, highly educated people, graduates, men of position, of experience, of status in public life. Now if I have understood the Reforms right, I believe that that is altogether a mistaken notion. The Reforms do not contemplate the creation of aristocracy of intellect to rule over the rest of the Province. Therefore, to my mind, claims based on eminence, intellectual or otherwise, of the individual to come into the Council and say: 'I am the best fitted man in brain power, I know how to administer and on that account you should so frame your rules that I have the opportunity of coming in and ruling my country.' The best men, to my mind, really under the Reforms Scheme mean men who are the best fitted to represent the various interests which the Reforms Scheme has felt necessary should be represented on the Council, keeping in view the principle that the responsibility of the people returned to the Council is to the people who have actually returned. In other words what is sought for is that the people should govern themselves through the people chosen by them and chosen from amongst themselves. It is all very well to say that after all we are in one Province and therefore any member who lives in any part of the Province is the best person whom the electorates have chosen to represent the Province as a whole. But I believe the advanced thought of the present day whether in England or in America is not in keeping with this claim. What I want is that no further occasion should arise when people as a whole assume the position that we have substituted another aristocracy or bureaucracy in the place of one which we have tried to displace. We should have, as a matter of fact, the people themselves to come directly into Councils through their representatives to govern themselves. On this principle I have no fault to find with the rules that are being framed. Having conceded this much willingly as I believe in that principle, I proceed now further to state that within the circle of certain definite, well-defined interest the widest possible choice should be given to those interests to select their best representatives. We should not so circumscribe the field of choice within those interests to prejudice the selection of best suited men to represent those interests and it is keeping in view this principle, Your Honour, that I have framed the resolution which stands in my name and which reads as follows:—

"That this Council recommends to His Honour the Lieutenant-Governor that in the Rules of Election to the Reformed Legislative Council of the Punjab, the right of a voter in a constituency be not fettered by the imposition of a residential qualification in that constituency.

"Now I will make my meaning clear by stating first that under the Reform Scheme there are certain well-defined interests—those are urban and rural. It is no use now entering upon the discussion whether this distinction is real or false, whether it is the one which should subsist or should not subsist. I for one am absolutely prepared to accept that the real distinction does exist and not go beyond it.

[ Mr. Fazl-i-Hussain, ]

" Now when it comes to making rules to enable each one of those definite interests to be represented what have we to see is that the person who offers himself for election does represent those interests. It is said that if that person has a voting qualification in that constituency that by itself is not enough to show that that person is really and substantially a person who has the same interest at heart as others who are a bit differently situated. To make my meaning quite clear, in an urban constituency a man paying Rs. 25 per mensem as land revenue is a voter. Now anyone who may have real landed interests may be a voter. The point is should everyone who possesses land to that extent, be eligible for election or not. It is not enough. There may be a man who is thoroughly urban in his interests, in his ideas, in his qualifications and yet he pays twenty-five times twenty-five land revenue. What is needed is that he should have a house also in which he can live. That will show the *bond fides* of his claim in rural area. Well that shows that he is really keen upon that aspect of the life of a citizen. Well and good, conceded. What I complain of is this. Once a man has satisfied the two conditions—possession of land and possession of a house in a rural area—has met those conditions, why should you go further and say: you are no doubt according to our definition rural in your life, in your habits, in your aspirations, in your nature and in your interests, but you can only represent the constituency in which your house is actually situated. Now, why should that be I fail to see. Why should we further limit and say: you cannot represent the adjoining constituency which has the same interest as the constituency in which your house is situated. I fail to see that the interests of each rural constituency in the Punjab are so distinct that something is to be gained for that particular locality by laying down the law in this way. I maintain, Your Honour, that this is really going too far and limiting the supply—the source from which rural interests can be effectively represented. Of course this argument does not imply that if my resolution is not accepted or if vote is not given to the principle underlying it the Council that will be returned will not be a representative Council. By no means. That is not my claim. What I claim is that by narrowing down the field of choice among the eligible rural electors the chances of returning as good a Council as otherwise would be returned are being minimised. To illustrate, it is quite possible that in one district, say, Gujranwala, there may be two or three *bond fide* rural representatives who are good and in the adjoining district of Gujrat by some trick or fortune men of the same calibre and capacity are not forthcoming. Now, why should the Gujrat people—the rural people—be deprived of the right of selecting their representative from the Gujranwala District, provided he satisfies all the conditions of a rural elector. It is for that reason that I have ventured to bring forward this matter, and while doing so I think no harm will be done if I give expression to the doubts and fears of the people on this subject. Some go to the extent of suggesting that there is a great favour shown to the rural representatives and that the authorities really do not want capable and efficient men to come into the Councils at all, and that they want men of the rural classes who are not up to much and who simply repeat what the officials may wish them to do. That is the criticism which is urged against the scheme. You may take it for what it is worth. It is also urged that by further limiting the field of choice within the district some mischief is being done. I believe it is very unfortunate indeed that any friction should exist either between rural and urban interests or even between different rural persons who have no doubt the best interests of the community they wish to serve at heart. It is in the interests of the reformed Council that even misunderstandings be removed. I have no doubt that by framing the rules in the way that appeals to the Government to be in the best interests of the people something will be done which does not give countenance to these fears of

[ *Makhdum Sayad Rajan Shah ; Rai Bahadur Bakhshi Sohan Lal.* ]

some section of the people. No doubt at present the Hon'ble Member who is trying his best to evolve some sort of regulations and rules out of the chaos of suggestions has a very difficult task to perform and indeed he has my best sympathy in his efforts to frame these rules. But I trust that the position of those people who are pressing for a wider field of selection will not be misunderstood. It is not that they want the rural distinction between the different defined interests to become non-existent; that they press for a wider field of choice. But it is in order to meet the objections which are being levelled against them by more advanced critics that they think it is necessary that by widening the field of choice the force of these criticisms will considerably be reduced and it is in that spirit that I have thought it necessary to discuss this subject in open Council, so that there may be no misunderstanding either in the minds of the Members of the Council or in the minds of the public. We want the best men who can represent the various interests to come forward. We trust that even if urban representation is poor, or meagre or inadequate, that the strength of their intellect will make up for the deficiency in number and that their co-operation with their less advanced rural representatives will be of very great use to the Council as a whole. It is not always the number that tells. I suppose it is the brain power of even a few that tells considerably in favour of the position they take up. I trust that it is in that spirit that the rules will be framed. Just for the sake of opening the discussion, I have thought it necessary to say all these things. I trust Members will contribute to it."

The Hon'ble Makhdum Sayad Rajan Shah spoke in Urdu, a translation of which is as follows:—

"Your Honour, I beg leave to say the following few words in support of the Resolution:—

"Just as in litigation the parties of a case have a right to select a legal practitioner for the conduct of their cases at their sweet free will, in a similar manner the voters should have a franchise to elect for their representation a man residing anywhere without any restriction. Besides the status of an elected member is like a pleader who is elected in the Council to plead the cause of his voters in political affairs. To compel the voters legally to elect a candidate from a definite area against their wishes, is absolutely fettering their freedom unduly. In districts other than Lahore the people bring best legal men (pleaders) from Lahore for the conduct of their cases abroad. But if it should be enacted that in case of a particular tahsil or district only that Pleader or Mukhtar can conduct a case who resides in that particular tahsil or district, and no one can appoint an outsider pleader, surely such an Act will be considered as unjust and interfering with freedom.

"It is not understood that in face of the above two examples why the poor voters should be fettered against the use of their discretion in elections.

"Those who are sure that they would not be able to be elected as members without giving the franchise of vote to the extent of specific areas, they only will support such an improper restriction.

"On the contrary every just person would be compelled to thoroughly give the right of vote to the voters and on this principle I strongly support the resolution.

The Hon'ble Bakhshi Sohan Lal:— "Your Honour, I associate myself with my Hon'ble friends in feeling that the choice of voters in sending representatives to the Council should not be restricted by residential qualifications. No doubt if restrictions are placed the voters will have to elect from

[ *Rai Bahadur Pandit Jowahir Lal Bhargava.* ]

amongst the residents of the constituency to which they belong, whether there is or whether there is not a person in whom they have got full confidence, and whether the constituency consists of a single tahsil or of a single set of villages or of a single district. But supposing there is the possibility of there existing a constituency in which there is no one according to the views of the voters in whom they have got full confidence but there is another adjoining constituency where there is a person in whom they have got such confidence there is no reason why the voters should be compelled to return one in whom they have less confidence. Why should the Government not extend the field of choice to such an extent as to enable them to exercise their discretion to elect the best men in their Province. With this proviso that the representative of the urban area must have urban qualifications and the representative of the rural area must have rural qualifications I support the resolution."

The Council re-assembled after lunch at 2.45 p.m.

The Hon'ble Rai Bahadur Pandit Jowahir Lal Bhargava :—" Your Honour, I support the Resolution as it stands in its original form. I maintain that the imposition of a residential qualification in a particular constituency for a voter to stand as a candidate for election to represent that constituency in the new Council to be formed under the Reforms Scheme is not at all desirable. No doubt Lord Southborough's Committee has recommended the imposition of that qualification for three provinces, one of which is the Punjab, but that view is based, as was read out to this Council by the Hon'ble Diwan Bahadur Daulat Rai from a passage relevant to the question under discussion from the Report, upon the evidence of certain individuals and associations representing rural interests. There is the testimony of competent witnesses in that Report to the effect that insistence on such a regulation might be depriving the new Councils of the services of men of experience and impairing the success of the reforms now being inaugurated. This Council might have noted from that paragraph that the opinion of the members was not unanimous and they agreed on the principle to which I have just referred. The Joint Parliamentary Committee also has not considered it obligatory to impose that condition and the Hon'ble the Secretary of State also while answering to an amendment that was moved in the House of Commons about that question remarked that this question will be again considered when rules and regulations that are to be framed will be laid before the Parliament. So it is apparent that this question is still open for discussion. The chief argument which is urged in favour of retaining the residential qualification is antagonism of rural and urban interests. I for one am not prepared to admit that there is any real antagonism. Members of this Council coming from urban areas as well as members of the previous Council have always been insisting upon measures that go to improve the material state of the villages. They have been advocating the expansion of education in the villages, the improvement of sanitation in villages, extension of the means of communication and medical relief to villagers. This state of affairs will continue in future also. Much is being made of this supposed antagonism in certain quarters and I am afraid that if pushed too far will not lead to any wholesome results. However, even assuming that there is an antagonism to a certain extent in certain matters, the question is whether that should be the ground for imposing the condition or not. What is to be guaranteed to the rural population is their adequate representation in the electorate and provision for constituencies for rural areas. That has already been done and once this is done no further restriction on the right of a voter is necessary. The voters should be allowed to choose their representative either from persons who are residents in that constituency or from anywhere else as they like. Of course the candidate must be a voter, must possess the qualifications which are necessary for a voter, but to restrict his right by residential qualification is

[ *Rao Bahadur Chaudhri Lal Chand.* ]

not justifiable. The franchise will be very broad and no man from outside can have any influence on the voters unless he has got qualifications which can command their confidence and if a person can command their confidence there is no reason why the right of the voters should be fettered by any arbitrary regulation or rule. Just as (as was pointed out by the Hon'ble Makhdam Rajan Shah), in the case of a litigant it is not just or proper to force him to choose his counsel from any particular class and he is left to choose his counsel as one who can best represent his interests, similarly in the case of representatives of the Council the voters should be left to themselves to choose their representative as one whom they consider that he would best represent them in the Council. With this residential qualification a question arises about its meaning. This question has been before the Advisory Committee more than once and has been fully considered and discussed. It was suggested in the beginning that the mere possession of a house for 12 months before the election was quite sufficient. Then it was suggested that the limitation should be four years. Then another suggestion was made that the house should be an ancestral one. And yet another suggestion was made that the house should be in a village in which the candidate has got ancestral property. All these matters were before the Advisory Committee and it was very difficult to come to a definite conclusion. It was also suggested that if occupancy tenants or non-occupancy are granted the right to vote it cannot be said that they own a house. So all these difficult questions are to arise if this condition is considered necessary and in order to remove that difficulty also this condition may be dispensed with. If the voters are left to themselves they will elect their best representative and any interference with their freedom of choosing their representatives will be unjustifiable. With these remarks I support the resolution."

**The Hon'ble Rao Bahadur Chaudhri Lal Chand :—**

"Your Honour,—The Hon'ble Mover has very ably laid the case before this Council. The question has been freely discussed more than once in the Advisory Committee meetings but as members were not unanimous there I think the Hon'ble Mover has done well in bringing this resolution well before this Council. The residential qualification is intended only for rural areas and I am glad the Hon'ble Mover has made it clear. If he had said that a member from an urban constituency should be allowed to stand in a rural constituency I would, then, have been the first to oppose him, but as that is not his intention I support the motion, on the clear understanding that while in rural constituencies residential qualification will be insisted upon, a rural constituency will be allowed to draw upon another rural constituency for a candidate.

"The Hon'ble members will remember that I have always advocated the cause of the rural classes in this Council and it is in that same spirit that I am advocating the widening of the circle of choice of rural voters beyond their own particular constituency. The reason why I do so is chiefly the wish that rural areas may be able to send men in council who while being rural may also be competent enough to meet the objections and attacks of their opponents by reasoning out their cases. Rural constituencies as at present constituted are smaller in area as compared with the urban constituencies and if a constituency were kept as a unit for selection of the candidates cases of real hardship will arise and the result will be that we will not be able to send really able men to this Council. The dignity of the Council will suffer and we will be ridiculed by our brethren coming from towns. I am sorry I have to make this admission so frankly, but all this is in the interests of the rural classes themselves and I hope Government will accept the recommendation in the same light. Let the qualifications for rural candidates be made as strict as possible in order to exclude urban element, but when once a candidate fulfils these qualifications in one constituency, he should be allowed to be returned by any constituency of a similar nature in the Province. We only

[ *Rao Bahadur Chaudhri Lal Chand ; Sayad Mehdi Shah ; His Honour the President ; Nawab Sir Bahram Khan ; Sardar Bahadur Gajjan Singh ; Captain Gopal Singh.* ]

want a guarantee that really rural men should be returned by rural voters and beyond that it is not safe to go. Time may come when we may lay down restrictions without any such fear as I have anticipated but at present we require a wider circle of candidates than a mere constituency. Last year when I moved a resolution for the rural population being given representation in proportion to their numbers and taxation, the chief criticism levelled against us at that time was our inability to produce really able men for the Council. We never thought that our circle of choice would be so limited and we assured the Council that we will not fail in that respect. If the present resolution as explained by the Hon'ble Mover is not accepted I am afraid we will not be able to fulfil our assurances and most of the remarks of our adversaries will become true.

"I therefore support the resolution and make it clear again that I do not at all intend that a rural candidate should be allowed to stand in an urban constituency and an urban candidate in a rural constituency. I only give a wider circle of choice in a similar constituency as seems to be the intention of the Hon'ble Mover."

The Hon'ble Sayad Mehdi Shah :—"Your Honour, I beg permission to speak in Urdu."

His Honour the President :—"Very good."

The Hon'ble Sayad Mehdi Shah (Urdu) :—"It has been said, Your Honour, that if this residential qualification is imposed then a capable man will not be available in a constituency but it has not been noted that there is no constituency with less than 5,000 men. If such a big number of men cannot produce one single man out of them then in my opinion the *zamindars* will not have the opportunity to represent themselves. Therefore, if it be allowed that a man from any constituency can stand in another constituency, then the *zamindars* will not be able to stand for election. I would insist that a man standing for election should be having residential qualification and I oppose the resolution."

The Hon'ble Nawab Sir Bahram Khan spoke in Urdu, opposing the resolution.

The Hon'ble Sardar Bahadur Gajjan Singh :—"Your Honour, I have given the matter my best consideration and I think a medial course will be quite reasonable. On the one side I am strongly in favour of some sort of residential qualification and I am afraid that if this condition is not imposed the right so valuable and so kindly given by the British Government will not be fully realized by the rural people. On the other hand there are some apprehensions—and I think they are well-founded—that it shall not be limited to each constituency. Therefore I would suggest that residence in the district or, at any rate, residence in the division should be considered quite sufficient. We need not go further. In the matter of practical politics I should think it is hardly conceivable that a resident of Rawalpindi Division or Multan Division will ever dream of standing in Jullundur or Ambala Division. Very likely a man of Ambala Division will like to stand in more than one district and therefore I think the object of both traits of opinion will be best met in this way that the choice should be extended to the district or to the Division. With this qualification I am for the resolution."

The Hon'ble Captain Gopal Singh :—"Your Honour, the matter has been fully discussed and a good deal has been said by the Hon'ble members. I follow my friend the Hon'ble Sardar Gajjan Singh in what he says that the choice should be extended to the District or the Division."

[ *Khan Bahadur Malik Muhammad Amin ; Khan Sahib Mirza Ikram Ullah ;  
Rajzada Bhagat Ram ; Mr. Hallifax.* ]

**The Hon'ble Khan Bahadur Malik Muhammad Amin** :—" I also support the resolution, Your Honour. It will be certainly unjust to the electorates to restrict their choice of election to a very narrow area."

**The Hon'ble Khan Sahib Mirza Ikram Ullah** :—" I also support the resolution, Your Honour."

**The Hon'ble Rajzada Bhagat Ram** :—" I also associate myself with the Hon'ble Mover of the resolution and support it."

**The Hon'ble Mr. Hallifax** :—" Your Honour, I have to thank the non-official Members of this Council who have been appointed by you as an Advisory Committee to assist in discussing matters connected with the Reforms Scheme for the help which they have given me in the lengthy discussions which we have had over the question of a residential qualification. The division of opinion of the Advisory Committee as well as the importance of the question justifies its discussion in Council.

" There are two heads under which it should be considered. The first is whether it is necessary at all to have a residential qualification, and the second, in case the necessity is held to be proved, relates to the method in which it should be applied. It seems to me that the Hon'ble Member who moved this resolution did not keep these two heads sufficiently distinct. At any rate, in connection with the necessity for applying a residential qualification he was a very half-hearted opponent of that qualification and practically accepted it. Other Hon'ble Members who have spoken in support of the resolution went further, but he and the Hon'ble Rao Bahadur Chaudhri Lal Chand agreed that for rural constituencies we should allow the candidature only of electors who have rural qualifications evidenced by the ownership of a residential house in a rural area. The difference between him and the position taken up in the draft rule which has been prepared to define the residential qualification is merely one of area.

" Other supporters of the Resolution went further than the Hon'ble Mover. They desired that there should be no residential qualification at all. No one will dispute the argument that every constituency should have the fittest possible member, and we have had put before us an analogy between the selection of lawyers to conduct cases and the selection of members to represent constituencies. That analogy, I think, I need hardly criticise, for it takes no account of the consideration that members can be forced on constituencies by political organizations and up to date electioneering. If there were no residential qualification such inexperienced and unorganised bodies as the rural voters would be at the mercy of political organisations who have already been making their plans to capture rural seats. In this connection I may read you an extract from a report in the 'Tribune' newspaper of the 29th of February from a lecture delivered at Amritsar by Professor Ruchi Ram, Sahni. The speaker said: 'It was the more advanced persons of towns who should be drafted into the Councils at least for some years to come, that is to say, till village education had made some progress.'

" Gentlemen of his opinion think that only townsmen are fit to take any part in politics. The answer to this is that the rural constituencies have already sent us members who are fit to take their place here and as time goes on the number of qualified candidates will increase in rural constituencies. There is no question, as the Hon'ble Mover said, of any friction between the politics of urban constituencies and of rural constituencies. The point is that a member should not only have ability but that he should have also community of interest with the people he represents. A reference has been made to various opinions expressed by Lord Southborough's Committee and others. In this

[ *Mr. Hallifax.* ]

connection I would like to read out to you a portion of paragraph 84 of the Report on the Indian Constitutional Reforms by His Excellency the Viceroy and the Right Hon'ble the Secretary of State. In that paragraph they discuss the history of elections up to date and go on as follows:—

"The conclusion to be drawn from these figures is that in the only constituencies in which members of the general population are represented the chances are at least two to one that a lawyer will be returned. Now the predominance of the lawyer in politics is a feature of parliamentary institutions elsewhere: and it is obvious that the art of parliamentary Government which is so largely concerned with the making of laws and so largely conducted through the medium of persuasive speech must in any case offer the lawyer a definite advantage. In India these conditions may be accentuated by the fact that the choice of occupations open to the educated classes has hitherto been narrowly limited. The class that is both leisured and educated is a small one. At the same time so great a political predominance of men of one calling is clearly not in the interests of the general community, and it is therefore out of no antagonism to the members of an honourable profession or failure to appreciate their value in the councils that we suggest that in framing our new constituencies an important object to be borne in mind is to ensure that men of other classes and occupations find a sufficient number of seats in council. It may be that this can be attained by prescribing certain definite qualifications for rural seats."

"Rural opinion is not yet sufficiently organised to make itself heard, but I think that when it is organised, when it does make itself heard, it, while acknowledging the services rendered in the past by townsmen to rural interests, will heartily endorse the conclusion that those interests can best be represented by men of its own class. I do not believe that the qualities necessary for a member can be found only in the million and a half townsmen of our urban constituencies. I believe that they can be found also in the eighteen millions who will be comprised in the rural electoral areas. It is not necessary for me to point out to this Council that among our rural notables there are many distinguished and capable men, and that their number is increasing. The great argument against the residential qualification is that there are not enough of this capable class of men to provide us with the number of members we require. Now the number of rural constituencies will be 48 only and I think that we can confidently look to the rural community to supply us with that number of capable members, especially as with the increasing use of Urdu in this Council a knowledge of English will not be essential for membership. We want then not only ability, but local knowledge and practical rural experience. Townsmen even of rural extraction lack these, and I think that rural voters would accept them no more as exponents of the wants of rural localities than I an Englishman who has spent his life in India would be accepted in England as an exponent of English politics."

"The Hon'ble Diwan Bahadur Daulat Bai has read an extract from the Report of Lord Southborough's Committee. You will see from it that the Committee was opposed in principle to the imposition of the residential qualification yet the practical arguments in favour of imposing it were so great that the Committee recommended it. I am sure there cannot be a stronger argument in favour of the residential qualification than that. A similar argument influenced the Government of India, though one of the arguments they use is rather curious. They say 'We have decided to accept the Committee's proposal because we doubt the effectiveness of insistence on the residential qualification.' But I think we have got a definition that will be effective at any rate for such a period of time as will give rural electors an opportunity of taking their proper part in politics. The parliamentary debates have been

[Mr. Hallifax.]

referred to but a copy of them has not yet reached me. I think that it will be sufficient to point to the remarks made by the Parliamentary Joint Committee and to argue that they were influenced by the same consideration as those which determined the recommendations of Lord Southborough's Committee and the Government of India.

"The exact effect of the reforms can be revealed only by the future. But I congratulate the Punjab on having one safeguard against taking a wrong road, and that is local knowledge among those who will deal with its affairs in Council. This will secure for the Province real local self-government. The residential qualification is not aimed at politicians or lawyers or at any party. Government has no party; it has no concern with any party or with the organisation of any party. Its policy is 'live with the essential proviso 'let live.' It is to let rural members live, if the rural electorates awake to a sense of the importance of having rural people to represent them, that the residential qualification is considered necessary at least for the first few Councils. Let the rural electors return members of any political complexion. But let them be men with practical local experience, for we should certainly encourage such men to take their part in the new political life of this country and not let rural electors be content to throw upon others the whole burden of their duties and responsibility.

"Now come to the question of the method in which this residential qualification should be applied. There is no existing definition of 'residence' which can be adopted for our purpose, and the definition we make seems to be perfectly clear, not unduly restrictive, and incapable of evasion at least for some time. Actual residence is not appropriate as a definition. The questions whether a person has actually resided in a place or not and the period for which he has so resided open the door to conflicting evidence. Moreover actual residence may in many cases be too restrictive. As the Hon'ble Rai Bahadur Pandit Jawahar Lal has pointed out the Advisory Committee discussed other bases of definition. One of these was the possession of ancestral property. We rejected this as it was too restrictive, especially in areas like the canal colonies where ancestral property had in many cases not yet been acquired. We finally arrived at a definition based on a suggestion originally made by the Advisory Committee. The Advisory Committee in their first meeting proposed that the residential qualification should be simply that the candidate should have a place of residence in the constituency for which he stood. Well, that was too wide and ultimately we substituted the words 'residential house.' The definition goes on to say that the candidate must have possessed this residential house for four years before the date of the preparation of the electoral roll and must not have let it on rent during one year preceding that date. The four years will cover two elections. The life of this Council is three years, and before four years are out, two elections will have taken place. So we have devised a definition which, at any rate, is incapable of evasion for two elections. It may be got round perhaps before the third election is held, but the life of two councils is considered to be a sufficiently long period to allow all classes of political opinion to organise themselves in this Province. After that it may be possible that the residential qualification may be dispensed with, for the rural interests in whose behalf it is now considered more particularly necessary will probably be able to look after themselves. The condition that the house must be unlet for one year secures under existing circumstances that the house is a real family residence belonging to the candidate, and it also ensures that something about the candidate and his family will be known in the constituency for which he stands. The definition proposed is not as strong as some members of Lord Southborough's Committee would like it to be, but it is a practical definition.

[ *Mr. Fazl-i-Hussain ; Bai Bahadur Bakhshi Sohan Lal.* ]

Compliance with it is easy to prove or disprove. It is sufficient to ensure that the electors shall know something of a candidate and that a candidate shall have some local knowledge. It is not irksome or unduly restrictive. The area within which this definition should apply was fully considered by the Advisory Committee. The Hon'ble Khan Bahadur Fazl-i-Hussain has suggested that it should be the Province, but this would practically get rid of the residential qualification altogether. And if it is to secure what it is intended to secure—local knowledge and experience of the constituency on the part of the candidate and an acquaintance with the candidate on the part of the constituency—then probably the least area to which it should apply should be the division. We considered its application to divisions, to districts and to constituencies. The draft finally makes the constituency the area of application. The Hon'ble Mover practically admits that even in the smallest area to which we can apply it there would be a sufficiently large field for the choice of candidates and the Hon'ble Khan Bahadur Sayad Mehdi Shah has informed the Council that practically every constituency is likely to have five or six thousand electors from whom the choice can be made. The Hon'ble Rao Bahadur Chaudhri Lal Chand is pessimistic, but I trust the Council will not support him in thinking that a constituency with five or six thousand electors is incapable of finding one of those electors fit to be a member of this Council. In the belief that it can so find a member I see no necessity to enlarge the area of applicability of the definition even when a single district is divided into two constituencies. It is in the belief that this definition will be effective in securing members with local interests and a knowledge of local conditions without unduly limiting the field of choice or depriving constituencies of members capable of representing them adequately that Government adheres to the residential qualification."

**The Hon'ble Mr. Fazl-i-Hussain** :—“ I am very glad to notice that this resolution has shown that members really are keenly interested in this matter, though my experience this morning in moving amendments to the Colony Bill showed that there was not much response so far as the poor colonists were concerned. That shows that in the matter of Reforms a great deal of interest is being evinced. As to the actual resolution with which the Council is at present concerned I find a few outstanding facts about which there is no difference of opinion between me and the Hon'ble Member in charge of this subject. The first is that we have in this Council the advantage of having a number of representatives of rural classes. The Hon'ble Member in charge stated that in the past this Council has been well supplied with good representatives of rural interests who have lost no opportunity of pleading their cause and pressing it. I agree with him. I find, Your Honour, that in this Council there are no less than five representatives of the rural interests, to see that in the forthcoming Reform Scheme the interests of the rural classes do not suffer. Of course I have not the honour of being one of these five. Out of these five I find that the Member coming from the district boards of the Rawalpindi Division agrees with me that it is not right to limit the field of choice in the case of rural candidates. I find further that in the Central Punjab the Hon'ble Member representing the District Boards (Bakhshi Sohan Lal) also agrees with me.”

**The Hon'ble Bakhshi Sohan Lal** :—“ I represent the Jullundur Division and not the Central Punjab.”

**The Hon'ble Mr. Fazl-i-Hussain** :—“ The Hon'ble Member on my left also agrees with me. Therefore, Your Honour, out of the five representatives I find that only one and that representative of the new colonies is the one who believes that representatives can be found even from limited areas, as parts of

[ *Mr. Fazl-Hussain* ]

districts. He is perfectly right there, because the part of the Province that he represents is the colony part wherein there is no dearth of men because that really is a sort of miniature of the whole of the Punjab in one district. Therefore it is not likely that there will be any dearth of good men in that part of the Province from which he comes. But the rest of the Punjab is not so fortunate as the people of the Lyallpur District either in the matter of wealth or in the matter of being up-to-date in matters of business. A glance at the tables so very kindly prepared by the Hon'ble Mr. Halifax to help us in coming to certain conclusions with reference to these Reforms will show that Lyallpur is the one district which has no less than 24,000 voters and more from that district, while there is no other district in which the number of voters exceeds 12,000 and that is the district of Rohtak. I am giving these figures to show that as a matter of fact the opinion that has been formed by the only representative of the rural interests who has opposed this motion is due to the fact that he is in a very peculiar position and comes from a district which is really by no means an exemplary district from which the rest of the Punjab could be judged. So the rural representatives on the present Council, I may say, are in entire support of the resolution which I have placed before the Council. Their opinion for the future of their constituents should weigh a great deal with this Council.

" Now the second point about which again there is no dispute whatever is the question of the community of interest. I would be the last person to suggest that a representative might be hired—if one may use the expression—to represent a rural constituency. That person would be no use at all. I entirely agree with the Hon'ble Mr. Halifax. What we want is that the representative should feel for that constituency which he wants to represent and that can only be achieved if that man is in essence from self-interest in the same boat as the members of that rural constituency. And that to my mind can happen to the best satisfaction of that constituency, if he possesses a great interest in that constituency. For instance, I cannot understand how a man possessing a large landed interest in a rural constituency can go against the interest of the rural classes if he is allowed to represent them. That would mean that every person who possessed a great deal of land—and there are non-rural men who are possessed of considerable areas of land—and are voters in rural areas, and according to the draft rules framed by the Advisory Committee if they happen not to possess a residential house in the rural area they are debarred from representing a rural constituency. Therefore the rule as suggested, the regulation as suggested does not exclude those men who are not, possibly by heredity, rural magnates or rural persons, still by acquisition they become such, and on account of the possession of estate, their interests are, in the main, rural. So the present regulation does not exclude them. Some of us might think—I am not one of them—that they should be excluded, but the present regulation does not exclude them and therefore we need not discuss that aspect of the case. As a matter of fact when listening to the Hon'ble Member in charge I was at a loss to discover whether we had actually differed. He has very kindly affirmed that most of the Members want to keep urban and rural interests distinctly apart. This has been done by the Southborough Committee. There is no wish in the minds of the Councillors to mix them. At all events we think that stage has passed that anyone should have thought of it. Those were the things settled that and finished. Having done that, is it not peculiar, Your Honour, there should be such a unanimity of feeling as not to restrict the field of choice within the two definite areas? There is the urban area; there is the rural area. Within these two areas the greatest possible freedom should be allowed with the object not of returning suitable men but returning the most suitable men that the Province can put forward from those areas. I do not deny for a moment that if you restrict the electoral constituencies not even to districts but to tahsil constituencies even then the Punjab is good enough to put

[ *Mr. Fazl-i-Hussain & His Honour the President.* ]

forward suitable men. But this is not all that the legislature intends or attempts, but it attempts to put in the best men that can be had to represent those particular interests, and I do claim that the best men cannot be put forward if any restriction of that sort is imposed. Then I do not want to say anything as to the part of the Hon'ble Member's speech wherein he was voicing the feelings of the framers of the Reforms Report as to giving peoples other than lawyers a chance in this Reform. I myself would like to give everybody a chance, lawyer or no lawyer. But there is a trick in social development, civic development that this class of people somehow or other manage to defeat every provision that is made to keep them out. I do not know how they do it, but until now, no successful method has yet been devised to get rid of them, and I believe it will go on like this. Therefore, this need not detain us. But I do want to state quite frankly that what people are urging, what critics are stating is that a Council like the one provided for by the Reforms being inevitable, no effort should be made to make it a rural in the sense of not being efficient or independent. There will be urban representatives, there will be rural representatives. What we want is that the rural representatives should be the best possible. And it would be a pity if the proposed limitation gives a ground to our critics to urge 'But for our limitation even rural men would have been able to distinguish themselves side by side with their urban representatives.' I entirely endorse the view that local knowledge is essential, local knowledge of the constituency one seeks to represent. But, Your Honour, in these days of rapid travelling, either by way of trains or possibly later on by aeroplanes, surely locality has not got the same importance as it possessed a few years ago. A person need not reside actually in a village in order to possess local knowledge. Persons not possessed of powers of observation or deep interest in their fellow villagers may not know as much as a man who is outside the village. Therefore to my mind the object of having local knowledge does not necessarily imply the actual residence in that locality. Moreover, Mr. Halifax stated that of residence we have not made a very strict condition *i.e.*, the candidate should possess a house though he need not live in it. Then surely a man may possess a house or a number of houses and for fifteen or twenty years he may never have visited any of these houses and may not be in touch with the local conditions prevailing in that locality. Therefore to my mind this does not make a provision for it. So far as the question 'Is residential qualification at all necessary?' We are not doing anything to thwart the wishes of the framers of the Report and Act. All we want is that it should not be stringent. It should not be so enforced as to militate against the best interests of the rural classes.

"Having answered that question, the second point is that of qualification. My answer is exceedingly simple. A man having shown that he is a rural man by having a vote and also having a house which the regulations require him to possess and having once been stamped with the stamp of being eligible for rural election, with that stamp on his election paper it should be open to him to stand from any rural constituency, and if he is mistaken as to his knowledge or his influence in that constituency from which he seeks election that is his own look-out. He will never have a chance of being returned. And further to say: let it be extended to the division, but not to the Province, to my mind that is not enough, in practice very few cases indeed would occur wherein a man has gone outside his division to stand. Therefore, I emphasise this fact that at all events if a principle which is a good principle, which gives one the impression of being a broad principle when in practice it is not going to injure any one's interests there is no harm in accepting it. . . . ."

**His Honour the President:**—"The Hon'ble Member's time is up."

[ *Mr. Fazl-i-Hussain.* ]

The Hon'ble Mr. Fazl-i-Hussain:—"Very good, Your Honour,—I will just finish my speech. Therefore, when in framing this rule you are going to extend it to the division, I would suggest to extend it to the Province as a whole."

The resolution was put to the Council and lost.

The Hon'ble Mr. Fazl-i-Hussain asked for a division and the Council divided as follows:—

*Ayes* (10)

The Hon'ble Chaudhri Lal Chand.  
The Hon'ble Pandit Jawahar Lal.  
The Hon'ble Mr. Powell.  
The Hon'ble Bakhshi Sohan Lal.  
The Hon'ble Malik Muhammad Amin Khan.  
The Hon'ble Sayad Rajan Shah.  
The Hon'ble Mr. Fazl-i-Hussain.  
The Hon'ble Mirza Ikram Ullah Khan.  
The Hon'ble Diwan Daulat Rai.  
The Hon'ble Raizada Bhagat Ram.

*Noes* (16)

The Hon'ble Mr. French.  
The Hon'ble Mr. Wright.  
The Hon'ble Captain Gopal Singh.  
The Hon'ble Mr. Maynard.  
The Hon'ble Mr. Gibson.  
The Hon'ble Sardar Gajjan Singh.  
The Hon'ble Sayad Mehdi Shah.  
The Hon'ble Sir Bahram Khan.  
The Hon'ble Mr. Woods.  
The Hon'ble Mr. Waller.  
The Hon'ble Mr. Townsend.  
The Hon'ble Mr. Halifax.  
The Hon'ble Mr. Joseph.  
The Hon'ble Colonel Davidson.  
The Hon'ble Mr. Fagan.

The resolution was therefore declared lost.

#### RESOLUTION re FORMING INTO ONE CONSTITUENCY THE DISTRICT WHICH HAS TWO REPRESENTATIVES.

The Hon'ble Mr. Fazl-i-Hussain:—"The second resolution that stands in my name, Your Honour,—reads as follows:—

"That the Council recommends to His Honour the Lieutenant-Governor that in the Rules of Election to the Reforms Legislative Council of the Punjab, where a district is to have two representatives on the Council that district should form one constituency to return two representatives."

"The reason for sending in this resolution was that in our deliberations in the Advisory Committee at one time we came to the conclusion that in the Punjab there are but two districts which are entitled to return two representatives. One was Rohtak and one was Lyallpur. With reference to Rohtak it was decided that it might elect two members to be returned by one plural constituency. In the case of Lyallpur it was decided that it would be better to split it up into two constituencies to return one representative each. Since then we have met again and the Hon'ble Mr. Halifax has informed me that one uniform principle is being applied to both districts, that is to say, each district will be split up into two constituencies in deference to the views of the Southborough Committee. Under these circumstances it is no use my proceeding with this resolution, and with Your Honour's permission I withdraw it."

The resolution was with His Honour's permission withdrawn.

[ *Mr. Fazl-i-Hussain ; Mr. Halifax.* ]

RESOLUTION re MAKING OF PROVISION FOR ONE ELECTORATE  
TO RETURN TWO MUSLIM REPRESENTATIVES TO THE  
COUNCIL.

The Hon'ble Mr. Fazl-i-Hussain :— "Now I come to the third resolution that stands in my name. That resolution reads :—

"That this Council recommends to His Honour the Lieutenant-Governor that the rules governing the constitution of electorates to return two representatives of Muslim landowners to the Legislative Council of the Punjab should make provision for either one electorate to return two Members, or two electorates consisting of nearly the same number of voters or representing nearly the same number of people."

"The Council is, I believe, aware that there are no less than four representatives of landowners provided for in the scheme. In the Advisory Committee also four representatives of landowners have been kept. These representatives of landowners are distinct from general rural representatives or Muslim rural representatives. The allotment of these four representatives according to communal basis has been like this : one to represent Sikh landowners, one to represent general owners and two to represent Muslim landowners. As to the two Muslim representatives of Muslim landowners the proposal that has been put forward on behalf of the Advisory Committee is to the effect that one of these two representatives of landowners be selected by the Tumandars of the Dera Ghazi Khan District and that the other representatives of landowners be elected by the whole of the Punjab including Dera Ghazi Khan as well."

The Hon'ble Mr. Halifax :— "No, excluding the Dera Ghazi Khan District."

The Hon'ble Mr. Fazl-i-Hussain :— "All right. Then by the whole of the Punjab excluding Dera Ghazi Khan. I would say that as a matter of fact in the Dera Ghazi Khan District there would be only a few voters for that constituency ; and Tumandars of the Dera Ghazi Khan District are but few in numbers. Of course this is not very promising inasmuch as the number of Tumandars is below a dozen and not above. It practically means that out of the two representatives of landowners one will be elected by ten or twelve who reside in one district Dera Ghazi Khan and the other will be elected by nearly a thousand voters spread over the whole of the Punjab. *Prima facie*, that does not seem to be justifiable on the grounds which are well known for such representation. That is to say the number of electors will be exceedingly small. The area that those electors represent as compared with the Punjab will also be altogether inadequate. So far as the wealth or financial side is concerned there again it will be out of all proportion to what is being allotted to them. Then there can be but one explanation—special political privileges, and as a matter of fact in the course of discussion in the Advisory Committee that was the sole ground on which it was being justified. As a matter of fact had I felt convinced that the justification was sufficient this resolution would not have come into the Council. I know that amongst the Muslim public this allotment is not favoured, and this is the second reason why I have ventured to place this resolution before the Council."

"The grounds on which it is attacked are the four that I have submitted : the number of electors, the area they represent, the wealth or finance they represent and the population they represent. Besides these four they say that educationally also the position of Dera Ghazi Khan is not such that any

[ Mr. Fazl-i-Hussain; Sayad Mehdi Shah; Nawab Sir Bahram Khan. ]

pecial privilege should be given to that district. Then the sixth reason is that as it is among all the constituencies returning Muslim rural representatives, Dera Khan is the one constituency which has got voters below two thousand in number. I believe their number is nearly 1,700, while, as I have stated, in Lyallpur 12,000 voters are allotted, but one representative, and in Dera Ghazi Khan District, only 1,700 are going to have the right to send in one representative. The reason why this was agreed to was that although the voters are only 1,700 yet the population is considerable and there is the territorial division of the district and the importance of the district as a frontier district, and these peculiarities entitle them to special treatment. Then besides their special treatment they have got a share in urban representation as well. Therefore no justification can be found for giving them besides this special favourable rural representation besides their due share in urban representation, something far above their due share in electing representatives of land-owners to the prejudice of the whole Province.

"Now the last point I have to deal with is the political argument in support of making an exception in favour of the Dera Ghazi Khan District. In the matter of these Reforms, to my mind, when these landowners' seats are being allotted, political considerations do not come in at all unless they come in on some well known constitutional ground. The fact that the Tumandars have a great deal of jirga work, that they have influence outside the Punjab as well as on the Frontier, to my mind are grounds on which they might come in for one of the nomination seats which have been placed at the disposal of the Government. For their special position I for one would strongly urge that a class which has its own peculiarities, its own privileges, its own special features, it would be well for the Government to nominate one of the tumandars in that capacity, and I believe I would be voicing the opinion of non-official Members of this Council when I make that suggestion.

"I along with other Members of this Council feel that the claims of Tumandars are good and the Government should recognise them, but should see that that should not be done at the expense of the interests of the Muslim landowners of the Province. It is not right to curtail the rights of another section of good deserving people.

"I think it is only left for me to mention that of the total landowner voters whose number is 1,700, 917 are Muhammadans, 418 Hindus and 346 Sikhs. 346 voters send in one representative; 418 voters send in one representative and when it comes to Muhammadans this scheme would mean that 917 voters should send in one representative which is *prima facie* unfair."

The Hon'ble Sayad Mehdi Shah spoke in Urdu and favoured the allotment of a seat to the Tumandars of the Dera Ghazi Khan District on grounds of their political importance their different customs, their ways of living and their valuable services rendered to Government.

The Hon'ble Nawab Sir Bahram Khan spoke in Urdu a translation of which is as follows:—"Your Honour, I rise to make a few remarks on the resolution which has been moved just now. It is a matter of regret that it has been moved owing to the mover's non-acquaintance with the social condition of the people of Dera Ghazi Khan and the general condition of the Balochi Tumandars. My esteemed friend, the Hon'ble Mr. Halifax, who has been the Commissioner of our Division and is fully acquainted with all about Dera Ghazi Khan, has explained in detail in this Council the condition of the Balochi tribe of Dera Ghazi Khan. When Mir Chakar, an independent Baloch Chief, ruled over the Punjab as an ally of King Hamayun the Balochis conquered Dera Ghazi Khan

[ *Nawab Sir Bahram Khan; Rai Bahadur Bakhshi Sohan Lal; Captain Sardar Gopal Singh; Rai Bahadur Dewan Daulat Rai.* ]

by their own valour. A large portion of the Tuman tribe still confines itself to the hilly tract in which no law has yet been enforced. The Frontier Regulations have been enforced on them since the last 20 years as an administrative measure. There is no British Army in the Dera Ghazi Khan District and the Police Corps also is a scanty one. The Tumandars, besides maintaining peace and proper administration amongst the members of their own tribe, assist the Deputy Commissioner of the district, thus showing fidelity to the British Crown.

"In the year 1857 when the frontier tribes such as Maris, Bughattis, Musa Khel, &c. &c. and the hilly portion of the Tuman tribe raised a rebellion the Tumandars kept them in proper control and maintained the administration of the frontier tracts. Several Chiefs and their followers were killed in that strife.

"Again, in the year 1880 during the 3rd Afghan War besides handing over the culprits they kept secure the frontier tract and besides providing recruits for the recent Great War maintained peace in the district and rendered remarkable services at the time of the turbulence of the Afridis and the Maris, which were rewarded for by Government by the bestowal of prizes and titles.

"I, therefore, request Your Honour to recommend that Government may bear in mind also the Bilochi tribe which has severed its connection with Dera Ghazi Khan and have migrated to Baluchistan.

"On these grounds I oppose the resolution."

**The Hon'ble Bakhshi Sohan Lal:**—"Your Honour,—Out of the two Mussalman landowners seats to allow one representative to ten Tumandars does not only deprive the remaining Dera Ghazi Khan District from their right of vote, but as I understand the Tumandars as such are only heads of different clans residing in a small part of Dera Ghazi Khan District and can be said only to be representatives of their clans and if they have to vote for a representative that voting will be as indirect voting which is against the principles of the new Scheme of Constitutional Reforms which requires that the voting should come directly from the persons interested and not from the representatives of others. Therefore I oppose this proposal on principle and I support the resolution."

**The Hon'ble Captain Sardar Gopal Singh:**—"Your Honour,—Considering the question of the Tumandars seat of Dera Ghazi Khan based on the merits of political grounds, I do not object to Tumandars being given a seat among the two Muslim landowners because there are many other things besides political grounds, which require a seat being allotted to them. There is no reason why we should not consider this most important question of their being on the Frontier of Baluchistan between the Frontier and the English territory. Therefore I am in favour of Tumandars having a separate seat."

**The Hon'ble Rai Bahadur Dewan Daulat Rai:**—"I strongly support the resolution, Your Honour. We are discussing the Reforms Scheme and the matter of reforming electorate and giving them the right to elect their own representatives. Surely ten or twelve men of Dera Ghazi Khan have not that sole right. I fully appreciate the services, which have been enumerated in detail, by the Sardars and Tumandars and the only solution out of this difficulty lies in the suggestion which has been made by the Hon'ble mover that Government may be pleased to nominate one of the Sardars or Tumandars to a seat. It will be striking at the very root of the electorates and against the laws of election to give a seat to a Sardar who represents in the real sense of the word only twelve men or whom twelve men only elect. With these remarks I beg to support the resolution."

[ *Mr. Halifax.* ]

The Hon'ble Mr. Halifax :— Your Honour's proposal to allot a seat to be filled by the Tumandars of Dera Ghazi Khan was communicated to the non-official members of this Council who constitute the Advisory Committee on Reforms some time before their first meeting. No objection was made for a considerable period. There has recently been a full discussion in the Advisory Committee of this proposal and the majority of the members then present were in favour of it. If, however, any really strong feeling is found to exist among the non-official members, due regard will be paid to it.

" This seat was intended for the representation of a class entrusted with special responsibilities on our border. Every small class cannot of course expect representation. For instance, an application for a separate member on behalf of the hill men of Simla and Kurin has naturally had to be rejected. But the case of the Baluchis is very special. I am afraid however that Baluch history is generally not well known, and it is for that reason that there is some opposition to the proposal to allow the Tumandars to elect a member. Historically they are important, as the Hon'ble Sir Bahram Khan has just informed you. Their permanent connection with the Punjab dates from the time of Mir Chakar a noted Baluch chieftain an ally of the Emperor Humayun who went with him to Delhi and on his return to the Punjab died at Salgarha where his tomb still is. Since his time the Baluchis have maintained a dominant position in the country they now occupy, and the Tumandars stand out not only as their leaders but also as landowners. The Baluchis own the greater part of the area of Dera Ghazi Khan. They own also a large tract of country which lies between the borders of Dera Ghazi Khan and the borders of Baluchistan. The Baluch Tumandars and their near relations are also the possessors of very large grants of land on the Lower Bari Doab Canal. There are many small Baluch landowners, but the Tumandars are very large landowners, and if there is any class that satisfies the conditions under which the Joint Parliamentary Committee intended that a seat should be reserved for great landowners it is the Tumandars. They have produced many distinguished men, but I need not go into the history of the past in this connection. It will be sufficient, I think, to show the class of men that the Baluch Tumans can produce, if I recall to the Council the name of Sir Imam Bakhsh Khan Mazari who established for himself a reputation for wisdom, ability, uprightness and loyalty that extended throughout the Punjab, and who in spite of the affliction of blindness spent a long life in rendering valuable service to his people and to his Government. We have present today in this Council his son the Hon'ble Nawab Sir Bahram Khan who has followed in the footsteps of his father; his ripe judgment, sound knowledge and wide experience are made use of not only in this Council and in the affairs of the Punjab generally but also constantly by the authorities of Sind and Baluchistan (cheers). The large landowners of the Punjab have themselves recognised the importance of the Baluch Tumandars. The Hon'ble Nawab Sir Bahram Khan has been the President of the Punjab Chiefs' Association and he still is a Vice-President.

The Tumandars are actual rulers of their clans and their duties develop their capabilities and their sense of responsibility. Further they actually represent their clans. The social customs of the Baluchis are such that the closest touch must be maintained between the clans and the Tumandars. Custom makes it necessary for the Tumandars to consult their headmen or mukaddams before they take any important action. Again, hospitality is an essential custom of the Baluchis and the hospitality which as a matter of course is extended by the Tumandars to the men of their Tumans is a very close link between them. Then, in addition to maintaining the internal administration of their own Tumans, the Tumandars are an important agency in the maintenance of law and order in Dera Ghazi Khan. It is this district only in the Punjab in which the application of the Frontier Crimes Regulation has any

[ *Mr. Hallifax ; Mr. Fazl-i-Hussain.* ]

real importance, and the jirgas which work under that Regulation work well. Their good work is due to the example of the Tumandars' jirga, the Chiefs' Jirga. If Hon'ble Members of this Council had had my opportunities of seeing this jirga at work and of testing its decisions they would hold as high an opinion of its value as I do. That jirga deals not only with Dera Ghazi Khan itself but it is practically the only agency we have for the administration of law and order in the hill country between Dera Ghazi Khan and Baluchistan. Moreover, one of its most important functions is inter-provincial. It deals with cases in which parties are concerned who come from both sides of the Baluchistan border. In dealing with such cases Tumandars from Baluchistan sit with the Tumandars of Dera Ghazi Khan and without this joint jirga the maintenance of good relations with Baluchistan would be impossible. We should have constant trouble and we would not know how to solve the trouble. Therefore the political importance of the Tumandars must not be overlooked. Their services have been of great value and they have been loyally rendered to the Government for generations.

"The interests of the great Baluch landowners differ from those of the other great Musalman landowners in the Punjab. The others form a class which is on the whole homogeneous and has common interests. If any of them has any interests differing from those of the majority of his class it would be possible for him, and it would be the right thing for him, to have those interests represented by standing for one of the ordinary constituencies. But the Baluch interests are very different from those of the other landowners and they are not understood outside Dera Ghazi Khan. A Baluch member is therefore a necessity on this Council, especially in view of the backward nature of the class he will represent. It has been suggested that we should depend for this Baluch member upon the district constituency of Dera Ghazi Khan. There is, however, no certainty that that constituency will return a Baluch. It includes voters who are not Baluchis, and there is no doubt whatever that there will be a contest for the constituency by people who are not Baluchis. Moreover it is not sound to bind Government to secure a Baluch member by nomination. The hands of Government would be tied if it felt constrained always to appoint a Baluch to at least one of the nominated seats. But the jirga of Tumandars offers really an ideal electorate for the Baluch member we require. Even though election by it be indirect it will be extremely representative and the ordinary argument against indirect election will not in practice be applicable to this case. The conditions which we have here to bear in mind indicate the necessity for departing in the case of the Tumandars from the rule which ordinarily is applicable of making your constituencies contain an equal number of voters. The seat reserved for the Tumandars is in fact a landowners' seat exactly of the class which will satisfy the requirements of the Parliamentary Joint Committee, and if the Member who fills that seat also satisfies the conditions which make it desirable that his class should be represented on this Council so much the better."

**The Hon'ble Mr. Fazl-i-Hussain:**—"It has been said, Your Honour, that possibly my ignorance of Baluchistan was responsible for moving this resolution. Well, if it were so, I should have no hesitation in admitting it. But it so happens that at a fairly impressionable age I had ample opportunities of testifying to, what the Hon'ble Mr. Hallifax has stated, the greatness of Nawab Imam Bakhsh Khan, whose kindness, hospitality and goodness I had plenty of occasion like the Hon'ble Mr. Hallifax to see and benefit by. I am absolutely at one with him in saying that the great Nawab and his worthy successor—our colleague—stand out prominent in Dera Ghazi Khan, and it has always been a privilege of many of us to benefit by their advice. The Baluch hospitality of the Tumandars is not restricted to the man of their own clan,

[ Mr. Faal-i-Hussain. ]

Your Honour, but it has been extended very largely to others than Baluchis. I also recognise the very valuable work that the Tumandars do in the jirgas and that they are possessed of inter-Provincial importance. They are all of very great service and help indeed to the Province and its Government, but I trust I will be pardoned if I say that all these considerations are to my mind altogether irrelevant to the issue which awaits decision here. If the Hon'ble Member in charge is right in saying all that he has said and which I have affirmed, why should it be assumed that the rural electorate of that district will be so lacking in appreciating the merits of Tumandars of that district as not to elect them, how is it possible that the men of the district themselves who benefit by that hospitality and who are bound to be voters, men who have the best opportunity of knowing all local conditions, possessed of full local knowledge will not rise to the occasion and send in their best representative. It is not like the Punjab where a big zemindar may not be respected by the people. In Dera Ghazi Khan District the clans have very great respect—more than human respect—for the Tumandars, and it is not at all likely that men of the clan, who constitute a vast majority of voters, will see anybody else but one of their own Tumandars elected and I can state with confidence that that great family of Nawab Sir Iman Bakhsh can supply not one representative but three or four representatives in the forthcoming elections by virtue of their education to rub shoulders with the best representatives of urban areas, not to speak of rural areas. Therefore when I am urging the Council to accept my resolution I am doing so with the full knowledge that so far as the representation of the Tumandars is concerned, so far as the representation of the family of the great Nawab is concerned, there is not the slightest doubt that we shall have one and may be more than one in the Reformed Council.

“Now coming to the chances of their return I deny that the rural seat is not certain for one or other of the Tumandars or their families. But the second, that is to say, one of the landowners' seats is bound to go and at all events may go to the President of the Landowners' Association and the Chiefs' Association. Most of them are bound to be voters who possess a great influence. There is the second possibility, nay, to my mind a probability if not a certainty, of the biggest Tumandar being returned by the landowners as their appropriate representative. It would be well to bring into this territorial constituency Multan, Jhang, Muzaffargarh and such districts where the influence of this great class of Tumandars is considerable. Over and above these two probabilities there is a third way most suited to them, *i.e.* by way of nomination. I really do not see that the Hon'ble Member in charge is justified in saying that the landowner voters hands should be tied to the extent of saying that ten of you can send in a representative best entitled to represent the clan of Tumandars for all the services they have rendered and which we all appreciate. I do not want to dwell on this resolution inasmuch as the member in charge has very kindly given us to understand that if there is any considerable feeling among the Muslim Members of the Council or the Muslim public that due weight will be given to it and that is all I seek. I do not seek that on theoretical grounds alone my Resolution be accepted, but if the Government finds that amongst the Muslim Members of this Council there is a considerable amount of feeling on this subject then I trust that due weight will be given to it.

“I cannot close my remarks without just stating with reference to the remarks of the Hon'ble Captain who opposed the motion that it is really very generous of him to recognise the great services that are being rendered by the Tumandars. I wonder if he would have been equally generous if that seat were to go from the one seat that has been given to the Sikh landowners. I believe in that case he would be very much hesitating and I trust I am not misjudging him. With these remarks I resume my seat.”

[ *Mr. Hallifax ; His Honour the President.* ]

**The Hon'ble Mr. Hallifax** :—" Your Honour, I do not share the Hon'ble Member's certainty that a Tumandar is bound to secure the seat which will be filled by the Muhammadan electors of the Dera Ghazi Khan District and I think I may say that a Tumandar or a member of a Tumandar's family will probably hesitate to canvas for votes when that would involve his going into the jurisdiction of other Tumandars and asking the clansmen of those Tumandars to vote for him. On the other hand, the landowner members will not represent the number of electors who send them to this Council. They will represent the interests of those electors, and where their interests are homogeneous they will be adequately represented by a single member. The interests of the ordinary Muslim great landowners are homogeneous throughout the Province. But with two Muhammadan landowner members both elected by constituencies with an equality of electors it is impossible to secure that the special interests of Baluch landowners should be adequately represented. The second Muhammadan landowners' seat therefore is required for the representation of interests which are separate from those of the general body of Muhammadan landowners and are so important that they ought to be represented in this Council, because there is generally such a want of acquaintance with them that they can be represented only by a Baluch.

" With reference to the point that regard should be given to the feeling of this Council on this question, I may note that of the six Muslim Members who are here present three have not spoken and, excluding the Hon'ble Nawab Sir Bahram Khan himself, those who have spoken are equally divided—one for and one against."

The motion was put to the vote and lost.

On the Hon'ble Mr. Fazl-i-Hussain's pressing for a division 7 voted for and 16 against.

**His Honour the President** :—" Just two things I want to say before we depart. At our next meeting we shall be discussing the Revised Financial Statement and it would be well for Members to note that the limit that has been fixed for each speech will be 20 minutes."

" Also before we go, I should like to thank the Council for the debate we have had. And I wish specially to thank the non-official Members who have formed the Advisory Committee. They have at a great expense of time and trouble to themselves given us a great deal of assistance for which Mr. Hallifax and I are very grateful."

#### ADJOURNMENT.

The Council then adjourned till the 6th of April at 10-30.

LAHORE,

M. HARRISON,

The 8th April, 1920.

Secretary, Legislative Council.

13 March

## APPENDIX A.

(VIDE ANSWER TO QUESTION 6.)

There are no Assistant Professors in the Medical College, but the senior of the Demonstrators is called "Assistant to the Professor" in each subject.

## ASSISTANT SURGEONS.

	Hindu.	Sikh.	Muhammadan.
<i>Assistant to Professors and Junior Demonstrators.</i>			
Anatomy	3	1	...
Physiology	1	...	1
Materia Medica	1	...	1
Pathology	2	...	...
<i>Clinical Assistants.</i>			
Medicine	...	1	...
Surgery	...	1	...
Operative Surgery	1	...	...
Diseases of Eye, Ear and Throat	1	...	...
<i>Lecturers.</i>			
Surgery	...	...	1
Medicine	1	...	...
Anatomy	...	1	...
Total	10	4	3

## SUB-ASSISTANT SURGEONS.

<i>Demonstrators.</i>			
Anatomy	...	2	1

## APPENDIX B.

REVISED FINANCIAL STATEMENT OF THE GOVERNMENT  
OF THE PUNJAB FOR THE YEAR 1920-21.

## NOTE.

THE Revised Financial Statement differs from the amended draft Financial Statement supplied to Hon'ble Members on the 6th instant in the following respects:—

## REVISED ESTIMATES, 1919-20.

The provincial share of Land Revenue has been raised by Rs. 2,50,000 on a consideration of the February figures.

## BUDGET ESTIMATES, 1920-21.

Receipts under Land Revenue have been raised by Rs. 5,00,000 as the actual receipts from sale of Government Estates during this year have shown that the original figure fixed in the previous editions of the Budget was low. Receipts and expenditure under the head "Police" have both been reduced by Rs. 1,00,000 on account of the withdrawal of Punitive Police imposed after the disturbances. The increase of Rs. 75,000 under "22—Education" is due to the further provision required for the education of orphans of soldiers who fell in the war. The increase of Rs. 1,25,000 under "26-A—Agriculture" is on account of provisions for a new Veterinary Hospital, Soil Survey Staff, Soil Physicist, etc., and Aeroplanes for Crop Surveys. A further provision of Rs. 1,50,000 has been made under "45—Civil Works—in charge of Public Works Officers," for the erection of new buildings for the Government training class at Sana war, for the Walker Hospital, Simla, and for Agricultural Assistants and Mukaddams at the Montgomery Seed Farm.

LAHORE:

B. T. GIBSON,

The 12th March 1920.

Financial Secretary to Government, Punjab.

## REVISED FINANCIAL STATEMENT OF THE

(Figures in thousand)

HEADS OF ACCOUNT.	Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21
Opening balance ... ..	1,94,52	2,26,35	2,50,95	2,56,75
<i>Provincial Revenue and Receipts.</i>				
I—Land Revenue ... ..	1,42,59	1,51,68	1,48,19	1,42,68
IV—Stamps ... ..	30,69	30,25	39,40	40,40
V—Excise ... ..	52,59	55,28	64,25	72,50
VI—Provincial Rates ... ..	31	32	33	32
VIII—Income Tax ... ..	18,77	20,62	23,25	27,50
IX—Forest ... ..	21,54	36,35	36,56	48,10
X—Registration ... ..	4,06	3,75	5,00	5,00
XII—Interest ... ..	2,41	2,38	2,47	2,79
XVI-A—Law and Justice—Courts of Law ... ..	6,53	6,60	8,08	7,16
XVI-B—Law and Justice—Jails ... ..	6,76	6,22	5,05	4,55
XVII—Police ... ..	1,86	2,11	3,59	2,48
XIX—Education ... ..	5,33	5,46	5,36	5,08
XX-A—Medical ... ..	76	75	76	81
XX-B—Sanitation ... ..	1,61	1,09	1,33	1,39
XXI-A—Agriculture ... ..	7,01	7,93	8,25	8,36
XXI-B—Scientific and Miscellaneous Departments ... ..	30	32	31	31
XXII—Receipts in aid of Superannuation ... ..	85	85	86	86
XXIII—Stationery and Printing ... ..	1,01	92	1,04	1,05
XXV—Miscellaneous ... ..	10,06	7,43	8,58	8,59
XXIX—Irrigation—Major Works.	Direct Receipts—			
	Civil ... ..	4	4	3
	Public Works ... ..	1,38,59	1,46,00	1,60,00
XXIX—Irrigation—Major Works.	Indirect Receipts—			
	Portion of Land Revenue due to Irrigation.	68,02	68,08	69,50
XXX—Irrigation—Minor Works and Navigation.	Civil ... ..	1	3	3
	Public Works ... ..	1,13	1,30	1,21
XXXI—Civil Works ... ..	Civil ... ..	1,74	1,49	2,09
	Public Works ... ..	2,54	2,40	2,70
Transfers between Imperial and Provincial ( <i>vide</i> Appendix A).	46,65	31,85	54,20	42,75
Total Provincial Revenue and Receipts ... ..	5,73,76	5,91,50	6,52,42	6,65,35
GRAND TOTAL ... ..	7,68,28	8,18,35	8,83,37	9,22,10

## GOVERNMENT OF THE PUNJAB FOR THE YEAR 1920-21.

(of rupees.)

HEADS OF ACCOUNT.				Actuals, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<i>Provincial Expenditure.</i>							
1—Refunds and Drawbacks	...	...	...	1,25	1,29	1,45	1,35
2—Assignments and Compensations	...	...	...	34	35	34	35
3—Land Revenue	...	...	...	49,41	54,75	57,86	60,26
6—Stamps	...	...	...	98	99	1,08	1,12
7—Excise	...	...	...	1,17	1,48	1,30	1,51
10—Income Tax	...	...	...	29	54	55	93
11—Forest	...	...	...	17,96	26,15	24,63	37,64
12—Registration	...	...	...	1,34	1,37	1,70	1,56
13—Interest on Ordinary Debt	...	...	...	1,83	2,26	2,19	2,58
18—General Administration	...	...	...	12,27	12,68	14,11	15,09
19-A—Law and Justice—Courts of Law	...	...	...	46,22	48,18	52,64	54,92
19-B—Law and Justice—Jails	...	...	...	23,38	20,45	23,26	22,30
20—Police	...	...	...	71,19	72,33	83,45	76,49
22—Education	...	...	...	53,56	60,44	58,57	75,93
24-A—Medical	...	...	...	11,67	17,84	14,29	21,75
24-B—Sanitation	...	...	...	8,06	10,64	10,12	12,89
26-A—Agriculture	...	...	...	16,84	26,87	22,53	30,33
26-B—Scientific and Miscellaneous Departments	...	...	...	1,69	2,07	2,63	3,94
29—Superannuation Allowances and Pensions	...	...	...	25,91	37,11	25,76	26,59
30—Stationery and Printing	...	...	...	8,45	8,96	9,24	9,46
32—Miscellaneous	...	...	...	19,55	24,72	20,41	66,43
33—Famine Relief	...	...	...	17	1,00	7	...
Working Expenses—							
2—Irrigation—Major Works	}	Civil	...	1	...	...	...
		Public Works	...	51,50	52,64	56,64	58,42
		Interest on debt	...	37,84	38,08	38,01	38,24
3—Minor Works and Navigation.	}	Civil	...	31	29	30	30
		Public Works	...	3,31	3,95	5,10	3,40
4—Civil Works	}	Civil	...	8,00	13,60	13,34	15,66
		Public Works	...	62,33	71,30	85,00	1,00,19
Total Expenditure				5,37,33	6,02,28	6,26,62	7,34,54
Closing balance				2,30,95	2,16,07	2,56,75	1,87,56
GRAND TOTAL				7,68,28	8,18,35	8,83,37	9,22,10

## Appendix A.

## Transfers between Imperial and Provincial Revenues.

(Figures in thousands of rupees.)

	Accounts, 1918-19.	Budget, 1919-20.	Revised, 1919-20.	Budget, 1920-21.
<b>TRANSFERS FROM IMPERIAL TO PROVINCIAL—</b>				
<i>Recurring—</i>				
(1) Fixed adjusting entry ... ..	4,86	4,83	4,86	4,88
(2) In connection with the surrender by the Local Government of Rs. 1 crore out of the Provincial balances.	3,50	3,50	3,50	3,50
(3) On account of the Imperial share of the sales-proceeds of sites for shops and residences in towns in the Punjab.	2,14	1,21	6,97	4,00
(4) For education ... ..	10,38	10,38	10,38	10,38
(5) For maintenance and equipment of science laboratories of the Islamia College, Lahore.	30	30	30	30
(6) For University ... ..	85	85	85	85
(7) For a grant to the Lawrence Military Asylum, Panawar ... ..	40	40	...	...
(8) For the Lawrence Memorial School, Murree ... ..	12	12	12	12
(9) For the improvement of pay and training of teachers ... ..	1,75	1,75	1,75	1,75
(10) For Government Training Class at Sanawar ... ..	...	25	25	25
(11) For Sanitation ... ..	4,00	4,00	4,00	4,00
(12) For the improvement of the sanitary services... ..	22	22	22	22
(13) In connection with remission of appropriations from cesses ... ..	2,08	2,08	2,08	2,08
(14) To compensate Provincial revenues for the loss of income from the recovery in stamps of fees for the inspection of records.	10	10	10	10
(15) For remission of certain recoveries from local bodies ... ..	3,04	3,04	3,04	3,04
(16) For relieving municipalities of police charges ... ..	5,22	5,22	5,22	5,22
(17) To meet the expenditure for the grants of Rs. 100 per annum each to the holders of titles of Mahamahopadhyaya and Shams-ul-Ulma.	1	1	1	1
(18) Provincialisation of the salaries of officers of the Civil Veterinary Department and of the charges of the Camel Specialist.	1,00	1,00	1,16	1,31
(19) In connection with the creation of the new Province of Delhi ... ..	18	18	18	18
(20) In connection with the scheme for the import of charas and bang in bond from the Punjab into Delhi.	18	18	18	18
(21) For loss in Income-tax revenue necessitated by changes in taxation ... ..	...	4,80	4,80	4,80
(22) On account of payments to be made to Chiefs of Keonthal and Koti... ..	- 2	29	...	25
(23) For the establishment of an Institute at Lahore for the treatment of disabled soldiers.	...	...	40	40
(24) Towards the establishment of an Institute at Mughalpora for the training of Mechanical Engineers.	...	...	...	...
	89,71	48,64	48,87	48,70
<i>Non-recurring—</i>				
(25) Construction of road bridges over the Chenab and Phalku rivers at Wazirabad.	...	...	5,75	8,00
(26) On account of the Imperial share of the contribution to the Walker Hospital, Simla.	6	...	6	...
(27) On account of transfer of control of Sir Harcourt Butler School, Simla	...	...	...	4
(28) For archaeological expenditure ... ..	6	...	2	...
(29) For a grant to Khalsa College ... ..	1,50	...	...	...
(30) Special repairs to the tomb of Asaf Khan at Shahdara ... ..	...	...	5	...
(31) Towards the construction of buildings for Government Training Class at Sanawar.	50	...	47	...
(32) For agricultural education ... ..	4,69	...	2,62	...
(33) For Carpentry School, Jullundur ... ..	1,50	...	...	...
(34) For Punjab Publicity Committee ... ..	1,50	...	1,84	1,05
(35) Towards the cost of Director of Civil Supplies ... ..	28	24	19	5
(36) For the erection of temporary quarters for the inmates of the Institute at Lahore for the treatment of disabled soldiers.	...	...	10	...
(37) Towards the establishment of an Institute at Mughalpora for the training of Mechanical Engineers.	...	...	1,50	...
	10,07	24	12,60	4,74
<b>Total Transfers from Imperial to Provincial</b> ... ..	49,78	48,88	61,47	51,44
<b>TRANSFERS FROM PROVINCIAL TO IMPERIAL—</b>				
<i>Recurring—</i>				
(38) On account of change in classification of the charges of P. W. Section of the Account Office.	...	23	23	23
(39) On account of the Provincial share of the enhanced receipts from Excise.	55	55	55	55
(40) On account of the Provincial share of the enhanced receipts from Income-tax.	2,07	10,74	5,87	7,40
(41) On account of cost of treasure guards (police or barkandaz) employed in the Public Works Department.	51	51	51	51
<i>Non-recurring—</i>				
(42) Towards the cost of installing electric lights in Christ Church, Simla	...	...	1	...
(43) For upkeep of the European Lunatic Asylum at Ranchi	...	...	10	...
<b>Total Transfers from Provincial to Imperial</b> ... ..	3,18	12,03	7,27	8,69
<b>NET TRANSFERS FROM IMPERIAL TO PROVINCIAL</b> ... ..	46,65	31,85	54,20	42,75

**PUNJAB GOVERNMENT  
LEGISLATIVE DEPARTMENT.**

*Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab assembled for the purpose of Making Laws and Regulations under the provisions of the Government of India Act, 1915.*

The Council met at the Government House, Lahore, at 10-30 a.m., on Tuesday, the 6th April 1920.

**PRESENT:**

- ✓ His Honour Sir EDWARD DOUGLAS MACLAGAN, K.C.I.E., C.S.I., I.C.S.,  
Lieutenant-Governor, *Presiding.*
- ✓ The Hon'ble Mr. LEWIS FRENCH, O.I.E., C.B.E., I.C.S.
- ✓ The Hon'ble Mr. WILLIAM THOMAS WRIGHT.
- ✓ The Hon'ble Captain Sardar GOPAL SINGH, O.B.E.
- ✓ The Hon'ble Khan Bahadur Khawaja YUSUF SHAH, O.I.E.
- ✓ The Hon'ble Mr. HERBERT JOHN MAYNARD, C.S.I., I.C.S.
- ✓ The Hon'ble Mr. BASIL THEODORE GIBSON, I.C.S.
- ✓ The Hon'ble Rao Bahadur Chaudhri LAL CHAND, O.B.E.
- ✓ The Hon'ble Nawab Sir BAHRAK KHAN, K.C.I.E.
- ✓ The Hon'ble Khan Bahadur Sayad MERDI SHAH, O.B.E.
- ✓ The Hon'ble Rai Bahadur Pandit JAWAHAR LAL BHARGAVA.
- ✓ The Hon'ble Rai Bahadur RAM SARAN DAS, O.I.E.
- ✓ The Hon'ble Rai Bahadur Pandit SHIV NARAIN.
- ✓ The Hon'ble Mr. FRANK WAVERLEY WOODS.
- ✓ The Hon'ble Rai Bahadur BAKHSI SOHAN LAL.
- ✓ The Hon'ble Mr. FREDERICK ORIGHTON WALLER.
- ✓ The Hon'ble Rai Bahadur Raizada BHAGAT RAM.
- ✓ The Hon'ble Sayad Makhdum RAFAN SHAH.
- ✓ The Hon'ble Khan Bahadur Mian FAZI-I-HUSSAIN.
- ✓ The Hon'ble Mr. OWEN HAMILTON TOWNSEND, I.C.S.

[*Rai Bahadur Bakhshi Sohan Lal ; Mr. Wright.*]

✓ The Hon'ble Mr. CHARLES JOSEPH HALLIFAX, C.B.E., I.C.S.

✓ The Hon'ble Khan Sahib Mirza MUHAMMAD IKRAM ULLAH KHAN.

✓ The Hon'ble Mr. JOHN POWELL, O.B.E.

✓ The Hon'ble Mr. EUSTACE ALEXANDER AOWORTH JOSEPH, I.C.S.

✓ The Hon'ble Khan Bahadur Malik MUHAMMAD AMIN KHAN.

✓ The Hon'ble Colonel DAVID MACDONALD DAVIDSON, I.M.S.

✓ The Hon'ble Mr. PATRICK JAMES FAGAN, C.S.I., I.C.S.

#### PAPERS LAID ON THE TABLE.

\* Vide Appen-  
dix A.

Statement\* laid on the table by the Hon'ble Mr. Joseph in reply to Question No 16, asked by the Hon'ble Captain Gopal Singh at the Council Meeting on the 13th March 1920.

#### QUESTIONS AND ANSWERS.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

1. "Has the attention of Government been drawn to the article on the subject of the 'Provincial Educational Service' published in the *Tribune* of 20th March 1920?"

The Hon'ble Mr. Wright replied :—

"The answer is in the affirmative."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

2. "(a) Is Government aware that keen dissatisfaction has existed among the officers of the Provincial Educational Service, ever since the re-organisation of 1896, as regards their salaries, promotions, and other conditions of service?"

"(b) Is it a fact that Government has several times recognised the desirability of effecting improvements in the conditions relating to the service?"

"(c) Is it also a fact that the Government of India had actually drawn up a scheme for improving the conditions of this service as far back as 1912, and the Punjab Government had provided funds in the Budget for 1912-13, so that the new scheme might be given effect to as soon as the Secretary of State's sanction was obtained?"

"(d) Is it correct or not that there is a scheme now ready to be introduced for the re-organization of the 'Provincial Educational Service,' and if so, what are its main features and in what particular respects is the new scheme an improvement upon the scheme which it was intended to introduce in 1912?"

"(e) Will Government be pleased to state in what manner it proposes to compensate those officers of the service who expected to be benefited under the proposed scheme of 1912 but were deprived of the improved prospects by the appointment of the Royal Public Services Commission in that year?"

The Hon'ble Mr. Wright replied :—

"(a), (b), (c) The Hon'ble Member is referred to the answers given by Mr. Godley to questions bearing on this subject to the Hon'ble Rai Bahadur Shadi Lal on 2nd October 1912, to the Hon'ble Member himself on 22nd April 1915, and Hon'ble Diwan Bahadur Diwan Daulat Rai on 2nd September 1916. The Punjab Government has for some time been anxious to improve the

[*Rai Bahadur Bakhshi Sohan Lal ; Mr. Wright ; Mr. Gibson.*]

conditions of the Provincial Service. An opportunity now appears to have arisen and I can assure the Hon'ble Member that Government will do all in its power to remove legitimate causes of complaint.

"(d) The Hon'ble Member is referred to the answer given to the Hon'ble Khan Bahadur Fazl-i-Hussain at this meeting. It is hoped that the new scheme will be an improvement on the scheme submitted in 1912.

"(e) Government can only take present conditions and requirements into consideration and cannot undertake to compensate officers for possible loss owing to the previous scheme not having been sanctioned."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked:—

8. "Will Government be pleased to state the names of the local bodies—

"(a) which have extended part II of the Primary Education Act, 1919, to the areas in the Punjab in order to make primary education compulsory as well as free;

"(b) which have been given special pecuniary aid by Government to strengthen their finances with a view to enable them to carry out the much-needed reform of compulsory education?"

The Hon'ble Mr. Wright replied:—

"The only local body which has asked that part II of the Punjab Primary Education Act should be applied to the area under its control is the Municipal Committee, Multan. Government has promised to meet 50 per cent. of the additional expenditure for a period of three years."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked:—

4. "Will Government be pleased to state whether there is any scheme for consideration before the Government for metalling the road between Kadirabad and Pindi Bahadur Din *via* Phalia in the District of Gujrat?"

Metalling the road between Kadirabad and Pindi Bahadur Din.

5. "If so, will Government be pleased to state—

"(a) What stage the operations under the scheme and the work of improving the road has reached?

"(b) What amounts have already been sanctioned or spent actually on the earth-work and metalling of the road during the years 1916-17, 1917-18, 1918-19 and 1919-20?

"(c) What further amount is still required to complete the metalling of the whole road?

"(d) Whether any provision on this account is made in the Budget for the year 1920-21 to complete the work of metalling the whole road during the current year."

The Hon'ble Mr. Gibson replied:—

"The road in question has been under construction for some years. It is a colony road and its construction is presumably being carried out by the District Board. Colony roads are financed by a lump annual grant which is distributed by the Financial Commissioners among Commissioners and by Commissioners among Deputy Commissioners according to their needs, but neither Government nor the Financial Commissioners know how much money is ultimately allotted annually to any particular road. Government is therefore unable to supply the information asked for in question 5 without a reference to the local authorities, but will make the enquiry if the Hon'ble Member still desires it."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked:—

6. "Will Government be pleased to state to what stage the proposed schemes for extending all or any of the following Branch Railway Lines have reached and when such schemes are expected to be given effect to—

"(a) From Pathankot to Nurpur in Kangra District.

[Mr. Gibson ; Rai Bahadur Bakhshi Sohan Lal.]

"(b) From Mukerian to Hajipur in Hoshiarpur District.

"(c) From Amritsar to Ramdas in Amritsar District.

"(d) From Gujrat to Sargodha direct connection?"

The Hon'ble Mr. Gibson replied :—

"None of the above schemes have yet been taken up, and it is not likely that any of them will be seriously proceeded with at present as it is necessary that the facilities for goods and passengers on existing lines should be substantially improved before new construction on any large scale is attempted."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

7. "With reference to the reply of the Hon'ble Mr. Gibson to my questions Nos. 18 and 19 in the last meeting held on 13th March 1920, will Government be pleased to state :—

"(a) How long is it since Lala Lalji Mal has been continuously nominated by the Deputy Commissioner, Ferozepore, as a member of the District Board?

"(b) When was the last term of his office as a nominated member to expire?

"(c) When did the President, District Board, become aware for the first time that Lala Lalji Mal was not a suitable member of the District Board?

"(d) Whether there was any complaint against him, and if so, what that complaint was, and whether such complaint was brought to the notice of Lala Lalji Mal or before the District Board?

"(e) If there was no such complaint what was the fault of Lala Lalji Mal which rendered him unsuitable for the membership of the District Board?

"(f) Whether Lala Lalji Mal was ever asked or given any chance to explain his conduct or the complaints, if any, against him?

"(g) Whether the President's directions, dated 30th May 1919, to the Secretary, District Board, to ignore Lala Lalji Mal in issuing notices of the meetings were official or demi-official, and whether such instructions were ever laid before a meeting of the District Board for approval?"

8. "Will Government be pleased to lay on the table of this Council a tabular statement of attendance in the meetings of the District Board Ferozepore, from 1st April 1918 to 31st March 1919 showing —

(a) The dates of the meetings.

(b) The number of members present.

(c) The number of members absent.

(d) The names of members absent.

The Hon'ble Mr. Gibson replied :—

"(a) Lala Lalji Mal has been a nominated member of the District Board of the Ferozepore District continuously since 1914.

"(b) The last term of his office as a nominated member expired on the 19th January 1920, but he has continued in office under Section 12 (4) of the District Board Act, as the nomination of his successor has not been notified.

"(c) The exact date when the President first became aware that Lala Lalji Mal was an unsuitable member of the District Board cannot be stated, but he must have become aware of it in 1918-19 during which period Lala Lalji Mal was absent from five meetings of the Board.

"(d) The answer is in the negative.

[ Mr. Gibson ; Rai Bahadur Bakhshi Sohan Lal ; Mr. French ]

"(e) As stated above and in the answer to the questions asked by the Hon'ble Member at the last meeting of the Council, Lala Lalji Mal was very irregular in his attendance at District Board meetings. He also owned no land in the Ferozepore District. These facts rendered him unsuitable as a member of the District Board, but Government is not prepared to admit the proposition that unsuitability necessarily constitutes a fault.

"(f) Lala Lalji Mal was not asked to explain his conduct nor did he make any representation on the subject to the President of the District Board.

"(g) The directions of the President, dated 30th May 1919, consisted of an order to the Secretary passed in his capacity as Executive Officer of the Board. Like other similar orders it was not laid before a meeting of the Board for approval."

"The statement \* asked for by the Hon'ble Member is laid on the table." \*Not printed.

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—**

9. "Has the attention of Government been drawn to the very bad condition of the kacha cart road between Kunjah and Mangowal in Gujrat District specially during the rains when the road becomes quite unfit for passage of wheeled traffic?" Cart road between Kunjah and Mangowal in Gujrat District.

10. "If so, will Government be pleased to lay before this Council a rough estimate of the yearly traffic on this road for the last 5 years and to state whether there is any proposal for consideration before the District Board, Gujrat, or before the Government for metalling this road and converting it into a pucca road in continuation of the metalled road from Gujrat to Kunjah?"

**The Hon'ble Mr. Gibson replied :—**

"The answer to question 9 is in the negative and the Government has no information about this road, but it will forward the Hon'ble Member's questions to the District Board for their consideration."

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—**

11. "In view of the difficulty in securing house accommodation in Simla and of the high prices of commodities prevailing there will Government be pleased to state whether there is any proposal under the consideration of Government for providing quarters for Indian Clerks and of increasing their Simla allowances during their 5 months' residence there on duty with or without their families?" Quarters for Indian Clerks at Simla and increase of their allowances.

**The Hon'ble Mr. French replied :—**

"Certain proposals for the provision of quarters at Simla for junior Indian Clerks are under Government's consideration.

"There is no proposal at present to increase the hill allowance granted to non-gazetted Government servants under the Simla Hill Allowance Code."

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—**

12. "Will Government be pleased to state whether it is correct or not that the clerical staff of the Public Works Department and Civil Secretariat are allowed different scales of pay for the same or similar class of work. If so, why such distinction in the pay of the two clerical staffs is maintained?"

**The Hon'ble Mr. French replied :—**

"Government is aware that there is a difference in the rates of pay allowed to the clerical staffs of the Public Works Department Secretariat and the Civil Secretariat. This difference has always existed and the necessity for maintaining it or allowing both establishments the same rates of pay will be considered along with the general question of the revision of pay of all non-gazetted establishments." Clerical staff of Public Works Department and Civil Secretariate.

[*Khan Bahadur Mian Fazl-i-Hussain; Mr. Wright; Mr. French; Mr. Joseph.*]

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—

Pay of Provincial Educational Service.

13. " Will Government be pleased to state from what date it is intended to give effect to the scheme for improvement of salaries to the officers of the Provincial Educational Service, for which it is understood provision has been made in the Budget ? "

*Ibid.*

14. " Will Government be pleased to state what grades or rates of annual increments have been fixed for the members of the Provincial Educational Service, within the minimum and maximum sanctioned by the Secretary of State ? "

*Ibid.*

15. " Will Government be pleased to state how the rates of salary, increments, and prospects of the Provincial Educational Service will under the re-organization scheme compare with those of the other important Provincial services ? "

The Hon'ble Mr. Wright replied :—

" I will answer Nos. 13, 14 and 15 together.

" The matter is at present under consideration, but Government is not yet in a position to make any announcement. There will be no delay in the matter."

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—

Newspapers prohibited in the Punjab.

16. " With reference to the answers to questions 43 and 44 given in the meeting of the Council of the Lieutenant-Governor of the Punjab on Saturday, the 6th of March 1920, will Government be pleased to state the names of the newspapers against which orders prohibiting entry into the Punjab are now in force ? "

The Hon'ble Mr. French replied :—

" The newspapers excluded from the Punjab are—

1. *Independent* (Allahabad).
2. *Congress* (Delhi).
3. *Vijaya* (Delhi).

" Orders also still exist excluding the following three papers which are defunct :—

1. *Akhawat* (Lucknow).
2. *Inqilab* (Delhi).
3. *Qaum* (Delhi)."

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain asked :—

Temporary eighth Judge of the High Court.

17. " With reference to the answers to questions 47 and 48 given in the meeting of the Council of the Lieutenant-Governor of the Punjab on Saturday, the 6th of March 1920, will Government be pleased to state what steps it has in view to remove or reduce the evil ? "

The Hon'ble Mr. Joseph replied :—

" Government has asked for the continuance of the temporary post of 8th Judge for a further period of one year from April 1920 in order to enable the pending file to be reduced."

[Rao Bahadur Chaudhri Lal Chand ; Mr. Woods.]

The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—

18. " (a) What are the rules regarding the charges for moisture when one irrigated crop is followed by another *barani* crop ? Irrigation charges.

" (b) Does the Irrigation Department maintain a record of the dates on which a particular field number received a watering ?

" (c) What is the period for which the moisture is supposed to last after the last watering of the irrigated crop, and are there any instructions on this particular point ?

" (d) Is it a fact that on Western Jumna Canal a *barani* crop sown after an irrigated crop is charged with moisture *abiana* even though the period between the last watering and the sowing of the *barani* crop is several months and no trace of moisture in the actual sense of the word is left in the soil ?

" (e) Is the same *barani* crop for which moisture *abiana* is charged returned as irrigated in the record of the outlet concerned and with what justification ?

" (f) What is the total area on the Western Jumna Canal for which such moisture *abiana* has been charged during the last 5 years and what is the amount realised in the form of moisture *abiana* during the same period ?

The Hon'ble Mr. Woods replied :—

" (a) The rules on the subject are that when a first watering, for ploughing or sowing a subsequent crop, is applied whilst a crop is already existing in a field, a low water rate is chargeable for that watering, as set forth in the Schedule of Occupiers' Rates applicable to each canal.

" (b) The reply is in the negative.

" (c) If after an irrigated crop has been harvested in a certain field that field is ploughed up and sown with seed of another crop the said ploughing and sowing may be presumed to have been rendered possible by the last canal watering applied to the field.

" (d) The reply is in the negative.

" (e) No canal water rates are levied except on land that has been irrigated by a canal.

" (f) The figures are as follows :—

Years.	Areas in acres.	Amount of water-rate charge. Rs.
1914-15	35,927	35,584
1915-16	6,113	5,904
1916-17	21,504	21,313
1917-18	73,324	92,438
1918-19	6,462	7,804

The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—

19. " (a) Will Government be pleased to issue detailed instructions on the subject mentioned in question 18 in order to save the cultivators from a levy of moisture *abiana* when no such moisture is present in the soil.

" (b) Will Government be further pleased to direct that the area for which only moisture *abiana* has been charged should not be shown in the column of area irrigated from a particular outlet."

[Mr. Woods ; Rao Bahadur Chaudhri Lal Chand.]

The Hon'ble Mr. Woods replied :—

“(a) The Government does not consider any instructions necessary beyond those already existing.

“(b) The reply is in the negative.”

The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—

20. “Is it a fact that on the Western Jumna Canal fields to which canal water flows on account of breaches in the canal banks are charged with full water rates, according to the crops standing on them even though water was neither needed nor was it asked for such crops?”

The Hon'ble Mr. Woods replied :—

“The reply to the question, in the form in which it has been put, is in the negative.”

The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—

21. “If so, what is the justification for such a charge especially in cases where there is no other means of giving further water to those fields except by means of a breach in the canal bank and no such breach is made for the second watering to those crops?”

The Hon'ble Mr. Woods replied :—

“This is disposed of by answer to question 20, but it may be added that in the case of land irrigated through a breach wilfully and illicitly made in a canal bank the justification would be found in Rules 32, 33, issued by the Government under the Canal Act of 1873.”

The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—

22. “Will Government be pleased to issue instructions to the Canal authorities on the Western Jumna Canal that *abiana* should be charged for such compulsorily irrigated crops only when the breach is due to the deliberate action of the cultivators of those fields.”

The Hon'ble Mr. Woods replied :—

“It is not necessary to issue such instructions, as existing practice in such cases is to levy assessments of water-rates in accordance with evidence of facts in each case.”

The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—

Sale of Canal  
Department  
Manual.

23. “(a) Is a Manual of the Standing Orders of the Canal Department open for sale to the public and is a vernacular translation of the same also available?”

“(b) If not, will Government be pleased to arrange for such publication in order to let the cultivators realise their position?”

The Hon'ble Mr. Woods replied :—

“(a) Copies of the Northern India Canal and Drainage Act No. VIII of 1872 and of the rules thereunder both in English and in the Vernacular are purchasable by the public.

“(b) The Manual of Standing Orders for the evidence of Departmental Officials is not available and the Government does not consider it necessary to render it available for purchase by the public.”

[*Rao Bahadur Chaudhri Lal Chand ; Mr. Fagan.*]

**The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—**

24. "(a) What are the rules regarding the supply of necessary articles to officers of the Government by the village people when the former visit them ? Supply of necessary articles to officers on tour.

"(b) Is Government aware that when officials stop in villages the villagers have to supply articles of daily use at a very cheap rate and the loss has to be debited to the *malba* of the village ?

"(c) Will Government be pleased to issue departmental instructions to all officers not to demand anything from village people at a cheaper rate than is prevalent in the village ?

"(d) Will Government, in order to make it possible for all officials to obey these instructions, be pleased to increase the daily or travelling allowance of those officials who do not get enough daily allowance to defray their expenses."

**The Hon'ble Mr. Fagan replied :**

"(a) There are no definite rules in force regarding the supply of necessary articles to officers while on tour in villages. But instructions, originally issued in 1893, are in force of which the object is to prevent abuses and minimize hardships incidental to the provision of supplies for officials on tour.

"(b) Government considers it probable that under the conditions which are prevalent in this country certain classes of subordinate officials while on tour, more or less frequently procure supplies at unduly cheap rates, but it is not satisfied that there is on the part of all classes of officials any such universal disregard of its well known and fully recognized intention as the question appears to suggest.

"(c) The whole subject of the provision of necessary supplies for officials on tour has been engaging the attention of Government for a long period and is at present under the consideration of a Committee appointed by it. The recommendations of the Committee are awaited. The whole subject is one of considerable inherent difficulty due in a large measure to a divergence between modern conditions and the ancient methods and customs of the country. It is, however, the desire and intention of Government that all reasonable causes of complaint should be removed.

**The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—**

25. "(a) What is the Government rate for the hire of a bullock cart (with two bullocks) per stage and does it include the wages of the driver ? Hire rate of bullock carts.

"(b) How does this compare with the rate of wages per stage with one horse only ?

"(c) When was the rate for carts fixed.

"(d) In view of the very low rate fixed for the hire of bullock carts, will Government be pleased to revise these rates and when doing so consult non-official representatives as well ?"

**The Hon'ble Mr. Fagan replied :**

"(a) The ordinary Government rate for the hire of bullock carts per stage is ten annas per cart plus ten annas per bullock. There are special enhanced rates for bullocks in certain districts. The above rates are enhanced by 25 per cent. during the rainy season. They were expressly framed to include the wages of the driver.

"(b) The ordinary rate for tongas per stage is one rupee six annas each on metalled roads and one rupee ten annas on unmetalled roads.

[*Rao Bahadur Chaudhri Lal Chand ; Mr. Fagan ; Mr. French.*]

"(c) The present rates for carts were fixed with the previous sanction of the Government of India in 1919.

"(d) Government does not admit that these rates are very low and does not propose to revise them at present."

**The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—**

Impressment  
of carts.

26. "Under what law do Tahsildars impress carts for the need of civil officers, and if the practice is illegal, will Government be pleased to stop this practice?"

**The Hon'ble Mr. Fagan replied :—**

"There is no impressment of carts for the use of civil officers in the legal sense of the term. When required as carriage for officers touring in the discharge of their official duties carts are procured in the customary manner by Tahsildars generally through the agency of Chaudhris as a part of their ordinary executive duties. They are responsible for seeing that no undue pressure is applied nor unnecessary hardship entailed. Government does not consider that the issue of instructions in the matter is necessary."

**The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—**

Royal clemency shown  
in Ambala  
Division.

27. "Will Government be pleased to state the clemency shown in Ambala Division towards persons punished in one way or the other as a result of the late disturbances of April last?"

**The Hon'ble Mr. French replied :—**

"One person from the Ambala Division convicted in connection with the disturbances has been released as a result of the Royal Proclamation. The cases of some others are under consideration."

**The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—**

28. "(a) How many officials in the Ambala Division have got grants of land and how many of them were agriculturists?"

"(b) Were any officials of that Division belonging to the agricultural classes rewarded for recruiting services by grant of titles, Kaiser-i-Hind medals Swords of Honour, or Recruiting Badges? If so, will Government say why grants of land were not also made to such officials?"

"(c) Will Government be pleased to ask for a report about the war services of officials mentioned in (b) and make suitable land grants to them?"

**The Hon'ble Mr. French replied :—**

"(a) One Extra Assistant Commissioner and two Tahsildars serving in the Ambala Division were among the 24 recipients of land for military or political services of a distinguished and exceptional character connected with the war. They were not agriculturists.

"Apart from them, 13 retired military officers of the Division received recruiting reward grants ranging from 1 to 5 rectangles. They are all believed to be agriculturists.

"(b) The following belonged to agricultural classes :—

Of 13 officials who received honours (such as membership of orders etc.) 5.

Of the 9 who received titles 4.

Of the 5 who received Swords of Honour 4, and

Of the 29 who received Recruiting Badges 16.

"The one recipient of the Kaiser-i-Hind Medal belonged to an agricultural class.

[Mr. French ; Rao Bahadur Chaudhri Lal Chand ; Mr. Joseph ; Mr. Maynard.]

"Of the seven who received land as well as an honour or a title, 3 belonged to the agricultural classes.

"(c) The awards of titles and land, etc., which I have detailed were made on reports of the War services rendered by these officials. It is not proposed to make any further awards."

The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—

29. "Has Government received a memorial from Pandit Amar Nath, Extra Assistant Commissioner, and how does Government propose to deal with the case?"

Memorial of  
Pandit Amar  
Nath, Extra  
Assistant  
Commissioner.

The Hon'ble Mr. French replied :—

"Government has recently received and has under consideration a memorial from Pandit Amar Nath."

The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—

30. "(a) What are the reasons for placing the Punitive Police in the villages of Khirwali and Sanghi in Rohtak District?"

"(b) Does Government propose to revise its orders regarding these two villages in the light of the Royal Proclamation?"

The Hon'ble Mr. Joseph replied :—

"The Punitive Police Post located at the villages of Khirwali and Sanghi in the Rohtak District for a period of one year in September last, was imposed as the result of the general lawlessness prevailing there for some time previously, as shown by the formation of a gang of badmashes belonging to both villages, the existence of factions and feuds, and the suppression of evidence in criminal cases.

"As the post was located on ordinary criminal grounds, and not in consequence of political disturbances, Government does not propose to take the action suggested."

The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—

31. "(a) What is the total number of Hindu Fellows of the Punjab University and how many of them belong to Lahore?"

University  
Fellows resi-  
dents and non-  
residents of  
Lahore.

"(b) What are the reasons for this monopoly of these seats by men resident in Lahore and how does Government propose to remedy this monopoly?"

"(c) Is the proportion of Lahore men and outsiders the same in the case of Sikhs and Musalmans, and, if not, why are Hindus living outside Lahore treated differentially?"

The Hon'ble Mr. Maynard replied :—

"(a) The following gives the particulars asked :—

	Hindus.	Muslims.	Sikhs.
Residents of Lahore	24	12	...
Not residents of Lahore	1	3	5

"(b) Government does not appoint the Fellows of the Punjab University. Some of them (nine) are Fellows *ex officio*, 16 representatives of the Donors of the University's endowments: some are elected by registered graduates and by Faculties: and some are nominated by the Chancellor of the University. It is understood that the Hon'ble Member desires information regarding the policy followed by the Chancellor in making his nomination.

[ Mr. Maynard ; Rao Bahadur Chaudhri Lal Chand ; Mr. Halifax ; Sayad Makhdum Rajan Shah ; Mr. French ; Rai Bahadur Raizada Bhagat Ram. ]

" One of the considerations which influences the choice is the probability that the nominee will attend regularly at the meetings of the Senate and of the Faculties. It is found that with some notable exceptions Fellows who are not resident in Lahore tend to be irregular in their attendance and do not contribute to the work of the University.

" Another important consideration is the need of representing the managing bodies and the teaching staffs of teaching institutions. There is a great concentration of teaching institutions in Lahore. Of the colleges which teach up to and beyond the Degree standard, there are 11 in Lahore and 12 outside of Lahore. But of the 12 outside of Lahore four are Mission Colleges, one is Sikh and one is Muhammadan, so that their managing bodies are non-Hindu and the staffs include a comparatively small number of Hindus. Approximately 80 per cent. of the undergraduates resident in British territory and within the jurisdiction of the Punjab University are studying in Colleges in Lahore, the colleges for professional training in Medicine, Law and Teaching, are all in Lahore, and the mere number of the colleges in Lahore does not convey a complete indication of the extent to which teaching institutions are concentrated there.

" It would be mischievous to the interests of the University to make residence outside of Lahore a qualification for nomination to fellowships. It would also be mischievous to the interests of the community concerned. When a person who is not effective in the councils of the University is made a Fellow the community to which he belongs suffers a corresponding reduction of its influence in University affairs."

**The Hon'ble Rao Bahadur Chaudhri Lal Chand asked :—**

32. " What has happened to the recommendations of the Local Self-Government Committee appointed last year and when is Government to give wider powers to the Local Bodies?"

**The Hon'ble Mr. Halifax replied :—**

" The recommendations were circulated for opinion. Opinions have been received and are being examined. His Honour the Lieutenant-Governor has directed that bills be drafted to amend the Municipal Act and the District Board Act in the direction of giving wider powers to Local Bodies. He has also ordered the revision of rules relating to Local Bodies. The matter is now receiving attention."

**The Hon'ble Sayad Makhdum Rajan Shah asked :—**

33. " All non-gazetted Government servants in the Province whose salary exceeds Rs. 75 per mensem have been granted a temporary allowance from 1st October 1919 at 20 per cent. on their pay and acting allowance, will Government be pleased to consider the grant of a similar allowance to gazetted officers in the Punjab?"

**The Hon'ble Mr. French replied :—**

" The Hon'ble Member's attention is invited to paragraph 24 of the Memorandum by the Finance Member which was presented to this Council on the 6th March last. The question of the grant of an allowance to those gazetted officers who do not belong to any of the services dealt with by the Public Services Commission is under consideration."

**The Hon'ble Rai Bahadur Raizada Bhagat Ram asked :—**

34. " Will Government be pleased to state whether it has come to their notice that since April last there is a great tension of feeling between the District Magistrate and the citizens of Jullundur on account of the former's action against some of the members of the Reception Committee of the Punjab Provincial Conference at Jullundur?"

Local Self-Government.

Grant of extra allowance to gazetted officers.

Feeling between the District Magistrate and citizens of Jullundur City.

[ Mr. French ; Rai Bahadur Raizada Bhagat Ram. ]

The Hon'ble Mr. French replied :—

" Government is not aware that there is any such state of feeling as is suggested in the Hon'ble Member's question existing between the District Magistrate and the general body of citizens in Jullundur."

The Hon'ble Rai Bahadur Raizada Bhagat Ram asked :—

35. " Will Government kindly state whether Mr. Hamilton, the Deputy Commissioner of Jullundur, cancelled the licenses of Petroleum Companies for the storage of Kerosine Oil solely on the ground that their local Sub-Agents were ' Extremists ' ? "

Petroleum  
Licenses of  
Jullundur.

The Hon'ble Mr. French replied :—

" In May and June 1919 two licenses were cancelled by the Deputy Commissioner on the ground stated."

The Hon'ble Rai Bahadur Raizada Bhagat Ram asked :—

36. " Will Government inform this Council whether any enquiries were made by the Deputy Commissioner before the cancellation of the licenses, if so, will Government be pleased to lay the papers on the table. "

The Hon'ble Mr. French replied :—

" Enquiries were made by the District Magistrate, but Government is not prepared to lay the papers on the table."

The Hon'ble Rai Bahadur Raizada Bhagat Ram asked :—

37. " Is it not a fact that the Sub-Agents denied their being ' Extremists ' in politics and challenged the finding of the Deputy Commissioner and asked for an open enquiry ? Is it also not a fact that the Licensee Companies concerned in all these cases supported their Sub-Agents, and were practically forced by the Deputy Commissioner to change them ? "

The Hon'ble Mr. French replied :—

" Representations of this character were made but Government is not aware of an open enquiry being asked for. The Companies demurred to the Deputy Commissioner's orders, but as he declined to alter them they appointed other Sub-Agents."

The Hon'ble Rai Bahadur Raizada Bhagat Ram asked :—

38. " Will Government be pleased to state whether the District Congress Committee of Jullundur has submitted a representation to His Honour the Lieutenant-Governor regarding the refusal of the Deputy Commissioner of Licenses under the new Indian Arms Act to respectable gentlemen on the ground that the applicant, either himself or any member of his family, attended the last Amritsar Congress, which the Deputy Commissioner of Jullundur described ' as a body in which seditious speeches were made ' ? "

Licenses  
under the  
Arms Act.

" Will Government be pleased to state what steps it intends to take in order to remove the serious stigma which has been cast by the Deputy Commissioner over the Indian National Congress ? "

The Hon'ble Mr. French replied :—

" A representation of the nature referred to has been received by Government. It is understood that the gentlemen referred to have appealed to the Commissioner who has directed the issue of licenses in their favour. In the circumstances no further action by Government appears to be called for."

The Hon'ble Rai Bahadur Raizada Bhagat Ram asked :—

39. " Will Government be pleased to state whether the old established school at Nurmahal in the Jullundur District has been disaffiliated on the sole ground that the members of the Managing Committee took some part in the *hartal* of the 6th April 1919 ? "

Disaffiliation  
of Nurmahal  
School.

[Mr. Wright ; Rai Bahadur Raizada Bhagat Ram ; Mr. French ; Mr. Gibson ;  
Khan Bahadur Khwaja Yusuf Shah ; Rao Bahadur Chaudhri Lal Chand.]

The Hon'ble Mr. Wright replied :—

" Apart from the action of the school staff in participating in the political movement referred to, the Inspector of Schools reported that the school was not efficiently staffed, was mostly manned by untrained hands and was not a very popular institution. It was accordingly decided to remove the school from the list of recognised institutions."

The Hon'ble Rai Bahadur Raizada Bhagat Ram asked :—

Collection of  
subscriptions  
for Peace  
Celebrations  
in Hafizabad.

40. "(a) Is Government aware of the methods in which subscriptions for the Peace Celebrations in last July were obtained from the people of Hafizabad ?

"(b) Is Government aware that a large amount of funds thus collected was spent by the subordinate officers for their own pleasure ?

" Is Government aware that in spite of the repeated demands by the public, no account of the expenditure of those funds has been tendered by the responsible authorities ?

"(c) Will Government be pleased to institute an enquiry into the matters and place a list of the officers concerned on the table and also a statement of the receipts and expenditure ?"

The Hon'ble Mr. French replied :—

" Government has no information on the subject. Enquiries are being made, the results of which will be communicated to the Hon'ble Member in due course."

#### BUDGET, 1920-21.

The Hon'ble Mr. Gibson :— " Your Honour, as the Budget for 1920-21 makes no change in the figures of the Revised Financial Statement presented to this Council on the 18th of March 1920, I have nothing to add to the previous remarks with which I introduced the Amended and Revised Financial Statements in this Council. I therefore beg formally to introduce the Budget\* for 1920-21."

The Hon'ble Khan Bahadur Khwaja Yusuf Shah :— " Your Honour, I have only one observation to make and it is only in connection with the Reforms. Your Honour, officers of Government in every Province with the assistance of non-officials are busy in making laws and regulations in connection with the Reforms Schemes. We gratefully appreciate the assurances that were given to the Council by the Hon'ble Mr. Maynard of the complete co-operation of the officers with the new Reforms. Your Honour, it is my firm conviction that without the co-operation of the officers who are the administrators of this country the Reforms will not succeed. At the same time, I would earnestly ask the representatives of the people who will come in larger numbers to this Council to co-operate with these officers, because there, as I pointed out at the last meeting, they will be new to the work and they must for some time to come learn to work and on the same principle which has been followed in large concerns and firms that junior partners have to work under the guidance of senior partners. With this observation I resume my seat."

The Hon'ble Rao Bahadur Chaudhri Lal Chand :— " Your Honour, I have not much to say on the details of the budget. It is a matter for congratulation that the receipts show an increase under nearly every important head except Land Revenue ; Excise, Income-tax, Stamps, Registration and Irrigation have all produced a larger income than was expected. The increase under the head Excise, so far as it indicates increased consumption, is a matter of serious concern. Increased receipts from the head " Stamps " are also to be viewed with more or less concern. They imply an increase in litiga-

[ *Rao Bahadur Chaudhri Lal Chand.* ]

tion which, if unchecked, will seriously interfere with the prosperity of the population. The very substantial increase in the receipts from Income-tax is a matter for unqualified satisfaction and fully justifies the appointment of a special assessing agency.

" On the expenditure side the budget shows a decrease as compared with the sums allotted under the familiar heads of Education, Sanitation and Agriculture. One cannot congratulate the departments concerned on their capacity for spending. Something or other always turns up and upsets their schemes for spending their allotments and year after year the Finance Member is heard offering excuses and apologies for the inability of these departments to consume their assignments. Another feature of the budget which cannot fail to strike one is the undue caution bordering on timidity with which the estimates of receipts under the various heads have been framed. It is strange that receipts under almost every head have been underestimated and the excess of actual receipts over those estimated is remarkably substantial. The evils of under-estimating receipts are many and far reaching. The chief of these evils is that it places a serious check on a liberal allotment of funds to the various beneficent services on which the general welfare and advancement of the community depends. However as the budget under discussion will, probably, be the last to be framed under the present conditions I will not pursue the subject any further. In paragraph 18 the Hon'ble the Finance Member has alluded to the excess of expenditure over income budgetted for the next financial year. The excess budgetted is no less than 70½ lakhs. It is true that such an enormous excess on the wrong side of the balance sheet cannot be viewed with equanimity. But I am sure that on the assumption of a normal monsoon and a normal outturn of crops this excess is likely to be reduced very substantially, and I shall not be surprised at all if it actually drops to half its estimated dimensions. Any way in view of our present balance it is not at all unwise to decide on a bold policy of expenditure. A liberal provision must be made for beneficent services even at the risk of diminishing our present large balance, and I sincerely congratulate the Finance Member on the departure of policy which he has made.

" In paragraph 23 the Hon'ble Finance Member has alluded to the new financial arrangements between the Imperial and Provincial Governments contemplated under the Reform Scheme. The Financial Relations Committee under the presidency of Lord Meston has already visited the Province and both the Government and the non-official members of the local Finance Committee have had an opportunity of expressing their views before Lord Meston's Committee. I have no doubt that the representatives of the Local Government and the representatives of this Council have put the case of the Punjab with earnestness and vigour before Lord Meston's Committee and the result of this discussion will be as favourable to our Province as we could wish. It would be most unfair to saddle the Punjab with the burdens which should in justice be borne by other Provinces. It is no valid ground for asking the Punjab to contribute more to the Imperial exchequer than its legitimate share because certain other provinces cannot raise sufficient revenue for their requirements. Let those other Provinces remedy the defects which deprive them of a full share in certain sources of revenue and if those defects cannot be remedied on grounds of principle expediency, or practical difficulties let the Provinces concerned resort to fresh taxation. It will be neither reasonable nor just to expect other provinces to undertake fresh financial liabilities in order to supply funds for the requirements of sister provinces. However, if we are driven to fresh taxation for the purpose of meeting our own requirements I hope we shall be able to devise new means of raising revenue which will not press heavily on the poor. While on this subject I will just strike a note of warning against any attempt which may seek to impose any fresh

[ *Rao Bahadur Chaudhri Lal Chand.* ]

burden, directly or indirectly, on land. I am sincerely convinced that land is already sufficiently burdened and any extra burden which may become necessary should fall on the shoulders of classes other than our peasantry.

"The lucid financial statement presented to this Council by the Hon'ble Mr. Gibson has made more than one reference to the increased pay, pensions and allowances of the various branches of the public service. In this connection I want to make but one observation and it is this that while the better paid branches of the service have met with a ready response to a demand for increase, some of the most miserably-paid subordinate branches have still to wait for an increase in their prospects which has been long over due. The case of the poor Patwari and the constable will readily suggest itself as an example in point. The lot of the village officers, such as Zaildars, Sufedposhes, Lambardars and Chaukidars, is sufficiently hard to merit sympathetic consideration. The tremendous increase in the work of these officers during the past few years is known to everybody who is in touch with this devoted class of village officials. But unfortunately for themselves they constitute a mute class which in these days of clamour and vociferous agitation cannot expect to draw the attention of the authorities.

"I will now come to a few things which deserve the earnest attention of the Government. These are the better provision of agricultural education, a vigorous programme for the extension of the co-operative movement, rapid growth of primary education and village sanitation. The welfare and prosperity of the rural and agricultural classes depends essentially on the amount of attention which the Government can devote to these subjects. Poverty, ignorance and sickness which have such a firm hold on a very large section of the rural population cannot be successfully chased away from our midst unless a mighty push is given to education, unless the principles of scientific agriculture and the use of scientific implements are taught to the cultivators, unless comprehensive co-operation is introduced in the country, and unless the unhealthy conditions of life in which the bulk of our countrymen live are removed. I acknowledge with gratitude the steps that are now being taken by Government in this direction but I must say that these subjects have been sadly neglected in the past and it is my earnest wish and hope that they will receive still greater share of the attention of the Government in future. Your Honour; during the last 4 years it had been my constant complaint that while Government revenue is chiefly derived from the agricultural classes, the public services of the Province were flooded with classes other than agriculturists. I had all along been urging upon the Government the necessity as well as expediency of giving these classes their due share in these services. No doubt, they were given a monopoly of the Military and other services where there was risk of life but the loaves and fishes of the public services all went to non-agriculturists. Your Honour's illustrious predecessor, no doubt, sympathised with these classes and issued several circular letters to the Heads of Departments to remedy this evil. But vested interests always stood in the way of assuring the Zamindars their proper share, and it is a matter of sincere congratulation that the first year of Your Honour's régime is marked with a resolution laying down a percentage of these services for the Zamindars. I while thanking Your Honour for this act of kindness beg to assure you that the hearts of the Zamindars have been won, and Your Honour has not only done a favour to the most loyal and helpful section of the population but have also by this one act strengthened the foundations of the British Raj. I only wish that Your Honour may find time to see that the directions contained in that resolution are not allowed to become a dead letter.

"Before I resume my seat I will draw Your Honour's attention to another subject of great importance which is such a constant source of resentment and bitterness to the rural population. This is the institution of *Begar*. This time-honoured but universally condemned practice is a frequent source

[ *Rao Bahadur Chaudhri Lal Chand; Nawab Sir Bahram Khan.* ]

of misunderstanding between the officers and the people. It embitters the feelings of mutual goodwill which ought to exist between His Majesty's subjects and Government officers. It is needless to say that people are subjected to harassing demands by the Chaprasis, Constables, orderlies and domestic servants of touring officers. A good deal of petty but most annoying tyranny is exercised by the unscrupulous agents of executive officers in the name of *Begar*. It is extremely difficult for European officers to conceive the numerous strange forms which *Begar* assumes and the various ways in which black-mail is levied in its name and under its authority. I have no disposition to weary Your Honour or this Council with the details of the melodrama of *Begar*, and will content myself with saying that the system of *Begar* is as wrong in principle as it is harsh and unjust in operation. It easily lends itself to abuse and gives birth to a host of mal-practices which bring discredit on the administration.

"It is a matter of satisfaction that the matter is engaging the attention of the Government, and I hope Your Honour will be pleased to take effective steps to abolish this practice and now that the increased rates of pay and travelling allowance have been sanctioned all the officers of all grades should reconcile themselves with a good grace to the discontinuance of the *Begar*."

"One word more, and I have finished. Your Honour, the news that the Hon'ble Mr. Justice Shadi Lal our countryman has been appointed Chief Justice of the Lahore High Court, has been hailed with great joy and satisfaction by all classes of the Province, and I only voice forth the general feeling of the public when I say that Your Honour has by this one act won the hearts of the Punjabis. While we thank Your Honour we hope and pray that our brother may prove himself not only worthy of the high office but may also continue to command the confidence of all classes of the population."

**The Hon'ble Nawab Sir Bahram Khan** :—"Your Honour, I rise to mention in detail all the difficulties that the inhabitants of Dera Ghazi Khan unfortunately have had to encounter."

"Your Honour had the opportunity of seeing the old town, and it is not necessary to draw a picture thereof. It was ruined by the erosion of the river from 1908 to 1912. By the befalling of this unavoidable disaster the inhabitants had to endure various sorts of troubles—valuable buildings and property such as cultivable land and orchards, etc., were destroyed and the commerce was put to a stop. The trouble that was felt in shifting from one house to another is beyond expression. In spite of all these sufferings the people of the soil colonized the new city and built new houses by purchasing fresh sites by contracting loans owing to their impecunious condition. But the idea of Sir Michael O'Dwyer to ameliorate the condition of the town and its inhabitants could not be accomplished owing to the continuance of the Great War. Besides this, the difficulties which the people of Dera Ghazi Khan had to undergo on account of the dearness of the necessaries of life may better be imagined and expressed. Moreover, even in these circumstances, Government has not hesitated in imposing upon them the recent tax. Furthermore, the Settlement Department is prepared to levy the assessment of revenue on the land pertaining to the town on the plea that it was previously culturable land. While in fact the land in question was a *barani* one before the introduction of the new canal and was sometimes brought under cultivation with difficulty. The commerce of the town is also not in a flourishing condition owing to the river and the Railway Station being at a long distance."

"I therefore beg to invite Your Honour's attention to the unfortunate town of Dera Ghazi Khan with the request that the benign Government will be pleased to remove its troubles and create measures conducive to its amelioration and prosperity inasmuch as it was a historical city of the Biloches of

[ *Rai Bahadur Pandit Jawahar Lal, Bhargava.* ]

500 years standing and was carried away by the floods. The new city that has been erected in lieu of it requires the following improvements :—

- (1) Construction of pucca drainage to carry away filthy water.
- (2) Starting and completing the major canal called Rabi Canal which was schemed a few years ago.
- (3) Construction of a light railway from the old city to Sakhi Sarwar which was under consideration a few years back, which would help trade and resources of the people.
- (4) Increase in the number of the Police Corps to save the people from payment of Chowkidara-tax.
- (5) Deference of the imposition of the tax proposed by the Settlement Department till the betterment of the condition of the city.

"Finally, I am confident that our gracious and merciful Government will show sympathy to its poor and disastered subjects and will pay its kind attention for their peace and prosperity."

**The Hon'ble Rai Bahadur Pandit Jawahar Lal, Bhargava** :—"Your Honour, looking into the history of the past year one cannot remain unstruck with the almost dramatic changes and vicissitudes through which the Punjab has passed. In this month last year the Province was in the throes of agony the remembrance of which is sure to send a thrill of fear through one's body. Deplorable events took place, which it is now not of much use to detail forth. The mad acts and excesses of the mob in various places: killing Europeans, insulting ladies and destroying public property on the one hand, and deportations, martial-law and its excesses, deliberate and indiscriminate shooting without previous warning, aeroplane bombing, crawling and other humiliating orders on the other are matters which all persons, high or low, Indians or Europeans, must deplore.

"The atmosphere was highly surcharged with bitterness and mutual recrimination when Your Honour took the charge of your exalted office. The public mind was in a state of peculiar and unprecedented unrest, and was very much exercised over martial-law sentences and other matters connected with the disturbances. Mutual confidence was at a very low ebb and it looked that the gulf of estrangement was too wide to be abridged soon.

"Your Honour's conciliatory and just policy rose equal to the occasion and went a long way in appeasing the apprehensions of the public. The martial-law sentences were revised, the restrictions on various newspapers and upon the liberty of men were removed. Various other acts of justice done by Your Honour helped in re-establishing public confidence. The general amnesty which our beloved Emperor was pleased to extend through the memorable and immortal Proclamation which His Majesty issued to His people while giving assent to the Reform Bill came as a truly Royal balm to heal people's wounds.

"Though it is true that the deadly effects and depredations of the martial-law days cannot be compensated or fully atoned for in spite of Your Honour's solicitude for justice being done and despite His Majesty's Royal Proclamation, yet the good sense of the people, the Royal Command to all concerned, rulers and the ruled, to obliterate all bitterness, mutual forbearance and Your Honour's affability and love of justice have gone a long way to accomplish the reinstatement of public confidence in a wonderfully short time.

"I take this opportunity of once again expressing the gratefulness of the people of the Punjab for Your Honour's sincere efforts to comply with and interpret His Majesty's wish (as contained in the Proclamation) in the right spirit and thereby restoring hundreds of bread-winners to the bereaved families.

[ *Rai Bahadur Pandit Jawahar Lal, Bhargava.* ]

"I have every hope that Your Honour's Government and the Government of India will go still further and even err in extending mercy, that Divine attribute of Kings which, 'Blesseth him that gives and him that takes' in the words of the King among poets.

"I do not doubt that Your Honour is fully aware that there is a wide-spread feeling in respect of some of the Amritsar convicts that they are innocent. The case of Bhai Parma Nand is also one to which the papers have been making constant reference and which formed the subject of a resolution in the Punjab Provincial Conference held on the 3rd instant, which might have come to Your Honour's notice. He is generally believed to be innocent and a man of sterling character. His release will not jeopardize public safety in any way. All these cases deserve Your Honour's and the Government of India's best and generous consideration.

"The combined effect of all the causes mentioned above, for which effect no thanks are sufficient to repay Your Honour's obligation to the Punjab is that the Punjab is as prepared to work out the reforms as the rest of the country.

"We all are looking forward to the coming visit of His Highness the Prince of Wales to India with eager expectation and are desirous of according a most loyal and cordial welcome to our future Emperor. His Highness's visit will usher in a new era which is full of happy promises and will cement the bonds of loyalty and homage of India to the throne and person of the Emperor still further by deepening affection through personal contact.

"Your Honour, in the period of transition everybody's thoughts naturally range round reforms, reform rules and regulations, and the new financial arrangements. We are fully assured that the rules and other matters connected with reforms, which are at present engaging the attention of Your Honour's Government, will be framed and shaped with due and just regard to all interests, and the financial arrangements suggested by Lord Meston's Committee will enable the Punjab to spare enough for pressing provincial needs.

"But Your Honour, no rules or regulations however beneficent they may be in securing other desired things, can teach an elector the right use of the vote, which will be a matter of vital importance in the near future. Of all the agencies which qualify an elector to use his vote rightly and profitably, perhaps none is so potent as Education. Education and Education alone, therefore, is the foremost pressing need of the hour. While recognizing that the budget provision for this head is comparatively liberal, I cannot help saying that it is out of all proportion to the vastness of the task before us. It is over a year that the Compulsory Primary Education Act was passed and if my information is correct, only two municipalities have so far taken action under it and in them too the Act is not yet in force. At this rate it is rather gloomy to contemplate the period of time which will elapse before the whole of the Punjab shall avail of the beneficent provisions of the Act. In many quarters it is not yet clear what quota of contribution will the Government be pleased to pay towards the cost of free and compulsory education to Local Bodies. I would humbly suggest in this connection that a three-year programme may be chalked out and all possible efforts be made to insure that during this period the Act is applied to every part of the Province.

"The provision for female education is not only inadequate but paltry. Unless special efforts are made in this direction, no useful results can be obtained. The paucity of capable female teachers stands in the way of enterprise for private female schools. I would, therefore, press for the opening of some more schools for female teachers.

"We are grateful for the provision for agricultural education which is necessary in a province like ours.

[ *Roi Bahadur Pandit Jawahar Lal, Bhargava.* ]

"It is true, as the Hon'ble Mr. Townsend has pointed out, that the Punjab shall have to continue as an essentially agricultural province, yet it is very disappointing to be told that the promised era of industrial regeneration is far out of sight. The Technological Institute yet looks only as a pious wish and the claims of industrial and commercial education are not adequately recognized. The last war has unmistakably demonstrated how deplorable India's condition was and how far everything vital to the defence and other necessities she had to cast longing looks towards other countries. That a country so rich in raw materials should send its treasures to foreign countries for their being turned out in finished products is hardly an enviable position for any country. I hope, Your Honour, that advantage shall be taken of experiences gained during the war and no efforts will be spared to help the Punjab in its industrial and commercial growth.

"Your Honour, this year there is incontestible proof that the increase in the consumption of liquor, outruns and eludes the efforts of the Government for reducing it, as embodied in the principle 'minimum of consumption and maximum of income' as well as those of the temperance preacher. In view of the very harmful consequences attendant upon such increase I must again press upon the Government the desirability of tackling the question of liquor consumption by some sort of legislation. I am confident that public opinion will not be found opposed to any reasonable measure directed towards at least considerable curtailment of liquor consumption, though, personally I would urge total prohibition.

"The provision in the budget for increase in the travelling and other allowances of Government servants as well as the recent orders passed by the Government in this connection have been very much appreciated by the public and the persons concerned. The pinch of high prices is felt everywhere but none are so hard hit as those whose salaries are fixed. Moreover the expenses of travelling and keeping horses, etc., have in recent years greatly increased.

"The amount budgetted for codification of Customary Law will be considered as very rightly appropriated in the interest of stopping speculative litigation and attempting to remove the vague and indefinite nature of the customs by which the people's rights are determined in court.

"There is one other very important matter to which I would beg Your Honour's liberty to draw attention to. There is a very widespread feeling that the number of milch cattle are on the decrease in the Punjab. No doubt an improvement in the prices of ghi and milk is visible of late, yet they are considered abnormal and prohibitive in an essentially agricultural province like the Punjab. The public opinion is distinctly in favour of restriction upon export of such animals. May I pray to Your Honour to get the matter thoroughly investigated and scrutinized and do all that can be done in the matter as milk and ghi are the staple food of Your Honour's subjects and such animals are also indispensable for breed of agricultural cattle.

"There is one other topic to which I must refer before I resume my seat. I mean the appointment of Mr. Justice Shadi Lal as Chief Justice of the Lahore High Court. The appointment has given wide and universal satisfaction throughout the length and breadth of the country, not only because he is eminently fitted for the high post in every respect, commands public confidence, and enjoys great esteem and respect, but also because he is the first Indian who has been permanently appointed as Chief Justice in a High Court in India. The Government is to be congratulated on this truly just and statesmanlike action and this Province is specially grateful to Your Honour for having as Chief Justice of the highest Judicial Court of the Province, an Indian of sterling worth, unblemished character, and great intellectual and legal attainments."

[ *Rai Bahadur Bakhshi Sohan Lal.* ]

The Hon'ble Rai Bahadur Bakhshi Sohan Lal :—“Your Honour, it gives me great pleasure to join my Hon'ble brothers in congratulating Government as well as the people of this Province and more particularly the Hon'ble Mr. Gibson, the Finance Member, for being able to maintain the established reputation earned by this Province during a course of several years for presenting prosperity budgets. The Hon'ble Finance Member has got an handsome opening balance of Rs. 2,56,75,000 a figure which beats all previous records to start with, and has also been able to forecast a fair prospect of making Rs. 6,64,35,000 from Provincial Revenues which are also the record figures heretofore ever earned in any previous year since the beginning of British Rule in this Province. The more I have gone into the details of the budget the more I have been satisfied that the budget is framed with utmost possible caution and is based on a sound and secure footing as regards the heads of Provincial Revenues as well as regards the heads of provincial expenditures. The Hon'ble Finance Member has been able to provide for expenditure heads handsome item of Rs. 7,34,54,000 which exceeds the total revenue of the year by Rs. 70,19,000 and thus begins to take steps for giving up in future the policy of accumulations, by reducing the closing balance to Rs. 1,86,56,000. His allotments to various heads of expenditure are in my humble opinion adequate and fair all round. I need not enter into details as the Finance Member and other official members have adequately explained in a very lucid manner all the items of income and expenditure in the remarks on the budget heads in their respective charge but at the same time I cannot refrain myself from noticing that very little seems to have been provided for in the budget for industrial progress and development of the Province on which so much depends the permanent and steady improvement of the real prosperity and wealth of the Province.

“The only disappointing feature noticeable in the budget for which neither the Government nor the Hon'ble Finance Member but the people themselves can be held responsible is the regular and rapid increase in head V—Excise which whether due to the increasing prosperity of the agricultural and commercial section of the population leading them to misuse their money by indulging in the evil habit of drinking liquors or due to any other cause is certainly calculated not only to ruin moral character, physical constitution and mental faculties of individual drinkers of intoxicating liquors, but also it leaves most unfortunate and injurious affect on the nation at large; and the increased wealth of the province instead of doing any good is causing much harm to the community. This must necessitate the Government to take a bold step, as proposed by the Hon'ble Rai Bahadur Pandit Jawahar Lal, of prohibiting, by legislation, the manufacture, import, sale or use of intoxicating liquors except for the medicinal requirements of the country and thereby to save the people from the deterioration of their character, their health and their mental faculties. The loss of income under the head of Excise to be caused to Government by such prohibition though considerable in the beginning is expected to be doubly recouped to the people as well as to the Government from the increase in the great savings to the people of their expenditure on liquor being diverted to trade, industries and other useful purposes.

“I heartily associate myself with my Hon'ble friends Chaudhri Lal Chand and Pandit Jawahar Lal in expressing satisfaction and thankfulness to Your Honour for nominating Mr. Justice Shadi Lal for the appointment of Chief Justice in the local High Court. Amongst the greatest boons conferred by the benign Government on the people of this Province for which they are most grateful to Government is the appointment of Mr. Justice Shadi Lal as the first Indian Chief Justice of the High Court at Lahore which is the first example of its kind in the history of British rule in this country. The appointment has given unbounded satisfaction to the people of this Province because Mr. Justice Shadi Lal is a resident of the Punjab, is popular amongst all classes and is eminently fitted for the high office. His appointment is also welcomed

[ *Rai Bahadur Bakhshi Sohan Lal : His Honour the President.* ]

by the people of other provinces and of Indian States as first instalment in advance of the new Reform Scheme removing all racial distinctions in filling posts of highest position and greatest responsibility. The Government as well as the people are heartily congratulated for this well-deserving selection.

"The third matter of people's satisfaction is the recent increase sanctioned by the Government in the salaries and travelling allowances of the non-gazetted Government servants. This increase has ameliorated, in these very hard days of costly living, the straitened circumstances of almost all the middle class Government servants, but those belonging to the lowest strata and drawing only as 30 per mensem or under have not met with full justice by this increase. The increase of about 20 per cent. in their case is not sufficient to make their two ends meet. In their case not less than 50 per cent. increase under the present rates of the necessaries of life is necessary to keep the body and soul united by providing a bare subsistence. For the family man who has his wife and children depending upon him the subsistence of one rupee or under a day cannot under any circumstances in the present days be said to be above starving level. Having regard to the fact that a Government servant is prohibited from entering into any trade or other business to supplement his income their case requires more favourable consideration than that of Government employees getting higher salaries.

"It has given me great pleasure to see that my humble requests to establish more Government Colleges in the Province have been accepted by Government by opening such colleges at Ludhiana and Multan and that every effort is being made to introduce compulsory primary education in the Province, but from the answers of the Hon'ble Colonel Wright to my question in this Council it appears that only the Municipal Committee, Multan, has so far applied to the Government for extending Part II of the Primary Education Act to its area. In my humble opinion the other Local Bodies have not yet come forward because they are short of funds though they feel great necessity of extending compulsory and free education to their area. It is hoped that Government will graciously provide money required for this purpose to the fullest extent of its resources. Another suggestion striking to me as necessary to improve the material condition of the backward parts of the Province is extension of the Railway communication. The last six years of the Great European War have kept in shelves several schemes for such extension. But now that the war is over and the Government of India have in their budget provided handsomely for extension of Railways there is no reason why such schemes should not be brought out and given full effect to as early as may be practicable.

"The last but not the least matter for anxiety in these days is that though the Great European War has ended in the complete and glorious victory of the British and Allied Arms and the crush of the brutal militarism of central Europe the trans-border tribes raids are still continuing to give trouble and complaints of the Indian British subjects being kidnapped and their property and houses being looted are still coming not only from several towns and villages of the North-West Frontier Province but also from some villages and towns in Mianwali and Dera Ghazi Khan Districts in Punjab. It is believed that the Government are taking necessary steps to crush the inhuman spirit of the trans-border tribes and make their raids within the limits of British boundaries impossible for the future. With these few remarks I support the budget."

**His Honour the President.**—"As there is no other Member, I understand, who wishes to speak on the Budget, I merely wish to inform the Council that I also do not wish to speak on the Budget. It has been a very clear Budget laid before us, and I think there is nothing further to be said as regards the items in the Budget. I merely add that the various suggestions that have been placed before us to-day, and they are very valuable, will be considered in due course."

[ *Rai Bahadur Bakhshi Sohan Lal.* ]

RESOLUTION RE INCREASE OF REMUNERATION OF  
SUB-REGISTRARS.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal — "Your Honour, the machinery for registration of documents in this Province is very old ones having been introduced in the Punjab simultaneously with the British rule, if it did not exist during the Sikh and Muhammadan rule, which preceded the British rule in this country.

"The original rules issued by British Government in 1847 immediately on taking charge of the Government were no doubt crude and incomplete and therefore in 1856 more detailed rules were issued for the guidance of the Registering Officers. During the years 1859 to 1889 not less than half a dozen times revision and amendment of the rules took place inaugurating important changes of practice, which remained substantially in force till 1905 when Act XVI of 1905 was passed. Under this Act and also under the departmental rules and regulations in full details subsequently sanctioned by the Local Government and embodied in the Punjab Registration Manual, work for the registering Officers increased considerably. Following is the detail of the Responsible duties which under the existing rules an honorary or a Departmental Sub-Registrar is bound to perform personally:—

- (1) Sub-Registrars are personally responsible for preservation and safe custody of all registration records including the old records of previous year (*vide* paragraph 48, Registration Manual).
- (2) Keys of the strong boxes must remain in Sub-Registrar's own custody and the boxes must be closed and opened by him personally (paragraph 49).
- (3) To prevent injury to the records the boxes must be thoroughly emptied out and their contents examined every week by the Sub-Registrar (paragraph 50).
- (4) Sub-Registrar at Sadr have to supervise constantly the central record office (paragraph 58).
- (5) Inspection of the old records by various applicants must be made in the presence and under the personal supervision of the Sub-Registrar (paragraph 59).
- (6) For annual destruction of useless records the Sub-Registrar has to sort out personally all such records and then to prepare and submit a list thereof to obtain Registrar's orders for destruction (paragraph 61).
- (7) Each page of all the blank registers, etc., obtained from press for use must be carefully checked and inspected by the Sub-Registrar who must endorse certificates thereon if found complete in all respects, before using the registers (paragraph 64).
- (8) Sub-Registrars must check daily and also at the end of each month the detailed accounts of fees, &c. (paragraphs 99 and 100).
- (9) True copy of each document entered in register books should be compared by the Sub-Registrar with the original document, before authentication, with his own signature (paragraph 109).
- (10) Sub-Registrars are bound to remain for at least six hours daily in attendance at their offices whether there is work or not during the office hours of business, *i. e.*, 10 or 11 A. M. to 4 or 5 P. M. (paragraph 110).

[ *Rai Bahadur Bakshi Sohan Lal.* ]

- (11) All documents for registration should be read, examined in all respects and scrutinized by Sub-Registrars personally (paragraphs 118 to 135).
- (12) After registration each document is to be handed over to the proper party by Sub-Registrar personally (paragraphs 153 to 155).
- (13) All endorsements on documents must be written with Sub-Registrar's own hand (paragraph 157).
- (14) Monthly, quarterly and annual returns as detailed fully in Chapter IV of the Registration Manual are to be prepared, scrutinized and submitted to Registrar by the Sub-Registrar himself (paragraph 170).
- (15) Seals are to be kept always in the personal custody of the Sub-Registrar (paragraph 203).
- (16) Sub-Registrars have to maintain a *vigilant* control over their Moharcirs. The receiving of documents or of money, the recording of endorsements and returning of the documents, should be attended personally by Sub-Registrars and consequently they must remain present during the entire business time (paragraph 156).

"The above detail of duties shows the great responsibility of the Sub-Registrar, how very busy a Sub-Registrar has to remain if there is work, or to sit idle in office if there is no work for at least six hours daily. In lieu of all these engagements following remunerations are allowed:—

- (a) Honorary Sub-Registrar gets 50 per cent. of the first Rs. 50 collected, on account of fees, and 25 per cent. of the amount in excess (paragraph 16).
- (b) Departmental Sub-Registrar is allowed Rs. 30 as fixed pay (or more than 20 if a higher salary has been sanctioned by Government) plus 15 per cent. on the fee income of his office (paragraph 17).

"Taking in view the responsible position and heavy work of Sub-Registrar the above scale of his remuneration is inadequate and it seems desirable that their remuneration should be increased by inserting '40 per cent.' for '25 per cent.' in paragraph 16, and '25 per cent.' for '15 per cent.' in paragraph 17 of the Registration Manual.

"Annual net saving to Government on account of registration fees, after defraying all the expenses including the expenditure on account of pay, etc., of Inspector-General of Registration, Punjab, and his staff, amounts to Rs. 3,44,000. Besides that, the income of stamps required for various documents registered amounts to several lakhs.

"Under these circumstances the increase demanded to be recommended by the resolution can be amply provided for out of the savings, without exceeding their maximum limit of Rs. 5,000 per annum including all the emoluments prescribed by paragraph 23 of the Registration Manual, for the Sub-Registrar, Honorary or Departmental, who are pensioners.

"With these remarks I move the resolution—

That this Council recommends to His Honour the Lieutenant-Governor that the scale of remuneration allowed to the Honorary and Departmental Sub-Registrars be increased by inserting "40 per cent." for "25 per cent." in paragraph 16 and "25 per cent." for "15 per cent." in paragraph 17 of the Registration Manual."

[ Mr. Joseph. ]

The Hon'ble Mr. Joseph:—"Your Honour, originally we had no such thing as a Departmental Sub-Registrar in the Province. All the Sub-Registrars were what are now known as Honorary Sub-Registrars and they were remunerated, as the Hon'ble Member has told us, by getting 50 per cent. of the first fifty rupees of the fees and 25 per cent. of the subsequent income. In the year 1906 it was decided to adopt a policy of concentrating all work of registration of documents at the headquarters of districts and tahsils and gradually, as the existing incumbents vacated their appointments, to get rid of any offices which were located elsewhere outside the tahsil or district headquarters. At the same time it was decided to convert those posts from what are known as Honorary Sub-Registrars into Departmental Sub-Registrars. The Departmental Sub-Registrars were remunerated, as the Hon'ble Bakhshi Sohan Lal has told us, broadly speaking, with a fixed salary of Rs. 30 and 15 per cent. of the income from fees. It was left optional with the old Honorary Sub-Registrars to accept these terms or not. Some few did not. They thought the title of Departmental Sub-Registrars receiving a fixed salary of Rs. 30 was a little derogatory. I think a few of them thought it would be a little unremunerative. They thought their existing fees as Honorary Sub-Registrars would bring them more profit. Anyhow the bulk are Departmental Sub-Registrars. Some few are still left as Honorary Sub-Registrars, and as they vacate their appointments by death or any other cause they will disappear and we will soon have nothing but Departmental Sub-Registrars at the headquarters of tahsils and districts who will be remunerated by a fixed salary of Rs. 30 and 15 per cent. of the fee income. I have got here some rather remarkable figures which will show what these fees and remunerations come to. I have got the figures from the year 1906 to the last year 1919. I rather think that the figures for 1919 are only for 11 months. In 1906 the fixed salaries were Rs. 23,500 by 1916—10 years later they were Rs. 23,600 and they are now practically the same: Rs. 23,354. That is to say the fixed salaries have altered very little. Naturally they only altered by the number of Sub-Registrars altering or some old and more highly paid appointments falling vacant and the new appointments being on Rs. 30. But according to the scale of commissions paid, 15 per cent. in the case of Departmental and 25 per cent. in the case of Honorary Sub-Registrars, the total amount of commissions has risen from Rs. 43,500 in 1906 to Rs. 69,800 in 1919. That is an increase of a good deal more than 50 per cent. So that in that total period the remuneration of fixed salaries and commissions together has been steadily rising from Rs. 67,000 to over Rs. 93,000. The increase was at first gradual: Rs. 67,000 next year, Rs. 65,000—then it ran up to Rs. 74,000 and so on to Rs. 76,000, and last year (1919) it went up to Rs. 92,000. Though the number of people over whom this total remuneration is distributed varied during those years—and they have been varying in the downward direction—yet the remuneration has been gradually on the whole increasing. The total remuneration has not been rising as much as the amount drawn by each person which has been rising very considerably and rapidly. Last year the average received by the Departmental and Honorary Sub-Registrars was no less than Rs. 85 per mensem. It will not surprise the Council to learn that in these circumstances Government seldom, if ever, has any difficulty in obtaining the services of Sub-Registrars. In fact it often has experienced a certain embarrassment in discriminating between the rival claims. The competition for certain well-paid posts of Sub-Registrars those where the amount of business is considerable, is very large. And although, as we have just learnt from the Hon'ble Member, the duties are onerous and arduous—the Sub-Registrar has actually got to keep the keys himself, he has to empty the boxes once a week and he is even personally responsible for the records—but still there is an important person in the person of Muharrir for whose control the Sub-Registrar is responsible and I have no doubt that on the whole the Sub-Registrar manages to get a very fair amount of work out of his Muharrir and though he may have to sit in the office for six hours, if the

[*Mr. Joseph ; Rai Bahadur Bakhshi Sohan Lal.*]

work is not very heavy I expected he finds other things to do. I do not think that it would be true to say that there is any difficulty as a rule in getting people to fill these posts. If it could be argued—and possibly it may be argued—that alteration in the system of remunerating the Sub-Registrars is called for, still I think there could be no defence for the rough and ready method which has been advocated. We are asked to increase the remuneration of the Departmental Sub-Registrars from 15 per cent. of fees to 25 per cent. and in the case of the remaining few Honorary Sub-Registrars from 25 per cent. to 40 per cent. I will take extreme case—I freely admit that Amritsar is the most coveted post of all—the remuneration in October 1919 of the Sub-Registrar of Amritsar who has possibly a fixed salary of Rs. 20 per month reached the handsome sum of Rs. 1,714 and his average from January to November was Rs. 848. Now the Hon'ble Member would like to see that average raised to Rs. 1,315. I do not think it will be argued that there is any defence for increasing the fees of the Sub-Registrar of Amritsar to anything like that amount. It might possibly be desired by the Finance Member to reduce them. Another reason which I would urge against the adoption of this resolution is that one of the things with which the Finance Committee was concerned was the suggestion of means for increasing the revenues to meet the very heavy expenditure which is ahead of us in the future and they have proposed to increase the fees for registration. If that should be done, so long as the Departmental and Honorary Sub-Registrars are remunerated by percentage of fees, they will get automatic increases simply in virtue of the total amount of those fees being raised. For these three reasons: the fact that many Sub-Registrars already get what is certainly a very handsome remuneration, for the reason that on an average they get Rs. 85 per mensem, and there is secondly, no difficulty as a rule in filling their posts, and for the reason that it is not at all certain that the fees will not, if the existing method of remunerating is maintained, materially increase, the Government is not prepared to accept the resolution in the form in which now stands. Should there be any particular hard case—a case where owing to paucity of fees it is difficult to fill the post adequately with a really satisfactory Sub-Registrar, it will no doubt be considered by the Inspector-General of Registration and that case will be brought to the notice of the Government."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal.—"Your Honour, the cases of Lahore and Amritsar may be exceptional but even in these cases to prevent a very large sum going to the pockets of the Sub-Registrars there is a provision in the Registration Manual that the maximum limit of the income of Sub-Registrars—Honorary or Departmental—cannot exceed the limit of Rs. 5,000 per annum. Even if in Lahore or Amritsar the income or the percentage of fees payable to the Sub-Registrar may amount to thousands, as a matter of fact, he cannot get more than Rs. 416 a month. So that even for such places as Lahore or Amritsar the remuneration of four hundred and odd rupees is not excessive. I have not asked Government to increase that maximum limit of Rs. 5,000. The object of this resolution is to meet the cases of other Sub-Registrars where the work of registration is not so heavy as that at Lahore or Amritsar but where the Registrar has to remain confined to the office for six hours. He like other Government servants cannot absent himself from the station without leave and if there is no work he has to attend and has to get no remuneration for his mere presence in the office in the hope that any person wishing to have his document registered may come at any time, say at 10 o'clock or 4 o'clock, and may not go back without his deed registered. So all these cases have to be taken into account in fixing the remuneration and no doubt when the remuneration of 15 per cent. for the Departmental and 25 per cent. for the Honorary Sub-Registrars was fixed the rates of living were not so high as they are now and there is no reason why their remuneration should not be increased just as salaries of other Government servants are

[ Mr. Joseph ; Rai Bahadur Bakhshi Sohan Lal. ]

increased. I respectfully submit that the abnormal increase of the documents brought for registration is limited to very few places and in majority of cases the number of documents registered has not increased. We have to provide for the majority and not look at the case of the minority if they are to be benefited by the provision. As I have already shown that even Rs. 5,000 which is the maximum limit for any Sub-Registrar, where the fee income of the registration be Rs. 10,000 is not excessive. It is quite a reasonable pay of an ordinary Extra Assistant Commissioner and the position of the Sub-Registrar and the great responsibility which he has in performing his duties requires that his position be not in any way inferior to that of an Extra Assistant Commissioner. I think the recommendation which I want to be made by this resolution is not unreasonable and requires consideration of the Council and I hope it will be considered favourably."

The Hon'ble Mr. Joseph :— "Your Honour, I am not aware of the rule which the Hon'ble Member has cited. I did not quite catch what he said as the maximum figure."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal :— "I have seen the rule. I am sorry I could not get the Manual on account of these three or four holidays but I have read in the Manual that there is a rule that the maximum amount of the emoluments, including his pension and remuneration, should not exceed Rs. 5,000 per annum."

The Hon'ble Mr. Joseph :— "The information was afforded to me by the Inspector General of Registration who told me that the income drawn by the Sub-Registrar of Amritsar for 11 months was Rs. 848 per mensem and his attention will be drawn to this rule and if in fact the Sub-Registrar of Amritsar exceeded his limit, no doubt that will be put right. But I still venture to think that in view of the average figures which have been brought out of Rs. 85 per mensem and in view of the fact that there is no difficulty, as a rule, in obtaining the services of gentlemen who are very often pensioners and are largely selected from that class and therefore are in receipt of other income as well, I do not think there is any case at this moment for a general revision of their scale of remuneration. There is also, as I have pointed out, the possibility that with the rise in the registration fee they will automatically get an increase. At the same time, I know that the Inspector-General of Registration watches the figures and I believe he is considering and had already been considering the question whether in any particular case any alteration was necessary; and I think the Government may feel assured that if there are difficulties or hardships in particular cases or groups of cases these will be brought to notice by the Inspector-General. Therefore I think that there is no case for an immediate all-round increase in the percentage of fees payable to Sub-Registrars."

The resolution was put and lost.

On the Hon'ble Bakhshi Sohan Lal asking for a division and on a show of hands 3 voted for and the rest of the Council against it.

**RESOLUTION RECOMMENDING 50 PER CENT. INCREASE IN  
THE SALARIES OF GOVERNMENT SERVANTS DRAWING  
Rs. 30 PER MENSEM OR UNDER.**

The Hon'ble Rai Bahadur Bakhshi Sohan Lal :— "Your Honour, the unprecedented rise of prices of all articles and commodities of life has made the pinch to be felt by all classes from the highest to the lowest but it has so miserably depressed the condition of persons with small fixed cash incomes specially that of the persons in the lowest strata of Government service who are prohibited by Government rules and regulations from supplementing their income by doing any other business that I cannot refrain myself from

[ Rai Bahadur Pandit Jawahar Lal, Bhargava. ]

repeating over again this year my humble prayer to ameliorate their condition by increasing their emoluments more substantially than have already been done.

"Your Honour, one rupee per diem can hardly be sufficient in these days for bare subsistence of the sole individual on duty in Government service while the difficulties of a married man having to support a family from such small earning can be better imagined than described, and I do not think that I am required to advance any lengthy arguments beyond what I have just said in my Budget speech in this connection to convince this Council as to the absolute necessity of passing this resolution which only demands bare living for very hard working under-paid public servants. The present scales of their salaries have already been sanctioned by Government to be increased by about 20 per cent. and the people are most grateful for such increase but the increase sanctioned though sufficient to ameliorate the condition of the middle class Government servants does not meet adequately the case of the lowest strata of Government servants whose pay does not exceed Rs. 30 per mensem and I, emboldened by the brilliant prospects of the Budget, beg to move—

"That this Council recommends to His Honour the Lieutenant-Governor that the present scales of monthly salaries allowed to the public servants of all Government Departments drawing Rs. 30 and under including Police Sergeants and Constables, Vernacular teachers in schools, Qanungos, Patwaris, Muharris, Clerks, Peons, Chaprasis, Foresters and Forest Guards, etc., be increased by at least 50 per cent."

**The Hon'ble Rai Bahadur Pandit Jawahar Lal, Bhargava:—**"Your Honour. I support this resolution. While doing so I am not unmindful of the fact that the Government was pleased very recently to consider the question of the enhancement of salaries and that the acceptance of the resolution involves a considerable amount of increase on the expenditure side. But both these considerations, important though they are, do not in the least loosen the constraint which I feel when I rise to support the resolution.

"The bugbear of the high prices has a real pinch at the Government servants drawing Rs. 30 and under per mensem. It is rather difficult to conceive how these servants of the Crown arrange to make the two ends meet and maintain themselves and their families in working capacity on the pay they receive. More often than not they justify taking of tips on the bold allegation that everybody is not unaware that they cannot subsist on the poor pittance they are given. It is not uncommon that the officers have to wink at these tips on the tacit understanding that the wolf of hunger cannot be otherwise kept back from the doors of their subordinates. It is absolutely necessary in the interests of the public at large as well as in those of the servants concerned that such servants should draw at least the minimum pay which they require for their upkeep and that too great a strain be not allowed to be put on the honest servants to stretch their honesty to a breaking point. Small pays and connivance at tips constitute a premium on dishonesty. Insufficient pay and honesty in service are too good to be found in many a service and can only be wished for rather than discovered to exist in the stern realities of life. In this connection, Your Honour, I do not wish to conceal that I am not much impressed with the usual argument that these servants have a free choice when they elect to join the service on the present pay and prospects; for the servants might *inter alia* urge that the present corrupt condition of the services is also a factor which enters into their calculations.

"When the nature of the duties which this important class of public servants is called upon to discharge is taken into consideration, the case of the servants becomes all the more stronger. The Patwari, the Qanungo, the Head Constable, and the Constable, etc., have a direct connection with the subjects and always come in actual touch and close personal contact with

[ *Mr. Fazl-i-Hussain ; Rai Bahadur Bakhshi Sohan Lal ; His Honour the President ; Captain Sardar Gopal Singh.*

them in the ordinary routine of their duties an impartial discharge of which has such an important bearing upon the daily intercourse of life. Their powers for mischief are much greater than those one is apt to think they possess. In fact to safeguard against their corruption and impartiality is to solve one of the most vital questions in the administration of justice between man and man.

"To keep effective control over them, to strengthen honesty and to improve prestige, it is to my mind indispensable that their rates of pay be revised and readjusted to the present requirements of high prices, rise in which is not only 50 per cent. but several hundred per cent.

"Considering all the circumstances I am of opinion that it is but fair that the pay of the Government servants whose pay is Rs. 30 and under should be increased by 50 per cent., at least. With these words I strongly support the resolution."

**The Hon'ble Mr. Fazl-i-Hussain :—**"Your Honour, I also support the spirit of this resolution. It would have been far better if the question of the enhancement of pay of all subordinate servants had been considered together by the Government and dealt with as one case. But it seems to me that from time to time as various persons pressed their claims on different departments, Government had to yield gradually and grant enhancements, with the result that the least vociferous have yet to get their cases considered. I notice that a number of the classes mentioned in this resolution are really very hard working people, and as has been said by the Hon'ble Mover, it is difficult to imagine how they subsist on the pay that they actually receive. I think it is not only fair that the enhancement asked for be given to them, but also that really no strong action in the way of removing corruption can be started unless one feels that the pay that is being given to the persons concerned is adequate for purposes of their maintenance. I hope that the Hon'ble Member in charge will see his way to give an assurance that the cases of these persons are being favourably considered by the Government and in that case it will not be necessary for the Hon'ble Mover to press for this particular percentage in the case of these particular persons, because it seems to me that it is quite possible that some of them may deserve more than 50 per cent. enhancement and others may not be entitled to the same amount. It would be proper to my mind to leave the matter in the hands of the Government to deal with generously in the case of each of these departments."

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal :—**"Perhaps my resolution has not been understood by my learned friend Mr. Fazl-i-Hussain. I want this increase for all departments and the posts mentioned are by way of illustration and I have added the word 'etc.' At the same time the scales already fixed are according to their position, so the enhancement ought also to be according to their position. A Kanungo or a Girdawar Kanungo drawing a salary of Rs. 20 but having to maintain a horse for his constant touring about in his circle. . . ."

**His Honour the President :—**"The Hon'ble Member is not entitled to make a speech at this stage. He can make a short personal explanation."

**The Hon'ble Bakhshi Sohan Lal :—**"I have suggested according to the social position of these persons, but I think the increase of 50 per cent. will satisfy the requirements."

**The Hon'ble Captain Sardar Gopal Singh :—**"Your Honour, there is no doubt that to meet all these demands Government wants money. It is a question how to get money. When the Government can manage to increase the pay of the higher paid officers, I do not see any reason why these poorly paid Government servants' case should not be similarly considered. In my opinion these poorly paid Government servants are much more affected by the present

[ *Khan Bahadur Khwaja Yusuf Shah ; Rao Bahadur Chaudhri Lal Chand ; Nawab Sir Bahram Khan ; Mr. Gibson.* ]

prevailing high scale of rates. Therefore I am strongly of opinion that the Government will consider these subordinates' case most sympathetically. It will have more effect on the general public feelings. With these remarks, I strongly support the resolution moved by my Hon'ble friend Bakhshi Sohan Lal."

**The Hon'ble Khan Bahadur Khwaja Yusuf Shah :—**" Your Honour, I think there is no one in this Council who has not sympathy with that class of servants, but at the same time there is one thing that I should point out—that this class of servants do at present get temporary allowances in the shape of grain compensation allowance and war allowance. There is no doubt that these are temporary allowances, but in case Government is going to make any permanent increase in their pay then I think this is the class of servants who deserve this promotion. But as they say, Your Honour, money makes the mare to go. If your Finance Member can find money for them, I should be the first man to support the Hon'ble friend's resolution."

**The Hon'ble Rao Bahadur Chaudhri Lal Chand :—**" Your Honour, I have already expressed a desire for the raising of the pay of low paid officials. I do not at present wish to submit in detail the difficulties under which low paid officials are labouring. It would have been better if instead of 'by at least 50 per cent.' the word 'substantially' could have been substituted, as each case should be considered separately and in relation to higher grades as well. An office Kanungo, for instance, getting Rs. 40 cannot be given more than this unless an officiating Naib-Tahsildar is given more than what he gets at present, i.e., Rs. 50. But generally I am in favour of an increase and assure the Government that if the Government has to resort to fresh taxation in order to meet the new demands, the non-official members will be found supporting it. For what does this increase mean? It means that the low paid officials will be assured an honest living and their hands will not be constantly in the pockets of the people. With these few words I support the resolution."

**The Hon'ble Nawab Sir Bahram Khan** spoke in Urdu in support of the resolution.

**The Hon'ble Mr. Gibson :—**" Your Honour, I must confess to some surprise when I first saw this resolution which I have to answer and I am bound to say that I suspected that the Hon'ble Member did not understand what Government has for the last three years been doing for its lower paid servants, that is to say, those drawing Rs. 30 and under. My suspicions have been more than confirmed by the remarks which most of the Hon'ble Members have made to-day in supporting the resolution. I would, of course, except the Hon'ble Khan Bahadur Khwaja Yusuf Shah who pertinently alluded to the temporary and grain compensation allowances. Any one would think from the remarks which we have just heard, that Government has done nothing for its servants drawing Rs. 30 and under and that their emoluments are exactly the same to-day as they were before the war. I do not think the Hon'ble Members could have studied the Financial Memorandum very carefully. If they had read paragraph 24 they would have seen a short account of what Government has been doing, has done and is doing. But as it is most important that the Council and the public should not think that Government has taken no action on behalf of its lower paid servants, at the risk of wearying the Council I must again enumerate some of the measures which have been taken. In the first place, as one Hon'ble Member has pointed out, the grant of grain compensation allowance acts automatically in the case of Government servants drawing Rs. 30 and less in increasing their emoluments *pari passu* with the increase of prices, and in 1915 when the effect of the war on prices first became serious and it was realized that the scales of grain compensation allowance which had been fixed many years previously were inadequate, this Government obtained the special sanction of the

[Mr. Gibson.]

Government of India to an addition of Re. 1 to the existing higher scale of grain compensation allowance so that when the price of food grains became dearer than 8 seers to the rupee the higher rates were raised from Re. 1-8-0 and Rs. 3 to Rs. 2-8-0 and Rs. 4, and Government servants on Rs. 16 per mensem and less are drawing Rs. 2-8-0 as grain compensation allowance and on Rs. 16 and up to Rs. 30 per mensem Rs. 4. In 1916 and 1917 prices fell and no further steps became necessary until the end of 1917 and the beginning of 1918 when prices again rose seriously. An extra allowance of Re. 1 was then sanctioned for all establishments whose pay was Rs. 7 or less with effect from the 1st of October 1918 and this was later on converted into a permanent increase of pay. From the same date a scale of war allowances for all Government servants drawing Rs. 50 and under was sanctioned at the following rates. Those whose pay was Rs. 12 and less got an allowance of Re. 1; those whose pay was Rs. 12 to Rs. 20 got Re. 1-8-0; from Rs. 20 to Rs. 35 Rs. 2 and Rs. 30 to Rs. 50 Rs. 2-8-0, and of course in the case of Government servants drawing Rs. 30 and under (which is the class that we are concerned with now) they drew the rates of grain compensation allowance in addition, to which I have already alluded. Then in April 1919 the Lieutenant-Governor appointed a committee with Mr. Halifax as President to revise permanently the pay of all clerical and menial establishments in the Province. Unfortunately owing to the disturbances this committee was unable to hold more than one sitting, but as the result of that one meeting the President submitted a preliminary report in consequence of which this Government obtained the sanction of the Government of India to doubling the war allowances which I have just detailed from the 1st of April 1919. The committee sat again and completed its work in July last and on its recommendation Government proposed a comprehensive scale of temporary allowances for all non-gazetted Government servants. It was estimated to cost 35 lakhs of rupees. The Government of India accepted the proposals so far as they concerned Government servants drawing Rs. 75 and less, and the case of those drawing more than Rs. 75 was further considered and in their case the Government of India finally sanctioned the 20 per cent. increase to which Hon'ble Members have alluded to-day. All these temporary allowances in addition to grain compensation allowance have been paid from the 1st of October 1919. The effect of these allowances and of the grain compensation allowance will perhaps surprise the Hon'ble Mover and some of the Hon'ble Members who supported him if I give a few details of its result. In the case of the lowest paid Government servants their total emoluments at the present time show an increase of over a hundred per cent. of their substantive pay and this percentage although it decreases as the pay increases exceeds 50 per cent. in practically every case as far as men drawing Rs. 22 and it only falls a little below it in the case of those drawing Rs. 22 to Rs. 30. It will be seen therefore that Government has not allowed the pay of Government servants referred to in the resolution to stagnate at its old rates but it has done what it can to secure the relief necessary to meet the abnormal rise in prices. As pointed out in the Financial Memorandum the allowance will be drawn by the various establishments until their pay is revised on a permanent basis with reference to the normal level of prices. Hon'ble Members have spoken about the revision of the pay of these Government servants as if it had not yet been contemplated by Government, but as I pointed out in the Memorandum Government had long ago made up its mind to revise the pay of most or practically all non-gazetted establishments in view of the present prices and if there has been any delay it has been due to certain unavoidable factors, the first is that owing to the war it was not possible to launch out on any very heavy expenditure; the second is that it is exceedingly difficult to permanently revise pay unless you know what the normal level of prices is. However, although the second condition has not yet been fulfilled it has been considered so necessary to revise permanently the pay of these establishments as soon as possible in order

[*Rai Bahadur Bakhshi Sohan Lal ; Mr. Gibson.*]

that it may be completed before these temporary allowances lapse that Government has appointed, as perhaps the Council knows, one of the most senior officers of the Province to advise it on these revised scales of pay. The officer has commenced his work and has made some progress with it though on account of the shortage of officers it has been necessary to entrust him also with other important duties which have made it impossible for him to give all his time to the revision of the pay. However he has dealt with some of the most important establishments and will complete the remaining work as soon as possible. As these proposals require the sanction of the Government of India it is not possible to inform the Council of their details. But I may mention that in the case of several of those establishments which have been specified in the resolution the proposed permanent increase considerably exceeds 50 per cent. Government, however, cannot for various reasons accept the resolution. In the first place the resolution ignores the fact that some establishments mentioned in the resolution, for instance, Foresters and Forest Guards, have received permanent increases of pay only last year. It is not suggested that in view of the further rise in prices the increases are necessarily adequate, but Government cannot accept the contention that a further increase of at least 50 per cent. must as a matter of course be granted. Another still more cogent reason is that it is not within the competence of the Local Government to sanction any of these proposed increases of pay. The Government of India have ruled that as they are all based on the general rise in prices they all form part of one scheme and therefore all of them have to be submitted for the sanction of the Government of India. It is therefore manifestly impossible for this Government to accept a resolution containing proposals with which it is not competent to deal."

**The Hon'ble Rai Bahadur Bakhshi Sohan Lal** :—"The war and temporary allowances are already known to me. Those allowances are granted on account of abnormal circumstances but the resolution assuming all those recommends a permanent increase of 50 per cent in the pay of Government servants receiving Rs. 30 or under whose salaries generally—there may be some exceptions where the salaries have been revised in 1919 as in the case of Foresters and Forest Guards as pointed out by the Hon'ble Member-in-charge—were fixed long before the present high rate of prices which has doubled. So if the prices which were prevalent in the last 90's have doubled or trebled normally there is no reason why their salaries should not be permanently increased by 50 per cent. Notwithstanding the abnormal temporary allowances which are allowed on account of the abnormal circumstances and my resolution assumes that the salary which is the appropriate salary payable in normal circumstances is much inadequate of what it ought to be and having regard to the fact that Government servants drawing Rs. 75 and upwards are allowed 20 per cent. in a general way without regard to the duties which are performed, there is no reason why the Government servants receiving small salaries of say 10, 15, 20 or up to 30 rupees should not have a higher proportion of increase than those whose pay is already Rs. 75 or above. I on my part think that if it requires the sanction of the Government of India the resolution can be passed and the matter referred to Government of India for sanction and if the matter can be decided by the Local Government or by any other officer appointed for the purpose this can be taken into consideration. So I again after hearing the Hon'ble Member-in-charge insist that the resolution be passed."

**The Hon'ble Mr. Gibson** :—"I do not think, Sir, that I need add much to what I have already said. There is only one point on which I should like to remove a misapprehension which apparently exists in the mind of the Hon'ble Mover, when he says that as all Government servants drawing Rs. 75 and over have received 20 per cent. increase, therefore those drawing Rs. 30 and under should receive a higher rate of increase. Well, Your Honour, as I

[ *Mr. Fazl-i-Hussain ; His Honour the President ; Rai Bahadur Pandit Jawahar Lal, Bhargava.* ]

have already pointed out or tried to point out the increase in the case of those drawing Rs. 30 and under is very much higher than 20 per cent. In some cases it exceeds 100 per cent., in most cases 50 per cent. and in no case less than 33 per cent. So that I do not find in the Hon'ble Mover's further argument anything which should lead the Council to support the resolution."

The resolution was put and lost.

On the Hon'ble Bakhshi Sohan Lal asking for a division and on a show of hands 11 voted for and 13 against it.

**RESOLUTION FOR MAKING OF PROVISION IN THE NEXT CENSUS FOR THE PREPARATION OF TABLES OF BOYS AND GIRLS OF SCHOOL-GOING AGE IN CONNECTION WITH PRIMARY EDUCATION**

**The Hon'ble Mr. Fazl-i-Hussain:**—"Your Honour, the resolution that stands in my name is as follows:—

"This Council recommends to His Honour the Lieutenant-Governor that in the next Census taking of 1921, provision be made for the preparation of tables of boys and girls of school-going age in each village and each town to help in the matter of developing Primary Education in the Punjab."

"The subject matter of this resolution is very simple and so far as I can see non-contentious. The Punjab Primary Education Act was passed last year, and as yet, of course, much has not been done about it. Before anything can be done it is necessary that the local authorities to whom permission is given by the Act to introduce the second part of that Act in the areas under their control, naturally want to know the exact extent of their liability, that is to say, each Municipality and each District Board and each Cantonment Committee want to know naturally how many students, boys as well as girls, there are under their jurisdiction for whom they have to make provision before they approach the Government with the object of having Part II of the Act applied to them. Part II of the Act is the part which makes provision for compulsory attendance of children within their locality at school. Therefore I believe it will be a very great help to the local authorities, that is to say, Municipal Boards and District Boards and so on, if during the next year's census taking, tables are prepared showing the number of boys and girls of school-going age, that is to say ranging between 6 and 11. That would save a great deal of trouble to the Local Bodies. When in the course of census operations a large number of tables are being prepared, I believe the addition of another table to comply with the requirements of this measure—the Punjab Primary Education Act—will not be considered too much and the Census Department will be placing all Local Bodies under obligation by doing this work for them. I believe these tables will have to be made or authorised by the Government of India. In that case it would be necessary for me, with Your Honour's permission, to add this modification in the resolution that a representation be made to the Government of India with a view to make a provision in the next Census taking for the preparation of tables for boys and girls."

**His Honour the President:**—"I do not think you need make any modification. It will be dealt with in the ordinary way."

**The Hon'ble Mr. Fazl-i-Hussain:**—"That is really all I need say in support of the resolution."

**The Hon'ble Rai Bahadur Pandit Jawahar Lal, Bhargava:**—"Your Honour, there can be no manner of doubt now that the question of free and compulsory Primary Education is being taken up by the Government and the people in an earnest, practical and business-like way."

[ *Mr. French ; Mr. Fazl-i-Hussain.* ]

"The people are insisting that as short a time as possible should elapse before the Compulsory Primary Education Act is applied to the whole of the province.

"To achieve the end in view every Local Body shall in the first instance be confronted with the question 'how many children of school-going age are there within the jurisdiction of the Local Body for whom provision is necessary.' To meet this enquiry every Local Body shall have to arrange for separate census of such children, which would ordinarily entail a great amount of expense and labour.

"It is really fortunate that the census operations are soon to begin. It would be very convenient if Your Honour is pleased to provide for the preparation of tables of such children by the Census Establishment. Much unnecessary trouble and expense will be saved to the Local Bodies and very useful information will be collected for them and the Government.

"With these few words I support the resolution now before the Council."

**The Hon'ble Mr. French :—**"To the acceptance of this resolution, Sir, there is, as the Hon'ble Member has surmised, no objection on the part of Government. It conveys a recommendation as to which, however, this Government is not yet in a position to give a considered opinion. As the Hon'ble Members are aware the ultimate decision in a matter of this nature next year rests with the Supreme Government, whose preliminary measures connected with the census taking next year throughout India are as yet in their initial stage; and indeed as far as we are concerned it is less than a week since the Provincial Census Superintendent has taken over charge of his duties. The Hon'ble Member has explained that by the school-going age he means an age fixed between the ages of 6 and 11 years, or, to take extreme limits under the Punjab Primary Education Act, between 6 and 12 years. I am not sure that this period will be found to be suitable to all provinces; and in a question connected with the taking of census it is necessary to consider the needs of the whole of the country, both for uniformity sake and for scientific reasons. We do not know what details it will be considered by the Government of India desirable or necessary to include in the Census Schedules but the main objection which I foresee is that alluded to by the Hon'ble Mover: the extra labour which will be involved and which will no doubt be considerable. It will be seen from Tables VII and VIII of the Census Report of 1911 that the data really is already collected; the trouble comes in in tabulation. This, as I say, is likely to be a very lengthy work, but it is quite possible that the difficulties alluded to are not insuperable, and if this resolution finds favour with the Council the Local Government will forward it for the consideration of the Government of India."

**The Hon'ble Mr. Fazl-i-Hussain :—**"Just one word, Your Honour, to explain that Tables VII and VIII really do not afford much help. . . ."

**The Hon'ble Mr. French :—**"Perhaps the Hon'ble Member has misunderstood me.

"What I mean is that it will be seen from Tables VII and VIII that the ages of children are returned from 1 to 15 and that from 1 to 5 each year is given, whereas years are grouped in fives from 5 to 10 and 10 to 15. I mean to say that the ages of the children are returned, but the question of tabulating them is the difficulty."

**The Hon'ble Mr. Fazl-i-Hussain :—**"That is exactly what I had in view when submitting this resolution. So far as the ages are concerned, they are actually given in the census forms which are filled by the

[ *His Honour the President.* ]

census takers. What I want is that in the case of each village and each Municipality there should be a separate table prepared from the material which the census takers have already collected. No doubt it does involve an extra amount of trouble, but what the Government—both the Local and the Indian—have to see is that if these tables are prepared at the time when the census is being taken, only a small amount of additional trouble would have to be taken by the persons who are already employed. But if this is not done at the time of census, what is the alternative? The alternative is to engage a new staff not only to prepare tables but also to go about and do the work which has already been done by the census takers: that is a duplication of labour in actually recording the age of each child which has already been done. Therefore the object of this resolution is simply to assort the figures from the registers and prevent all these operations being conducted to prepare separate tables in order to meet the case of the Primary Education Act. In Bombay if I mistake not, the age is practically the same as here. I believe we took it from the Bombay Act. But as in a matter like this it will be possible for the Government of India to make a provision for compulsory primary education table for each province to be made in accordance with the Primary Education Act that prevail in each province, I do not see there should be any serious objection to it. The extra amount of expenditure to the Government, no doubt, will help the Local Bodies but inasmuch as Government has already undertaken in some cases to contribute as much as 75 per cent. of the outlay on Primary Education, I think this spade work done by Government for Local Bodies will be widely appreciated and the extra expenditure, I submit, is quite worth making."

The resolution was put to the Council and carried.

#### ADDRESS BY HIS HONOUR THE PRESIDENT.

His Honour the President:—"Gentlemen, before we part, I should like to say a very few words.

"We have during the last few months enjoyed in this Province great freedom in speech and writing. During the War the Province was, like most parts of the world, subjected to restrictions and the change to complete freedom has been in some ways a startling one. It is a change which in itself is to be welcomed, so long as the peace of the Punjab is not endangered by it. There is, I know, among the people generally, and among the enlightened classes in particular, no desire whatever that order should be disturbed. There are indeed gratifying signs of an active wish to preserve order. But we who are responsible for the public peace have to look ahead and we are not without our anxieties. There are men who feel strongly on this or that subject and who address crowds in terms which, if unrestrained, will lead to violence. There are others who have persuaded themselves, rightly or wrongly, of some injustice or injury in the past and feel it incumbent on them to keep alive its memories. I ask you, gentlemen, and those who like you have the welfare of the Punjab at heart, who belong to this Province and have to live in it, to bear in mind the need of the Province for peace. We want to put aside hatred and passion, not to stir them up. We want to restore good feeling between individuals and between communities. Our Government is shortly to be followed by a Government largely representative of the people and we want the public to work with it. In spite of much that is disappointing, I myself believe that conditions have in this respect markedly improved and are improving. Let us endeavour, by all means in our power, to discourage anything that may tend by reviving old animosities to give a set back to this improvement. It is for the benefit of the people of this Province that there should now be goodwill and peace. The people themselves want it and

in parting from you to-day I would ask you, gentlemen, and all whom you represent, to help to the utmost of your ability to secure for them the peace which we all desire."

### ADJOURNMENT.

The Council adjourned *stand die*.

LEADER :

The 16th April 1920.

M. HARRISON,

Secretary, Legislative Council

### APPENDIX A.

#### STATEMENT

(*Vide* Reply to Question No. 16 ASKED AT THE MEETING OF 13th MARCH 1920.)

Total number of Head Constables and Constables arranged according to their respective religions.

#### HEAD CONSTABLES.

Hindus	Mahomedans	Scikas	Christians	Total
653	1,721	279	1	2,654
CONSTABLES.				
3,704	12,026	919	6	16,655

(2) Total number of zamindars employed in the Police Department is 13,472.

## APPENDIX B.

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**BUDGET OF THE PUNJAB FOR THE YEAR 1920-21**

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**MEMORANDUM.**

As the Budget for 1920-21 makes no change in the figures of the Revised Financial Statement presented to the Council on the 13th March 1920 and as no resolution recommending any such change was passed, a meeting of the Council will not be held for the presentation of the Budget, and the general discussion of the Budget in Council will take place at the meeting to be held on the 6th April 1920 (*vide* Rule 29 of the rules for the discussion of the Annual Financial Statement in the Legislative Council of the Lieutenant-Governor of the Punjab.)

LAHORE :

B. T. GIBSON,

*The 31st March 1920.**Financial Secretary to Government, Punjab.*

BUDGET OF THE PUNJAB

HEADS OF ACCOUNT		Budget 1920-21.
		Rs.
Opening balance		2,56,75,000
<i>Provincial Revenue and Receipts</i>		
I—Land Revenue		1,41,65,000
IV—Stamps		48,40,000
V—Excise		72,50,000
VI—Provincial Rates		82,000
VIII—Income-tax		27,50,000
IX—Forest		48,10,000
X—Registration		5,00,000
XII—Interest		2,70,000
XVI-A—Law and Justice—Courts of Law		7,10,000
XVI-B—Law and Justice—Jails		4,55,000
XVII—Police		1,48,000
XIX—Education		1,08,000
XX-A—Medical		31,000
XX-B—Sanitation		1,88,000
XXI-A—Agriculture		5,38,000
XXI-B—Scientific and Miscellaneous Departments		21,000
XXII—Receipts in aid of Superannuation		80,000
XXIII—Stationery and Printing		1,05,000
XXV—Miscellaneous		3,59,000
	Direct Receipts—	
	Civil	0,000
XXIX—Irrigation—Major Works	Public Works	1,58,00,000
	Indirect Receipts—	
	Portion of Land Revenue due to Irrigation	79,00,000
XXX—Irrigation—Minor Works and Navigation	Civil	5,000
	Public Works	1,17,000
XXXI—Civil Works	Civil	1,81,000
	Public Works	2,00,000
Transfers between Imperial and Provincial (vide Appendix A)		42,75,000
Total Provincial Revenue and Receipts		6,64,55,000
GRAND TOTAL		9,21,19,000

## FOR THE YEAR 1920-21.

HEADS OF ACCOUNT.		Budget, 1920-21.
<i>Provincial Expenditure.</i>		Rs.
1—Refunds and Drawbacks	...	1,95,000
2—Assignments and compensations	...	85,000
3—Land Revenue	...	60,28,000
6—Stamps	...	1,12,000
7—Excise	...	1,51,000
10—Income-tax	...	98,000
11—Forest	...	37,64,000
12—Registration	...	1,58,000
13—Interest on Ordinary Debt	...	2,58,000
18—General Administration	...	15,09,000
19-A—Law and Justice—Courts of Law	...	54,92,000
19-B—Law and Justice—Jails	...	22,30,000
29—Police	...	76,49,000
32—Education	...	75,93,000
24-A—Medical	...	31,75,000
24-B—Sanitation	...	12,89,000
26-A—Agriculture	...	80,33,000
26-B—Scientific and Miscellaneous Departments	...	8,94,000
28—Superannuation Allowances and Pensions	...	26,59,000
30—Stationery and Printing	...	2,46,000
32—Miscellaneous	...	66,43,000
33—Famine Relief	...	...
42—Irrigation—Major Works	Working Expenses—	
	Civil	...
	Public Works	58,42,000
43—Minor Works and Navigation	Interest on debt	38,24,000
	Civil	80,000
45—Civil Works	Public Works	3,40,000
	Civil	15,66,000
	Public Works	1,00,10,000
	<b>Total Expenditure</b>	<b>7,34,54,000</b>
Closing balances	...	1,86,56,000
	<b>GRAND TOTAL</b>	<b>9,21,10,000</b>

## Appendix A.

## Transfers between Imperial and Provincial Revenues.

	Budget, 1920-21.
<b>TRANSFERS FROM IMPERIAL TO PROVINCIAL—</b>	
<i>Recurring—</i>	
	Rs.
(1) Fixed adjusting entry	4,86,000
(2) In connection with the surrender by the Local Government of Rs. 1 crore out of the Provincial balances.	8,50,000
(3) On account of the Imperial share of the sale-proceeds of sites for shops and residences in towns in the Punjab.	4,00,000
(4) For education	10,88,000
(5) For maintenance and equipment of science laboratories of the Islamia College, Lahore	90,000
(6) For University	86,000
(7) For the Lawrence Memorial School, Murree	12,000
(8) For the improvement of pay and training of teachers	1,75,000
(9) For Government Training Class at Sandwar	25,000
(10) For Sanitation	4,00,000
(11) For the improvement of the sanitary services	22,000
(12) In connection with remission of appropriations from cesses	2,08,000
(13) To compensate Provincial revenues for the loss of income from the recovery in stamps of fees for the inspection of records.	10,000
(14) For remission of certain recoveries from local bodies	3,04,000
(15) For relieving municipalities of police charges	5,23,000
(16) To meet the expenditure for the grants of Rs. 100 per annum each to the holders of titles of Mahamahopadhyaya and Shams-ul-Ulma.	1,000
(17) Provincialisation of the salaries of officers of the Civil Veterinary Department and of the charges of the Camel Specialist.	1,81,000
(18) In connection with the creation of the new Province of Delhi	13,000
(19) In connection with the scheme for the impart of obara and bhang in bond from the Punjab into Delhi.	13,000
(20) For loss in Income-tax revenue necessitated by changes in taxation	4,80,000
(21) For the establishment of an Institute at Lahore for the treatment of disabled soldiers	25,000
(22) Towards the establishment of an Institute at Mughalpura for the training of Mechanical Engineers.	40,000
	46,70,000
<i>Non-recurring—</i>	
(23) Construction of road bridges over the Chamb and Phalka rivers at Wazirabad	8,00,000
(24) On account of transfer of control of Sir, Harcourt Butler School, Simla	4,000
(25) For Punjab Publicity Committee	1,65,000
(26) Towards the cost of Director of Civil Supplies	5,000
	4,74,000
<b>Total Transfers from Imperial to Provincial</b>	<b>51,44,000</b>
<b>TRANSFERS FROM PROVINCIAL TO IMPERIAL—</b>	
<i>Recurring—</i>	
(27) On account of change in classification of the charges of P. W. Section of the Account Office	23,000
(28) On account of the Provincial share of the enhanced receipts from Excise	55,000
(29) On account of the Provincial share of the enhanced receipts from Income-tax	7,40,000
(30) On account of cost of treasure guards (police or barkandaz) employed in the Public Works Department.	51,000
	8,69,000
<b>Total transfers from Provincial to Imperial</b>	<b>8,69,000</b>
<b>NET TRANSFERS FROM IMPERIAL TO PROVINCIAL</b>	<b>42,75,000</b>