

Chief Reporter

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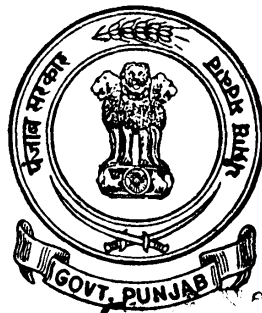
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Vol. II Nos. 1-11 = //

OFFICIAL REPORT



Quarterly
Punjab Vidhan Sabha
Chandigarh

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Thursday, 28th September 1950

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Printed at ARYA PRESS, Amritsar.

Price. -/6/6



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Punjab Legislative Assembly Debates

28TH SEPTEMBER 1950

Vol. II—No. 1

OFFICIAL REPORT



Central Reporter,
Punjab Vidhan Sabha,
Chandigarh

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Thursday, 28th September 1950

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Address by Governor	1

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Punjab Legislative Assembly

SECOND SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Thursday, 28th September 1950.

His Excellency the Governor arrived in procession with the officers of the Assembly and his personal staff at 11 a.m. and took his seat on the Throne in the Chamber.

HIS EXCELLENCY THE GOVERNOR:

Members of the Legislative Assembly, it is a matter of great sorrow to me, as it is to you all, that this House begins its Session to-day under the shadow of calamity that has befallen our State. I refer to heavy rains and floods in several districts, particularly those of the Jullundur Division. The districts of Amritsar, Gurdaspur and Ferozepur have been the heaviest sufferers, the excessive rains here having been accompanied by floods from the rivers. On present indications, all standing crops may be said to have suffered serious and extensive damage, and our only hope is that some of these crops may revive with bright sunshine, thus lessening the heavy losses now anticipated. Thousands of *kacha* houses—both in rural and urban areas—have collapsed wholly or partly, and even a few pucca houses have shared the same fate. Foodgrains stocked by Government in godowns have been badly damaged and in some cases altogether destroyed, though our Food and Civil Supplies Department has not spared itself in its efforts to salvage such stocks as could possibly be saved. It grieves me to say that there has been some loss of life but fortunately, this has not been considerable. Luckily also, very few cattle are reported to have perished. The hearts of all of us go out in deep sympathies to our innumerable fellow-citizens in their great distress.

Our first task in this catastrophe was to provide immediate relief to the people, and this was done with vigour and promptness. This relief took the form of rescue work, supply of food, opening of kitchens and food-depots and provision of shelter and clothing. Money has not mattered to Government in relief operations, and the efforts of our district officers were supplemented by generous assistance from public organizations and the public generally. The Military authorities rendered us very valuable help, and I would like to say how grateful my Government is to all who have assisted us in our hour of need and distress.

With the subsidence of floods and the consequent receding of water we are now engaged in a rapid survey of the extent of the damage, and our second task is, while continuing immediate relief, wherever necessary, to ensure, as far as humanly possible, that epidemics like malaria and cholera do not break out, that *rabi* sowings are not affected adversely by lack of seed or money, that remissions or suspensions of land revenue and remission of *abiana* are given wherever required and that, generally, the affected areas are restored to normality in the shortest possible time. Accordingly, we are concentrating medical and public health aid in affected areas and are mobilizing all resources at our disposal for this purpose. Deputy Commissioners have been asked urgently to state their requirements of *taccavi* for seed, fodder, repairs to wells and the like, and the House may rest assured that my Government will provide all the assistance needed for these purposes. Pending receipt of reports from Deputy Commissioners, interim allotments of *taccavi* amounting to Rs 13½ lakhs for seed and fodder have already been made. We shall also endeavour to provide seed for *rabi* except that owing to the decontrol of gram, some difficulty may be experienced in meeting requirements of gram-seed. Girdawari or crop inspection will be undertaken when the *kharif* crops are about to mature, and relief in the shape of remissions or suspensions will be given liberally. A special allotment of Rs 6 lakhs for repair of damaged evacuee houses in towns has already been made, and Government will examine the question of the forms of assistance to be given wherever necessary, for the rebuilding or substantial repair of houses in rural areas. In some villages agriculturists have already started repairing or rebuilding houses

Might I add that it is important that self-help should have a free play and be encouraged.

The measures to which I have referred, not to mention repairs to roads and Government buildings, would, besides involving substantial losses of revenue, necessitate provision of funds on a fairly large scale leading, perhaps, inevitably to slowing down in certain directions of our other activities. An estimate of the sums required for relief and reconstruction is being prepared, and it is pretty certain that my Government will have to approach the Government of India for providing it with at least a considerable portion of the funds required. My Government has no doubt that it can count upon the assistance of the Government of India in this vital and urgent matter.

We have now completed quasi-permanent allotment of evacuee land. Possession has been transferred to allottees with remarkable smoothness. It was feared at one time that it might not be easy to absorb landless tenants from West Punjab. It was further feared that the problem of resident tenants-at-will on evacuee land may give rise to difficulties. These fears, shared not so much by Government as by others, have not come true. Landless tenants have generally been absorbed by the leasing to them of evacuee land of which possession has not been taken by allottees, and resident tenants-at-will have been allowed to cultivate evacuee land in their possession on their executing agreements to pay customary rent to the allottees. Only about 5 per cent of the evacuee land has not been taken possession of either by allottees or lessees, largely because this land is culturable waste. My Government feels gratified that this huge and complicated operation has been accomplished. There have undoubtedly, been mistakes and oversights but, by and large the operation has been just and fair. Had it not been so, there would have been a great deal of friction and resentment, when it was being put through. Hon. Members will be glad to learn that on receiving my report about the completion of this operation, Dr. Rajendra Parsad, our President, sent his felicitations to our Government adding that from what he had heard, the bulk of the people were satisfied with the allotments. If I may say so, the Members of this House, individually and collectively, are entitled to great share of such credit as is due to us. They have helped

and supported us in this matter throughout the long period of 3 years during which this resettlement operation was under way. A word of praise is due also to the Rehabilitation Department. As a result of quasi-permanent settlement, there is a feeling of ease and security amongst our displaced peasantry, and they will now bring all their energies to bear on proper and efficient cultivation. Already, the area under *kharif* crops this year was larger than that last year and but for the fury of nature, to which I referred in the beginning of my address, our *kharif* crops would have been better than those last year. Every dark cloud has a silver lining, and as a result of excessive rain, conditions for the sowing of *rabi* crops should be exceptionally favourable. I feel certain that helped by Government, our displaced peasantry would take full advantage of these favourable conditions, and let us hope that with the blessings of Providence we shall have good *rabi* crops. There is an overall shortage of houses in rural areas for our displaced agriculturists and artisans, and this shortage has been accentuated by collapse of houses owing to rains and floods. In this matter Government will continue to do what it can, but the bulk of the effort must necessarily be made by the people themselves. In this connection, I would refer to our Rural Housing Scheme, which aims at making model lay-outs for about one thousand evacuee villages. These lay-outs will cost the State about Rs. 13 lakhs, and a sum of another Rs. 12 lakhs has been earmarked for grants to certain categories of displaced persons. In addition, there is a substantial provision in the Budget for loan for building houses. The overall provision for rural loans in the current year's Budget is Rs. 85 lakhs.

Real rural resettlement will now begin. Quasi-permanent allotment of land was only a step, and a very essential step at that. In this process Government will help to the utmost of its ability, and it is my belief that in two or three years' time, our displaced peasantry, whose vigour, spirit of enterprise and capacity for hard work, are well-known, will be fully on their feet.

Urban rehabilitation is proceeding on the lines I mentioned in my last address. A few salient points may, however, be

emphasised. First, the procedure in connection with the repairs to evacuee buildings in urban areas, has been greatly simplified and to meet the complaint of inadequate repairs, a sum of Rs. 7 lakhs has been placed at the disposal of Deputy Commissioners. Secondly, to remedy the complaint that excessive rents are being charged from the lessees of industrial establishments, it has been decided to re-auction these establishments, the present lessees being given the right of first refusal at the auction. Thirdly, there is a scheme for construction of 10,000 *pucca* houses known as the Eight-Marla-Plot Scheme. The scheme is being put in operation this year and will when completed, go a long way towards remedying the shortage of houses. Fourthly, the Work Centres Scheme is now expected to gather momentum and to make headway. Fifthly, my Government lays great stress on the Industrial Areas Scheme and is pushing it forward. The actual construction of factories has not yet commenced in these areas, but a start will be made as soon as the industrialists, who have purchased plots in these areas, receive loan from the Rehabilitation Finance Administration. Finally, it can hardly be claimed that the displaced urban population has been fully or satisfactorily rehabilitated. They have made great and valiant efforts to get themselves absorbed in the economy of our state and elsewhere and in this, Government has helped them as much as it could. An essential preliminary to satisfactory rehabilitation is the settlement of the question of compensation for properties left in Pakistan. Hon. Members are, no doubt, aware that the Government of India continue to press this matter on the Government of Pakistan and only recently, another approach has been made. I can only hope that the response to this approach will be satisfactory. I would add that the failure of the Government of Pakistan to reach a just and satisfactory settlement of this issue, in spite of repeated efforts of the Government of India, is causing not only deep disquiet, but also profound resentment to all of us.

My Government continues to give top priority to the Grow-More-Food Campaign which, as the House may know, is being guided and directed by a special Sub-Committee of the Cabinet. The results have been gratifying. Until the end of last year, our

State was deficit in foodgrains, but this year we have achieved not only self-sufficiency but have been able to export substantial quantities of wheat and rice to other States. Nature was our ally in *kharif* crops of 1949 and *rabi* crops of 1949-50 except gram. Our procurement of rice amounts up-to-date to a little over 57,000 tons and of wheat a little over 312,000 tons. Procurement of wheat last year was 229,000 tons. Our exports of rice total 37,000 tons and our wheat exports up-to-date are about 55,000 tons. We are committed to further export of about 27,000 tons of wheat but it is impossible to say at present whether this commitment can be met in view of the serious situation created in our own State by heavy rains and floods which, as I have said before, have extensively damaged the standing *kharif* crops, and also wheat in our wheat godowns, thus reducing our resources and increasing our commitments for the feeding of our people. The main planks in the drive for increased food production are expansion of irrigation by canals, tubewells, percolation wells or other minor irrigation schemes, use of pure seed, utilisation of manure, eradication of pests and reclamation of waste lands. In all these items good progress has been made since I addressed the House in March last, and I trust that the set-back which rains and floods have given to the Grow-More-Food Campaign will be only temporary.

As regards the new Capital near Chandigarh, the Master Plan prepared by Mr. Albert Mayer has been approved generally and is being finalised. The detailed plans of the Neighbourhood Units are in hand. An Administrator for the Capital Project has now been appointed, and it is my Government's intention to go ahead with the implementation of the Capital Project as speedily as possible. My Government is glad that the agitation against the acquisition of land has been called off.

Work on the Bhakra Nangal Project is, on the whole, making steady progress. It is likely that as a result of our representations we shall be receiving additional funds for the Project during the current year, and my Government understands that a tentative allocation of funds for the next two years, namely 1951-52 and 1952-53, has been made by the Government of India. This alloca

tion should be of material assistance in planning for the execution of the various phases of the Project. I referred in my last address to certain important pending issues in connection with the Project. Almost all these issues were considered at the Bhakra Conference held in Delhi on 24th and 25th of this month, and although detailed proceedings are not available, I am in a position to inform the House that substantial progress towards the settlement of these issues has been made. My Government will continue to give foremost attention to this Project, which is so vital for the well-being of our State, and it is a matter of gratification to us that the Government of India share to the full our anxiety to complete the Project as rapidly as possible.

I need say very little about the law and order position in our State. It continues to be satisfactory. Serious crime has registered a decline. The importance of peace and security as a condition precedent to progress and development can hardly be over-estimated, and my Government will continue to maintain law and order and public tranquility by all means at its disposal. In this task, I know that my Government can count on your whole-hearted support and co-operation from the public.

In this Session you will be called upon to deal with the Supplementary Estimates for 1950-51 and a large number of Bills. I shall content myself with touching briefly upon some of these Bills. The Punjab Gram Panchayat Bill, which is designed to place the Panchayat Raj on a firm footing and is in keeping with the policy of steady democratisation of institutions of Local Government, has been examined carefully in the Select Committee, and I hope you will be able to enact it into law in this Session. The Punjab Co-operative Societies Bill, which when it becomes law will add to the stability and strength of the movement, now awaits your consideration in light of public opinion, and I trust that you will agree to the motion to refer it to a Select Committee. The Punjab Tenants (Security of Tenure) Bill is merely an adaptation with certain amendments in the light of the working of the ordinance which it replaces. On the whole, the ordinance is said to have worked well and been generally appreciated. I commend this measure to your consideration. The Land Preservation (Second Amendment)

Bill is designed to help soil conservation on the importance of which I need hardly dilate.

Members of the Legislative Assembly, I have confined myself in this address only to a broad and general survey of outstanding matters for, in my view the Governor's address is not intended to be a comprehensive account of all the problems, policies and activities of Government. Hon. Members will also notice that I have concentrated more on administration than on policies because as I see it, the business of State Governments unlike that of the Central Government, is not so much the making of policies—though this has a place—as administration includes execution and implementation of policies and decisions. On this ground, if no other, we must go on ceaselessly improving our administration curing it of defects and shortcomings, reducing its slowness, increasing its purity, integrity and efficiency and enhancing its understanding responsiveness to genuine public needs, grievances and complaints. This is a matter in which both the Legislature and the public share responsibility with Government, and with united efforts on the part of us all, I personally have no doubt that we can bring about improvement, which we desire so much, in a short time. During the last three years both our Government and our people have been hard at work rebuilding our State, and though a great deal has been done, much yet remains to be accomplished. Discipline, unity, incessant hard work, avoidance of communalism in any shape or form and due regard for public welfare on the part of all our citizens continue to be our prime needs. I pray to Providence to give us all, whether Hindus, Sikhs or Muslims, whether industrialists or business men, whether agriculturists behind the plough or craftsmen in their homes or workmen in fields or factories, whether servants of the State or public workers, not to mention other groups of our citizens, strength, courage and devotion to duty to enable us to rise to the full measure of our responsibilities. Gentlemen, I thank you for the courtesy consideration and co-operation you have been good enough to extend to me personally.

Punjab Legislative Assembly Debates

29TH SEPTEMBER 1950

Vol. II—No. 2

OFFICIAL REPORT



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PUNJAB LEGISLATIVE ASSEMBLY

Second Session of the First Punjab Legislative Assembly

Friday, 29th September, 1950.

The Assembly met in the Assembly Chamber at 10 A. M. of the clock.

Mr. Speaker (The Hon. Sardar Kapoor Singh) in the Chair.

STARRED QUESTIONS AND ANSWERS

ABOLITION OF POLICE POST, DHANGER, DISTRICT HISSAR.

* 1947. **Shri Ram Sharma** : Will the hon. Chief Minister be pleased to state:—

- (a) whether it is a fact that there has been no serious crime in Dhanger (District Hissar) for the last three years.
- (b) whether it is a fact that the Superintendent of Police, Hissar District, has recommended for the abolition of police post stationed at Dhanger ;
- (c) the reasons why the police post continues to remain stationed at this place ;
- (d) when it is going to be abolished ?

The Hon. Dr. Gopi Chand Bhargava :

- (a) } Additional Police Post, Dhanger (District
- (b) } Hissar) has been abolished with effect from
- (c) }
- (d) } the 1st July, 1950.

Sbri Ram Sharma. How long did this police post remain ?
When was it stationed and when abolished ?

Chief Minister. It remained for a period of about ten months.

Shri Ram Sharma : What were the grounds for establishing this police post ?

Chief Minister : There were adequate grounds for establishing this police post and when those grounds ceased to exist and we were assured that crime had been checked, it was abolished.

Shri Ram Sharma : Is it a fact that it was established only because the Superintendent of Police suggested it and it was abolished as and when he asked for its abolition.

Chief Minister : I may not be able to tell all the details at this time, but of course everything was done in consultation with him.

Shri Ram Sharma : Is it possible to know the nature of the crime which led to the establishment of the post ?

Chief Minister : Notice is required for this question.

SHRI BALWANT RAI.

* 2023. **Shri Ram Sharma :** Will the hon. Chief Minister be pleased to state :—

- (a) whether it is a fact that one refugee Shri Balwant Rai went to make a report at the Police Station., Ambala Cantonment on 17-12-49 but that his report about the breaking of the seal of his stall was not recorded by the Police;
- (b) whether it is also a fact that when he again went later to the Police Station with an application endorsed by the Magistrate First Class and the Inspector of Police for getting his report recorded at the Police Station, the Station House Officer abused him and put him in custody ;
- (c) whether it is also a fact that the applicant above named was let off at 2 A. M. in morning after the date of his arrest after the Magistrate had ordered the Police to do so on the Telephone ;
- (d) the action which the Government propose to take in the matter?

The hon. Dr. Gopi Chand Bhargava :

(a), (b) & (c).....No.

(d) Does not arise.

DACOITY & MURDER CASES IN LUDHIANA DISTRICT.

* 2086 **Mehta Ranbir Singh :**—Will the hon. Chief Minister be pleased to state the number of dacoity and murder cases registered in the Ludhiana district in the year 1949 and during the period 1-1-50 to 31st August, 1950 respectively ?

The hon. Dr. Gopi Chand Bhargava :

First part, 12 and 50, respectively.

Second part, 10 and 32, respectively.

UNLICENSED ARMS.

- * 2087 **Mehta Ranbir Singh** : Will the Hon. Chief Minister be pleased to state the number and details of the unlicensed arms recovered in the months of May, 1949 to August, 1949 and May, 1950 to August, 1950 in the State and in the Ludhiana district separately ?

The Hon. Dr. Gopi Chand Bhargava: A statement is laid on the table *

REPRESENTATION FROM SHRIMATI BASANT KAUR.

- * 2091 **Shrimati Sita Devi** : Will the hon. Chief Minister be pleased to state :—

- (a) whether it is a fact that he has received a representation from Shrimati Basant Kaur wife of Shri Jarnail Singh, of village Bhungarni, Police Station Sadar Hoshairpur, a detenu, confined in Ludhiana District Jail, where in it was stated that Shri Jarnail Singh, received severe injuries on the head as a result of the lathi charge by the Jail authorities on 15-4-50 ;
- (b) the reasons for the Jail authorities to resort to the above referred to lathi charge ?

The Hon. Dr. Gopi Chand Bhargava :

- (a) Yes.
- (b) On 15th April 1950, the communist detenus of Ludhiana Jail refused to go to their places of night confinement. While the jail guard tried to remove bodily a few detenus to their cells, the other detenus who were yet free assaulted some members of the guard, and communist prisoners began to throw pieces of broken pitchers at the guard. To restore order the jail authorities were compelled to use force. Government are satisfied that the minimum force was used. Some of the prisoners as well as members of the jail guard received minor injuries. The injuries of no prisoner were grievous.

Shrimati Sita Devi : Has not the public represented that the report submitted by the jail authorities is not correct ?

Chief Minister : Whatever I have said is correct according to the inquiry made by Government.

* Kept in the Library.

Shrimati Sita Devi : But is the inquiry made by the jail authorities correct? Why are not Non-Officials appointed to conduct such an inquiry?

Chief Minister : The Government makes inquiries according to its own rules and non-officials cannot be appointed to conduct such an inquiry.

Shrimati Sita Devi : Is the inquiry made only by the highest authority concerned or is it also to be corroborated by an independent inquiry of some other officer?

Chief Minister : If the Government were to adopt such a method of making inquiries, it would not be able to transact much work.

Shrimati Sita Devi : Did not we all congress men and women, when we were in jails before 1947, make such a demand?

Mr. Speaker : Disallowed.

Sardar Sajjan Singh : Was some magistrate also appointed in this connection?

Chief Minister : No such necessity arose.

Shri Ram Sharma : Does the hon. Chief Minister see any sagacity in asking the same officer to hold an inquiry as is guilty of offence?

Chief Minister : Such a question requires notice.

Shri Amar Nath Vidyallankar : Was it necessary in the interests of law and order that the man should have been struck on the head?

Chief Minister : No Government can tolerate the breach of discipline in its jails and the offender whoever he may be is suitably punished for violating discipline.

Shri Amar Nath Vidyallankar : I say, was it quite essential to strike the man on his head?

Chief Minister : I never said that he should have been or was struck on his head. All I say is that minimum force was used.

Shri Prabodh Chandra : Is it not a fact that the lathi charge was continued even after the disturbance had been put down ?

Chief Minister : It is not in my knowledge.

Shrimati Sita Devi : Does not the responsibility of safety of life of the prisoners in jails lie on the Government?

Chief Minister : The manual contains all the necessary information.

Shri Prabodh Chandra : On a point of order, Sir. Is the lady member privileged to put supplementary questions whenever she likes without the permission of the speaker ?

Mr. Speaker : Ladies always enjoy concessions.

Shri Prabodh Chandra : Is it not a fact that a prisoner who is guilty of breach of discipline is prosecuted and if so, may I know as to why such a course was not adopted in this case ?

Chief Minister : It is not necessary that the offender should always be prosecuted. He is prosecuted if the Government thinks fit.

Shrimati Sita Devi : I ask, is not the infliction of an injury on the head fatal to life ?

Mr. Speaker : It is a matter of opinion.

Shri Ram Sharma : Who was the officer who conducted that inquiry ?

Chief Minister : The Government cannot disclose the name of the inquiry officer.

TOUR PROGRAMMES OF MINISTERS.

* 2093 **Shrimati Sita Devi :** Will the hon. Chief Minister be pleased to state:—

- (a) the authority which prepares the tour programmes of the Ministers;
- (b) the factors which are taken into consideration while preparing a tour programme of a Minister ?

The hon. Dr. Gopi Chand Bhargava :

- (a) The tour programmes are prepared by the Hon. Ministers themselves.

(Chief Minister)

(b) This is done in the interest of work of their respective departments and Government as a whole.

Shrimati Sita Devi : Are tours undertaken by the hon. Ministers for the sake of important work only or sometimes these are undertaken for non-official or un-important work too ?

Mr. Speaker : This is an insinuation.

Shri Ram Sharma : Is the hon. Chief Minister consulted at the time of preparing tour programmes of other hon. Ministers and has he any control over these ?

Chief Minister : The question of Chief Minister's interference does not arise as he is consulted on all important matters.

Shri Ram Sharma : Is the hon. Chief Minister consulted before the tour programmes of other Ministers are prepared or these are shown to him after their preparation ?

Chief Minister : There is no fixed principle that I should be consulted first or afterwards. Both the methods are used. Sometimes I am consulted before the preparation of tour programmes and sometimes afterwards.

Shri Ram Sharma : Has the hon. Chief Minister ever thought over the cause of larger number of tours being undertaken by the Ministers now ? Is it not a fact that now these tours last for more days than before ?

Chief Minister : The Hon. Member has himself complained on several occasions that the Ministers remain at Simla and do not acquaint themselves with the condition of the people in the plains. I do not understand why objection should be raised when the Ministers undertake tours for that purpose. It may be added that the hon. Ministers undertake only such tours as are very essential.

Shri Ram Sharma : The hon. Chief Minister has not followed my question.

Mr. Speaker : This is a question of opinion. Although I allowed the hon. Member's previous supplementary question, all the same it is a matter of opinion. According to the view

of the hon. Minister, they are not having as much touring as they would like to do.

Shri Ram Sharma : My question related to the increase in the number of tours undertaken by the hon. Ministers. What are those factors which have necessitated this increase ?

Chief Minister : I understood the question full well and as I have already stated the hon. Ministers undertake only such tours as are necessary.

Shrimati Sita Devi : Does the performance of the opening ceremony of a school or a Jail constitute official work ?

Chief Minister : Yes. When the Ministers perform such ceremonies, they do so in their official capacity.

Shrimati Sita Devi : Is work of this kind also included in that for which tours are considered essential ?

Chief Minister : The hon. Ministers do all kinds of work. They undertake tours for essential official work and the performance of opening ceremonies etc., does not interfere with their official work.

Shrimati Sita Devi : Is it essential that the hon. Chief Minister or some other hon. Minister should perform opening ceremonies of schools ? Cannot some local person do this kind of work ?

Mr. Speaker : Disallowed.

Mehta Ranbir Singh : In the interest of economy, has the hon. Chief Minister ever considered the advisability of an hon. Minister visiting various places during the same tour, instead of returning to Simla after visiting one place and again leaving for another place ?

Chief Minister : I always keep economy of expenditure in view but nobody will like to effect economy at the cost of efficiency of administration.

Mehta Ranbir Singh : Is it not a fact that because after visiting one place the hon. Ministers return to Simla before going

(Mehta Ranbir Singh)

to another place, the length of journeys undertaken by them has increased and this is telling adversely on their health ?

Mr. Speaker : This is a question of opinion.

Chief Minister : I am glad to see.....

Shri Prabodh Chandra : Is the hon. Chief Minister in order to reply to a question which the Chair has ruled to be a matter of opinion.

Mr. Speaker : If he volunteers to reply to such a question, he can do so.

Chief Minister : Order, Order.

Shri Prabodh Chandra : On a point of order, Sir. Is the hon. Chief Minister entitled to shout "order, order" when the Chair is giving a ruling ?

Mr. Speaker : He is helping me because I am ill.

An hon. Member : The Chief Minister is ill too.

Mehta Ranbir Singh : When it is a fact that the hon. Chief Minister and another hon. Minister had to remain in hospital for several days, has the hon. Chief Minister not thought that long tours have bad effect on health ?

Mr. Speaker : Disallowed.

Shri Prabodh Chandra : Is it not a fact that in the last few months two hon. Ministers returned to Ambala after visiting Amritsar and again went to Ludhiana and Jullundur ?

Chief Minister : I am glad that the hon. Ministers are more for the proper discharge of their duties than for their health.

Shri Prabodh Chandra : I do not agree that the Hon. Ministers attach greater importance to their work than to their health. In the month of August, when elections to the State Congress Committee had to be held, several hon. Ministers remained in the plains.

Chief Minister : This is not a fact.

Shri Ram Sharma : When the Hon. Chief Minister or some other hon. Minister submits his travelling allowance bill for the journey performed by him, does he state the precise purpose of his journey as required in the printed form?

Chief Minister : Yes, it is stated in the bill that the journey was undertaken for essential official work.

Shri Ram Sharma : Is it not a fact that the Government has decided that it is not necessary to state the purpose of journey and that whenever a Minister undertakes a tour, he should be considered to have gone on official duty?

Chief Minister : This is not correct. The purpose of journey is always stated in the bill.

Shri Ram Sharma : May I know if the exact purpose of journey is stated in the bill or it is merely said that it was undertaken for official work?

Chief Minister : I shall be able to answer this question, if the hon. Member gives notice.

Chaudhri Suraj Mal : Is it not a fact that sometimes the hon. Ministers go to attend the marriages of the children of their friends and charge travelling allowance from the government for those journeys?

Chief Minister : No travelling allowance is charged, if an hon. Minister goes for attending to some private work.

PRESS ADVISORY BOARD.

* 2094 **Shrimati Sita Devi :** Will the hon. Chief Minister be pleased to state :—

- (a) the number of meetings of the Press Advisory Board held during the years 1949 and 1950 ;
- (b) the total amount of travelling allowance drawn upto-date by the members of the said Board ?

The hon. Dr. Gopi Chand Bhargava :

- (a) Thirteen (inclusive of five of its Emergency Panel).
- (b) Rs. 6026/9/- .

Shri Ram Sharma : Does the Government act on the decisions taken at the meetings of the Press Advisory Board ?

Chief Minister : Members of the Press Advisory Board know that the Government has very cordial relations with it and that very useful work is being done with their consultation.

Shrimati Sita Devi : May I know the names of the members of the Press Advisory Board, who attended its meetings in the month of July and the amount of travelling allowance drawn by each of them ?

Chief Minister : Sir, it does not arise out of the question. If the hon. Member gives notice, I can make enquiry.

ALLOWANCES FOR COMMUNIST DETENUS.

* 2104 **Sardar Partap Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) the total number of the Communist detenues in jails of the State at present ;
- (b) the diet allowance, the sundry allowance, the family allowance and other allowances, if any, they are normally getting ;
- (c) whether any of these allowances has been reduced recently ; if so, the reasons therefor ?

The Hon. Dr. Gopi Chand Bhargava :

- (a) 112 (on 25-9-50).
- (b) Family allowance is not given to the dependants of all detenues.

The following allowances are normally given:

Diet allowance	...	... Rs. 75/- per month of 30 days.
Sundry allowance	...	... Rs. 16/- P. M.
Family allowance	...	... Rs. 25/- P. M. for each adult woman de- pendant and Rs. 20/- P. M. for each minor dependant.

(c) Yes; the diet allowance was reduced in cases of those who committed jail offence.

Shri Prabodh Chandra : Will the Hon. Chief Minister be pleased to state if the family allowances of the detenus who went on hunger strike were also stopped?

Chief Minister : I require notice for this question.

Shri Prabodh Chandra : Is it the policy of the Government to stop the family allowances of the detenus who resort to hunger strike?

Chief Minister : Family allowance is not given as a matter of right. If a detenu commits any jail offence, his family allowance is not stopped on that account.

Shri Prabodh Chandra : Is it a fact that besides stopping the diet allowance of the detenus, they are prosecuted and convicted and placed in C Class?

Chief Minister : Whenever a detenu commits a jail offence, he may be prosecuted.

Sardar Sajjan Singh : May I know if resorting to hunger strike is an offence?

Chief Minister : My learned Friend should consult the jail rules.

Shri Prabodh Chandra : Sir, the jail manual is not a public property.

Chief Minister : Sir, it is available in the library and every Hon. Member can have a look at it.

Sardar Sajjan Singh : May I know if this reduction in the family allowance is to remain in force for all time or for only a limited period ?

Chief Minister : This reduction will remain in force so long as this decision is not revised.

Sardar Sajjan Singh : What are the basis on which such revisions are made ?

Chief Minister : It depends on the will of the Government.

Sardar Sajjan Singh : What are the factors which are taken into consideration for revising a decision ?

Chief Minister : The Government revises a decision when it considers fit to do so.

Sardar Sajjan Singh : Should I take it that the Government does not take into consideration any facts while revising its decisions ?

Chief Minister : No, that is not correct.

Shri Ram Sharma : Will the hon. Chief Minister be pleased to state whether the Government victimises the family of the detenu who commits an offence ?

Chief Minister : The punishment is inflicted on the person who commits the offence and not on others.

Shri Ram Sharma : Is it a fact that the personal allowance of the detenus is more than their family allowance ?

Chief Minister : If my learned Friend examines the circumstances in which family allowance is given, he will see that its proportion with the personal allowance of the detenus is not that alleged by him.

Sardar Bachan Singh : May I know if the condition of the detenu along with the consideration of his being unable to earn anything is taken into consideration while giving him family allowance ?

Chief Minister : A number of considerations are kept in view. If the hon. member gives notice, I can let him know.

HUNGER STRIKES BY COMMUNIST DETENUS

* 2105 **Sardar Partap Singh** : Will the hon. Chief Minister be pleased to state :—

- (a) the number of times the Communist detenus have resorted to hunger strike since August 1947.
- (b) The number of detenus involved in these hunger strikes each time ;
- (c) whether any of them were released on medical grounds during these hunger strikes , if so, the number of those so released;
- (d) whether any forcible feeding was done in any case; if so the number of such cases ;
- (e) whether any of them died during these hunger strikes ; if so, the names of such persons;
- (f) the demands, if any, put forth by them before they resorted to hunger strikes referred to above ;
- (g) whether any of those demands were conceded ?

The hon. Dr. Gopi Chand Bhargava :

- (a) Six.
- (b) (1) 8
(2) 46
(3) 161
(4) 1
(5) 267
(6) 156
- (c) Yes, thirteen.
- (b) Forcible feeding was done in almost all cases.
- (e) Yes. One detenu named Prem Singh "Saraba" son of Jiwa Singh.
He died due to heart trouble, while in the jail hospital.
- (f) All sorts of demands were put forward by the detenus at the time of their resorting to hunger strike as given in the statement (marked "A") which is laid on the table. †
- (g) Yes. a statement (marked "B") is laid on the table. †

† Kept in library

Sardar Bachan Singh : May I know if Sardar Prem Singh Saraba was released for the first time on the basis of ill health or on some other basis ?

Chief Minister : I require notice for this question.

Shri Virendra : May I know if the Government has made an enquiry to ascertain whether the allowances of the detenus in our State are more or less than those in other States ?

Mr. Speaker : This is not the proper question to ask. You can get this information later. There is another question.

LATHI CHARGES ON COMMUNIST DETENUS IN JAILS.

* 2106 **Sardar Partap Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) the number of times lathi charges were made on the Communist detenus in jails of the State since August, 1947 ;
- (b) the number of those who were injured in various jails as a result of those lathi charges ?
- (c) whether any official enquiry into the lathi charges was demanded by those detenus ; if so, whether it was made ; if not, the reasons therefor ?

The Hon. Dr. Gopi Chand Bhargava :

- (a) Once only on 6-2-50, at the Central Jail Ferozepur, force had to be used to bring the riotous detenus under control.
- (b) 13 of those detenus and an equal number of jails officials received minor injuries.
- (c) No official enquiry was demanded by the detenus. Government however satisfied themselves that the action of the jail authorities was fully justified.

Mehta Ranbir Singh : Will the Hon. Chief Minister be pleased to state whether the injuries received by the detenus and also the jail officials were serious in any case ?

Chief Minister : So far as I know, in no case the injuries were serious.

Mehta Ranbir Singh : The hon. Chief Minister has stated that the number of injured among the detenus and the jail officials was equal. Why was it so ?

Chief Minister : My learned friend does not know that the detenus possess many things such as bottles, stones etc., which they use in an assault, and thus they can also inflict injuries. And the jail authorities have to see that they use the minimum force while the detenus are not actuated by such motives.

Chaudhri Suraj Mal : Will the hon. Chief Minister please state the reasons due to which the jail authorities had to resort to lathi charge ?

Chief Minister : I require notice for this question. I may remind the hon. Members that whenever they want any details about a matter, they should send in a notice, because we do not carry all the papers with us, nor can we remember the details. So, for details, the hon Members should send notices.

Chaudhri Suraj Mal : Sir, the Hon. Chief Minister has just now told us that he had an enquiry made into this case. The result of inquiry must be with him, He can tell us by looking that up as to why recourse to lathi charge was had,

Mr. Speaker : The question relates to the number of times lathi-charge was made and whether an official enquiry was made into it. But I think the Hon. Chief Minister may not be having the proceedings of that enquiry in detail and the Hon Member should not press for a reply.

Mehta Ranbir Singh : Should I take it from the reply of the Hon. Chief Minister that the jail regulations place no restrictions on the detenus in the matter of assaults on the jail authorities ?

Chief Minister : Of course, there are restrictions but what can we do if the detenus consider themselves above law ?

Mehta Ranbir Singh : Does it not show the inefficiency of those jail officials ?

Chief Minister : I do not consider it inefficiency.

Mehta Ranbir Singh : Is it not a fact that in spite of such inefficiency some of these officials go on getting promotions as usual ?

Mr. Speaker : Disallowed.

Shrimati Sita Devi : Has any inquiry been made into the causes of such jail incidents which are becoming a matter of every day occurrence ?

Mr. Speaker : Next question.

PRIVILEGES TO COMMUNIST DETENUS IN JAILS.

* 2107. **Sardar Partap Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) what privileges are given to the Communist detenus in jails;
- (b) whether any of these privileges was ever withdrawn; if so, on what grounds;
- (c) whether it is a fact that the privilege of sleeping out of doors² was given and then withdrawn; if so, the reasons therefor ?

The hon. Dr. Gopi Chand Bhargava :

- (a) A statement (marked A) is laid on the table †
- (b) Yes, a statement (marked B) showing the reasons on account of which certain privileges had to be withdrawn from certain Communist detenus, is laid on the table. †

† Kept in the Library

- (c) Yes, this concession had to be withdrawn as it was abused by the Communist detenus of one jail, who dug up a tunnel through which 3 of the detenus actually escaped. The barracks of the Communist detenus have, however, been provided with ceiling fans.

Shri Virendra : May I know whether such privileges are enjoyed by detenus in other states also; if so, how far as compared to our State ?

Chief Minister : Privileges enjoyed in Punjab are better.

Shri Virendra : Why is it so, when the hon. Chief Minister has himself stated that their conduct is not satisfactory ?

Chief Minister : Some of them have been our comrades in the past in the national struggle for emancipation. On account of that we show every leniency to them and use minimum force necessary for keeping order.

Shri Virendra : Should I take it from this that every comrade of the hon. Ministers is at liberty to indulge in illegal acts ?

Sardar Swaran Singh : At least the hon. Member can take such a liberty if he so desires. (*Louhter*)

Chief Minister : That is my weakness, but I am trying to overcome it.

Shri Ram Sharma : How long will such a weakness of the hon. Chief Minister continue ?

Chief Minister : We are trying our utmost to discontinue it and we feel that we are stronger today than we were the day before. I am confident that in future we will be stronger still to solve the problems of our country. If an occasion arises I shall not be found weak.

Chaudhri Suraj Mal : There is a feeling that the present Government is creating a bad precedent in the matter of its treatment towards the detenus of other political parties.

[Ch. Suraj Mal]

So when any other party comes to power there is a fear that those in power today may be accorded a worse treatment at their hands.

Chief Minister : So far as the treatment is concerned, I have already stated that no bad treatment is accorded to any detinue. But when any other party comes to power I shall be prepared to bear any hardship that it may consider fit to impose upon me on account of the acts that I do in the discharge of what I consider to be my duty.

REPRESENTATION OF BACKWARD CLASSES IN SERVICES.

* 2111. **Sardar Narotam Singh** :—Will the hon. Chief Minister be pleased to state :—

- (a) the steps so far taken by the Government to make a provision for the reservation of appointments or posts in services for the backward classes of rural areas which are not adequately represented in the services;
- (b) the number of such backward classes of rural areas recruited by competition or otherwise since partition ?

The hon. Dr. Gopi Chand Bhargava :—

- (a) and (b) The attention of the hon. Member is invited to the note dated the 15th September, 1949 on the subject, copies of which were circulated to all the hon. Members of the House. Apart from this, the Constitution requires that backward classes should first be declared as such by the President of India before any reservations can be made in their favour.

Shri Ram Sharma :—Will the hon. Chief Minister kindly tell us whether any list has been received from the Government of India, clearly indicating that such and such are the

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backward classes, and also whether any distinction regarding rural and urban classes has been made therein ?

Chief Minister : So far a list regarding the Scheduled Castes has been received and it is understood that the case of backward classes is under the consideration of the President of India.

Shri Ram Sharma : May I know whether there are any indications that rural and urban backward classes will be classified ?

Chief Minister : I cannot say anything as to what is the intention of the President in regard to this matter.

Sardar Narotam Singh : Sir, may I draw your attention to the fact that the opinion expressed by the hon. Chief Minister in this connection is absolutely wrong ?

Mr. Speaker : If the hon. Member wants to put a supplementary question, he is welcome to do so. He cannot express his views on the interpretation of the hon. Chief Minister in regard to this matter.

Sardar Narotam Singh : Article 10 of the Draft Constitution has not been correctly followed.

Mr. Speaker : Thank you for your opinion.

Chief Minister . I would like to submit, Sir, that the opinion that has been expressed on the circular note is the opinion of the Law Department of the Government of India. If the hon. Member holds a different opinion, he can have recourse to the Supreme Court for the clarification of this point.

Sardar Narotam Singh : May I know whether the statement made by the hon. Dr. Ambedkar, when this particular article was being discussed in the Constituent Assembly, has come to the notice of this Government ?

Chief Minister : The interpretation put by the Law Department of the Government of India has to be followed and whatever

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might have been stated in the Constituent Assembly at the time of the discussion of this article cannot be advanced in support of one's contention.

Sardar Narotam Singh : Is there any difference of opinion between the hon. Dr. Ambedkar and the Law Department of the Government of India ?

Chief Minister : I might inform the hon Member that the hon Dr. Ambedkar is the Minister-in-charge of the Law Department of the Government of India.

Mr. Speaker : If the hon. Member wants to discuss this question, he can do so in a proper way and at the proper occasion rather than discuss it in the form of supplementary questions.

Chaudhri Suraj Mal : Will the opinion of the Law Department of the Government of India in regard to this point be placed on the floor of the House ?

Chief Minister : Yes, Sir.

Sardar Narotam Singh : Is it a fact that the hon. Dr. Ambedkar has expressed an opinion that it is for the states to define the term "backward classes" ?

Chief Minister : It is not for me to reply to that question.

Shri Prabodh Chandra : On a point of order, Sir. Is the hon. Chief Minister entitled to give a reply when the question has not been put by the member concerned ?

Chief Minister : If any question has been printed in the list of questions and the Government wants to give a reply it can do so whether the hon. Member concerned puts it or not.

Shri Prabodh Chandra : Sir, is it for the Chair to give a ruling or for the Leader of the House to do so ?

Sardar Narotam Singh : Sir, I have put this question.

Mr. Speaker : Sardar Narotam Singh has already put this question.

Shri Prabodh Chandra : Sir, I want a ruling on the point as to whether a question which has been printed in the list and not put by the hon. Member concerned can be answered by the Government ?

Mr. Speaker : Yes. The Government has a right to reply to a question which has been printed in the list of questions even if the Member in whose name it stands does not want to put it.

Sardar Ajit Singh : Will the hon. Chief Minister kindly state whether the communication received from the Government of India is in reply to the resolution that was passed regarding rural areas, or to this question which seeks information regarding backward classes? I think this reply is irregular. (*Laughter*)

Mr. Speaker : Next question please.

SCARCITY OF DRINKING WATER IN CERTAIN VILLAGES OF HISSAR DISTT.

* 2112. **Sardar Narotam Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) whether the Government is aware of the scarcity of drinking water in certain villages of Hissar District ;
- (b) the action taken by the Government to relieve the inhabitants of those villages of their trouble ;
- (c) whether any agreement has been arrived at with Patiala and East Punjab States Union regarding the distributary which is to pass through this area and the time required for its completion ?

The hon. Dr. Gopi Chand Bhargava :

- (a) Yes.
- (b) Water has been made available for filling of these village

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ponds during the period of slack demand through Pepsu channels.

(c) These villages will get irrigation supplies from Bhakra Canal system in 3 to 4 years' time. The question of giving supplies to these villages for drinking purposes in the interim period by making improved arrangements is under consideration of the Government.

Chaudhri Suraj Mal : Will the hon. Chief Minister kindly tell us the number of villages suffering from scarcity of drinking water ?

Chief Minister : There are certain ilaqas in the Bhiwani Tehsil but none in Sarsa Tehsil.

Chaudhri Suraj Mal : The hon. Chief Minister has mentioned ilaqas of Sarsa Tehsil but I want to know what arrangements are to be made or have been made for the supply of water to the tehsils of Hissar and Bhiwani where acute scarcity is being felt in this direction ?

Chief Minister : In this connection, a scheme was examined by the Sanitary Board. It was thought that barring ilaqas of Bhiwani tehsil, the other two tehsils, namely, Fatehbad and Sarsa were to receive water from the Bhakra Project. But at present whatever supply they receive from PEPSU through Kalawali, is given to them during the month of April. During summer the supply of water falls, because the consumption has increased due to rise in population. We wish to construct pucca channels for the supply of water to these ilaqas which of course do not include Bhiwani tehsil. Since construction of pucca channels involves heavy expenditure, it has been decided to take up construction of only those pucca channels, which are to be constructed under the Bhakra Canal System scheme. But it is being contemplated that if those

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ilagas which are to be covered by these Bhakra channels suffer from any scarcity of drinking water, efforts be made to remove that difficulty.

Chaudhri Suraj Mal : May I know if the news regarding the probable completion of Bhakra Dam Project in 1957, came to his notice; if so, may I know what scheme is up the sleeves of the Government with regard to the supply of water to these three tehsils till 1957 or 1958 when Bhakra Dam Project is expected to be completed?

Chief Minister : I have already stated that the question of giving supplies to these villages and making improved arrangements is under the consideration of the Government. So far as the news referred to by my hon. Friend is concerned, it has not come to my notice. Undoubtedly Bhakra Dam Project will be completed in 1957-58 but by 1954 supplies of water will be made available to these ilagas through non-perennial channels which are to receive water from Bhakra and particularly Nangal canals. The Nangal Canal Works completion is expected by 1954, and hence these ilagas will be fed from the Nangal canal through non-perennial channels.

Shri Ram Sharma : May I know the number of villages in the Hissar District, which are face to face with scarcity of drinking water ?

Chaudhri Suraj Mal : About 300.

Chief Minister : I cannot give exact information off-hand.

Shri Ram Sharma : I don't mind if he gives the approximate number.

Chief Minister : As I have already stated, there are certain ilagas in the Bhiwani tehsil, which suffer from scarcity of water. But there is a separate scheme for making arrangements for the supply of water to them. But where

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canal water can be made available, that comes under yet a different scheme. However, if the hon. Member is desirous of seeing fuller details of this scheme, I can arrange to make them available on the 3rd or 4th of the next month.

Chaudhri Sahib Ram : May I know why the services of that wellknown saint 'Pani Maharaj' are not utilised in finding water in these tehsiles, when his help was sought in locating water at the proposed Capital ?

Chief Minister; I quite see the grievance of my hon. friend as water is not available to his ilaqa for the whole year. I may tell him that the services of 'Pani Maharaj' are no longer required in the ilaqa of Hissar where it is well known that water can be found at a depth of 600 or 700 feet.

Sardar Sajjan Singh : Will the hon. Chief inister please tell us whether any survey has been carried out in the district of Hissar to see as to where the scarcity of water exists. If so, whether any officer has been appointed to chalk out a scheme for making arrangements for the supply of drinking water there ?

Chief Minister : I have already stated that a scheme for supply of water to Bhiwani was placed before the Sanitary Board. In this connection I have promised my hon. Friend Pandit Shri Ram Sharma to bring all the necessary details on the 3rd or 4th of October. If the hon. Member is keen to see them he, too may peruse them.

Chaudhri Suraj Mal : May I know if the Unionist Government during its regime, had devised any scheme in connection with the scarcity of drinking water; if so, has this

[Chaudhri Suraj Mal]

Government taken any further steps to improve upon that scheme?

Chief Minister : The scheme referred to by my hon. Friend has died a natural death with the death of the Unionist Government. As already stated, our Government has devised a scheme in connection with the scarcity of drinking water.

Sardar Bachan Singh : May I know if it has not been possible for the Government to devise any scheme in connection with the scarcity of drinking water in certain villages of Hissar district when arrangements have already been made to provide drinking water to certain villages in bait ilaqa of Hoshiarpur district?

Chief Minister : As already stated I shall explain the scheme, already prepared by the Government in this connection on 3rd or 4th October 1950. So far as the scheme for providing drinking water in certain villages of Hoshiarpur district is concerned, I would like to point out that the people residing in those areas have contributed for the implementation of that scheme. As regards the scheme for providing drinking water in certain villages of Hissar district, Government would be spending about 75% of the amount from its own exchequer.

Sardar Bachan Singh : May I know if any person residing in the bait ilaqa has made any payment. Has the Government realized any amount from the people residing there in the form of taxes etc.?

Chief Minister : The expenditure in connection with the implementation of this scheme is being incurred by the people residing in those villages. My hon. Friend need not take the trouble of championing the cause of the people of the district of Hissar.

Mr. Speaker : Next question please.

HANDICRAFTS AND INDUSTRIES IN JAILS.

* 2116. **Shri Virendra.** Will the hon. Chief Minister be pleased to state:—

- (a) the names of the Handicrafts or Industries which are taught to the prisoners in the various jails of the State ;
- (b) the names of the jails which have industrial establishments, and the number of prisoners who were working daily in these establishments;
- (c) whether any of these industrial establishments, yields any profit to the department; if so, how much ?

The hon. Dr. Gopi Chand Bhargawa :

(a), (b) and (c). Three statements marked A, B, and C, containing the required information, are placed on the table. †

Shri Virendra. Has the Government devised any scheme with a view to making the jails self-supporting ?

Chief Minister. This question has already been discussed in the Jail Reforms Committee which has made certain recommendations to the Government. Government is considering the recommendations contained in the report of this Committee. But I am of the opinion that jails cannot be self-supporting.

Shri Virendra. Has the Government devised any scheme to utilize the man-power available in the jails ?

Chief Minister. The man-power, as referred to by my hon. Friend, or in other words the prisoners in the jails, are found there to undergo their imprisonments. The man-power available in the jails cannot be utilized in the same way as the man-power available outside the jails. Even in the event of making arrangements for the teaching of industries to the prisoners, Government will have to incur expenditure

† Kept in the Library

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on the administration of the jails. Hence jails cannot be self-supporting.

Shri Ram Sharma : May I know if after the partition there has been any improvement in the industrial output of the jails in our State?

Chief Minister : Before the partition there existed no arrangements to impart industrial teaching to the prisoners in the jails of this part of the United Punjab. The work in connection with the teaching of industries to the prisoners in the jails has been started here after the partition.

Shri Ram Sharma : Does it mean that there existed no arrangements for giving training of industries to prisoners in the jails of the United Punjab?

Chief Minister : There were no such industrial establishments in the jails of this part of the United Punjab. Before partition various industries were taught to the prisoners in the central jails of Montgomery, Multan and Lahore and other districts now in Punjab (Pakistan). In the Borstal Institution, various industries were taught to the prisoners. No such industrial establishments existed in the jails of this post-partitioned province now known as Punjab (India) State.

Shri Ram Sharma : May I know whether any officer was appointed by the Government on a whole-time or part-time basis to supervise the work in connection with the teaching of industries to the prisoners in the jails. May I also know if any officer is entrusted with this job at present?

Chief Minister : For the information of the hon. Member I would like to point out that an officer was entrusted with this work on a part-time basis and he used to make recommendations from time to time. But he had already retired from Government service. Since it is not intended

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to re-employ retired Government servants, opinion on this subject is being sought from the Industries Department & from other experts. I would also like to add that the Jail Reforms Committee has also made certain recommendations so far as this matter is concerned.

Shri Ram Sharma : Is it a fact that the Home Secretary and the Inspector General of Prisons have also recommended to the Government that an officer should be appointed on part-time basis to help and supervise these industrial establishments ?

Chief Minister : The name of the Principal, Government College, Rohtak was recommended to me but I did not agree to it. —

Shri Ram Sharma : Did he disagree because of the fact that he felt it advisable to make this appointment on a whole-time basis instead of part-time basis ?

Chief Minister : The Jail Reforms Committee has made this recommendation that Assistant Superintendents of the jails should be asked to do this work and that they should be trained in various industries.

Sardar Bachan Singh : Is it a fact that before partition, articles such as dures and handloom cloth were manufactured in the jails of Ambala and Ludhiana respectively ?

Chief Minister : These articles were not manufactured on a large scale. I wish to point out for the information of the hon. Member that in spite of all this new clothes were not supplied to the prisoners at that time and that old clothes after making necessary repairs were being used by the prisoners. I would also like to add that at the time of partition various articles which were manufactured in various jails in general and the Borstal Institution in particular, which should have come to our share were not made over

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to us. It is because of this fact that the deficiency in manufacturing certain articles in the jails could not be made up. In fact, no arrangements existed for manufacturing such articles in the jails of this part of the United Punjab.

Sardar Bachan Singh: In view of the fact that articles such as dures and handloom cloth were manufactured in the jails of Ambala and Ludhiana respectively, may I know if there has been any appreciable improvement in the production of these articles after the partition?

Chief Minister: I require notice for this question.

Shrimati Sita Devi: The hon. Chief Minister has stated that an officer who was entrusted with this work had retired from Government service, may I know if no other suitable person was available to do this job?

Chief Minister: I have already thrown much light on the scheme of the Government so far as this matter is concerned. According to this scheme it is not intended to appoint any particular person. (*Noise and interruptions*).

Shri Ram Sharma: On a point of order, Sir. May I know if the reply of the hon. Chief Minister to the effect that according to this scheme it is not intended to appoint any particular person, is not tantamount to an insinuation against the hon. member?

Chaudhri Suraj Mal: Has any Minister or Chief Minister a right to make an insinuation against any member?

Chief Minister: I will be the last person to make any insinuation against any person. I am one of those who bear all the insinuations that are made against me.

Mr. Speaker: Insinuations are to be avoided by every hon. Member.

ADJOURNMENT MOTION.

Mr. Speaker : I have received notices of adjournment motions from Sardar Swaran Singh, Shri Prabodh Chandra and Sardar Waryam Singh and find that all the motions relate to the recent floods and rains and the damage done by them in the Punjab particularly in the districts of Gurdaspur, Amritsar, Ferozepore and Jullundur. This question has to some extent been discussed in the Address of His Excellency the Governor and the hon. Members while discussing the Address can.....

Sardar Swaran Singh : Sir, before you give a final ruling on the point I would request you to give us an opportunity to let us have our say. There is no doubt about it that this point finds a mention in the Address of His Excellency but this is also a fact that the Address of the Governor covers a large number of points and the situation that has arisen from the recent rains and floods is so serious that special time should be allowed for its discussion in the House. As a matter of fact, I had an informal talk with the hon. Chief Minister who has no objection to the allotment of some time for its consideration. It is now a matter of convenience to decide as to when this matter should be discussed, whether today, tomorrow or on any other day. I may submit Sir, that we will not be able to do full justice to the matter if it is discussed along with other points mentioned in the Address of the Governor and I think it necessary that adequate time should be spared for its discussion. The hon. Speaker might consider it and ask the Leader of the House as to what attitude the Government adopts with regard to the adjournment motions.

Shri Prabodh Chandra : Sir, I differ from the view of my hon. Friend Sardar Swaran Singh that the matter can be discussed at a later date. My submission is that this adjournment

motion raises a question of urgent public importance and it should be discussed today. Two men have come from my constituency and they have reported that the life of 20 thousand men of Narot Jaimal Singh is in danger unless immediate help is rendered to them. In view of this, I feel that the matter is of great importance and time must be allowed for its discussion today.

Chief Minister : Sir, it has always been the practice that when an adjournment motion is moved some time is given to the Government to collect facts and figures and then place them before the House. As soon as this calamity overtook our State, officers were sent out and they are still on tour collecting all data, not only the data of damage because it can be collected later on and it will take sometime to find out actually the extent of damage caused by these floods, but to find out what help can be given and ought to be given and at the same time to see what help was needed immediately and also to make an effort to give it. Sir, I would like a discussion on this matter to obtain suggestions from the hon. Members to know what the Government can do and what the Government can expect from the people to relieve the misery which has been caused by these rains and floods. A meeting was fixed for yesterday evening to discuss what measures should be adopted to help the people who have been the victims of the fury of nature. But some of the officers have not returned from their tours and the meeting had to be postponed till the 1st of October. As I have already said, the Government welcomes a discussion of the subject with a view to having suggestions from the hon. Members to help the people. I am prepared to allot one full day for the discussion of the measures to be taken to relieve the distress of our brethren because it is the duty of all of us to do our best to mitigate the sufferings of those to

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whom nature has not been kind. At the same time I feel that the purpose will not be fully served if we discuss this matter today because I have no facts and figures to place before the House just now. I think I will be in a position to supply such facts after the 3rd October, 1950, and if a time is fixed for discussion after that day it will help us all because only then we will be able to fully understand the seriousness of the situation and give suggestions accordingly.

Sardar Swaran Singh : Sir, in view of the position taken up by the Government, I beg to move :—

That leave be granted to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance.....

Mr. Speaker : The Government, as has been stated by the hon. Chief Minister, has not been able to collect facts and figures so far and that will take some time. It would be better if some other day is fixed for the discussion of this matter. Moreover two hours will not be enough to have a thorough discussion on a matter of this importance. It would, therefore, be more advisable to postpone this question to some other day. We might hold a night sitting or the Government might find time on any other day to have a thorough discussion. I shall consult the Leader of the House on this point. If however, the hon. Members want to touch upon this question, they can do so while discussing the Address of His Excellency since it has been referred to therein.

Sardar Swaran Singh : Sir, what time is going to be fixed up for raising a discussion on this motion is a matter of procedure. Rule 54 lays down—

If the motion is admitted and leave is granted by the House, it should be fixed for discussion on any day.....

In other words, the motion should be put, leave granted and then the day on which it is going to be discussed can be decided upon later on as might be convenient to the Government. It can come up on the 4th or 5th of October or any other day.

Mr. Speaker : If the hon. Member wants to move his adjournment motion, that would mean that the matter will have to be talked out in two hours. My own personal view is that the matter is so exhaustive, so much damage has been caused in a number of districts that it would take much more time than two hours to go through all aspects of this question. As I have already said this motion should not be moved as that would restrict the time to two hours only, but some suitable day as would be convenient to the Government should be fixed for raising a discussion. We might hold a night sitting for the purpose. Moreover you will not be able to take any decision on this point on an adjournment motion.

Chief Minister : Sir, if the object of the adjournment motion is to censure the Government for their acts of omission or commission, I oppose the motion. I quite admit that the matter is of extreme importance but there are other ways of raising a discussion on it. I will be quite prepared to allot time out of the Government time for the purpose but I would like this question to be discussed in a spirit of help and constructive criticism rather than in a spirit of censuring the Government. If it is to be a mere censure motion, I oppose leave being granted.

Shri Prabodh Chandra : I beg to differ from the hon. Chief Minister that we should be obliged to discuss this matter with mental reservations. It is quite likely that during the course of discussion some hon. Member might like to criticise the Government and the district authorities for not

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doing certain things to relieve the affected people of the distress. They may not speak just for the sake of censuring the Government but it would certainly be open to them to criticise the Government and their officers for their sins of omission and commission.

Chief Minister : I never said that the hon. Members should not criticise the Government. What I said was that if this motion is only meant as a censure motion, I oppose it. The Government would welcome constructive criticism and suggestions from the hon. Members so that action can be taken to help the affected people who have suffered from this calamity. I have never claimed that I can do everything that is necessary. I would request the House to discuss this question from the constructive point of view rather than from the destructive point of view so that real help is given to the people.

Sardar Swaran Singh : Sir, I do not want to enter into the controversy which has been raised at this stage but I have no hesitation in pointing out very strongly to the hon. House, through you, that an adjournment motion is quite distinct from a censure motion. An adjournment motion is just an adjournment motion the fate of which is immediately decided by the House. As regards the matter under discussion I submit that it is an urgent matter of public importance and the hon. Chief Minister has very kindly agreed to give time for its consideration with a view to find as to where the Government has failed, where the public has failed, and what should be done further in this matter. Now that the hon. Chief Minister is giving an assurance that a full day is going to be allotted for the discussion of this subject, I for one will be content with that assurance and we need not move this adjournment motion. If a full day is to be allotted then the House will not have to

be put to the inconvenience of sitting after the normal hour of the sitting. Now it is for the hon. Chief Minister to make up his mind about the allotment of a clear day for the discussion of the question. In view of the importance of the matter I feel that two hours for its discussion would not be quite sufficient but if the Leader of the House is not prepared to allot one full day for it then I would be content with the lesser thing. I, through you, Sir, would request the hon. Chief Minister to clarify the position on that score. If he assures that one clear day is going to be allotted for the discussion of this question then we can consider as to whether there is any necessity for moving this adjournment motion.

Chaudhri Krishna Gopal Dutt : Sir, I do not want to say anything on the subject matter under discussion but the House should be absolutely clear in its mind in regard to the nature of the motion now before it. My hon. Friend Sardar Swaran Singh has said that an adjournment motion is not a censure motion. I beg to differ from this view and say that in fact and in spirit an adjournment motion is a censure motion. If it is carried then the Government should resign. This is the position as I understand from the functioning of legislatures constituted on democratic patterns. My submission is that an adjournment motion is a censure motion. Now, Sir, it is up to you to give your ruling on this point.

Mr. Speaker : The discussion which is sought to be raised by the adjournment motion can also be raised by giving notice of amendment to the motion of thanks to the Governor for his Address. There is a mention of the point in the Address and the hon. Members can discuss it at length while discussing the Address of the Governor. Therefore, I rule all the motions out of order.

Sardar Swaran Singh : Sir, ask from the Leader of the House if

[Sardar Sawarn Singh]

he is prepared to give some time for the discussion of the matter?

Chief Minister : I am prepared to allot as much time as the hon. Members want for its discussion but after I have all the necessary information with regard to it with me.

Mehta Ranbir Singh : Sir, during all this discussion I had been patiently hearing to what the hon. Members had to say but I would like to have your ruling on the point as to whether an adjournment motion can be ruled out of order on technical grounds?

Mr. Speaker : I never ruled out these adjournment motions on technical grounds; I ruled them out on substantial grounds. If this matter was to be discussed on an adjournment motion then it could be discussed after the business of the day is finished and that too only for two hours, but the House will have an occasion to discuss it for three hours while discussing the Address of His Excellency the Governor. This is a substantial and not a technical ground.

RESIGNATION BY PANDIT MOHAN LAL DATTA OF HIS MEMBERSHIP.

Mr. Speaker : In pursuance of proviso to Rule 41—A (1) of the Punjab Legislative Assembly Rules of Procedure, I have to inform the House that Pandit Mohan Lall Datta has resigned his seat in this Assembly, during the inter-session period, with effect from the 24th April, 1950.

PAPERS LAID ON THE TABLE

Chief Minister : (The hon. Dr. Gopi Chand Bhargava) Sir, I beg to present the report of the Public Accounts Committee of the Punjab Legislative Assembly on the Appropriation Accounts of the Punjab Government for the period 15th August, 1947 to 31st March, 1948.

Shri Ram Sharma : On a point of information, Sir. Will an opportunity be given to hon Members to discuss the Report ?

Chief Minister : There will be a regular motion for discussion.

Shrimati Sita Devi : On a point of privilege, Sir. I fail to understand as to why a seat next to hon. Sardar Ishar Singh Mujhail has been kept vacant. If there is no other Minister to occupy that seat it should have been allotted to some hon. Member.

Mr. Speaker : The hon. Sardar Ishar Singh Mujhail like the hon. Chief Minister has been given two seats.

Sardar Swaran Singh : That seat is a trap for a rat.

SUPPLEMENTARY ESTIMATES FOR THE YEAR 1950-51 (1st INSTALMENT).

Chief Minister : (The hon. Dr. Gopi Chand Bhargava), Sir, I beg to present the Supplementary Estimates for the year 1950-51 (1st Instalment). Demands made therein are made on the recommendations of His Excellency the Governor.

DISCUSSION OF GOVERNOR'S ADDRESS.

Sardar Partap Singh: (Amritsar, South, Sikh, Rural, Punjabi). I move:-

That the Members of this House assembled in this session are deeply grateful to His Excellency the Governor for the Address which he has been pleased to deliver to the House.

Sir, the Address delivered by His Excellency the Governor is a brief and a beautiful Address. It is couched in a beautiful language and is fully indicative of the good intentions of the Government. It has perhaps been made brief on purpose as it was to be dicussed in a brief session. However, there are about eight or nine things which have been dealt with in it and deserve special mention. I am glad as also grateful that the havoc wrought in our villages by the recent floods and rains finds the first place in this Address.

[Sardar Partap Singh]

It is indeed a very onerous and an important problem. What is more, I am happy that the hon. Chief Minister has promised to give extra time for the discussion of this matter. So far as I am concerned, I think and I hope that all other hon. Members are at one with me that H. E. the Governor has made an honest attempt to convince us that everything possible would be done by his Government in helping the large number of victims of the floods. It is very kind and good of him to have given us that assurance. But I along with the other hon. Members of this House would request him to do much more than has already been done as Providence has given this opportunity to the Government to show all possible sympathy with its distressed people and that no stone should be left unturned in bringing them back to prosperity. Sir, the prosperity of the tiller of the soil is greatly dependent on the vagaries of nature.

Shri Prabodh Chandra : On a point of order, Sir. Is the hon. Member in order in making this introductory speech in view of the notices of adjournment motions that some hon. Members have given ?

Mr. Speaker : Of course, he is in order.

Sardar Partap Singh : I would request my hon. Friend kindly first to listen to what I say and after that he will be at liberty to react to my views. I was submitting Sir, that our province is the province of the tillers of the soil and their prosperity is to a very great extent dependent on the vagaries of nature. This State which before the partition was only a part of the United Punjab was a poor province and it has become more so as it has had to accommodate all my Hindu and Sikh brethren who were forced to leave the West Punjab after the partition and who had to abandon all their property in that Province.

Mr. Speaker : I would like to fix a time limit for the speeches. I would allow half an hour to the mover and fifteen minutes to other hon. Members.

Sardar Partap Singh : Sir, you have given me only thirty minutes but I request that this time should run from now

onwards. I was saying that our Punjab is an agricultural State. Agriculturists are seldom rich and so our State cannot be a rich State. It is we poor people who have been visited by the cruel elements of nature. These elements do not pay any heed to the condition of their victims. But whatever our condition, in the past or at the present, we will have to face all these happenings boldly and we can do so if our Government gives us liberal help. Here I am quite conscious of the fact that lakhs of rupees are being spent on us by way of help and much more would be done. Still there is one thing which did not totally satisfy me in the address. H. E. the Governor while making mention of the help rendered to the sufferers said that thirteen and a quarter lakhs of rupees had already been spent. In my opinion the Government should not think in terms of quarters of lakhs. It should offer help very liberally and on a very large scale. Further His Excellency went on to say that every dark cloud had its silver lining. I completely agree with him and suggest that the afflicted people should be given so much help that they may forget their troubles and see the silver lining in their dark clouds. We should show sympathy towards them and help them construct houses much better than they ever possessed before. (*A voice* : Build model towns for them.) Some hon. friend says that we should build model towns for them. I may tell him that this is the time to help and not to cut jokes with the sufferers. In his Address, His Excellency the Governor stated that speedy steps would be taken for their resettlement, no matter what the amount of expenditure involved was. I wish that these words were translated into action.

Another subject about which I wish to speak is that relating to the quasi-permanent allotment of lands. I am glad that this work has been completed but none can deny that mistakes have been committed here and there. In order to rectify these mistakes, it is essential that the method of review or appeal prescribed by the Government, should be properly followed. People will have no subsequent opportunity of getting their

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grievances redressed in this matter. The channels through which these applications for review have to pass, before these are decided by the Deputy Commissioners, should not act in such a manner that redress may not be available even in genuine cases. It is a matter of gratification that the task of allotment of lands has been completed and the President of Indian Union has also expressed his appreciation over it, but I wish to bring it to the notice of the hon. Minister for Rehabilitation that if even a single case of hardship is left un-attended to, the aggrieved person will curse the Government all his life. If possible, the Government should explore ways of associating non-officials with this work, so that these persons may help the Deputy Commissioners in understanding the cases properly. When we go to different places and tell the people that the Government has done a great deal in this connection, we are told that a brother has been separated from his brother and that they have been allotted lands at different places. I know that the Government is anxious to review such cases so that they may be brought together, but I cannot help pointing out that in many cases officials working under Revenue Assistants either accepted illegal gratification or acted on the recommendation of some influential person, while making allotment of land. This has damaged the prestige of the Congress. All the same, I am happy that this work has been completed. Mistakes always creep in but the machinery which has been designed for rectifying mistakes should be made to work efficiently and honestly. The task which hon. Dr. Lehna Singh Sethi, Minister for Rehabilitation, had to perform was very difficult indeed, but I wish to tell him that some subordinate officials did not work properly. I am glad that as stated by His Excellency the Governor, the Government proposes to act in this matter. One thing which has given me the greatest delight is the Eight Marla plot scheme. If ten thousand pucca houses are built, the problem of the shortage of living accommodation in this State will be solved to a considerable extent. The Government should have rationed accommodation and provided shelter to everybody during the last three years but still

I am glad that the Government propose to construct ten thousand pucca houses. The work-centre scheme and the Industrial-area scheme should also be expanded as much as possible, so that our State may become prosperous.

Another matter referred to in the Address was that relating to the 'Grow More Food' campaign. This task cannot be accomplished with success without the consolidation of holdings. The hon. Minister said that this work would be completed in six years. It would have been better if we could be told as to how much work the Government proposed to do in the current year and what would be done in each of the following years. I wish that this work is done before the expiry of six years. Consolidation of lands is necessary for the production of more food. If it is done, not only will this State become prosperous and a large number of displaced persons will have means of livelihood, but we shall be able to export food to other States also. I don't know whether the Government purposely did not let any reference about this matter be made in the Address or it was an inadvertent omission. I, however, feel that in order to save this State from ruin, consolidation must be done early, no matter what it might cost the exchequer.

Another thing at which I am delighted is the end of Anti-Rajdhani agitation. A large number of displaced persons are living in other States. Every-one knows that one has a great attachment to his native State and all those who have gone away would like to return and settle in this State. Now that the agitation has ended, the work of building the capital should be executed with promptness. I have seen the Master-Plan of the capital and I feel that a beautiful city will emerge on its execution. This will be an important step in furthering the prosperity of this State. In the course of an address to the President of Indian Union, the citizens of Simla made a request that the Government of India or the State Government should move their offices to this place in summer, even when capital would have been constructed. In his reply, the President said that the Congress was committed to the principle of not moving to the hills in summer, as it involved huge expen-

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diture. In order to save the poor people the trouble and expense of coming to Simla in connection with their work and to reduce the difficulties of Government servants and also to save the huge sum of money which has to be given in the form of hill allowance, it is necessary that the capital should be built as early as possible.

Then I would like to say a few words with regard to controls. They are, no doubt, the cause of a lot of trouble.

Chaudhri Suraj Mal : How would benefits be obtained in their absence ?

Sardar Partap Singh : Controls are troublesome. But they are inevitable so long as the goods produced are not sufficient to meet the requirements of everybody. His Excellency, the Governor has not made a specific mention of this matter in his Address, but he has hinted in general terms that he wants to bring about better conditions in the State. I would like to submit that, if the hon. Minister for Civil Supplies does not ruthlessly suppress all the mal-practices that now exist on account of controls, the fair name of our State will be tarnished. For instance, I take the case of sugar, whether it be the sugar syndicate or traders who are responsible for the sugar muddle, it has brought the Government into disrepute. We know that sugar is available in black market in villages at Rs. 2/- a seer and any quantity can be procured at this rate while only a small quantity is issued on ration cards. After all, why can't the Government apprehend those persons who are selling sugar at Rs. 2/- a seer. And then, where do the confectioners who prepare such huge quantities of sweets, get all the sugar from for this purpose ? It is possible that the public is also to blame to some extent. But, I think, the main responsibility for this black market, rests on the Government officials. (*Hear, hear.*) I know even the hon. Ministers are helpless in this matter. In this connection, I would like to submit that some responsibility devolves on the members of the Assembly also. They should appoint one

or two persons in each village who should inform them as to who sells sugar in black market. We should, then, inform the Government, so that it may take action in the matter. Our job would be only to inform the Government, and the rest would be done by it.

Chaudhri Lahri Singh : But here the cases are withdrawn.

Sardar Partap Singh : I don't know what sort of cases are withdrawn. If sugar is sold at Rs. 2/- a seer in any village, I think, it is a matter of shame not only to the Government, but also to the Congress Assembly Party and to all of us. *(Interruptions)* The hon. Members should report as to where black market is carried on, and then it is for the Government to move in the matter. If it doesn't, what are we here for? Although His Excellency has not said anything regarding corruption in this Address, yet he did say in his last Address that corruption should be eradicated as soon as possible. In this respect, the condition here in our own State is better than that obtaining in other States. But I don't want to enter into comparisons. What I want is that it should improve still further. I want that the State whose land is so fertile and whose people are so well dressed and so well behaved should attain yet greater heights of prosperity in this democratic regime. I, therefore, want that corruption in every shape or form should end in this State of ours. I know that the Punjab Government has, already, appointed an Anti-Corruption Committee for this purpose. But that is not enough. For this purpose more machinery should be brought into action. Such committees should be appointed in each district and they should be given wide powers.

Black Market is a terrible thing. I am afraid another kind of black market might start on account of the recent floods. I mean black market in building material. The sale of *pucca* bricks is already controlled. There is fear that the prices of timber might soar very high. If these prices are to be controlled, it should be done immediately. Otherwise the traders would start profiteering in these commodities. Our Government should approach the Government of India for the supply of more

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timber and coal so that they may be made available to the people at cheaper rates.

Next, Sir, I want to submit that we are no longer slaves of a foreign Government. The political power is now in our own hands and the Government is also our own. We are now members of the Government and we are partners in its credit and discredit, fame and ignominy. The foremost problem before us, as His Excellency has aptly pointed out in his Address is that of administration. What is the reason that people in the villages do not talk well of us inspite of the fact that the Government works so honestly and the hon. Ministers have shattered their health on account of overwork. I know that the people who talk ill of us are diehard toadies and are the opponent of the Congress party. But still, I find that even the saner people do not speak well of us. There are three categories of people responsible for the administration. Firstly, there are the people at the top; they lay down policies. Secondly, there are those who are responsible for the implementation of those policies. Third is the public. I would like to submit that if public is in trouble, we cannot remain safe. If we are honest and our policies are good, how is it that we are not liked by the public. Members are not to blame; Ministers are not to blame; and surely public is not to blame. I think, it is the officers of the Government who are to blame. We are facing ignominy on account of their mistakes. Some of them are, no doubt, honest. But vast majority is such that their deeds would prove harmful not only to the State and our party but also to the people.

Sir, my submission is that although there is a change in the form of Government yet the machinery through which it works and upon which it has to depend remains the same. In my opinion one fourth of the officers are corrupt and communal-minded. There is no change in their mentality. The times have changed but they continue to have the same old

rotten ideas. I would, therefore urge upon the Government to change their outlook and to clean the structure of our State's administration from top to bottom. The Government should be purged of its corrupt and communal-minded elements. It is our bounden duty and if we fail to discharge it to the satisfaction of the masses we will do so at the risk of peace and order of the State itself. Being their representatives we are answerable at the bar of public opinion for all the evils that prevail. So we should do our utmost to purify the administration of the State of Punjab. His Excellency, the Governor has remarked in his Address: -

Discipline, unity, incessant hard work, avoidance of communalism in any shape or form and due regard for public welfare on the part of all our citizens continue to be our prime needs.

Sir, I fail to understand as to why there should be any communalism at all. It should be crushed with a firm hand. But what I find is that there appears to be no change in the mentality of the communal-minded officials. Some of them are in the habit of committing irregularities and heaping injustices upon their subordinates simply because they happen to have a different religion from theirs. Mr. Speaker, I strongly feel that on the receipt of any such complaints enquiries should be promptly carried out and severe action should be taken against those found guilty. If, on the other hand, such complaints turn out, on enquiry, to be false, action should be taken against the persons who make such bogus complaints. As a matter of fact, it should be quite clear that the future of our State is in the hands of all of us. We can make or mar it. Among the M. L. As there are such sincere and honest workers like hon. Dr. Gopi Chand Bhargava who has been an active member of such associations as All India Village Association and All India Spinner's Association etc; hon. Dr. Lehna Singh Sethi who has boldly faced lathi charges of the Police under the British regime; hon. Sardar Isher Singh Mujhail and so many others. If inspite of the sincere labours and honest efforts of so many Congress workers and servants of the people the state of affairs continues to be bad, the

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fault is not theirs. It lies at the door of those officers who continue to be corrupt and communal-minded. So in the end I would again request the Government to set its house in order so that we may be able to serve the people.

Mr. Speaker : I find from the order paper that there is nobody to second this motion and under the rules it has got to be seconded before it can be debated upon or put to the House.

Thakur Beli Ram : (Kangra East, General, Rural) : Sir, I second the motion.

Mr. Speaker : The hon. Member has seconded it without making a speech; perhaps he does not want to make any motion moved.

That the Members of this House assembled in this session are deeply grateful to His Excellency the Governor for the Address which he has been pleased to deliver in this House.

There are a number of notices of amendments that have been put on the order paper. It would be better if all these amendments are moved and then the hon. Members speak on all these amendments together.

The following amendments were moved and proposed from the Chair :—

1. By Shri Dev Raj Sethi :

That at the end of the motion the following be added :—

But regret the inadequacy of measures suggested for Urban Rehabilitation and compensation for Urban property as also omission of Harijan problems.

2. By Pandit Durga Chand Kaushish :

That at the end of the motion the following be added :—

But regret that the Government's clear economic policy has not been outlined—particularly in respect of the nationalisation of all means of production, distribution and transportation.

3. By Pandit Bhagat Ram Sharma :—

That at the end of the motion the following be added :—

But regret to note the failure to enunciate a clear cut policy to give a practical shape to the directive principles of State Policy incorporated in the Constitution of India.

4. By Shri Bhagat Ram Chodha :—

That at the end of the motion the following be added :—

But regret to note the failure to declare a clear cut policy to industrialise the State and thus ameliorate the general condition of the public

5. By Chaudhri Krishna Gopal Dutt :—

That at the end of the motion the following be added :—

But regret to note that the address fails to enunciate any clear cut financial, economic and industrial policy for the advancement and development of the State.

6. By Sardar Sajjan Singh :

That at the end of the motion the following be added :—

But regret that—

- (a) nothing has been said or proposed to be done to inspire confidence in the minority communities;
- (b) nothing has been said or proposed to be done to put an end to the inefficiency and corruption from the administration;
- (c) nothing has been said or proposed to be done for the safety of the civil liberties of the people.

7. By Shri Amar Nath Vidyalankar :

That at the end of the motion the following be added :—

But regret to note that the address :—

- (a) contains not even a cursory reference, what to say of an unqualified assurance, of giving adequate protection to the legitimate interests of the working classes, of removing their genuine grievances and securing for them the minimum conditions of work in the field and factory;
- (b) gives no assurance to the citizens of this State that the Law and Order will be maintained and administered in such a way as not to interfere with the natural and sacred civil liberties of the people, with a promise that the present restrictions will be early removed or at least substantially modified;
- (c) fails to give any optimistic note for the alround general development of the Province, and for removal of the deep rooted dissatisfaction and discontent with the present administration.
- (d) fails to give a hopeful review of any significant progress made by

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this State since the time this House had the privilege of hearing His Excellency's Address last time.

8. By Mehta Ranbir Singh :

That at the end of the motion the following be added :—

But regret to find the Address as very disappointing in as much as it does not contain;

- (a) any reference to the corruption and lack of discipline prevalent in the administration as admitted by His Excellency in his last Address and which is increasing every day;
- (b) any explanation for not enforcing "The Punjab Prevention of Black Market Bill, 1950" passed by the Assembly in its last session nor any assurance as to when it would become a Law;
- (c) and any plan or even a hint to improve the economic condition of the people is conspicuous by its absence in the Address.

9. By Sardar Bachan Singh ;

That at the end of the motion the following be added :—

But regret that —

- (a) no mention has been made to better the conditions of low-paid servants;
- (b) no mention has been made to protect the civil liberties of the people;
- (c) no mention has been made as to the reasons about the failure of the State Government in setting up the Sugar and Cotton factories allocated to the State by the Central Government.

10. By Shri Prabodh Chandra :

That at the end of the motion the following be added -

But regret that —

- (a) the Address does not make mention of the failure of officers of Gurdaspur district to give adequate and immediate relief to the flood stricken people;
- (b) no definite mention has been made as to the actual progress in the Grow More Food Campaign :
- (c) no mention has been made as to how and when the displaced persons from Chandigarh site will be rehabilitated.

11. By Chaudhri Suraj Mal :

That at the end of the motion the following be added :—

But regret the omission of taking any steps for the amelioration of conditions of the peasants and the rural people."

12. Sardar Dalip Singh Kang ;

That at the end of the motion the following be added :—

But humbly regret that His Excellency has omitted to mention the failure of his Government to safeguard the interests of the peasants and workers in the rural areas as a result of its mal-administration.

13. By Sardar Gurbachan Singh Bajwa :

That at the end of the motion the following be added:—

But humbly regret that His Excellency has omitted to mention the failure of his Government to appoint a committee of this House to examine the question of delimiting the Constituencies of Punjab State Legislative Assembly and the House of People.

14. By Shri Virendra :

That at the end of the motion the following be added :—

But regret that the Government has not placed before the Assembly any plan for the political, economic and social development of the people.

15. By Sardar Swaran Singh :

That at the end of the motion the following be added:—

But regret to add —

- (a) that the Government has miserably failed to grant adequate relief to the sufferers of the recent floods and rains in the districts of Jullundur, Ferozepore, Amritsar and Gurdaspur;
- (b) that the Government has been guilty of gross neglect of their duty to bring forth legislation or to make rules for the recruitment to services according to the provisions of the Constitution of India;
- (c) that the Government has failed to take this honourable House and its Members into confidence while making proposals for the delimitation of Constituencies; and
- (d) that the Government has been postponing the question of

[Sardar Swaran Singh]

temporarily shifting its offices and the High Court to a suitable place in the plains pending the permanent shift to the new capital at Chandigarh.

16 By Shrimati Sita Devi :

That at the end of the motion the following be added :-

But regret that

- (a) no definite mention has been made as to the completion of New Capital and the shifting of the offices;
- (b) no clear cut policy has been enunciated in respect of compensation to refugees for their properties.

17 By : hri Ram Sharma :

That at the end of the motion the following be added :-

But regret to note that there is no mention in the Address of the extremely strained relations between the servants of the State and the public workers and any attempt on the part of the Government to remove it.

Shri Bhim Sen Sachar : Sir, may I know whether the discussion is to be confined only to the measures adopted by the State Government or those taken by the Government of India also can be referred to? Do the measures taken by the Central Government come within the purview of discussion on this Address?

Mr. Speaker : It would be better if the measures taken by the Government of India are not referred to as we are not discussing the Government of India. If, however, the measures taken by the State Government are connected with those of the Central Government, reference can be made to them also.

Shri Dev Raj Sethi : Those measures that have been taken by the Government of India.....

Shri Bhim Sen Sachar : I have sought the ruling from the Chair and not from the hon. Member.

Shri Dev Raj Sethi : (Ex-member, West Punjab Assembly representing Lyallpur and Jhang, General, Rural) (*Hindi*) : Sir, His Excellency the Governor was pleased to remark in his Address to this House the other day :

[Shri Dev Raj Sethi]

An essential preliminary to satisfactory rehabilitation is the settlement of the question of compensation for properties left in Pakistan. Hon. Members are, no doubt, aware that the Government of India continue to press this matter on the Government of Pakistan and only recently, another approach has been made.

Thus he has recognised the importance of the problem of urban rehabilitation and of the question of compensation for the urban property left behind by the refugees in Pakistan. But mere recognition of such important problems will not do. As a matter of fact what is required is that practical steps should be taken by way of rehabilitating the refugees and providing adequate compensation for the losses suffered by them. The Government of the State of Punjab and the Government of India should formulate a firm policy in this matter and follow it up faithfully and consistently. My submission is that the measures adopted so far are not satisfactory because the problems aforesaid remain still unsolved inspite of the efforts of the Government for the last three years or so. It has been estimated that the refugees coming over to India from Pakistan have left behind property worth three thousand crores of rupees. As compared to it the property left by Muslims is worth three hundred crores of Rupees which is only one tenth of the former. In this matter the attitude adopted by the Government of Pakistan is deplorable. Notwithstanding great efforts on our part we have achieved only one per cent success in this matter. Sir, I wish to urge upon the Government the gravity of this problem. The Government of India should feel that the loss suffered by the Punjabis is due not to any crime committed by them but to the political upheaval to which they fell victims. Thus the people of India and the Central Government are bound morally as well as legally to get compensation for these losses from Pakistan and to give the same to the displaced persons. I need not stress this. I would only say that whatever the methods employed, this objective should be realized as soon as possible. Various proposals have from time to time been put forth in this connection. The proposals for resorting to taxation and capital levy are worth considering. Whatever

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the methods employed we expect our Prime Minister to some-how get these difficult problems solved effectively. Of course, we realize the financial and economic difficulties that stand in the way of their proper solution. But we cannot help laying emphasis on the fact that the responsibilities of rehabilitation and providing compensation lie on the shoulders of our Central Government. Then, Sir, I feel pained to point out that Shri Ajit Prasad Jain, Minister for Rehabilitation in the Central Government, during the course of his statement in the Parliament on the subject of levying a tax on all India basis for rehabilitating the refugees, stated that taxation of this type would not be fair as the money so realised would go to fill the pockets of a few millionaires. I do not see eye to eye with this view. Through you, Sir, I want to convey to the Government of India, the considered opinion of this House that Shri Ajit Prasad Jain had taken an entirely wrong view of the matter. It is not correct that the tax realised from the poor people would be grabbed by a few moneyed people and would not be utilised in providing help to the refugees. In this connection I may point out that the number of claims for urban property, to be registered by the refugees would be no less than four lakhs. Out of this number hardly a hundred or two can be considered to have been put forward by persons who can conveniently be dubbed as millionaires. I strongly feel that 99 per cent of the claims have been preferred by those persons who owned a small house which they had built with the sweat of their brow. This category of people includes orphans, widows and other poor people who are at present shelterless.

Shri Bhim Sen Sachar : On a point of order, Sir. In the interest of the debate I request the Chair to tell us if the discussion is to be confined to measures, to which reference is made, of this Government or the Government of India. I merely want to know for the purpose of the debate whether criticism is to be confined to the measures which fall within the purview and jurisdiction of this Government or whether measures adopted by the Government of India can also be brought under discussion ?

Mr. Speaker : Measures adopted by the Government of India should not be discussed.

Shri Dev Raj Sethi : Sir, before you give a ruling on the point, you will kindly give me an opportunity to make a submission on the subject

Mr. Speaker : As a matter of fact measures adopted by the Government of India in this direction, are not under discussion. But if the measures adopted by the State Government are in a way connected with the measures adopted by the Government of India and the hon. Member thinks that he is relevant to some extent in referring to them, then reference can be made. All the same it is not the Central Government that is under discussion.

Shri Dev Raj Sethi : Sir, I want to tell the hon Member who interrupted me that

Mr. Speaker : Better address the Chair rather than telling anything to the hon. Member.

Shri Bhim Sen Sachar : On a point of order, Sir, I seek ruling from the Chair and not from the hon. Member.

Mr. Speaker : That is why I asked him to address the Chair.

Shri Dev Raj Sethi ; Sir, I want to submit that so far as the question of settlement of urban property is concerned, the State Government can only make certain suggestions or recommendations to the Government of India for adopting measures to give them a practical shape. It cannot take action independently in the matter. In the same manner, through you Sir, and the State Government, this House can bring to the notice of the Government of India and it has a right to do so, that certain observations made by a certain Minister at the Centre were not correct. So it is no use for my hon. Friend to throttle discussion on this point by merely raising technical objections. Well, Sir, my submission is that whatever has been done by the Government of India so far on the question of compensation for urban property left in Pakistan by the refugees, does not hold out

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any bright hope that something tangible will be achieved by them in this direction. Besides, it will not be out of place to mention here that Pakistan Government is utilising the proceeds from rents etc. of the evacuee property for the betterment of their refugees. But what do we find here? Our Government is keeping every pie, realised as rents etc., from the evacuee property as a sacred trust and is no longer spending anything from it for the amelioration of poor refugees who owned a lot of urban property in West Pakistan. It is only fair and a crying need of the hour that some relief should be given by our Government to the refugees in the towns in the form of suspension of payment of rents of evacuee houses. Government should satisfy itself that the allottee of a certain evacuee house, did possess a house of his own in Pakistan, which could yield almost the same rent which was being realised from him here. And Government should not charge any rent from him on this ground. I would request the Government to lose no time and to act upon this suggestion.

Then, Sir, I would draw the attention of the House to the words of His Excellency the Governor in his Address.

I can only hope that the response to this approach will be satisfactory. I would add that the failure of the Government of Pakistan to reach a just and satisfactory settlement of this issue, inspite of repeated efforts of the Government of India, is causing not only deep disquiet, but also profound resentment to all of us.

There could be no milder statement than this on the subject of compensation for properties left in Pakistan. The Governor has used the words 'resentment' and 'disquiet' only to give expression to the feeling of his Government, in his Address. But let us see how a Governor of the corresponding Punjab in Pakistan, expresses himself in his Address. He is alleged to have said that the object of maintaining Pakistan military forces was not only to offer protection to the Pakistanis but also to safeguard the interests of 35 millions of Indian Muslims.

What a contrast between the two addresses?

Sardar Sajjan Singh : On a point of order, sir. May I know whether an hon. Member of this House can discuss the policy of a Pakistani Governor here ?

Mr. Speaker : I would ask the hon. Member to refrain from discussing any foreign policy here.

Shri Dev Raj Sethi : Sir, my hon. Friend over there is unnecessarily getting nervous at the mere mention of a few words uttered by a Pakistani Governor. We have to deal with the Pakistan Government on the question of compensation for urban properties left there. The fact that a Goodwill Mission from here had gone to Pakistan, cannot make us keep mum over this burning question. Realities will have to be faced. I quite realise that settlement of this question depends entirely upon the goodwill obtaining both in India and Pakistan. But what is the state of affairs prevailing in both the countries ? While India is striving every nerve to create such a peaceful atmosphere as to enable the minorities to live with a feeling of safety, Pakistan is adopting a line of action which is diametrically opposed to that of India. Just compare the tones with which different high personages in both the countries speak. Who does not know that the Governor of West Pakistan made a belligerent speech a few days ago ? This is not all. While every endeavour is made by responsible people of our country not to utter a word which may be the cause of disturbing the peace in both the countries or which may create an adverse effect in the neighbouring State, persons no less than Chaudhri Zafarullah Khan and Nawabzada Liaqat Ali Khan have left no stone unturned to bring India into disrepute in America and England during their recent tours. What I, therefore want to drive at is that all is not well in the State of Pakistan for minorities and the question of compensation for urban properties left there will have to be dealt with boldly by the Central Government. In this connection I would like to draw the attention of the House, through you, Sir, to extracts from the address delivered by Dr. Katju, the West Bengal Governor and from the speech made recently by Shri C. C. Biswas, the Minorities Minister in the Central Government. These extracts

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speaking volumes on what is happening in Pakistan. During the course of his Address Dr. Katju remarked :

“It is difficult to say to what extent the main objective of the Delhi Pact, namely, the creation of conditions in East Bengal, whereby confidence of the minorities may be restored, has been achieved.”

Similarly Shri Biswas made the following observation in one of his speeches delivered only a few days ago. He said.

“It would be premature to say that confidence in minorities has returned. Situation continues to be serious enough and perhaps also full of possible danger.”

Our friends over there talk of the goodwill in Pakistan towards us. The extracts of which I have made a reference, make it abundantly clear as to how far and to what extent Pakistan is trying to express its goodwill towards us. The extracts give us the clear picture of the state of affairs obtaining there. Even Shri Jogindra Nath Mandal, Law Minister in Pakistan and a representative of the minorities there, expressed himself in painful terms about the treatment accorded to minorities in Pakistan.

Mr. Speaker : Please avoid all these references.

Shri Dev Raj Sethi : Sir, what I wish to point out is that existence of goodwill on both sides is the *sine qua non* for the solution of this question of compensation for urban properties left in Pakistan and that Nehru-Liaquat Pact can be a success only if cordial and friendly relations subsist between the two countries. But the difficulty is that things are not as we wish them to be. Two responsible persons of our country, referred to by me earlier, have depicted a clear picture of the situation prevailing in Pakistan.

So far as the problem of Urban Evacuee Property and other allied problems are concerned, I wish to point out that Mahatma Gandhi, the father of our Nation, showed us the way to solve these. He was of the opinion that all Indo-Pakistan problems excepting of course the problem relating to

the abducted women, can alone be solved on reciprocal basis. This is not the opinion of the man-in-the-street but an opinion of a person no less than Mahatma Gandhi himself upon whose advice and guidance which he gave during his life time, my hon. Friends, our Government and the Government of India are out to act upon. It was his firm opinion that all such problems can alone be settled on reciprocal basis. I am of the opinion that if the Pakistan Government bring pressure upon us it is but meet and proper that we too should bring economic pressure upon them. If we want any speedy and satisfactory settlement of all these problems, we shall have to take strong action. We have no other alternative but to bring economic pressure on them. After all how are we to realize the amount of Rs. 400 crores. I am of the opinion that the taking of mere goodwill missions to Pakistan will not be instrumental in settling the evacuee property problem and such other allied problems. It will not be out of place to mention here that one of my hon. Friends has already taken a goodwill mission to Pakistan and it has not served any useful purpose. I am of the opinion that by taking goodwill missions to Pakistan we are not going to realize the amount of compensation of the urban property left by us in Pakistan. What is needed at this critical hour is this that we should be strong and firm and should take such strong action as would be instrumental in realizing the amount of compensation from them. As a matter of fact action and a strong action alone is bound to enable us to realize from that Government what is our due. Without this, I am sure, urban evacuee problem and other problems can never be solved. (*Interruptions*). My hon. Friend Sardar Bachan Singh who interrupts me wants to request the Muslims with folded hands to resettle in the district of Ludhiana. (*Interruptions*).

Mr. Speaker : I would ask the hon. Member not to discuss foreign policy.

Shri Dev Raj Sethi : Realities have to be faced, Sir. What I wish to submit is this that on the one hand we find preparations being made for war with Pakistan while on the other we

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find goodwill missions being taken to Pakistan with a view to requesting the Muslims to return to their respective places. But I am of the opinion that it is well nigh impossible to solve the problem relating to urban evacuee property unless and until some strong action is taken.

Now I come to the second part of my amendment.

Mr. Speaker : The time of the hon. Member is over.

Chaudhri Krishna Gopal Dutt : (Ex-Member West Punjab Assembly representing North Eastern Towns General Urban) : Sir, in view of the short-time at my disposal I shall only be able to enumerate my points rather than speak in detail on them. I have fundamental differences with the Address which has been read out to this House by His Excellency the Governor. The one fundamental difference is that at the end of the Address His Excellency has stated :-

“ Honourable Members will also notice that I have concentrated more on administration than on policies, because, as I see/ it, the business of State Governments, unlike that of the Central Government, is not so much the making of policies-though this has a place, as administration which includes execution and implementation of policies and decisions”.

Sir, taking the Address/ as a whole and particularly in view of this remark of His Excellency the Governor I feel that this Address is an insult to the intelligence and intellect of this honourable House. You remember, Sir, that last time when the Address was presented I moved a motion of thanks and described the Address as another form of Budget Speech. This time I am constrained to say, very respectfully, that this particular Address has gone down to the level of a departmental report. The object of an Address is to lay down policies before the House so that hon. Members may consider these policies and approve or disapprove them. The question of implementation and execution of policies arises later on. - The first thing is the laying down of policies before the House, the question of execution of policies cannot arise if policies have not been laid down. So you will find that this Address is devoid of the fundamental thing as it does not lay down

policies before the Assembly, the very object and the very purpose of the Address is not served. There are so many other occasions for the hon. Members particularly during discussion of the Budget when they can criticise the execution or the implementation of the policies which have been enunciated by the Government. I am really surprised how the Government and the Chief Minister has been a party to this laconic Address which is devoid of all policies and which merely deals with facts and figures as if this is a departmental report. Sir, the main and fundamental short-coming that I find in this Address is that it narrates only the work of the different departments but does not lay down any policy. Policies with regard to Finance, Economy and Industry and such other vital matters on which depends the progress of the society and the State do not find any place in this Address.

The industries are starving in the State but the Government have not laid down any clear cut policy as to how they are going to proceed with the industrial development of the State. When on the last occasion I congratulated the Governor on his address I pointed out that it was devoid of any industrial policy but it looks as if the Government do not pay any heed to the suggestions that are made on the floor of the House and do not try to profit by them. The real difficulty is that capital is shy in the State. Last time the hon. Chief Minister got up and took shelter in the statement that the policy of this Government in regard to industrial development was the same as that of the Government of India. I beg to submit, Sir, that the policy enunciated by the Government of India with regard to industries is very vague. Be that as it may, every State has got its own problems to tackle and the problem that we are face to face with in our part of the country is that industries in general and big industries in particular are starving on account of the fact that capital is very shy. My charge against our Government is that they have done absolutely nothing to mop up and mobilise the capital. The Government as a matter of fact do not know where the capital

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is; they are ignorant/as to which sectors of the society have got money. The Government ought to know, if they do not know it already, that there has been re-distribution of income in the State and the first thing that the Government need find out/is the national income in the State. Unless you know how much money you have got in your State, you cannot draw it out and invest it. The Government of India, I understand, are making some sort of enquiry in this direction. Some people say that our Government is basing its industrial policy on wrong facts; but I go a step further and say that our Government is basing its policy on no facts at all. The Bombay Government/have appointed an Enquiry Committee to find out the national income *per capita* in their State; but I regret to say that our Government is sleeping in the matter and seems to be quite unconcerned with the result. As I have already/said, the capital is very shy and nobody knows which sectors of the society have got money. Banks are conservative and the Korean War has greatly influenced the money-lenders who were already scanty in the State.

Sir, the first duty of the Government is to provide cheap credit. In our State there are no credit facilities and unless such facilities are provided by the Government there can be no industrial development in the State. What is the advantage of the banks if they do not advance money to the industrialists and businessmen? Most of the banks have taken out their money to other States in India because they find very fertile soil in other States for their business. I know of so many people who want money for their business, for industrial expansion and for starting new business concerns but they cannot find any money, because the banks would not advance. Their policy is very very conservative; they want to watch and see and do not want to take any risks in this State. Big money-lenders who used to advance to big business are following a similar policy or they have sent their money underground. The result is that the industrial development of the State is

at a standstill. And the Government, what do they give? During the last year they had set aside a sum of Rs. 5 lacs for giving loans to the industrialists but this year that amount has come down to Rs. 3 lacs. Do you think Sir, that we are going to advance the industries by just spending Rs. 3 lacs when the industrialists have got no other means of raising money?

Last year my hon. Friend Sardar Ujjal Singh mooted the idea of an Industrial Finance Corporation in the State, while quite a few of the other States have already moved in the matter. It must be said to the regret of this House and to the regret of the people of this State that that proposal has fallen through and fallen flat and the Government has not been able to go forward with the scheme of starting an Industrial Finance Corporation. Sir, I ask in all seriousness how are they going to provide credit facilities which are so lacking in the State?

Sir, His Excellency the Governor in his Address says that we as a State are not concerned with the framing of policies so much; it is the job of the Central Government. We are concerned with the implementation of those policies. I do not join issue with this because it brings down the State Government to the position of a local authority, a district board or a municipal committee. My contention is that it is as much a full-fledged Government as the Central Government itself, because there is allocation of subjects between the two. The State Government can take initiative and make policies in regard to the subjects which fall in its sphere. It is not a matter for the Central Government to make policies in regard to industry, medical and so many other subjects with which a State is concerned. Therefore, I say that this Address is an insult to the intelligence and intellect of this honourable House. Sir, it is devoid of the very purpose for which an Address is meant.

An Address by the Governor is given at the beginning

[Chaudhri Krishna Gopal Dutt]

of each session to lay down policies with regard to different matters and then it is for the members to say whether they agree with those policies or not. I have already said that there is no financial policy. The Government does not know what is the income of the people and what is the pattern of distribution and how it affects the various sections of the society. This is one difficulty and the other difficulty I have mentioned is that the industrial development of the State is at a standstill.

Another point to which I want to refer is the Industrial Development Board. There was an Industrial Development Board which took a very long time to come into existence and formulating its proposals. I was a member of this Board and know that its recommendations were being sent to the Government piecemeal. The Government accepted some of the recommendations and the hon. Chief Minister gave an assurance to the House that all the recommendations would be accepted by the Punjab Government. But Sir, although the Government gave piecemeal decisions with regard to the recommendations of the Industrial Development Board it is sitting tight over the final report of the Board. It has neither rejected the proposals nor accepted them. On the comprehensive report the Government is silent and we have had no re-action of the Government with regard to it.

Shall I call it an insult to the House? Shall I call it a disgrace to the House? Shall I call it indifference and antipathy on the part of the Government to treat the Report of the Committee appointed by the Government themselves? May I ask the hon. Chief Minister whether he read this Address before it was presented to the House? Whether it was placed before the Cabinet and the Cabinet approved this brief, laconic and spiritless Address the like of which has not been seen in any other State? Our Government have taken up the position that they are not concerned with the policy but only with its implementation.

Now, Sir, I come to another important matter which is of fundamental importance and that is the question of land reform. While other States have done something in this direction which is in tune with the circumstances and conditions prevailing in those States, it is most regrettable that our Government is sitting tight and have paid scant heed to this important problem. U. P., Bihar, Madras have already made a move in this direction and are making reforms in the system which hitherto was unjust and iniquitous but what do we find here. The Address that has been delivered by our Governor makes no mention of any land reform.

(At this stage, Mr. Speaker vacated the Chair and it was occupied by Mr. Deputy Speaker.)

Although I wanted to say so many things yet for want of time I will rest content with just making a reference to another very important matter and that is rehabilitation. Government are taking credit for the land allotment; The Governor has taken credit; in fact whosoever is connected with this work even remotely is trying to feel flattered on what he is pleased to call an achievement. But what is the other side of the picture? What do the poor uprooted people, a large majority of them, say? The land allotment in this part of the country is the biggest scandal and the Government would be well-advised to appoint an enquiry committee to go into this scandalous state of affairs. A large number of people have got more lands than they owned in the West Punjab and on the other hand poor people who do not wield any influence have been given much less. I would most earnestly urge upon the Government if they are serious to regain the confidence of the people to appoint an impartial committee to go into the matter. People have grown crops—they had to grow crops on whatever lands they were allotted—that is no criterion of the success. The whole affair has been most scandalous and by far a great majority of people have been the victims of injustice and iniquity.

Mr. Deputy Speaker : The hon. Member's time is up.

Chaudhri Krishna Gopal Dutt : With these remarks, Sir, I repeat and I would repeat a thousand times that this Address is an insult to the intelligence of the House. (*Loud applause*)

Chaudhri Suraj Mal : [Hansi, General, Rural] (*Hindustani*) :
Sir, I am not at all surprised to hear the speeches that have been delivered and the discussion that has ensued on Sardar Partap Singh's motion of thanks for the Address of His Excellency the Governor. Not only has the Address been subjected to a very severe criticism, but the wonder is that not a single Member of the House has come forward to second it. This clearly shows that the Address has not been appreciated and liked by the hon. Members of this House. Whatever some of them may be compelled to say about it by way of commendation, there is no denying the fact that in their heart of hearts, they find nothing commendable about it and are feeling hesitant to extend their support to it. All the hon. Members who have so far spoken, and they include some of the greatest veterans of the Congress party, have subjected it to a very severe criticism. This gives us a clear reading of their minds. This shows that they are not willing supporters of the Government, nor do they want to associate themselves with the motion of thanks that has been moved by Sardar Partap Singh. Whatever the reasons for which they are clinging to the Treasury Benches, their hearts are not with the Government in power. There could not have been a more trenchant criticism of the Address than that levelled at it by Chaudhri Krishna Gopal Dutt. He has dubbed the present state of affairs in the State as scandalous and the Address as an insult to the intelligence of the House. I don't want to go any further in 'praise' of His Excellency's Address I would only say that it is an insult to this House and to the people of this State. After making one or two observations, I would like to finish.

Ever since this Congress Government came into power in this State, its attitude towards the rural classes in

general and the peasantry in particular has been one of enmity and hostility. I, alone, do not hold this view. You can hear it from the lips of every child in the countryside. Sir, if you visit any village, you will come to know how much fed up with this Government are the rural folk, how much they groan and grumble at the treatment being meted out to them and how anxious they are to be delivered of this Government and its unjust regime. No person belonging to the poor classes, no person who has his senses intact, no person who has the true interests of the country at heart, can help criticizing this Address given by His Excellency the Governor to this House. I, too, have given notice of an amendment to Sardar Partap Singh's motion of thanks. The purport of my amendment is that this Government has done nothing for benefit of the rural population ever since its coming into office. The greatest proof of its sacrificing the interests of these people is furnished by its treatment of those brave youths to whom at the beginning of the war, great promises of reward were held out but who were given a cold shoulder afterwards. Its failure to honour the promise of reserving a certain percentage of posts in all services for these people—people who produce food for the country and who do not hesitate to risk their lives when the need for defending the country arises—is a clear proof of its neglect of the interests of the rural population. I am grieved to say that promises held out to those who took up the sword for the defence of their mother-land are not being fulfilled. No preference is given to them when appointments to the P. C. S. and other important posts are made. At any rate, such a thing is not being done in the West Punjab and probably the reason is that there the Government is being run by those who are the real representatives of the cultivators and the soldiers. Here in our State as the policy of the Government is to be framed by the representatives of the capitalists everything is being done to advance the cause of the urbanites and the capitalists at the cost of the poor peasants.

[Chaudhri Suraj Mal]

Sir, there are two or three other matters which I wish to discuss and which are fully known to you. Let us first take up the Peasants Welfare Fund. It was a very useful Fund and the small zamindars stood a very great deal to gain by it. Children of those zamindars who paid less than Rs. 25 as land revenue were awarded scholarships out of it. But unfortunately for them this Fund has been abolished. The poor peasants who wish to educate their children but cannot do so sometimes come to me and ask for a way out of their difficulty. At times, I find that the child in question is very bright and promising but nothing can be done for him only for want of funds. Sir, you yourself come from the country-side and full well know the financial condition of the poor villagers. It is not possible for them to spend Rs. 100 or Rs. 150 per month on a son or a daughter in a college. They stand in need of help and somehow it should be afforded to them. Therefore, I feel that it was quite wrong on the part of this Government to abolish the Peasants Welfare Fund. Another thing to which I wish to draw the attention of this House is recruitment to services. My capitalists and unbarnite friends say that recruitment to services should be made on the basis of merit. So far as this principle is concerned, I have no grouse with them. All I say is that if such a principle must be established and followed, we should do all we can to give all the facilities enjoyed by the urbanites to the ruralites as well. These days a highly educated man is one who knows English, can dress well and is conversant with the formalities of eating dinners. Self-control and self-discipline find no place in the modern education at all. When a son is born to a rich-man, a nurse is immediately appointed to look after him. When he is of two or two and a half years, he gets a tutor. At the age of five or so he is sent to the best modern school. When he has gathered all the knowledge and wisdom available in the Schools, Colleges and the libraries of the country, arrangements are made for him to receive higher education in foreign lands. This is one side of the picture.

The other side pertains to the son of the peasant who traverses two to three miles every day to attend a school in the nearby town. His parents are faced with an ordeal if and when he must go to a College. Many times he cannot be sent to the college at all. When this is the case, that is to say, when no facilities are given to the rural children how can we give them the same treatment in the matter of recruitment to services? If weaker horses are given handicaps in races, there is no reason why such concessions should not be given to men. I would be the last man to object to the principle of merit only if our Government had bothered to take steps to see that same educational facilities etc. were made available to the children of the peasants as existed for the benefit of the urbanites. In these circumstances, I feel that a step-motherly treatment is being meted out to the Kisans who not only grow food for their countrymen but even shed their blood in the defence of their motherland. Here I should not be construed to be speaking merely from the point of view only of the peasants and the cultivators. I think it is not only that. It is also patriotic to feel and say so. This Government should realise that the people do not see eye to eye with it so far as its policy is concerned. They do not approve of it and a time may come when they may be forced to resort to some revolutionary measures. The Government should not forget that it is the cultivator who contributes most towards the filling of its coffers. It is he who bears the brunt of the taxes. But it is a pity that not even four annas are spent on him when he is giving a rupee by way of taxes. On the other hands this Government is kind to the urbanites and the capitalists as it thinks fit to spend twelve annas on them though they give only four annas to the State Exchequer. I raised this very point when the Sales Tax Bill as reported by the Select Committee was under consideration.

Sardar Bachan Singh: On a point of order, Sir. How is it that

[Sardar Bachan Singh]

no Minister or a Parliamentary Secretary is to be found in the House to listen to the debate.

Sardar Shiv Saran Singh : Sir, my hon. Friend Sardar Bachan Singh has raised a very important point of order. Here, I invite your attention to Rule 17 of the Rules of Procedure which lays down that the Chief Minister or any other Minister has to make a reply to the debate on behalf of the Government. I think a Minister cannot reply if he has not listened to the debate. Moreover, in my opinion, the Ministers have insulted the House by keeping away from it. After, all to whom are the speeches being addressed ? I suggest that the Ministers should be present in the House to listen to the debate.

Sardar Narotam Singh : But the official Reporters are there.

Mr. Deputy Speaker : As the Ministers are absent with permission, I think this point does not arise.

Chaudhri Suraj Mal : It is evident that our Government does not care for what we say and it pays no heed to the proper discharge of its responsibilities. The work of this House is most essential; it is more important than taking meals even. The hon. Ministers pay no attention whatever to their responsibilities. I am reminded of the days of the Unionist Government, when members of the Cabinet used to listen to every word uttered in the House, so that the criticism might be properly replied to. This Government, however, does not care to hear what we have to say here. It is in office not because of us but because of some other power. If that support were not there, I know that hon. Dr. Gopi Chand Bhargawa would not have been the Chief Minister of this State and the hon. Ministers would not have acted in this manner. When a person knows that he owes his position to some body other than the Members of the House, he does not care to hear what we say (हम क्या बकवास करते हैं). Even the members of the party to which the hon. Ministers belong feel that nobody cares to remain in the House to listen to their complaints.

Shri Kedar Nath Saigal : Is the word 'bakwas' (बकवास) parliamentary ?

Chaudhri Suraj Mal : I withdraw this word. I wish to point out, Sir, that the attitude of the members of the Cabinet is being resented by the members of of their party also.

Sardar Sajjan Singh (Patti Sikh, Rural) (*Punjabi*) : Sir, in his Address to this House, His Excellency the Governor said:- "I need say very little about law and order position in our State. It continues to be satisfactory:" It depicted the actual position in the State in the same way as the statement once made during 1948 by my hon. Friend Sardar Swaran Singh, when he was Home Minister, that 'the conditions of law and order were very satisfactory,' when in fact it was difficult to move about in Amritsar district even in day time. This statement was made in reply to my question asking for figures of cases of dacoity, robbery and other serious crimes. The statement of His Excellency referred to by me was made in the same manner in which my hon. Friend Sardar Swaran Singh gave his reply. We have cast away the yoke of slavery and the British have gone but the spirit of their rule still exists in our services. When a British officer in Amritsar made some Indians crawl on the ground, all of us raised our voice in protest and we still remember the humiliation to which we were subjected. In my ilaqa, in village Kacha Pacca, some persons quarrelled with a Police officer and he was murdered. At this, Ch. Ram Singh, Senior Superintendent of Police went there and made some innocent persons crawl and rub their noses on the ground. I made a complaint about this incident to the Government and wrote to the hon. Chief Minister about eight months ago, but no reply has been received by me so far. The funny thing in this connection is this that a Sub-Inspector of police has been deputed to investigate this complaint made against the Senior Superintendent of Police. I, who was the chief complainant in that case, have not been summoned by the enquiry officer nor has anything been asked from those who were made to crawl and rub their noses on the ground. It would be really very unfortunate, if in spite of these things, the Government still claimed that the position of law and order was satisfactory. My hon. Friend Sardar Partap Singh Kairon said that the existence of corruption was a matter of shame for us as well as for the Government. I,

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however, think that our Government has become 'shame proof'. In every session of the Assembly, we complain that there is corruption prevalent in the State, but no steps are taken to eradicate it. During the course of his speech on the 15th August 1950, our Chief Minister said :—

I will ask all officials on this occasion to put down corruption with a strong hand. I am confident that my officers will extend to me their fullest co-operation to remove this evil and enhance the reputation of the State of the Punjab.

This is what our Chief Minister said in the course of his speech. Now let us see if it had any effect.

In rule 162, paragraph (2) of the Police Rules, it is provided that—

An enrolled Police Officer sentenced judicially to rigorous imprisonment exceeding one month shall if such sentence is not quashed on appeal or revision, be dismissed.

What is happening in our State ? A Sub-Inspector of Police, who was sentenced to undergo rigorous imprisonment for four years in the United Punjab, and who actually underwent that sentence in the same jail in which I was confined, was re-instated after partition in spite of the provisions of the rule quoted by me. What can we expect from a Government which ignores the rules governing a person convicted of a serious crime ? It was stated by the Government that "this case was recommended by prominent Congress M.L.As., public-men and office bearers of the East Punjab Provincial Congress Committee" and this was the reason given for the re-instatement of a Sub-Inspector. Jai Gopal, Sub-Inspector was sentenced to four years' rigorous imprisonment in a torture case in the United Punjab. I might add that the sentence in this case was upheld by the High Court. If the Government was not bound by the decisions of courts of law, why had it placed so many laws on the Statute Book ? Another person named Sh. Lekh Raj was dismissed from the post of Deputy Superintendent of Police in the United Punjab. He made a representation on the 17th October, 1947, that he too should be re-instated. On 8th April, 1949, that is only two days after 6th April, 1949, when motion

of no-confidence had been passed against hon. Dr. Gopi Chand Bhargava, as Leader of the party, he was re-employed as Deputy Superintendent of Police.

Sardar Pritam Singh Brar, Superintendent Police, was dismissed on charge of corruption in the United Punjab; but he was re-employed as S. P. of Simla after partition. When people raised a hue and cry, the Central Government, whose service he had later entered, decided to dispense with his services. At this our Government appointed him as Camp Commandant of a Refugee Camp.

Again, there is one Sardar Joginder Singh Sub-Inspector of Police. He was formerly dismissed for looting evacuee property. After one year, he has been re-instated. Then there is one Jagir Singh Assistant Sub-Inspector Police. He was sentenced to six months imprisonment by the High Court for breaking the arm of a person. Our Government remitted his sentence under Section 401, I. P. C. Not only that, he was reinstated on his post. I, then, wrote to the Government and referred to police Rule 16 in this connection. At this he was dismissed, but after one year he was re-employed. All this shows that rules and regulations exist only for those who have no approach to the hon. Ministers. Again I would like to point out another instance. There is a Motor Bus Syndicate at Rupar. This Syndicate illegally occupied a plot of evacuee land which lay near the Bus Stand. I sent in a question in connection with this matter. The Government replied that the possession of the land was illegal. The Custodian General of India, Sir Achhru Ram, has also expressed his opinion on this matter. He says :

I am, however, clear that the Syndicate acted in a most high-handed manner in constructing building on the evacuee site without any reference to the Custodian. Neither in law nor in equity can any justification be found for this high-handedness.

This Bus Syndicate had approached hon. Ministers. The Government issued a notification on the 7th July, 1950 to acquire this site of evacuee land for this bus Syndicate. It means that the law-breakers are patted and well thought of by our Government. It means that the Government understands the language of force only and yields to it. Favouritism and

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corruption are rampant to such an extent that the Government can easily throw to winds reports of legal authorities like Sir Achhru Ram even. Again I asked the Government if any Parliamentary Secretary who had gone out of India, was all the time getting his salary. The Government replied:—

Master Kabul Singh, Parliamentary Secretary, Civil Supplies remained absent from India from 25th January, 1949 to 26th July, 1949. He was allowed to draw his salary up to 13th April, 1949, the date when the services of the Parliamentary Secretaries were terminated.

Mr. Deputy Speaker: One minute more.

Sardar Sajjan Singh: This Government pays salaries to the Parliamentary Secretaries even if they remain absent from India. Can there be a greater height of corruption? (*Interruptions*). As regards the bungalow, he does not vacate it.

Then, there is the instance of National Volunteer Corps Board. It is said that this Board held meetings on the 16th and 18th January. There exist no proceedings of those meetings, nor has this Board submitted any report in writing to the Government. In spite of this, the members of this Board have drawn travelling allowance amounting to Rs.1600/-. I wonder how the Auditor General sanctioned this travelling allowance in the absence of any report of the meetings held.

Pandit Jiwan Lall: (South-West Gurgaon, General, Rural) (*Hindustani*): Sir, I want to say a few words regarding the administration of the State, to which His Excellency, the Governor referred in the concluding part of his Address. So far as administration is concerned, I would like to submit that the law meant for the checking of corruption and black-market is quite ineffective. The result is that the corrupt persons do not get punished. For instance, I reported cases of corruption in the matter of distribution of taccavi loans for the purchase of bullocks. Some officials got Rs. 10/- to Rs. 20/- for sanctioning loan for each bullock. It is one year that nothing has come out of my complaints so far. During this period, pressure was brought to bear upon the people

who were aggrieved and who might have given evidence in the cases. Now those cases have been so much weakened that one cannot expect justice. Similarly a Head Constable was committed to legal proceedings some eight or nine months back yet nothing has been done so far. Another doctor got illegal gratification from the people for helping them in the getting of taccavi loans. He got his crops harvested gratis from those people. No action has so far been taken against him. Yet another doctor of Balabgarh Tehsil got bribe and I sent in a written complaint against him. So far no action has been taken.

Similarily there have been numerous other cases of bribery and corruption. Only recently two such cases of bribery for Rs.1160 and Rs. 1140 have come to light and inquiries are being held in respect of them. What I wish to submit is that the present laws have entirely failed to check the prevailing dishonesty and black-marketing in our State. For the last year and a half various complaints have been pouring in, but no action appears to have been taken. The confidence of an average man-in-the-street is beginning to shake. So it is necessary that our Government should pay full attention towards this matter, otherwise it will soon become unpopular. This is the most urgent need of the hour. Such legislative measures should be adopted as may help in improving the present state of affairs. The existing laws have failed to check the rising tide of corruption and black-marketing. Instead they give chances to the dishonest persons of looting the poor people. My submission is that conditions will have a turn for the better only if on every little complaint immediate enquiries are held and action is taken. In this connection I wish to refer to a case of black-marketing from Gurgaon District in which the High Court interfered un-necessarily and sent telegrams thrice to the District Magistrate that the Judgement should be announced when the District and Sessions Judge was at Gurgaon. Such things tend to increase dishonesty. The local officers should be asked to take action promptly in all matters which concern corruption and such other evils in the State. The laws as they are

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to-day cannot check such evils. They, on the other hand, are such that corruption and black-marketting flourish unhampered everywhere. The poor village people say that in these days the poor have no chance to lead a decent and respectable life. So, Mr. Speaker, I would like to draw the attention of the House towards this sad state of affairs and would request the Government to bring in such legislative measures as may check dishonesty, corruption and black-marketting in the State of Punjab. Another question to which I wish to draw the attention of this House is with regard to the consolidation of holdings. In this connection my suggestion is that the fee of rupees two per acre which is charged in advance at present from the peasants in Gurgaon District should not be realised in advance but it should be collected at the time of land revenue. This condition should be removed, so that the work of consolidation may not suffer. So I would request the Government to give this concession to backward districts.

Another thing, Sir, is that the Panchayats in our State are not being constituted in a reasonable manner. The persons who are generally selected on the Panchayats are not in reality the representatives of the people. Only those persons are chosen who try to please the Assistant Panchayat Officers, and who are, in fact, their favourites. What I wish to submit, Sir, is that the most important feature of Panchayats should be their representative character. It must be maintained like this. Only by doing so will we be able to create a real autonomous administration in the rural areas of our State. The most logical thing for us to do in this matter is that the Panchayats should be constituted by the method of elections so that the real representatives of the people may come in.

Another matter, Sir, is that of Bhakra Dam in relation to Gurgaon District. So far it has not been authoritatively stated whether Gurgaon District will get any water from Bhakra or not. It appears that no decision on this matter has yet been taken by our Government. Consequently the people of that District are in a state of suspense. It would be wise if an early announcement is made in this connection

one way or the other so that the state of suspense may disappear and the people may begin to think of other ways and means of getting water and electricity if Bhakra is not to bestow any benefits on Gurgaon. A new township is being built at Faridabad. It requires electricity and water. The people of Balabharh Tehsil also stand in need of water as well as electricity for aiding them in their agricultural operations. In order to meet all these needs and to give a fillip to Grow More Food Campaign in Gurgaon immediate arrangements of water supply and electricity are required. So I wish to draw the attention of the Government towards various schemes which it has formulated from time to time and to stress the need of taking practical steps with regard to them.

Mr. Speaker, now I wish to say something about the administration in the State of Punjab. The state of affairs is such that action on cases which come up before the officers is not taken in the routine course. Their disposal is not impartial and quick. As a matter of fact the persons who have no access to the authorities cannot hope to get their cases decided in the routine. This state of affairs is bad. It is not due to the fault of local officers alone. In fact, their work has been unnecessarily augmented. Every day they are asked from above by the Ministers to submit reports. The clerks of D. Cs' and S. Ps' offices are always busy in typing and sending replies to these queries from above. The Deputy Commissioner and the S. P. find very little time to deal with the local public and that of the mofussil and to hear their complaints. This system requires a change, and I hope that the hon. Ministers will try to improve this. Another matter which requires immediate attention on the part of the Government is the condition of the buildings in which the Government Offices are lodged specially in the District of Gurgaon. Due to heavy rains this year the roofs of most of the Government Buildings are leaking. The officials are sitting in the verandahs of these buildings. Thus Government work suffers. The kacha houses of the villages when rendered unserviceable due to rains, receive their immediate attention

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for necessary repairs but the repairs to the Government buildings though pucca ones are not attended to immediately and so the work in offices suffers a lot. These are some of the shortcomings in our administrative set-up and it requires overhauling. So my submission is that we should not rest contented merely with passing a vote of thanks to the Governor for his Address. Mere words and such congratulations among ourselves will carry us nowhere. We should take practical steps in the direction of improving the hard lot of the people at large. The various departments of the Government should function efficiently. Action should be taken against those who would not realize their duty. I do not wish to take more time of this House. I would, however, add that by dint of hard work only, will we be able to earn a good name for the Congress.

Sardar Swaran Singh : (Jullundur West, Sikh, Rural) Sir, as the time at my disposal is short, I shall briefly touch the various points in regard to the policy of the Government. The most important matter that has been touched in this Address relates to the situation arising from the floods and excessive rains in the various parts of the State. The extent of destruction that has been caused to life, property, food-grains and crops is really so great that the Government has not yet realised its importance and magnitude. The Government should have straightaway directed the suspension of land revenue and the taqavi instalments pending further consideration of the question. In addition to that, they ought to have assured the people residing in the rural areas that immediate steps would be taken for the reconstruction of houses by providing facilities in the form of loans and grants. But I am constrained to say that nothing has so far been done in this direction. The situation regarding food-grains and seed is indeed very grave and unless the Government takes immediate decision to make provision for food-grains and seed, the food situation which is already far from satisfactory will become most alarming. This is a matter of urgent importance

and I will dilate upon it when, according to the assurance given by the hon. Chief Minister, a full-fledged discussion takes place on this subject.

The other point to which I wish to refer is that the Government has miserably failed to perform its duty in the matter of bringing forth legislation or making rules for the recruitment to services as provided under Art. 309 of the Constitution of India. A greater volume of criticism today has been levelled against the Government on account of that policy and on account of lack of implementation of that policy. As a matter of fact our Government have no policy at all in regard to the recruitment to services. Article 309 lays down

(2)

Acts of the appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed to public services and posts.

But what do we find? Government has not done anything in regard to this important matter with the result that the major volume of dissatisfaction that prevails today is due to the faulty method of recruitment both in the provincial and the lower level. The fundamental thing that should be ensured in such legislation or rules is that backward people/ who reside in rural areas—people who do not enjoy those facilities of education as are enjoyed by urbanites—should be able to get adequate representation in services. This can be done by making a provision that too much stress/ should not be laid upon the bookish attainments of the candidates and due regard should be given to their physique and their capacity to tackle the rural problems—which are in fact the real problems—of the country. Some such provision can be made and the failure of the Government to take any step in that direction is involving us all into a very sad criticism.

The next point to which I want to make a reference in a hurried manner is the policy of the Government to take this hon. House and the hon. Members of this House into its confidence while forwarding their proposals in regard to the delimitation of constituencies. This is such an important matter and I shudder to think why the Government has neglected its duty on this vital matter in such a flagrant

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manner. I feel that they want to give it to us as an accomplished fact. Although certain redresses are with the House yet an opportunity has not been given to it to discuss these proposals. This is such an important matter that when these proposals were formulated this House should have been taken into confidence. I know what is happening in other States. In some of them this matter was discussed on the floor of the House before the proposals were forwarded to the Centre. Sir, here a circular has been issued by your office which says that a certain delimitation committee has been framed and that the criticism of these proposals should be forwarded to that committee, but I regret to point out that even that delimitation committee has not seen the light of the day. And I do not know how the House can put up with this state of affairs. I demand that this House should be given adequate time and opportunity to discuss these proposals. Delimitation of constituencies is an important matter which cannot be left to be determined on a departmental level, with an assistant or a group of assistants formulating the proposals and then forwarding them to Home Secretary and these then forming a basis of discussion. This is such an important matter that the basis of discussion should also have emanated from here. If this House is taken into confidence and the hon. Members are given an opportunity to discuss the proposals it will greatly help in the delimitation of constituencies in a fair manner. Sir, our new Constitution is a very good Constitution but in order to yield results we must produce men who are really fit to tackle the problems of the country. I demand that our constituencies should be framed in such a manner that the rural down-trodden people do not suffer. My fear is that in the delimitation of constituencies gerrymandering has been resorted to. At this stage I will not say more on this point but will deal with it at length on another occasion. I would like the House to declare that it will not permit this sort of humbug to continue and it should also make an effort to avert the danger with which the present proposals are fraught.

We have got in the Address some sort of picture about the Capital that is going to be built at Chandigarh. I have my own views in regard to this matter and I have never made a secret of that. My view is that it will take at least 5 to 10 years before any office of the Government and the High Court can be shifted to the new Capital. Are we during all this period ordained to live and work at an altitude of 7000 feet above the sea level cut off from the country-side. I would most earnestly urge upon the Government to take immediate steps and bold steps to shift to a temporary Capital in the plains even though it might cause some inconvenience to them. High Court is the highest judicial authority in the State where all types of writs can be moved. It is, therefore, imperative that the doors of the High Court should be made available to the public at large and the seat of Government also shifted to plains. Even if all goes well, it will take years before the Capital at Chandigarh is completed and it will be a great injustice to the people if they are compelled to come up here to impress their point of view on the Government or to seek justice. I have grave doubts whether in view of the unforeseen happenings and because of the financial and other implications which the Government have not fully comprehended, they will be able to have enough funds, resources and the necessary material to build their Capital at all which in my view is more a luxury than a necessity on account of the financial condition of the State as it exists today. Even if they are wedded to their programme and want to go ahead with it-all-that I can say is that they may be able to befool themselves for some time but they should not try to befool the people of the State-they must take immediate steps to shift down to some convenient place to the plains. I am not enamoured of Jullundur, Ludhiana or Ambala, any place between Ambala and Jullundur should be good enough. I would again urge upon the Government that even if they are put to some inconvenience they should not hesitate to move down. All these years people have suffered and the Government should take immediate steps to end those sufferings of the people. This is the

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crying need of the people and any dereliction of duty on this score is not likely to be forgiven.

Another point which has been mentioned in the Address and to which I want to refer is the question relating to the constitution of a certain control board regarding the Nangal and Bhakra projects. Because I have been myself associated with it, therefore, I can say that the constitution of such a control board and submission to the authority of the Centre on such a vital point is clear abdication of its functions and powers which rightly vest in the State Government. It is the duty and function of the State Government to undertake the execution of this vital project which is so vital for the development of this State. In the whole economy of this State the only silver lining that I can see is this Bhakra and Nangal project. But I am surprised to find that even on such a vital matter the Government of the day have thought it fit to submit so meekly to the authority of the Centre that their own position has been reduced to that of a municipal committee or a district board in the matter of this very great project. I have no criticism to offer so far as the policy of the Central Government is concerned because this is not the proper place for that but, Sir, the execution of this project is so important to the people of this State and it was the duty of the Government to do their best and utmost to push forward with the project and to see that it was executed without any obstacles being put by any authority whatsoever. Experience indicates that the formation of such boards bring unnecessary checks to operate with the result that the progress in the actual work is hampered. The same thing will happen here, as by the formation of this board the work will be greatly retarded. Moreover Sir, the execution of this project I do not consider to be only a development measure, to my mind it is also a rehabilitation measure, because we have left our canal resources in the Punjab which now forms part of Pakistan, therefore, by submitting

to the proposal of the control board we are actually giving up our right which really vests with us to treat this project as a project of development and also a project of rehabilitation. The question arises, why has this happened? I say it is on account of the fact that today the Government as it is constituted does not command the confidence of the people of the State. It is for this reason that they look for strength to other quarters, they think that by associating an officer here and an officer there from the Centre they can strengthen their position. It is the lack of confidence which is real bane of this all, otherwise by constitution and precedent and by rules and even on equity our case was so strong that there was no justification whatsoever to give up this right of constructing the project, by submitting to the Centre or for the matter of that to any other authority. They ought to have gone ahead with the work and the Centre would not have interfered.

It is their own diffidence, it is the impression that they themselves have created when they approach the Centre that is responsible for the situation that has been created. The Government has no strength, if the will of the people is not associated with it and if they are unable to inspire confidence in the minds of the people. This is just a beginning and my fear is that if this thing goes on, our Government will have to look for all types of initiative from the Centre. The Centre have got their own limitations and their own peculiar problems and it takes a hell of time for them to fully comprehend the needs of a border province. We have got our own difficulties and we alone can and should solve them and if we always look to others to chalk out policies for us, it would be something most regrettable and we would be obliged to associate ourselves with the remarks made by Chaudhri Krishna Gopal Dutt though slightly in a different form. He has said that the Government have no policy, no administration—no policy because they have no imagination to formulate any and no administration because, they are bungling every-where and interfering where they should not and they are not doing what they should. Both on the positive side of commission and on the side

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of omission they are failing in their duty. It is on account of this that it has been stated in the Address that "all that we can tell you is something about the administration". About the administration, I can assure the Government that the hon. Members of this House know much more than the Government. People feel that there exists no administration today and I am constrained to remark that so far as the administration is concerned, it has gone to a very low level. Ask any officer, howsoever high or low he may be, as to what is the policy and what is the decision of the Government on a particular point and you will find that no one has got the confidence to take up the responsibility; no one has got the confidence to take a decision because he does not know whether the decision that he takes will go with a particular Minister or not. Therefore, so far as the administrators are concerned the sad state that we are reduced to today is that they are extremely diffident to take a decision. What is happening in the Secretariat? The files go on travelling from this table to that table—somebody asking for a report another asking for a precedent. They are not actually engaging their attention to important things as they are so much engrossed in small things and all this is due to lack of confidence. I am grateful to His Excellency for telling us that this Address does not deal with any policy of the Government—it is a frank admission of the fact that they have no policy at all—and the Address is merely a resume, a summary of the administration. As I have already stated the hon. Members of the House know much more about the administration than His Excellency.

I can point out hundred and one matters on which policy decisions are necessary. Policy decisions are necessary for the development of the rural economy and the re-orientation of the rural economy and the re-orientation of the sources of production and development with which we are faced today. But we are informed that the Government has not yet taken

any decisions with regard to that policy. The world is moving in a very complicated manner. No progress can be made unless there is a plan and I have no hesitation in saying Sir, that today according to the very sad admission of the Government, they have no policy and no plan on that point. Whatever Russia has achieved is due to their planning. They have made progress because they had plans. Unless we have plans for the economic development of the rural side we cannot inspire confidence in the people and we will be ignoring their strong feeling if we continue to fiddle with them. The Government has fiddled throughout the last two and a half years. With these words Sir, I resume my seat. Thank you.

Sardar Bachan Singh : (Ludhiana Central, Sikh, Rural.) (*Hindi*) :
Mr. Speaker, if you happen to go from Kangra to Gurgaon, that is, from one border to the other you will hear a human cry in the State that corruption, nepotism and favouritism hold the sway in the Government administration. Apart from this, people often complain that there is always an effort on the part of the Government to hush up cases against persons charged with the allegations of corruption. It is admitted on all hands that efficiency is at its lowest ebb and is correspondingly at low level than it was in evidence during the British rule. There is inefficiency all-round in every Government Department and the tone of administration has much deteriorated. There is a great dissatisfaction among the people for this sorry state of affairs. I would submit, Sir, that lower class of Government servants which form the predominant section in the Government administration are in fact the foundation of any Government. We should never allow any weakness to come in the foundation if we want our State to grow in strength and prosperity. Our ministry should have, therefore, advised His Excellency the Governor to make the lot of these poor Government servants happier. But unfortunately our Government is out to provide all possible facilities to high officers or the hon. Ministers. The living condition of the chaprasi, the teacher, the overseer or a petty

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clerk is today unenviable, indeed. They are unable to carry on the burden of life and worry is writ large on their faces. They keep moaning and crying hoarse to appeal to the Government to raise their salaries but their voice is a voice in the wilderness. A sense of despondency and frustration creeps over them. But the Government is quite indifferent to better their lot. What is necessary, therefore, is to make the foundation strong and firm on which depends the safety of a good Government. It must not be forgotten that a building howsoever splendid or stately it may look outwardly would not survive for long years if its foundation is wanting in strength. We have seen that on account of excessive rains and the consequent floods, thousands of houses which outwardly looked magnificent but had weak foundations have collapsed but no damage has been caused to such houses which had strong foundations. So the conditions are such in the State that if the Government failed to understand the significance of what is happening with the low paid Government servants and failed to come to their rescue, I think the time is not far off when the Government may find it difficult to grapple with the situation which may assume serious proportions.

I would like to point out that our Government has not yet thrown off the dead weight of old traditions and is adhering to a same old conventions which it has inherited from the previous administration. In this connection I would refer to the Government circular for providing free medical aid to Government servants who are in receipt of salary over and above Rs. 150/- per mensem. Such orders have no justification to continue in the changed circumstances of today which only gratify the needs of highly paid Government servants. According to this circular of the Government it is intended to provide free medical aid to special set of Government servants and their families while such facilities are denied to low paid Government employees such as constables, munshis, patwaris and clerks who actually

deserve such concession the most. There appears to be no justification for extending these facilities to higher category of officials to the exclusion of low paid employees who draw less salary than the above specified rate. In my opinion it is all the more necessary in the case of low paid employees who have not enough to satisfy the sheer necessities of physical existence. The Government will, therefore, be well advised to extend this facility of providing free medical aid to the low paid employees and should do away with this vexatious limitation imposed upon them. Such officials, I understand, approached the Government to extend this much-needed relief in the form of free medical aid to them and their families but response to this approach has not been satisfactory. The Government is not prepared to budge an inch in this matter and clear injustice continues to be done to the low paid employees. Such state of affairs is a constant headache to the poor employees of the Government. They have begun to form an impression that this Government is quite adamant not to improve their lot and the prospects of their economic betterment during this regime are indeed poor. Whenever they urge the Government to make a right approach to their problems and make constructive suggestions in this behalf, such suggestions are brushed aside and when the Government is blamed for its failure to do anything for them, then the Government becomes intolerant of such criticism. It would therefore, appear that the Government's policy is not based on sound principles or any well-established canons of justice but I am sorry to say that it is only acting on the principle of bargaining.

I am in possession of a booklet entitled "Our future programme" distributed by the All India Congress Working Committee. On its page 28, a speech of the Deputy Prime Minister of Government of India—Sardar Vallabh bhai Patel—is published in which it has been said that a State Government had decided to raise the "abiana" rate for making up the deficit in its budget. The Congress leaders in that State made a strong agitation against this as they said that they would not be able to face public opinion in the rural areas. Now my hon. Friend who has moved the

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motion of thanks and who was the staunch oppositionist of the increase of abiana rates has not made any mention of this in his speech. His change of attitude on the present occasion is quite inexplicable. When the Government is imposing Sales Tax and increasing the rates of abiana to meet the expenditure of administration, it is not understandable why the Government exhibits utter disregard for the amelioration of the hard lot of its low paid employees such as teachers, clerks, overseers and other subordinate staff. It is for this reason that discontentment and disaffection is prevalent among low-paid employees. Mr. Speaker, just look at the manner in which this Government is functioning. In August last, an order was promulgated banning the holding of public meetings in Ludhiana town. A unique feature of this order was that no time-limit was specified therein. It was not stated whether the order was to remain in force for a fortnight or a month, as is always done while passing such orders. Even the officers having old bureaucratic mentality would not have dared to impose such a ban for an indefinite period. It is to the credit of the Deputy Commissioner of Ludhiana to have surpassed them all by putting a ban on public meetings not for any specified period but till further orders. It appears he must have felt great satisfaction in doing so since the only means by which the people could make known to him their difficulties was now closed and therefore he might justifiably take no steps to remove them since he could claim to have no knowledge of them. What an idea!

Again, it is strange that while mentioning the areas which have suffered due to floods and rains, His Excellency omitted Jagraon despite the fact that it had the heaviest rainfall *i.e.*, 24 inches in 36 hours, causing immense losses, an idea of which can be formed from the fact that in fortyfour villages in the "bet" area, only 112 houses were left intact and the rest of them were reduced to dust. I wonder

who supplied the information to His Excellency, on the basis of which he was pleased to state that only three districts, viz., Amritsar, Gurdaspur and Ferozepur, had suffered as a result of rains and floods. It was on the 17th and 18th that the rains came in Ludhiana district and it was on the 23rd that the Deputy Commissioner passed an order to the effect that "public meetings are banned till further orders". By passing this order, he probably wanted to make it clear to the public that it was no longer necessary for anyone to talk of his difficulties, sufferings and losses or to give him any advice or suggestion for organizing relief work. When I approached him and suggested to him the advisability of calling a meeting of responsible persons of the ilaqa to consider measures to be adopted to meet the calamity, he replied that he was not till then aware of the areas affected or the extent of harm caused by the calamity and so it would be futile to call any meeting.

Now a few words about the strange conduct of the Deputy Commissioner of Ambala, who is proud of his being related to one of the biggest men of India. He, too, had banned the holding of public meetings in Ambala district but on 15th August, 1950, acting in a very irresponsible manner (what else should I call it), he relaxed this ban in favour of one party, namely, the Congress party and allowed it to hold public meetings while the ban continued in the case of all other parties. And the most amazing part of it is that he had the boldness to do so in writing and not merely orally! Then, the proof of the sincerity of this Government's desire to end black-marketing and eradicate corruption is also furnished by an instance from Ambala. Sometime back, some people took out a procession in Ambala to raise their voice against black-marketing and they were instantaneously challaned and proceedings were instituted against them.

Again, when the hon. Chief Minister visited Ludhiana, some boys wanted to make a demonstration against the policy of admitting students to the Engineering course on the basis of recommendations. They wanted merit as proved

Sardar Bachan Singh]

by a test, to be the basis of admission. Our Chief Minister could not agree to this principle, thinking that it would make it impossible for him and his colleagues to accommodate relatives and friends. The boys, however, remained firm in their resolve to launch an agitation against the practice of admission on the basis of recommendation. So they were arrested but when the cases went to the court, the Public Prosecutor told it that the Government wanted to withdraw them. This instance affords a sample of how our Government functions. One thing today, another tomorrow and the third day after tomorrow. One set of rules for relations and friends and another set for the general public. When the condition of civil liberties in this province is such, with what face can this Government call itself democratic? Some recent decisions of the Supreme Court and the High Courts on the *Habeas Corpus* petitions, ordering the release of the detenus concerned, have shown that the Governments in this country are in the habit of putting people under detention on very flimsy and in some cases even absurd grounds. Then, just consider the treatment that this Government has accorded to our erstwhile colleague, Professor Tilak Raj Chaddha. Who is responsible for putting him in 'C' class? Can this Government deny its responsibility in this matter? (Voices; shame) Sir, if this Government is bent upon sowing the wind by treating its political opponents in a revengeful manner, it will before long have to reap the whirlwind by being called upon to face people frenzied by a similar spirit of vindictiveness and vengeance.

They are not tired of saying that the Punjab is lying prostrate but what have they done to bring back prosperity to it except saying again and again that there are elements in the State who want to overthrow our newly-established Government? So far as its own efficiency is concerned, I can cite another instance. A few cotton and sugar factories were allocated to our State by the Government of India but

what steps have so far been taken to erect these factories ? In the first Address one thing is said, in the second another and perhaps in the third something else will be said but it appears nothing will be said and done about availing this opportunity of improving the industrial condition of the State by installing these factories. Millions of spindles of yarn are spun every year here in this State. Only if a cloth mill were there to weave it into cloth, there would be no dearth of this essential commodity and hence no blackmarketing. But to-day blackmarketing in cloth trade is rampant all over the State, thanks to the inefficiency and irresponsibility of this Government, which is evident from its failure to erect a cloth mill in the State not to speak of the three sugar mills allocated to it by the Government of India.

Not a word has been said in the Address as to what the Government has been able to do for the industrialization of the State since the last session and what remains to be done, and what it has not been able to achieve and why. Nor is this Government prepared to say as to why these sugar mills have not been so far erected. The fact of the matter is that, as Sardar Ujjal Singh was telling me only yesterday, people have lost faith in this Government and are not prepared to invest money in any under-taking in this State. This is obviously the result of its vacillating and shifting policies. It is all right to say that the Punjab's economy has been shattered, that many of its people are without means of livelihood and that unemployment is on the increase, but what steps have this Government taken towards economic and industrial rehabilitation ?

Now I touch upon my last point. It is high time the Government should have paid attention towards the urgent need of ameliorating the condition of its subordinate, low-paid employees. I must sound a note of warning that if it will continue to neglect them, the consequences would be

[Sardar Bachan Singh]

very dangerous. In the past, the Government has been treating them in a step-motherly manner. While it has sanctioned special allowances and special pays for its high officers, the condition of the subordinate officials is pitiable.

*The Assembly then adjourned till 10-30 A. M. on Tuesday
3rd October 1950.*

Punjab Legislative Assembly Debates

3RD OCTOBER 1950

Vol. II—No. 3

OFFICIAL REPORT



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PUNJAB LEGISLATIVE ASSEMBLY

2ND SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Tuesday, 3rd October 1950.

The Assembly met in the Assembly Chamber, Simla, at 10-30. a. m. of the clock. Mr. Speaker (The hon. Sardar Kapoor Singh) in the Chair.

STARRED QUESTIONS AND ANSWERS

ADDITIONAL POLICE POSTS AT MIANI AND KACHA PAKKA DISTRICT AMRITSAR

*2127. **Sardar Sajjan Singh** : Will the hon. Chief Minister be pleased to state :—

(a) whether any additional police posts have been quartered at village Miani, Tehsil Tarn Taran and Kacha Pakka, Tehsil Patti, District Amritsar under Section 15 of the Police Act; if so, since when ;

(b) the estimated cost of each of the police posts for the first year ;

(c) the actual cost of each of the police posts for the first year to be realised from the inhabitants of each of these villages ;

(d) the annual land revenue of each of these villages ;

(e) the proportion, which the costs of the additional police posts of each of these villages bears to its land revenue;

(f) whether in any other area of the Punjab, costs of the additional police posts have been imposed in the proportion mentioned in part (e) above; if so, the lists of such area; if not, the reasons for exorbitant costs on these villages ?

The hon. Dr. Gopi Chand Bhargava:

(c) Yes, from 11th May 1950.

(b) Miani : Rs. 7,520.

Kacha Pakka : Rs. 16,350.

(c) As given at (b) above *vide* P. Rule 10-24. But the so called actual

[Chief Minister]

cost can be given after the lapse of a period of one year from the date of the location of the post.

(d) Miani : Rs. 526.

Kacha Pakka : Rs. 2,100.

(e) Miani 14·3 : 1

Kacha Pakka 7·8 : 1

(f) The estimated cost of an Additional Police Post is based on the strength to be employed to man the post and not on the land revenue of the area. The information required by the hon. Member cannot, therefore, be supplied.

Sardar Sajjan Singh : Is the financial capacity of the villagers also taken into account at the time of imposing additional police posts?

Chief Minister : Every thing is taken into consideration. When crimes are committed in a village, an additional police post is imposed there. The question of realisation of punitive tax arises afterwards. At that time the capacity of the persons concerned to pay the tax is duly considered.

Sardar Sajjan Singh : The hon. Chief Minister has been pleased to state that a fine of Rs. 7,000 has been imposed as punitive tax. When the total amount of land-revenue paid by the villages is five hundred rupees, does it not mean that they are to pay such a heavy fine?

Chief Minister : The nature of crime committed has to be taken into account. If some persons pay a small amount of land-revenue, it does not mean that they are at liberty to commit any crime they like.

ADDITIONAL POLICE POSTS IN JULLUNDUR DIVISION.

*2128. **Sardar Sajjan Singh :** Will the hon. Chief Minister be pleased to state:—

(a) the names of rural areas in each district of the Jullundur Division in which Additional Police Posts were quartered during the periods 15th August 1947 to 15th August 1950 under Section 15 of the Police Act ;

(b) the estimated (worked out) cost of each of these Police Posts for the 1st, 2nd and 3rd year respectively;

(c) the annual land revenue of each of the areas mentioned in part (a) above;

(d) the ratio between land revenue and the police post cost of each area?

The hon. Dr. Gopi Chand Bhargava :

A statement is laid on the table*

CHO CONFERENCES HELD AT HOSHIARPUR

* 2166. **Sardar Shiv Saran Singh :** Will the hon. Minister for Development be pleased to state :—

(a) the result of the conferences held recently at Hoshiarpur to check the growing menace of the floods in the chos in that district ;

(b) the total amount of money provided for this purpose, and the steps taken by the Government to implement the short term proposals of the conferences in this respect ; if not, the reasons therefor ?

The hon. Sardar Ishar Singh Mujhail :

(a) There have been no recent conferences at Hoshiarpur to check the growing menace of floods by chos in that district. A Cho Menace Committee was, however, appointed by Government in 1948 which submitted its recommendations in January, 1949.

(b) During 1949-50 and 1950-51 a sum of Rs. 3,49,810 was provided for soil conservation works in Hoshiarpur District and to meet the short term recommendations 2 bull-dozers have been purchased. A statement showing the orders passed by Government on the short-term recommendations of the Committee is laid on the Table*

Sardar Shiv Saran Singh : In part (b) of the reply, the hon. Minister has stated that consolidation of holdings in Hoshiarpur district has to be done ; may I know how many chos have been canalised so far ?

Minister : I require notice for this question.

Sardar Ajit Singh : Is it not a fact that the Government promised to supply ten or twelve bull-dozers for levelling the land eroded by chos in Hoshiarpur District but in fact they have supplied only two tractors ? If the work proceeds at this speed, will not all the land in that district become useless ?

Mr. Speaker : That is an expression of opinion and the hon. Member is not asking any supplementary question.

Sardar Shiv Saran Singh : The Government has been saying that it intended to canalise the chos. How many chos have been canalised during the last two years ?

Minister : I have submitted that the Government has taken action on the basis of the report of the Committee appointed to

*Kept in the library.

(Minister for Development)

suggest ways and means in this behalf.

Shri Ram Sharma : Has the Government considered the report of that Sub-Committee ; if so, what conclusions have they arrived at ?

Minister : If the hon. Member takes the trouble of going through the reply given by me, he will notice that whatever action the Government has taken is based on that report.

—————

RESTORATION OF CONFISCATED PROPERTY OF SARDAR
CHANAN SINGH OF VILLAGE BOOR CHAND,
DISTRICT AMRITSAR.

* 2181. **Sardar Bachan Singh :** Will the hon. Chief Minister be pleased to state :—

(a) whether S. Chanan Singh, son of S. Bahal Singh of village Boor Chand, Tehsil Patti, District Amritsar was awarded death sentence and his brother, Baghel Singh life sentence in the 1st Lahore Conspiracy case on 15th September 1915 ;

(b) whether the property including land and house of S. Chanan Singh referred to above was confiscated under the orders of the Court ;

(c) whether S. Baghel Singh brother of the said S. Chanan Singh applied to the Government for the restoration of the confiscated property of his brother ;

(d) whether Sardar Sajjan Singh, Margindpuri, M. L. A. requested the Government to restore the confiscated property, *vide* his letter No. 457, dated 21st March 1950 to the brother of the deceased patriot ;

(e) if the answers to parts (c) and (d) above be in the affirmative, the decision arrived at by the Government in the matter ?

The hon. Dr. Gopi Chand Bhargava :

(a), (b) and (c). Attention of the hon. Member is invited to the reply given to Starred Assembly Question No. *1251 asked by S. Sajjan Singh.

(d) • Yes.

(e) Attention of the hon. Member is invited to the reply contained in part 'K' of the Starred Assembly Question No. *1251 asked by S. Sajjan Singh.

* *Vide* vol. IV — East Punjab Legislative Assembly Debates p. (7) 6.

Sardar Bachan Singh : Mr. Speaker, I wish to point out that I have not been supplied a copy of the reply referred to in answer to my present question.

Mr. Speaker : It must have been supplied to the hon. Member during the last Session when the reply referred to was given.

Sardar Sajjan Singh : The Government must be aware of the fact that the property of S. Chanan Singh was confiscated on his conviction. I wish to know why it was not returned after his release.

Chief Minister : The Government has decided to return the confiscated properties of political sufferers. In the case of those who have passed away, the property will be returned to the direct descendants of the deceased and not to the collaterals.

Sardar Sajjan Singh : What are those reasons for which the Government has decided to return the properties confiscated in certain cases while in some other cases of the type referred to in my question, the property has not been returned ?

Chief Minister : As stated by me, in view of the sacrifices made by the political sufferers for the cause of freedom, the Government has decided to refund their fines. It does not mean that all kinds of property confiscated under ordinary law of the land should be returned.

RESTORATION OF CONFISCATED PROPERTY OF
SARDAR KHUSHAL SINGH OF VILLAGE PADRI
KALAN, DISTRICT AMRITSAR.

* 2182. **Sardar Bachan Singh :** Will the hon. Chief Minister be pleased to state :—

(a) whether the property including land belonging to S. Khushal Singh of Village Padri Kalan, District Amritsar was confiscated after his conviction in the 1st Lahore Conspiracy Case of 1914-15 ;

(b) whether S. Khushal Singh was awarded life sentence in the aforesaid case but was released after some years ;

(c) whether after his release he died issueless leaving behind his widow Shrimati Jeo to survive him ;

(d) whether Shrimati Jeo applied for the restoration of the confiscated property of her deceased husband ;

(e) whether Sardar Sajjan Singh, Margindpuri, M. L. A. also requested the Government in his letter No. 456 dated 21st March 1950 to restore the confiscated property of the aforesaid patriot to his widow ;

[Sardar Bachan Singh]

(f) if the answers to parts (d) and (e) be in the affirmative, the decision arrived at by the Government in the matter ?

The hon. Dr. Gopi Chand Bhargava :

(a) Yes.

(b) Yes. The information in regard to release of S. Khushal Singh is not available.

(c) Yes.

(d) Yes.

(e) Yes.

(f) The matter is under consideration.

Sardar Bachan Singh : May I know, when the Government decided to return the properties confiscated for conviction on account of certain offences ?

Chief Minister : Probably in 1948.

Sardar Bachan Singh : Does the Government know that there is some discontentment prevailing among the public on account of the delay in the restoration of the confiscated property ?

Chief Minister : There can be some discontentment among the public, but the Government has to satisfy itself after examining the relevant data.

Sardar Bachan Singh : Will the Government please instruct its officers to expedite the work in this connection ?

Chief Minister : The Government frequently sends instructions of this nature to its officers.

Sardar Sajjan Singh : May I know what sort of inquiry is the Government carrying on in this particular case ? Is it not sure that Mst. Jeo is the wife of that man ?

Chief Minister : Government is satisfied on the basis of the letters sent by my learned Friend. But in spite of them, some inquiry has got to be made.

DEPUTATION TO AND FROM PAKISTAN.

*2248. **Dr. Sant Ram Seth :** Will the hon. Chief Minister be pleased to state :--

(a) the number of deputations from Pakistan which visited the Punjab (Indla) during the period 1st March 1950 upto September 1950 ;

(b) the total expenditure incurred by the State Government on them ;

(c) the total number of deputations from Punjab (India) which went to Pakistan during the period mentioned in part (a) above ;

(d) whether the expenses in connection with deputations mentioned in part (c) above were borne by the State Government ; if so, the total amount of money spent by the Government on them ?

The hon. Dr. Gopi Chand Bhargava :

(a) The question is somewhat vague. It is not known what is exactly meant by the term 'deputation' and whether it includes parties of pilgrims visiting religious places in India and in Pakistan. No record is kept of the number of parties which visited the Punjab (India) from Pakistan during the period 1st March 1950 to September 1950. Eight parties of Muslims, however, came from Pakistan during this period to visit their religious places in Punjab (India).

(b) As a general rule, the parties of pilgrims and others which visited the Punjab (India) from Pakistan during the above-mentioned period made their own arrangements for food and lodging, but in the case of one pilgrims party which visited the Hoshiarpur District, a sum of Rs. 399-5-6 was spent by the State Government on the feeding of the pilgrims.

(c) Same as in (a) above, except that six parties of pilgrims went from Punjab (India) to Pakistan during this period.

(d) No expenses on any deputations mentioned in part (c) were borne by the State Government.

Dr. Sant Ram Seth : May I know how many missions went to Pakistan from India ?

Mr. Speaker : This Government is concerned only with Punjab and not with the whole of India.

Shri Ram Sharma : Will the hon. Chief Minister be pleased to state whether political missions are also included in the religious missions ?

Chief Minister : I have stated that these missions comprised pilgrims only and not others.

Dr. Sant Ram Seth : May I know how many good-will missions have been sent by the Punjab Government to Pakistan ?

Chief Minister : The Punjab Government has not sent any good-will mission. Of course, Members of the Partition Committee have been going to that country on our behalf.

Shri Ram Sharma : Does the Government know that parties other than pilgrims parties have been going to that country ?

Chief Minister : The Government has not received any regular report in this connection, except the reports appearing in the press.

— — — — —
DELIMITATION OF CONSTITUENCIES.

***2249. Dr. Sant Ram Seth :** Will the hon. Chief Minister be pleased to state whether it is a fact that the work of delimitation of constituencies for election to the State Assembly has been undertaken by the State Government of Punjab ; if so, the time likely to be taken to finish it ?

The hon. Dr. Gopi Chand Bhargava :

Yes. The proposals for the delimitation of constituencies have since been prepared and forwarded to Election Commission, India. Views of M.L.As. on the proposals are being invited.

Shri Ram Sharma : May I know whether Mr. Speaker or the Government know that other States have appointed Delimitation Committees while no such committee has been appointed in our State so far ?

Chief Minister : So far as Mr. Speaker is concerned, no question can be asked from him. So far as the Government is concerned, we have circulated the necessary data among the hon. Members and they have been asked to send their opinions also. They can also see the plan.

Mr. Speaker : I would inform the House that I have appointed a Committee consisting of about 16 or 17 Members of the Assembly whose names I shall announce presently. They would make their recommendations which would be submitted to the Delimitation Committee of the Parliament after they have been discussed and approved by the House. I would ask the Leader of the House to fix a day for the discussion of these recommendations.

Chief Minister : The Committee appointed by the hon. Speaker is a sort of advisory body. The Delimitation Committee has been appointed by the Parliament. The proposals made by our Committee will be placed before that Parliamentary Sub-Committee.

Shri Ram Sharma : May I know the reasons why a Delimitation Committee has not so far been constituted in this State as has been done in other States to help the Delimitation Committee appointed by the Central Government ;

Mr. Speaker : It would be better if the hon. Member seeks this information from me afterwards in a more informal way.

Shri Ram Sharma: I want to know whether it is in the knowledge of the Government that Delimitation Committees have been constituted in other States to advise the Committee at the Centre ?

Chief Minister: We would also constitute a committee of that nature. When the necessary data such as electrol rolls are completed, we would request the hon. Speaker to fix a day for discussing the whole matter.

Shri Bhim Sen Sachar: May I ask the hon. Chief Minister why he did not consider it necessary to constitute a Delimitation Committee of the House at an early date?

Chief Minister: I know the desire of the hon. Members and Mr. Speaker is also aware of it. So necessary data has been circulated among the hon. Members with regard to the formation of such a committee.

Shri Bhim Sen Sachar: May I take it from this reply that the committee is being constituted at the initiative of the hon. Speaker and that the Leader of the House did not deem it necessary to move in the matter?

Shri Bhim Sen Sachar: Will the hon. Chief Minister be pleased to state when such a committee will be formed and who would be its members ; why is it that no such committee has so far been formed?

Chief Minister: First of all it was believed that the State of Punjab was to constitute a Delimitation Committee but later the Constituent Assembly decided that the question of the formation of a Delimitation Committee will be taken up by the Central Government. So we could not form such a committee.

Shri Bhim Sen Sachar: Is the Government aware of the fact that other State Governments such as Madras and U. P. etc., have already formed such committees to give suggestions to the Delimitation Committee appointed by the Centre; will it not be advisable to constitute such a Committee for giving expression to the views of this House ?

Mr. Speaker: I have to inform the House that a Committee of the following hon. Members of the Punjab Legislative Assembly is appointed for the consideration of the Punjab Government's proposals for the delimitation of constituencies for the House of the People and

[Mr. Speaker]

the Punjab State Legislative Assembly:—

1. Shri Bhim Sen Sachar
2. Chaudhri Suraj Mal
3. Chaudhri Sher Singh
4. Sardar Ujjal Singh
5. Sardar Dalip Singh Kang
6. Sardar Gurbachan Singh Bajwa
7. Sardar Narotam Singh
8. Thakur Pancham Chand
9. Chaudhri Kartar Singh
10. Seth Ganga Saran
11. Shri Dev Raj Sethi
12. Chaudhri Harbhaj Ram
13. Shrimati Dr. Parkash Kaur
14. Shri Kedar Nath Saigal
15. Sardar Swaran Singh
16. Sardar Gurbachan Singh (Ferozepore)
17. Sardar Bachan Singh

The Committee shall consider all the proposed constituencies together with the suggestions made by the hon. Members of this House and make its report before the 12th October, 1950, as those proposals, if possible, might be discussed by the Punjab Legislative Assembly on or after that date.

The first meeting of the Committee will be held at 12 noon today in the Committee Room of the Assembly Chamber.

Shri Dev Raj Sethi: Today, Sir?

Mr. Speaker: Yes today, because it would be better to have its report as early as possible.

Shri Bhim Sen Sachar: Sir, we have not been given the necessary data and the relevant papers and, therefore, we would be deprived of the right of discussing the whole thing in a proper perspective at this stage. I would request that the meeting may be postponed to some other day.

Chief Minister: For the information of the House, I may state that the relevant data in regard to the Supplementary Electoral Rolls is being collected and the Government will be in a position to supply it after two days or so.

Mr. Speaker: For the present the Committee can meet and have a preliminary discussion as to the data and other relevant material required by it. I would ask the Committee to submit its report as early as possible.

EMPLOYMENT OF RETIRED GOVERNMENT SERVANTS

***2269. Shri Dev Raj Sethi:** Will the hon. Chief Minister be pleased to state:—

(a) whether Government has issued any instructions that no retired Government Servants be re-employed; if so, a copy thereof may be placed on the Table;

(b) The names of such retired Government servants as were re-employed and were in Government service in the Punjab on 1st September 1950, together with the special reasons for re-employment in each case?

The hon. Dr. Gopi Chand Bhargava:

(a) Yes; a copy of Punjab Government letter No. 509—G—50—/1 668, dated the 17th February, 1950 is placed on the table*

(b) Information is being collected and will be sent to the hon. Member when ready.

Shri Dev Raj Sethi: Is it not a fact that a person, Sardar Inder Singh by name, who retired in 1939 and whose age is about seventy years has recently been re-employed?

Chief Minister: I require notice for this.

DISTRIBUTION OF WATER OF JUMNA RIVER

*** 2270. Shri Dev Raj Sethi:** Will the hon. Chief Minister be pleased to state:—

(a) the principles on which the water of the Jumna River is distributed amongst (i) the Eastern Jumna Canal of the Utter Pradesh (ii) the Western Jumna Canal of the Punjab (iii) the channels of the PEPHU State which take off from the Western Jumna Canal and (iv) and other channels which take off from the Jumna River;

(b) the share of water which each of the partners mentioned

* Kept in the library.

[Shri Dev Raj Sethi]

in para (a) above, is entitled to get from the available quantity of water during the months of January, February and March of a year ;

(c) the year or years in which the agreements regarding distribution of the water from the Jumna River and the Western Jumna Canal between the parties mentioned in (a) above, were executed and revised ;

(d) the dates of the last revisions of the agreements and the reasons for the changes, if any ;

(e) the manner in which the flow of water in the channels supplied by Bhakra and Nangal Projects will effect the water supply in the Western Jumna Canal in relation to Rohtak and Hissar Districts ?

The hon. Dr. Gopi Chand Bhargava :

(a) The Punjab, Utter Pradesh and Pepsu get a fixed share of total supplies available in the River Jumna.

(b) (i) Eastern Jumna Canal (U. P.) gets one third and Western Jumna Canal gets two third share of supply at Tajewala Headworks.

(ii) The Pepsu gets 27.6 % of the supply at head of Sirsa Branch.

(c) (i) The Agreement between U. P. and Punjab is dated 1924.

(ii) The agreement between Pepsu and Punjab was drawn up originally in 1893 at the time of construction.

(d) (i) The agreement between Punjab and U. P. has been revised in 1950 and is under ratification.

(ii) The agreement between Punjab and Pepsu has not yet been revised.

(e) The areas at present receiving irrigation from Sirsa Branch and Hissar Major distributory below Satraud, will be switched over to Bhakra Channels.

Final decisions regarding use of supplies of Western Jumna Canal thus released have not been taken but broadly speaking they will be used for :—

- (1) Extension of irrigation to new areas where possible.
- (2) Conversion of non-perennial channels into perennial channels.
- (3) Improvement of water allowance where it is low at present.

and (4) Improvement of full supply factors.

Shri Dev Raj Sethi : May I know the extent of area affected, if non-perennial canals are converted into perennials ones ?

Chief Minister : Water supply is not affected since the irrigated area remains the same but conversion of non-perennial canals into perennial ones does help in the grow more food campaign.

Chaudhri Suraj Mal : May I enquire from the hon. Chief Minister whether the revision of agreement with the U. P. Government on the subject has resulted in the reduction or increase of water supply in the Western Jumna Canal ?

Chief Minister : There will be no reduction in our water supply.

Chaudhri Suraj Mal : I want a definite reply to my definite question. My point is whether under the revised agreement, the quantity of water made available to the Punjab has remained the same as it was under the previous agreement or some increase in the supply has been brought about ?

Chief Minister : As I have already stated, the water supply remains the same as previously.

Chaudhri Suraj Mal : May I draw the attention of the hon. Chief Minister to a note in the Press which indicates that as a result of this revision of agreement with the U. P. Government, water supply to the Punjab has been reduced ?

Chief Minister : I am not aware of any such note, but my reply is based on the decision which I had arrived at with the U. P. Government.

Chaudhri Suraj Mal : Then may I know what was the necessity of revising the agreement when almost no change has been brought about in its terms ? What new conditions have been incorporated in the revised agreement ?

Chief Minister : As a result of the revised agreement, this Government will receive additional money over what it used to get in respect of expenditure on Western and Eastern Jumna Canals from the U. P. Government.

Shri Ram Sharma : May I know whether this additional money will be paid in respect of water supply made available through the Eastern Jumna Canal to the District of Gurgaon in the Punjab State or for some other additional supply of water ?

Chief Minister : This Government have no share in the abiana charged by the U. P. Government for water supply made through the Eastern Jumna Canal. But from Tajewala Headworks, onwards whatever we get from the U. P. Government in respect of the expenditure incurred on the maintenance of Western or Eastern Jumna Canals, we will henceforth receive enhanced amount of money.

Shri Ram Sharma : Is it not a fact that there will be a reduction in the share of water supply received by the Punjab State under the revised agreement ?

Chief Minister : I have stated that there will be no reduction in our share of water and if through the kindness of Providence, water supply increases, then our share will also increase proportionately.

NOMINATION TO LOCAL BODIES.

* 2005. **Shri Ram Sharma :** Will the hon. Minister for Local Self Government and Labour be pleased to state :--

(a) whether it is a fact that it was given out in a press statement by the Government that it had been decided not to nominate members to Local Bodies any more till after the next elections ;

(b) whether it is also a fact that two members were nominated to the Municipal Committee, Amritsar, several days after the issue of this statement ; if so, the reasons, therefor ?

The hon. Shri Prithvi Singh Azad :

(a) Yes.

(b) Yes. Nominations have been made in some cases, when the seats had been lying vacant for a long time and in which recommendations made by local officers were under consideration of Government before the issue of this press communique.

Shri Ram Sharma : Will the hon. Minister for Local Self Government and Labour kindly let me know the reasons which led the Government to declare that in future no members would be nominated to the Local Bodies till after the elections and in view of this why nominations had been made to the Amritsar Municipality ?

Minister : I have already stated that decision had been taken by Government to make nominations in those cases only which had been pending before the Government before the issue of the press statement referred to by my hon. Friend.

Shri Ram Sharma : But is it not a fact that an announcement had been made by the Government in the Press that it had decided not to nominate members to Local Bodies ?

Minister : But is the hon. Member not aware of the other statement in which Government had announced to reverse their previous decision and continue in future to nominate members to Local Bodies ?

Shri Ram Sharma : Will the hon. Minister please tell us why was the first announcement made and then reversed and replaced by another ? Why were nominations made to the Amritsar Municipal Committee, just after the issue of the first press statement without cancelling it ?

Minister : I have already stated in the main reply of the question that nominations were made in those cases only which were yet to be decided by the Government before the issue of the first press statement. At that time Government was under the impression that general elections would take place earlier. But when Government realised that elections could not be held soon, they decided to reverse their previous decision and continue to make nominations to the Local Bodies.

Shri Ram Sharma : Will the hon. Minister please tell us what prevents his Government to hold elections to the Local Bodies in the Punjab when in other States such elections have already been held ?

Minister : The major headache for the Punjab Government in this connection is that of coping with the problem of rehabilitation of refugees. Unless they are settled properly, elections to Local Bodies cannot be held. Since Assembly voters list is to be prepared on the basis of adult franchise, Government have decided to make the final list to be the basis for holding elections to Local Bodies.

Shri Ram Sharma : Is it a fact that so far as the interest of refugees is concerned, it has never been ignored by the Government, since they have always made nominations to give them representation on the local bodies ; if so, then why is the question of representation of refugees linked with those of local members' seats, which should be filled through election and not by nomination ? Besides, is the hon. Minister not aware that elections to local bodies in the Punjab have been withheld for the last 15 or 16 years and that 75 per cent of the seats in the local bodies have usually been filled up by nomination ?

Minister : I may tell the hon. Member that if according to his demand, elections are held now (Chaudri Suraj Mal : Government will be finished.) (*Laughter*) the interests of refugees will suffer greatly. Since it is the desire of the Government to give representation to the refugees in the local bodies in proportion to their population, holding of elections has been deferred.

Shri Ram Sharma : May I know that when seats caused vacant by the migration of Muslims are filled up by nominating refugees, what extraordinary conditions will be created if local seats are filled not by nomination but by elections ?

Minister : The reason for making nominations to the local seats, is that the electoral rolls on the basis of which local bodies elections can be held, are very very old. Some lists are 15 years old and others are 20 years old. Since elections cannot be held on the basis of old lists, Government have decided to defer their decision on the subject of local bodies elections till after the completion of the lists of Assembly voters.

Shri Bhim Sen Sachar : May I know from the hon. Minister that if it is possible to hold bye-elections to the Assembly on old lists, what prevents him from holding bye-elections or elections to the local bodies on the basis of old electoral rolls ?

Minister : Assembly voters lists are not as old as those of local bodies. As I have already stated, in some cases electoral rolls of local bodies are 20 years old and are very out-of-date.

Shri Bhim Sen Sachar : May I know whether it is a fact that the names of those members who were nominated to the Amritsar Municipal Committee, were recommended by the officers concerned long before the issue of the Press Statement regarding discontinuance of nominations to the local bodies ?

Minister : Yes. Possibly they are within the knowledge of my hon. Friend.

Shri Dev Raj Sethi : In view of the second press note, may I know how long will it take the Government to make nominations to the local bodies, where certain seats have been lying vacant ?

Minister : As soon as Government receive recommendations from the officers concerned,

Mehta Ranbir Singh : Is it a fact that at the time of making nominations the matter relating to the election of the President, Amritsar Municipality was not published in the Gazette ?

Mr. Speaker : I think the hon. Member is imputing motives.

Mehta Ranbir Singh : Very well, Sir. I will put it in this way. May I know from the hon. Minister what effect it had on the nominations.

Minister : This question does not relate to the Amritsar Municipality. A fresh notice is required to supply this information to the hon. Member.

Mehta Ranbir Singh : Is it a fact that Government had made certain commitments before nominating the two members to the Municipal Committee, Amritsar ?

Mr. Speaker : Again imputing motives.

Shri Virendra : The hon. Minister has just now stated that elections to the Municipal Committees and District Boards could not be held because of the fact that the refugees were not completely rehabilitated ?

Minister : Elections could not be held for both the reasons.

Shri Prabodh Chandra : May I know if the nominations are made on the recommendation of the officers only when the hon. Minister feels that the person of his choice is not being nominated ?

Mr. Speaker : This is an insinuation.

Shri Prabodh Chandra : Very well, Sir. I will put the question in this way. May I know whether those persons are only nominated whose names are recommended by the officers ? Are persons other than those who are recommended, also nominated directly ?

Chief Minister : It depends upon the will of the Government.

Shri Prabodh Chandra : In view of the reply given by the hon. Chief Minister, may I know whether nominations are made under rules or in a dictatorial manner. (*Interruptions.*)

Chaudhri Suraj Mal : The hon. Minister has stated that the voters' lists are very old. Keeping this point in view, may I know from the hon. Minister if he is aware of the fact that such lists are prepared after every 5 years? (*Voices: After every third year.*)

Chief Minister : According to the voters' list for the election to the State Legislature, every adult is entitled to vote and naturally it was felt that every adult should exercise his or her right to vote at the time of elections to the District Boards and the Municipalities. When it has been decided so, naturally it is not possible to hold elections to Local Bodies unless and until the voters' lists are complete.

Chaudhari Suraj Mal : May I know if the reasons and the information supplied by the hon. Minister is wrong and baseless?

Chief Minister : It is for me or for the Chair to see whether it is a reply or not. Government has got a right to give a reply or not to give any reply at all.

Chaudhri Suraj Mal : We want information and not a discourse.

Chief Minister : During the last War election to District Boards and Municipalities were stopped as owing to the conditions prevailing then it was not possible to make any such arrangements. Similarly after the partition the conditions were such under which it was impossible to hold any elections. Perhaps my hon. Friends know it full well that the Muslim voters had migrated to Pakistan and their names which existed in the voters' list could not be struck off under the rules. Now some of them have returned to their respective places. Therefore, the holding of elections without the preparation of a new voters' list would have looked like a farce.

Sardar Bachan Singh : May I know if the Punjab Government had already set up an election machinery when it was given out in a press statement that it had been decided not to make any nominations to local bodies any more till after the next elections?

Minister : Yes, it was set up at that time.

Sardar Bachan Singh: May I know why it was not thought

at the time of setting up the election machinery that the refugees had to be settled first ?

Minister : The constituencies of the old District Boards and Municipalities require certain changes in view of the influx of the refugees. That machinery has since been working.

Sardar Bachan Singh : Is it a fact that the Government had expressed their intentions to hold elections to the District Boards and Municipalities as early as possible ?

Minister : Yes.

Sardar Bachan Singh : Why has the election machinery been closed now ?

Minister : That machinery has not been closed.

Shri Ram Sharma : The hon. Chief Minister has stated that it was not possible to hold elections because the voters' list based on the principle of adult franchise were under preparation. May I know if it is the intention of the Government or it has been decided by them to hold elections on adult franchise basis ; If so, is it also the intention of the Government to make nominations as well ?

Chief Minister : This House gave ample powers to the Government to fill up those vacancies through nomination which had occurred due to the migration of the Muslim members. Moreover, Government had also been authorised to fill up any vacancy through nomination caused by the death or resignation of that member. The powers are being accordingly utilized.

Shri Ram Sharma : May I know if after investing the Government with these powers any emergency arises to make nominations to the local bodies, has the Government been given this power also that it may or may not make any nominations ?

Chief Minister : Government is waiting for the completion of the voters' list. Electoral rolls for the election to the State Legislature would also be utilised for election to the local bodies. Officers have been appointed and they are busy with this work. It will not really serve any purpose to hold elections on the old lines. It is, therefore, the intention of the Government to fill up the vacancies, as already referred to by me, through nomination for a few months more or in other words till the electoral rolls are complete.

Mr. Speaker : Next question please.

EXECUTIVE OFFICER, SIRSA.

* 2021 **Shri Ram Sharma** : Will the hon. Minister for Local Self Government and Labour be pleased to state whether the Municipal Committee, Sirsa (Hissar) passed a resolution on 30th December 1949, providing for a 50 per cent increment in the salary of the Executive Officer of the said Municipal Committee with two years' retrospective effect ; if so whether this recommendation has been accepted by the Government ?

The hon. Shri Prithvi Singh Azad :

No. The Municipal Committee of Sirsa recommended that the pay of its Executive Officer be fixed at Rs. 200 per month with effect from 1st October, 1946, but Government sanctioned this pay with effect from 1st April 1950.

ASSESSMENT OF PROFESSIONAL TAX.

*2084. **Sardar Sajjan Singh** : Will the hon. Minister for Local Self Government and Labour be pleased to state :—

(a) whether it is a fact that while calculating the annual income of the Government servants for the purpose of assessing professional tax, the District Board authorities include in it the dearness allowance; if so, the reason therefor;

(b) whether the revenue patwaries, nahri patwaries, sub-divisional officers, zilladars and overseers of the Irrigation Department, gardawar qanungoes, police sub-inspectors and their subordinates, and baildars of the Irrigation and Public Works Departments, residing in the rural areas of the Amritsar District have been included in the professional tax assessment list;

(c) whether any of the Government servants have been exempted from this tax; if so, the classes of such Government servants, and the reasons for exemption in each case ?

The hon. Shri Prithvi Singh Azad:

(a) Yes. This is a tax on professions graduated on the basis of income. Dearness allowance forms a part of income and as such it is assessed for the purpose of this tax on the analogy of income tax.

(b) Yes, except revenue patwaries and girdawar qanungoes residing in the rural areas of Amritsar District.

- (c) The District Boards of Ambala and Ferozepore have exempted all Government servants and the District Board Amritsar has only exempted Revenue field staff. The District Boards are competent to exclude any person or class of persons from the payment of any tax levied by the District Boards with the previous approval of the State Government under Section 31 of the Punjab District Boards Act 1883. These exemptions were given in joint Punjab and are being reconsidered.

Sardar Sajjan Singh : May I know whether the Government is considering the question of introducing uniform procedure in all the districts ?

Minister: This system of assessment of professional tax was introduced long long ago. Now the exemptions are being made.

Sardar Sajjan Singh: If this system is an old one, may I know whether District Board authorities have included Government servants now ?

Minister: It rests with the District Board authorities to exempt anybody from the assessment of this tax whether he may be a Government servant or revenue patwari or nahri patwari etc.

LEVYING DEARNESS CHARGE BY ELECTRIC SUPPLY UNDERTAKINGS

* 2085. **Shri Dev Raj Sethi :** Will the hon. Minister for Public Works be pleased to state:—

(a) whether it is a fact that Government has authorised all Electric Supply Undertakings run by diesel oil in the State to levy a dearness charge at a rate not exceeding 6 pies per unit from 1st January 1950 ;

(b) whether the instructions referred to above also apply to Rohtak and Hissar Districts Electric Supply Undertaking ;

(c) whether the Government is aware of the fact that huge profits are already being made by the above referred to and other similar undertakings in the State;

(d) the reasons for authorising such undertakings to levy the dearness charge ;

[Shri Dev Raj Sethi]

(e) whether the Government has received some representation from the public against this increase on account of the dearness charge ?

The hon. Captain Ranjit Singh :

(a) Yes.

(b) Yes.

(c) The statements of accounts rendered by the Licensees so far, have not shown any huge profits. Most of them are running under loss.

(d) The dearness charge was allowed in view of the high increase in the cost of diesel oil as a result of the devaluation of the dollar.

(e) No.

Shari Dev Raj Sethi : May I know whether the Government has examined the accounts of Rohtak and Hissar Districts Electric Supply Undertaking and taken into account the profit of rupees fifty thousand from Rohtak that it has authorised to levy a dearness charge of 6 pies per unit ?

Minister : Yes. This has been done after examining the accounts of this undertaking and also because of the fact that the price of diesel oil has gone high.

Shri Dev Raj Sethi : I would like to refer the hon. Minister to the specific case of Rohtak and Hissar Districts Electric Supply undertaking. May I know if the Government took into consideration the huge profit of rupees fifty thousand before ordering the levy of a dearness charge of six pies per unit ?

Minister : This has been necessitated on account of the increase in the price of diesel oil and I may assure the hon. Member that as soon as the price of diesel oil goes down this dearness charge will not be levied.

Shri Dev Raj Sethi : I would like to know why this surcharge was levied when huge profits have already been made by these undertakings ?

Minister : Statements are examined every year and if the profit is excess then the rates are revised.

Shri Ram Sharma : So far as the Rohtak and Hissar Districts Electric supply undertaking is concerned, may I know if the Govern-

ment has formed an estimate of the profit of the undertaking before the increase in the price of diesel oil and also the estimate of resultant loss that would be incurred by the company after the increase in the price of diesel oil?

Minister : Yes. The Government had taken into consideration the whole aspect of the matter.

Shri Ram Sharma : May I know then, how much loss was to accrue to the company as a result of increase in the price of diesel oil?

Minister : I require notice for this question.

Shri Ram Sharma : I think there is no question of given fresh notice to get this information. I would refer the hon. Minister to part (b) of this question and would like to know whether it was on the basis of very nominal profit accruing to the company that it was authorised to levy a dearness charge at the rate of six pies per unit by the Government?

Mr. Speaker : No insinuation please.

Minister : I require notice so that I may be able to supply the hon. Member with a statement showing profit and loss of the company during any particular period which the hon. Member may like to know.

Shri Bhim Sen Sachar : May I know the number of Electric Supply Companies in the Punjab which are run by diesel oil and to whom increased quota of diesel oil has been sanctioned by the Government?

Minister : Quota of all companies has been increased.

Shri Dev Raj Sethi : If the Government has verified the accounts of Rohtak and Hissar Districts Electric Supply undertaking, will it lay such statements on the table of this House?

Chief Minister : Sir I beg to submit that hon. Minister cannot be expected to carry such statements with them because we do not know what supplementaries will be asked. In such cases the best that a Minister can do is to ask for notice and the information will be supplied.

Shri Ram Sharma : May I know whether Government intended to make good the loss of the company by authorising them to levy a dearness charge at the rate of 6 pies per unit or this has been done with a view to increase the margin of profit?

Chief Minister : The Ministers are expected to give definite replies. They cannot give vague replies.

Shri Ram Sharma : I would like to know whether the company was going under loss or that a small profit was accruing to it that the Government authorised it to levy this surcharge ?

Minister : This step has not been taken with a view to making good any loss of the company but in view of the increase in the running cost of expenditure consequent upon the rise in price of diesel oil. As soon as the price goes down the company will not be allowed to levy this dearness charge even for a day more.

Shri Dev Raj Sethi : The hon. Minister has stated in reply that the companies will be authorised to revise the rate of dearness charge as soon as the price of diesel oil goes down, but may I know how much profit will the Government think reasonable before ordering for the discontinuance of this surcharge ?

Minister : The companies will automatically scale down the rate if the profit is more than 5%. If they fail to reduce the rates, legal action will be taken against them.

UNSTARRED QUESTIONS AND ANSWERS.

DECLARING GADARYAS OF GURGAON DISTRICT
AS AGRICULTURISTS.

510. Pandit Jiwan Lal : Will the hon. Minister for Education be pleased to state :—

(a) whether it is a fact that a representative body of Gadarya community of Gurgaon District filed an application with the Collector, Gurgaon, for registration of the community as agriculturists in Gurgaon District under the Punjab Land Alienation Act in early 1949 ;

(b) whether it is a fact that the community has a population of about 5000 ;

(c) whether it is a fact that an over-whelming majority of this community depends on agriculture ;

(d) whether it is a fact that the area owned and under full occupancy rights of the members of this community runs into hundreds of acres in the district, not to say of the tenants at will ;

(e) whether the Gurgaon Gadaryas have again filed a petition for

being included in the agriculturists group after the declaration by the State Government according such rights to scheduled castes under the Punjab Land Alienation Act ;

(f) the action being taken by the Government in the matter ?

The hon. Sardar Kartar Singh :

(a) Yes.

(b) The population is 4181.

(c)

(d)

Government have already decided to notify them as statutory agriculturist tribe.

(e)

(f)

FALSE MUTATIONS OF EVACUEE LAND IN BALLABGARH TAHSIL.

511. Pandit Jiwan Lal : Will the hon. Minister for Rehabilitation be pleased to state :—

(a) whether the Government have received complaints of false mutation of evacuee land in the name of local persons in the Ballabgarh Tahsil, District Gurgaon.

(b) whether it is a fact that many such cases are still pending and the local persons referred to above are still drawing benefits of the crops on the lands mutated ;

(c) if the answer to part (a) above be in the affirmative, the action Government propose to take in the matter ?

The hon. Dr. Lehna Singh Sethi :

(a) Yes. Only two such complaints have been received.

(b) No such case is pending.

(c) Out of the two mutations decided in favour of locals in Uncha Gaon and Faridabad, one has been rejected in review and the other is pending with the custodian.

REALISATION OF CONSOLIDATION FEE.

512. Pandit Jiwan Lal : Will the hon. Minister for Development be pleased to state :—

(a) whether it is a fact that the realisation of consolidation fee of Rs. 4 per acre has been made a pre-condition of the start of work in the

[Pandit Jiwan Lal]

areas proposed to be consolidated in the State during the current financial year ;

(b) whether any of the villages concerned have deposited the said fee ; if so, the names of such villages together with the district in which they are situated ?

The hon. Sardar Ishar Singh Mujhail :

- (a) Work is undertaken in the village whose right-holders deposit at least 50 % of the consolidation fee in advance.
- (b) A statement containing the required information is enclosed.*

HOUSES IN REFUGEE COLONIES.

513. Sardar Bachan Singh : Will the hon. Minister for Public Works be pleased to state :—

- (a) the number of the houses of different types in each of the refugee colonies in the State ;
- (b) (i) the total amount of money spent for the construction and repairs of the houses in these colonies up till the 31st August 1950 ;
- (ii) the sale price of each type of the houses fixed by Government ;
- (c) (i) the total number of the houses of each type sold to the public by the 31st August 1950 at each place ;
- (ii) the total number of each type of houses which could not be disposed of up till the 31st August 1950 ;
- (iii) the total cost price of the houses referred to in part (c) (ii) above ;
- (d) (i) the number of the houses rented to private persons, Government servants and Government institutions respectively up till the 31st August 1950.
- (ii) the total average of monthly rent since the 1st April, 1950;
- (e) (i) the total amount of the sale price of the houses recovered from the public up till the 31st August 1950;

*kept in the library.

(ii) the total amount of the sale price of the houses yet to be recovered ;

The hon. Dr. Lehna Singh Sethi :

(a) Statement is enclosed as Annexure 'A'.*

(b) (i) The exact amount of money spent on construction and repairs of houses up to the 31st August 1950 is not yet known. However the total probable expenditure on the construction of the above houses and internal drainage thereto is Rs. 188.58 lakhs.

(ii) The sale price of each type of houses as fixed by Government is given below:—

SPECIFICATIONS OF HOUSES.

Types of Houses	Soil stabilised cost of each house	Gilafi cost of each house	B.B. in mud cost of each house
1	2	3	4
'A,	Rs. 4,450	Rs. 4,750	Rs. 5,000
'B'	Rs. 4,700	Rs. 5,150	Rs. 5,400
'C'	Rs. 4,850	Rs. 5,300	Rs. 5,600
'D'	Rs. 6,100	Rs. 6,100	Rs. 6,700

(c) (i) and (ii) and (iii). Statement is enclosed as Annexure 'B'*

(d) (i) and (ii) } *

(e) (i) and (ii) } Statement is enclosed as Annexure 'C'*

EVACUEE LANDS

514. Sardar Bachan Singh : Will the hon. Minister for Rehabilitation be pleased to state:—

(a) the total area of the evacuee lands in each of the district in the State which instead of being allotted to the displaced land owners has been used or reserved by the Government for other purposes in rural or urban localities respectively;

(b) the total area used or reserved for each of the specific purposes referred to in part (a) above in rural and urban localities in each of the Districts in the State ?

The hon. Dr. Lehna Singh Sethi :

(a) Statement A is placed on the table*

(b) Statement B is placed on the table*

*Kept in the library.

ALLOTMENT SANADS OF DISPLACED LANDOWNERS.

515. Sardar Bachan Singh : Will the hon. Minister for Rehabilitation be pleased to state :—

(a) Whether complaints of errors and omissions in the allotment sanads of the various displaced landowners were sent by S. Sajjan Singh, M. L. A. to the Registrar, Land Claims, Jullundur, and the Land Claims Officer, Jullundur *vide* his office No. 559, dated 26th April 1950, Nos. 562 to 564, dated 27th April 1950, Nos. 568 to 572, dated 27th April 1950, No. 578, dated 28th April 1950, Nos. 582 to 598, dated 28th April 1950, Nos. 678 to 681, dated 9th May 1950, No. 735 dated 22nd May 1950, Nos. 623, 624 and 626, dated 30th January 1950, No. 729, dated 21st May 1950, No. 818, dated 30th May 1950, and No. 725, dated 21st May 1950 under registered, covers with full particulars of each case ;

(b) if the answer to part (a) above be in affirmative whether any of the cases referred to above were looked into, if so, the number of cases in which corrections were made and the complainants informed of the corrections so made, if not, the reasons therefor :

(c) whether after the receipt of letter No. 559, dated 26th April 1950, S. Sajjan Singh was informed of the policy regarding the alteration in the sanads of allotments issued on account of errors and omissions, if so, when, if not, the reasons therefor ?

The hon. Dr. Lehna Singh Sethi :

(a) Record is maintained in the office of the Registrar, Land Claims, Rehabilitation Department according to villages, tehsils and districts of West Pakistan or of Punjab and Pepsu. It is difficult to trace out all these papers without full particulars.

(b) Detailed reply can be given on receipt of necessary particulars. A comprehensive reply with regard to the applications received through S. Sajjan Singh Margindpuri was sent to him by registered post with Registrar's D. O. letter No. 8/ST. dated the 18th July, 1950 (copy enclosed)*

(c) When rules with regard to review and revision of allotments had been finally approved and published a copy was sent to S. Sajjan Singh with Registrar's D. O. referred to in para (b).

*Kept in the library.

HELP TO POLITICAL SUFFERERS,

516. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state the decision arrived at by Government regarding help to political sufferers referred to in starred question No. 1600 put by me during the Budget Session 1950 ?

The hon. Dr. Gopi Chand Bhargava ;

The matter is under consideration.

ACCOMMODATION IN JAILS.

517. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state :—

(a) (i) the names of the different barracks, sheds, wards and cells in the Jail Registers of Amritsar District Jail together with the number of prisoners confined in each one of them on 15th of April, May, June, July, and August, 1950, respectively ;

(ii) the authorised accommodation of each of them ;

(iii) the number of surplus population of each of them ;

(b) the decision arrived at by the Government regarding the extension of Amritsar District Jail ?

The hon. Dr. Gopi Chand Bhargava :

(a) parts (i)—(iii). A statement is attached ; *

(b) Proposal regarding the extension of the District Jail, Amritsar is under the consideration of Government.

ACCOMMODATION IN JAILS.

518. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state :—

(a) (i) the daily average of the prisoners confined in Amritsar, Hoshiarpur, Jullundur and Ludhiana jails respectively during April, May, June, July and August 1950, respectively.

(ii) the authorised accommodation of each of the jails ;

(b) whether between 1—4—50 and 31—8—50 the number of the prisoners ever exceeded the authorised accommodation in any of the Jails referred to in part (a) (i) above, if so, the extra arrangements made by the jail authorities over this over-crowding ; if not, the reasons therefor ;

* kept in the library

The hon. Dr. Gopi Chand Bhargava :

(a) (i) and (ii) Following are the figures of daily average population and authorised accomodation in the jails at Amritsar, Hoshiarpur, Jullundur and Ludhiana during April to August 1950.

Daily average of prisoners during

S.No.	Name of the Jail	Authorised accomodation	April	May	June	July	August
1	District Jail Amritsar	264	690	693	644	658	606
2	District Jail Jullundur	349	571	583	633	578	584
3	District Jail Ludhiana	320	698	684	673	541	681
4	Sub Jail Hoshiarpur	100	164	198	203	192	187

(b) The number of prisoners confined in all the 4 jails during the period from the 1st April 1950, to the 31st August 1950, was in excess of the authorised accommodation. The surplus number of prisoners was accomodated partly in tents and partly by utilizing all existing accommodation in the jail including some factory sheds. Convicted prisoners were transferred to other jails at regular intervals to make room for new admissions and to keep the population within manageable limits.

RATES OF ELECTRICITY IN THE STATE.

519. Sardar Sajjan Singh : Will the hon. Minister for Public Works be pleased to state :

(a) the rates of electricity per unit in the different cities and towns of the State ;

(b) whether there is any difference in the rates of different cities and towns ; if so, the reasons therefor ;

(c) whether Government proposes to unify the electricity rates in the different cities of the State ; if not, the reasons therefor ;

The hon. Captain Ranjit Singh :

(a) The rates of electricity per unit in the different cities and towns of the State are given in the enclosed statement.*

* kept in the library

- (b) Yes. The fixation of rates of electricity depends upon many factors such as generating capacity of the plant, type of the prime movers, *viz.* Steam coal, diesel oil and hydro power, load and type of load of the town, lay-out of streets and roads of the town, means of transportation and the capital investment. As each town is placed under different local circumstances, the rates fixed should naturally be different.
- (c) No ; this is not possible in view of the reasons given against part (b) of the question. But when Nangal Hydro Supply becomes available, the rates will be unified in the towns served by it, as is presently the case in the towns served by the Uhl River Scheme.

**REVENUE STAFF (REHABILITATION) WORKING IN CIVIL
SECRETARIAT JULLUNDUR FROM 1-5-50 to 30-6-50.**

20. **Sardar Sajjan Singh :** Will the hon. Minister for Rehabilitation be pleased to state :—

- (a) whether any of the revenue staff (Rehabilitation) remained working at the Civil Secretariat, Jullundur, from 1st May 1950 to 30th June 1950; if so, the names of the Revenue Patwāris, Girdawars, Kanungos, Naib Tahsildars and other such officers drawn from each district ;
- (b) whether they were given the special allowance for their stay at Jullundur Secretariat for the period referred to in part (a) above, which they used to draw before 30th April 1950, if not the reasons therefor ?

The hon Dr. Lehna Singh Sethi :

- (a) It is a fact that some district revenue and rehabilitation staff remained on duty in Central Camp, Jullundur, in connection with land allotment work during the period 1st May, 1950 to 30th June 1950 to comply with orders passed in some cases. As regards the names of Patwaries, Girdawars, Kaungos, Naib Tehsildars etc. the required information is not available in the office and will have to be collected from districts. The time and trouble involved in collecting the information will not be commensurate with any possible benefit to be obtained.
- (b) It is not correct that this staff was not given special allowances after 30th April 1950 which they used to get before this date. The special allowances were in fact stopped from 1st June

[Minister for Rehabilitation]

1950 for the reasons that the work to be done by the staff after the afore-mentioned date was light and not so complicated as compared with the work done during the resettlement period. Besides, this staff was not required to remain constantly at Jullundur. After this date they used to come if and when some adjustments had to be made in the existing allotment as a result of orders passed by D. G. R., R. F. C. R. R., and H. M. R. R. Apart from this the financial difficulties also stood in the way of grant of these allowances even for a temporary period.

HONOURABLE MINISTERS' STAY AT SIMLA

521. **Sardar Sajjan Singh** : Will the hon. Chief Minister be pleased to state :

(a) Period for which the Civil Secretariat of the State Government at Simla remained open between the period 1st April 1949 to 31st March 1950.

(b) the number of days for which each of the hon. Ministers remained on tour and leave separately during this period ;

(c) the number of days for which each of the hon. Ministers remained at the Government Headquarters during the above-mentioned period ?

The hon. Dr. Gopi Chand Bhargava : The information is being collected and will be supplied to the hon. Member when ready.

HONOURABLE. MINISTERS' STAY AT HEAD QUARTERS.

522. **Sardar Sajjan Singh** : Will the hon. Chief Minister be pleased to state :

(a) the number of days for which Civil Secretariat at Simla remained open between the period 1st April 1950, to 31st August 1950 :

(b) the number of days for which each of the hon. Ministers remained on tour and leave, respectively, during this period ;

(c) the number of days for which each of the hon. Ministers remained at the Government Headquarters and attended to their office work in the Civil Secretariat during the above mentioned period ;

The hon. Dr. Gopi Chand Bhargava : The information is being collected and it will be supplied to the hon. Member when ready.

**WORKING DAYS OF GOVERNMENT COLLEGE, LUDHIANA
ETC.**

523. Sardar Sajjan Singh : Will the hon. Minister for Education be pleased to lay on the table a statement showing :—

- (a) The number of days for which Government College, Ludhiana, remained open during the year 1949-50 ;
- (b) the number of days for which Government High School, Ludhiana, remained open during the year 1949-50 ;
- (c) the number of days for which Government High School, Amritsar, District Board Middle School, Kacha Pakka, District Amritsar and D. B. Primary School, Margindpura, Tehsil Patti, District Amritsar, remained open during the year 1949-50 respectively ;

The hon. Sardar Kartar Singh.

- (a) The Government College, Ludhiana, remained open during the year 1949—50 for 208 days.
- (b) The Government High School, Ludhiana remained open during the year 1949-50 for 220 days,
- (e) The Government High School, Amritsar, District Board Middle School, Kacha Pakka, District Amritsar, and D. B. primary School, Margindpur, District Amritsar, remained open during the year 1949-50, for 259 days, 232 days, and 220 days respectively.

T. A. DRAWN BY MINISTERS.

524. Sardar Sajjan Singh : Will the hon. Chief Ministers be pleased to state :—

(a) the T. A. drawn by each of the Hon. Ministers between 1st March 1950 and 31st August, 1950;

(b) the T. A. drawn by each of the Parliamentary Secretaries between 1st March, 1950 and 31st August, 1950 ?

The hon. Dr. Gopi Chand Bhargava :

	Rs.	a	p
(a) Hon. Chief Minister.	5,040	9	0
Hon'ble Minister for Local Government and Excise	...	5,839	8 0
Hon'ble Minister for Public Works	...	4,503	8 0

[Chief Minister]

	Rs.	a.	p.
Hon'ble Minister for Education			
(Hon. S. Narotam Singh)	...	331	14 0
(Hon'ble Giani Kartar Singh)	...	5,060	11 0
Hon'ble Minister for Development			
(Hon. S. Gurbachan Singh Bajwa)	...	2,411	14 0
(Hon'ble S. Isher Singh Majhail)	...	6,038	8 0
Hon'ble Minister for Rehabilitation.	...	6,851	0 0

(b) No Parliamentary Secretary was appointed during the period in question.

DISTURBANCE OF DISPLACED LANDOWNERS.

525. **Sardar Sajjan Singh** : Will the hon. Minister for Rehabilitation be pleased to state :—

(a) whether the Director General Rehabilitation, issued instructions to the Additional Deputy Commissioners that II grade displaced landowners whether temporary allottees or not in their own Ist grade villages need not be disturbed ; if so, the date on which such instructions were issued ;

(b) whether Charanjit Singh minor son of Gurdit Singh, was disturbed from village Majitha, District Amritsar, in contravention of the instructions issued referred to in part (a) above ;

(c) whether I and II grade displaced land owners of village Kot Mohammad Khan, Tehsil Patti, and village Palsaur, Tehsil Tarn Taran, were also disturbed though they were sitting allottees in their ancestral villages;

(d) if the answers to parts (b) and (c) above be in the affirmative, what action, if any, does the Government propose to take in the matter ?

The hon. Dr. Lehna Singh Sethi : The information is being collected and will be supplied to hon. Member when ready.

APPOINTMENT OF WORKMEN AND LABOURERS ON DAILY WAGES.

526. **Sardar Sajjan Singh**; Will the hon. Chief Minister be pleased to state :—

(a) whether the workmen and labourers in the Central Workshop Amritsar are appointed on daily wages ;

(b) whether a labourer or workman who works for the full month in this workshop is paid 26 days' pay in a month including the 4 Sundays ;

(c) if the answers to parts (a) and (b) above be in the affirmative, the reasons for treating the labourers and workmen of this workshop differently from others under the Public Works Department in respect of pay and other allowances ;

(d) whether the Government proposes to introduce the monthly pay system in this workshop like other departments, if not, the reasons therefor ;

(e) the total number of holidays other than Sundays for which this workshop remained closed during the year 1949 ;

(f) the period of leave to which every workman and labourer is entitled in a year in this workshop ;

(g) (i) the number of workmen and labourers who applied for leave respectively to which they were entitled during the year 1949.

(ii) the number of workmen and labourers respectively who were granted full leave during the year 1949;

(iii) the number of the workmen and labourers respectively who were granted 75 %, 50 %, and 25 % leave to which they were entitled during the year 1949 ?

The hon. Dr. Gopi Chand Bhargava :

(a) No.

(b) No.

(c) Does not arise.

(d) This system has already been introduced.

(e) 32 days.

(f) A statement showing the periods of leave to which every workman is entitled in a year is attached*

(g) (i), (ii) and (iii) No workman is normally refused leave due to him when applied for. It will require very considerable labour to collect this information from the attendance records of about 2,000 workmen. No complaint on this score has been received from the workmen, and the labour involved will not be commensurate with the results desired.

*Kept in the Library

TOUR BY THE HON. MINISTER FOR DEVELOPMENT

527. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state:—

- (a) whether the hon. Minister for Development was on tour between the period 7th April 1949 and 9th April 1949; if so, the places visited by him during this period ;
- (b) the travelling allowance, if any, drawn by him in connection with these visits ;
- (c) the time and date of departure and arrival of hon. Minister for Development at each of the places visited by him ;
- (d) the distance in miles from one place to another visited successively by the hon. Minister for Development during this period ?

The hon. Dr. Gopi Chand Bhargava :

The information is being collected and will be supplied to the hon. Member when ready.

HON. MINISTERS' STAY AT SIMLA

528, Sardar Sajjan Singh. Will the hon. Chief Minister be pleased to state :—

- (a) the number of days for which Punjab Civil Secretariat at Simla remained open between 15th August 1947 and 31st August 1950 ;
- (b) the number of days for which each of the hon. Ministers remained on tour and leave, respectively, during this period ;
- (c) the number of days for which each of the hon. Ministers remained at the Government Headquarters during the period mentioned in part (a) above and attended to their office work in the Civil Secretariat ?

The hon. Dr. Gopi Chand Bhargava :

The information is being collected and will be supplied to the hon. Member when ready.

HON. MINISTERS' STAY AT SIMLA

529. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state :—

- (a) the period for which the Punjab Civil Secretariat at Simla remained open between 1st April 1948 and 31st March 1949 ;
- (b) the period for which each of the hon. Ministers remained on tour and leave during this period ;
- (c) the period for which each of the hon. Ministers remained at Government Headquarters during the time mentioned in part (a) above and attended to their office work in the Civil Secretariat ?

The hon. Dr. Gopi Chand Bhargava :

The information is being collected and will be supplied to the hon. Member when ready.

METHOD OF CALCULATING THE ESTIMATED AND ACTUAL
COSTS OF ADDITIONAL POLICE POSTS QUARTERED
IN THE STATE.

530. Sardar Sajjan Singh: Will the hon. Chief Minister be pleased to state :—

- (a) the rules and regulations framed and the instructions issued by the Government from time to time governing the methods of calculating the estimated and actual costs of additional police posts quartered in any area under Section 15 of the Police Act in the State ;
- (b) whether each of the items and the amount allotted thereto was taken into consideration at the time of calculating the estimated costs of each of the Additional Police posts of villages, Kacha Pakka, Makhi Kalan, Sur Singh, Miani, District Amritsar quartered there during the year 1949 and 1950 respectively ;
- (c) whether each of the items and the amount allotted to each item was taken into consideration at the time of calculating the actual costs of each of the Additional Police Posts referred

[Sardar Sajjan Singh]

to in part (b) above for the first half year with a view to assessing the costs due ;

(d) (i) whether the total pay of the police staff was taken into consideration for calculating the actual cost of each of these police posts for the first half year;

(ii) the total pay of the police employees of each of the police posts for the first half year ;

(iii) the total amount paid to the police employees of each of these police posts on account of dearness allowance for the first half year ?

The hon. Dr. Gopi Chand Bhargava :

(a) The estimated cost of Additional Police Posts quartered in any area under Section 15 of the Police Act is worked out in accordance with Rule 10.24 and Form 2.11 (1)B of the Punjab Police Rules except that minimum rates of pay are charged for the first year and leave contribution at 12½ per cent of total average pay of establishment as mentioned in this form is not now charged. The actual cost is worked out when the actual expenditure incurred on account of pay, allowances, contingencies etc., of the staff is known.

(b) Yes.

(c) Yes, in respect of Additional Police Posts, Sur Singh and Makhi Kalan. This will be done in respect of Additional Police Posts Kacha Pakka and Miani after the first half year is over.

(d) (i) Yes, in respect of Additional Police Posts Sur Singh and Makhi Kalan only.

(ii) Sur Singh, ... Rs. 2,774-0-0

Makhi Kalan. ... Rs. 1,548-0-0

The first half year in respect of Additional Police Posts Kacha Pacca and Miani is not yet over.

(iii) Sur Singh ... Rs. 1,969-8-0

Makhi Kalan .. Rs. 1,158-8-0

The first half year in respect of Additional Police Posts Kacha Pacca and Miani is not yet over.

ASSESSMENT OF LAND REVENUE, ETC., IN THE STATE.

531. Sardar Sajjan Singh : Will the hon. Minister for Education be pleased to state :

- (a) the total land revenue, local rate, other village cesses and abiana assessed in each District of the State during the year 1911-12 1930-31, 1937-38, and 1949-50 and Rabi 1950, respectively ;
- (b) the total cultivable land of each kind in each District of the State during the year 1947-48 and 1949-50 respectively ;
- (c) the total land actually cultivated during the year 1946-47, 1948-49, 1949-50 in each District of the State ;
- (d) the total area of each District of the State during the year 1947-48 and 1949-50 ?

The hon. Sardar Kartar Singh :

It is regretted that the time and labour involved in collecting the information will not be commensurate with any possible benefit to be obtained.

GOVERNMENT LANDS IN THE STATE.

532. Sardar Sajjan Singh : Will the hon. Minister for Education be pleased to state :—

- (a) the total cultivable Nazool lands in rural and urban areas of each district in the State during the year 1946-47 and 1949-50 separately ;
- (b) the total State-owned cultivable lands, Jungle and uncultivable lands in each district of the State during the year 1946-47 and 1949-50, respectively ;
- (c) the total rent of the lands referred to in part (b) above assessed and recovered during the year 1946-47 and 1949-50, respectively in each district of the State ?

The hon. Sardar Kartar Singh;

The information is being collected and will be supplied to the hon. Member when ready.

EVACUEE HOUSES AND SHOPS IN PATTI TOWN.

533. **Sardar Sajjan Singh** : Will the hon. Minister for Rehabilitation be pleased to state :—

- (a) the number of the evacuee houses and shops separately in Patti Town of Amritsar District which were found intact during the year 1947-48 ;
- (b) the number of the evacuee houses intact at present ;
- (c) whether any of the houses including the Tehsil Buildings and other buildings in possession of the resident Magistrate have been repaired since 15th August, 1947; if so, when, if not, the reasons therefor ;
- (d) (i) whether any of the occupants of the houses and shops applied at any time up to 31st August 1950 to the rehabilitation authorities for allowing them to repair their houses, if so, the number of such applicants ;

(ii) the number of the cases in which the applications for repairs were accepted and the number of those rejected during the years 1948-1949 and 1950 respectively together with the reasons for rejection ;
- (e) whether any regular record of such cases as are referred to above is being kept by the rehabilitation authorities since 1st January 1948; if not, the reasons therefor ?

The hon. Dr. Lehna Singh Sethi :

- (a) Houses 1130.
Shops 398.
- (b) Houses 948.
- (c) Repairs to evacuee buildings are sanctioned and carried out, ordinarily on the applications of the occupants themselves. Only fifty one applications for repairs to evacuee property at Patti were received up to 31st August 1950. Out of these sanction was accorded in forty-one cases and the remaining 10 applications are pending. Actually the repairs have been carried out by the tenants to six and eight buildings in the years 1949 and 1950 respectively.

In the case of buildings occupied by Tehsil Authorities and Resident Magistrate, estimates for repairs were received both from P. W. D. (Development) and P. W. D. Provincial for the same building and as these were for different amounts the same were sent to District Rent Officer, Amritsar, for further scrutiny. Necessary action is being taken by the Deputy Commissioner, Amritsar in this respect.

- (d) (i) 51 applicants applied for repairs up to 31st August 1950.
 (ii) Sanction was accorded in 41 cases as below:—

1948 Nil

1949 13

1950 28

Ten applications are pending. None has been rejected so far.

(e) Regular record of such cases is being maintained since September, 1948 when D. R. O's. office came into existence at Amritsar.

EVACUEE LAND AT VILLAGE ASAL.

534. **Sardar Sajjan Singh** : Will the hon. Minister for Rehabilitation be pleased to state:—

- (a) the total area of evacuee land at village Asal near Patti, Tehsil Patti, District Amritsar, which was allotted to the displaced persons during the year 1947-48 with following particulars;
- (i) the area of land mortgaged with possession with the Muslims;
- (ii) the area of land which was in full ownership with the Muslims,
- (b) whether any mortgaged area of land with the Muslims was redeemed by any of the non-Muslim mortgagors up to the 15th June 1950 ; if so, the total of such area ;
- (c) the total area of land allotted in the village named above to the displaced land owners under the quasi permanent scheme upto the 15th June, 1950 ;
- (d) (i) whether there was any difference between the areas referred to in parts (a) and (c) above ; if so, the reasons therefor;
- (ii) whether any enquiry was instituted by the rehabilitation authorities regarding the difference in the areas referred to above ; if so, with what result ?

The hon. Dr. Lehna Singh Sethi :

(a) 86 acres were allotted to displaced persons during the year 1947-48.

(i) 21 acres

(ii) 65 acres

Village Asal was originally in Kasur Tehsil (Pakistan).

No record was available at the time of temporary allotment and the land was temporarily allotted after enquiry at the spot.

(b) No,

(c) 13 acres

(d) (i) Yes. There was difference of 73 acres. The reason being that at the time of temporary allotment no record was available and the temporary allotment was made on the oral verification of the local landlords. The quasi permanent allotment was made on the strength of the Jamabandi received from Pakistan.

(ii) Yes. It is still under investigation.

RESTORATION OF THE CONFISCATED PROPERTY OF BABA WASAKHA SINGH OF VILLAGE DADER, DISTRICT AMRITSAR.

535. Sadar Sajjan Singh : Will the hon. Chief Minister be pleased to state :—

(a) whether the confiscated property of Baba Wasakha Singh, one of the sufferers of the Lahore Conspiracy case of village Dader, District Amritsar, has been restored ; if so, when, if not, the reasons therefor ;

(b) the date when the first application by Baba Wasakha Singh was received by the State Government for restoration of his confiscated property ?

The hon. Dr. Gopi Chand Bhargava :

(a) Yes. Order for the restoration of the confiscated property were issued on 15th September 1950,

(b) 7th March 1949.

**OCTROI MOHARRIRS OF MUNICIPAL COMMITTEE,
JAGADHRI.**

536. Sardar Sajjan Singh : Will the hon. Minister for Local Self Government and Labour be pleased to state :—

(a) Whether the services of any permanent octroi moharrirs were dispensed with in June 1949 by the Municipal Committee, Jagadhri, District Ambala ; if so, their names together with the pay including allowances that each one of them was getting at the time of the termination of his services ;

(b) whether any charge sheet or notice of discharge was served by the aforesaid Municipal Committee on the persons referred to in part (a) above ; if so, when ;

(c) (i) whether any of the persons, referred to in part (a) above, filed an appeal in the court of the Deputy Commissioner, Ambala, against the order of the said Municipal Committee which was accepted on 3rd December, 1949 ;

(ii) whether the Deputy Commissioner in the course of his judgment observed that “the appellant should not have been discharged without a charge sheet having been framed against him and without being allowed an opportunity to defend himself and I direct that the appellant should be considered as continuing in the service of the Municipal Committee” ;

(d) if the answer to part (c) (ii) above be in the affirmative whether the appellant was posted on duty by the Municipal Committee as directed by the Deputy commissioner ; if not, the reasons therefor ?

The hon. Shri Prithvi Singh Azad ;

No reply to the question can be given because the matter has become *sub-judice*.

—————
**LEAVING SPACE IN FRONT OF HOUSES
WHILE CONSOLIDATING.**

537. Master Gurbanta Singh : Will the hon. Minister for Development be pleased to state whether provisions of sections 18 and 46 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 were kept in mind while making consolidation

[Master Gurbanta Singh]

of holdings in different villages of the State ; if so, the reasons for not providing some space near the houses of Adh-Dharmis at the time of consolidations in villages Sarmastpur, Kishanpur and Pudiana Tehsil Jullundur ?

The hon. Sardar Ishar Singh Mujhail :

Yes ; but no space was provided near the houses of Adh—Dharmis because they were not willing to pay compensation and the right holders did not agree to give any land without compensation. The Act does not provide for such transfers without compensation.

EMPLOYMENT OF PERSONS FOR CONSOLIDATION WORKS

538. Master Gurbanta Singh : Will the hon. Minister for Development be pleased to state:—

(a) the number of persons employed for the work of consolidation together with the nature of posts held by them ;

(b) the number of members of scheduled castes among the newly appointed persons together with the posts given to them ?

The hon. Sardar Ishar Singh Mujhail :

(a) A statement giving the required information is laid on the table.

(b) Assistant Consolidation Officer— One, but he refused to join.

Inspectors. Two

Junior Clerks. Three

The information regarding Sub-Inspectors is being collected and will be supplied as soon as it is ready.

Nature of posts	Number of persons employed
1. Director	1
2. Settlement Officers	.. 2
3. P. A. to Director, Consolidation.	.. 1
4. Consolidation Officers	.. 7
5. Assistant Consolidation Officers including Readers. ..	28
6. Inspectors including Ahlmads and Peshi Kanungos. ..	98
7. Sub-Inspectors including Moharrirs to Assistant Consolidation Officers. ..	360
8. Superintendent.	.. 1
9. Head Assistants	.. 2
10. Assistants	.. 4

Nature of posts	Number of persons employed
11. Senior Clerks	.. 5
12. Head Clerks to Settlement Officers.	.. 2
13. Assistants	.. 3
14. Accountants	. 4
15. Junior Clerks	.. 21
16. Stenographers	.. 3

GRANT OF SCHOLARSHIPS TO SCHEDULED CASTES STUDENTS

539. Master Gurbanta Singh : Will the hon. Minister for Education be pleased to state :—

(a) the number of scholarships granted to Scheduled caste students in High classes, F. A., B. A., and M.A., during the period from April, 1950 to September, 1950 ;

(b) the number of Scheduled caste students studying in each of the above-mentioned classes at present in the State ;

(c) whether the Government intends to grant scholarships to those of the Scheduled caste students who have been refused scholarships ?

The hon. Sardar Kartar Singh :

The information is being collected and will be supplied to the hon. Member when ready.

REMISSION IN FEE TO SCHEDULED CASTE STUDENTS

540. Master Gurbanta Singh : Will the hon. Minister for Education be pleased to state :—

(a) the number of Scheduled caste students studying in the Cantonment High School, Jullundur Cantonment, at present ;

(b) the number of the students whose fees have been remitted under the Harijan Welfare Scheme and the reasons for non-remission of the fees in the cases of others ?

The hon Sardar Kartar Singh :

(a) 51.

(b) All the Harijan students are entitled to full fee concession. The school authorities have granted full fee concessions to 25 students and half fee concession to the remaining. The Cantonment Board has been asked to grant full fee concessions to all the students, as required under the provisions of the Harijan Welfare Scheme of the Government.

FACILITIES UNDER THE HARIJAN WELFARE SCHEME

541. Master Gurbanta Singh : Will the hon. Minister for Education be pleased to state whether Government intends taking action against those schools and colleges which are not extending facilities to Scheduled caste students under the Harijan Welfare Scheme ?

The hon. Sardar Kartar Singh :

Yes.

APPOINTMENT OF SCHEDULED CASTE MEMBERS IN EDUCATION DEPARTMENT.

542. Master Gurbanta Singh : Will the hon. Minister for Education be pleased to state :—

(a) the number of Professors, B. Ts., S.Vs., Vernacular Teachers, Drawing Masters and Clerks appointed since April, 1950, in the Education Department ;

(b) the number of those appointed from amongst the Scheduled castes ?

The hon. Sardar Kartar Singh :

(a) The required information is given below :—

Lecturers	..	19
B.Ts.	...	51 plus 4 =55
S. Vs., V.J., D.Ms,	...	30 plus 3 =33
Clerks.	...	11
(b) Lecturers.	...	Nil
B.Ts.	...	2
S. Vs., V.Ts., D.Ms.	...	3
Clerks.	...	Nil

REIMBURSEMENTS TO SCHOOLS ETC. FOR REMISSION OF FEES.

543. Master Gurbanta Singh : Will the hon. Minister for Education be pleased to state:—

(a) whether the Government has reimbursed its share to those schools and colleges in the State which remitted fees of the scheduled caste students during the year 1949-59;

(b) the names of shools and colleges to which the Government has not so far sent its share together with the reasons therefor ;

- (c) the reasons for not remitting the scholarship of the scheduled caste students of Government High School Hoshiarpur, who have passed the Matriculation examination ?

The hon. Sardar Kartar Singh :

(a) Yes, with respect to those institutions whose claims were received and found to be in order.

(b) Does not arise.

(c) All the Harijan stipendiaries of the Government High School, Hoshiarpur, have been paid their stipends from October 1948, up to March 1950, while they were the students of high classes.

AGRICULTURAL LAND NOT ALLOTTED OR LEASED

544. Master Gurbanta Singh : Will the hon. Minister for Rehabilitation be pleased to state ?

(a) the Number of acres of agricultural land in the urban areas of the Punjab, which has neither been allotted permanently nor leased to anybody ;

(b) whether Government propose to lease out such land in order to grow more food?

The hon. Dr. Lehna Singh Sethi ;

(a) 1232 acres and 4 kanals of agricultural land in the urban areas of the Punjab has not so far been permanently allotted nor leased. Most of this land is banjar, unculturable and of inferior quality.

(b) Instructions have already issued to lease out such land at the reduced rate of rent in order to grow more food.

T. A. DRAWN BY THE HON. MINISTER FOR LOCAL SELF GOVERNMENT AND LABOUR.

545. Master Gurbanta Singh : Will the hon. Chief Minister be pleased to state :—

(a) the amount of T. A. drawn by the hon. Minister for Local Self Government and Labour for his visit to Rajpura, District Jullundur recently;

(d) whether his visit to Rajpura was for official purpose.

The hon. Dr. Gopi Chand Bhargava ;

(a) Nil.

(b) hon. Minister was invited for an evening party given in his honour.

IMPOSITION OF TAX ON SCHEDULED CASTE VOCATIONISTS
BY THE DISTRICT BOARD, JULLUNDUR.

546. **Master Gurbanta Singh** : Will the hon. Minister for Local self Government and Labour be pleased to state the total amount of tax imposed by the District Board, Jullundur, on persons belonging to the scheduled caste following different professions during the years 1945-46, 1946-47, 1947-48, 1948-49 1949-50 ?

The hon. Shri Prithvi Singh Azad :

The information is being collected and will be supplied to the hon. Member when ready.

ADMISSION TO GLANCY MEDICAL COLLEGE, AMRITSAR.

547. **Master Gurbanta Singh** : Will the hon. Minister for Rehabilitation be pleased to state:—

- (a) the number of students admitted to Glancy Medical College, Amritsar, this year :
- (b) the number of scheduled castes amongst them ?

The hon. Dr. Lehna Singh Sethi :

- (a) 83 including the nominees of other States and an African.
- (b) I only,

CASES IN RESPECT OF THE SCHEDULED CASTE GIRLS.

548. **Master Gurbanta Singh** : Will the hon. Chief Minister be pleased to state :—

- (a) the number of scheduled caste girls, kidnapped, abducted and otherwise molested during the period from October 1949 to 31st August 1950, in the State.
- (b) the number of those recovered and the number of the accused against whom cases were registered ;
- (c) the number of cases of belabouring of the scheduled castes registered in the State so far ;
- (d) the number of those punished ?

The hon. Dr. Gopi Chand Bhargava :

(a) 74 scheduled caste girls were kidnapped or abducted. 31 girls were otherwise molested during the period from October, 1949 to 31st August, 1950, in the State ;

(b) 62 abducted or kidnapped girls were recovered and cases against 220 accused were registered ;

(c) 104 cases of belabouring of the scheduled castes were registered ;

(d) 80 persons have so far been convicted.

REGISTRATION OF SCHEDULED CASTE VOTERS.

549. Master Gurbanta Singh : Will the hon. Chief Minister be pleased to state :—

(a) the number of complaints received by Government from members of scheduled castes in which it is alleged that they have been registered as Hindus and Sikhs respectively in voters lists against their will ;

(b) whether Government has taken any action against those patwaris or Moharrirs who were responsible for deliberately entering them as Sikhs ;

(c) whether any one of them has been punished and the nature of punishment awarded in each case ?

The hon. Dr. Gopi Chand Bhargava :

(a), (b) and (c) Government did receive some complaints. Government had these complaints investigated. For the most part they were found to be exaggerated. Wrong entries noticed in the course of these investigations were corrected. In one case, a Patwari who had made wrong entries in the religion column was suspended.

EXPANSION OF CANAL BRIDGE

550. Sardar Sajjan Singh : Will the hon. Minister for Local Self Government and Labour be pleased to state with reference to the reply to my unstarred question No. 281 put on 10th October 1949, whether the required remodeling of a culvert of the bridge over a canal minor has been done by the District Board Authorities, Amritsar by now ; if not, the reasons therefor ?

The hon. Shri Prithvi Singh Azad :

The information is being collected and will be supplied to the hon. Member when ready.

BORDER ALLOWANCE TO PROVINCIAL ARMED POLICE

551. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state :—

- (a) Whether the personnel of the Provincial Armed Police Chowkies is allowed any border allowance, if so, at what rate ;
- (b) Whether the police employees posted at the border police stations and police posts are treated at par with the Border Provincial Armed Police in this respect ; if not, the reasons thereof ?

The hon. Dr. Gopi Chand Bhargava :

- (a) The personnel of the Provincial Armed Police Chowkies at the border are not allowed any border allowance, though they are issued free cooked meals at a cost not exceeding Rs. 25 P. M. per head.
- (b) No. The duties of the Border Provincial Armed Police are of a specialised nature and risk to their lives is greater than in the case of police employees posted at the border police stations and police posts.

HOUSE RENT RATES FOR GOVERNMENT SERVANTS.

552. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state:—

- (a) the date when the present rates of house rent for Police and other Government servants were fixed ;
- (b) whether Government has so far revised or proposed to revise these rates in view of the higher cost of living ; if so when. If not the reasons therefor ?

The hon. Dr. Gopi Chand Bhargava :

- (a) The exact date is not available but it was sometime before 1934.
- b) No ; owing to financial stringency.

RESTORATION OF FIRE ARMS.

553. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state :

(a) Whether any application by S. Ujagar Singh of village Mahneke, Tehsil Patti, District Amritsar, was received by the Chief Secretary to Government Punjab, with my endorsement No. 430 dated 1st February 1949, in the 1st week of February 1949, for the restoration of fire arm deposited with the Pakistan Authorities ;

(b) Whether any application from Sardar Bhagat Singh, son of Sardar Mangal Singh of Village Naushera Pannan, Tehsil Tarn Taran, was also received by the aforesaid officer with my endorsement No. 497, dated 14th February 1949, for the restoration of his fire arm deposited with the Pakistan Authorities during the riots of 1947.

(c) (i) if the answers to parts (a) and (b) above be in the affirmative, the action taken by the Government in the matter and with what results ;

(ii) Whether the firearms have been returned to the applicants ; if not, the reasons therefor ?

The hon. Dr. Gopi Chand Bhargava :

(a) Yes.

(b) No.

(c) In accordance with the Indo Pakistan Agreement the name of S. Ujagar Singh with the particulars of his arm was communicated to the Government of India for the recovery of his arm but neither the reply from the Government of India nor the arm in question has been received.

The question does not arise in the case of S. Bhagat Singh.

RESTORATION OF JAGIR OF S. BALWANT SINGH.

554. Sardar Sajjan Singh : Will the hon Minister for Education be pleased to state the decision arrived at by the Government regarding the restoration of the confiscated jagir of S. Balwant Singh of village Malk Sukhi, district Ambala referred to in my unstarred question No. 283 put on 10th October 1949 ?

The hon. Sardar Kartar Singh :

The matter is still under the consideration of Government.

CONSTRUCTION OF JUDICIAL LOCK-UP AT PATTI.

555. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state :—

(a) with reference to the reply to part (g) of my unstarred question No. 264 put on 29th March 1949, the decision arrived at by the Government for the construction of a judicial lock-up at Patti ;

(b) whether Government is aware of the fact that during the summer of 1950 the number of prisoners confined in police lock-up, Patti, some times had gone up twice or thrice the authorised accommodation there ?

The hon. Dr. Gopi Chand Bhargava :

(a) The question of the construction of a Judicial lock up at Patti has been taken up by the Deputy Commissioner, Amritsar, who has forwarded the plans and estimates to the Commissioner, Jullunder Division, for administrative approval and allotment of funds. Commissioner's opinion is still awaited.

(b) Yes.

REPRESENTATION FROM PANDIT
HARKISHAN DASS.

556. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state whether any representation by Pandit Harkishan Dass, formerly of village Ghawind, Tehsil Lahore, was received by the Chief Secretary of the State Government with my endorsement No. 594, dated the 24th February 1949, demanding the payment of arrears of his provident fund which were forfeited by the Lahore District Board Authorities for his having joined the Congress movement during

the non-co-operation movement of 1920-21 ; if so ; the action taken by the Government in the matter ?

The hon. Dr. Gopi Chand Bhargava :

Yes. The matter has been referred to the Punjab Government (Pakistan) for verification and their reply is still awaited.

BRAYNE MEO HIGH SCHOOL, NUH, DISTRICT GURGAON.

557. Sardar Sajjan Singh : Will the hon. Minister for Education be pleased to state :—

(a) whether any election of the office-bearers and members of the Managing Committee of the Brayne Meo High School, Nuh, district Gurgaon, has been held during the year 1950 ; if so, when ;

(b) whether this election has been approved by the State Government ; if so, when ; if not, reasons therefor ;

(c) (i) whether the elections of all the managing committees of private aided schools are approved by the Government ; if so, under what provision of law ;

(ii) the list of managing Committee of such aided schools of the Ambala Division which were approved by the Government during the last 3 years together with the date of approval in each case ;

(d) whether grant-in-aid of the school referred to in part (a) above which was being withheld for the last 3 years, has been restored ; if so, when ; if not, the reasons therefor ;

The hon. Sardar Kartar Singh :

(a) Yes. The election of members of the Managing Committee of the Brayne Meo High School, Nuh, was held on 10/11th August 1950, and that of the office bearers on 17th September 1950.

(b) Yes, on the 30th September 1950.

(c) (i) Yes, under Article 232 (ii) and 243 (c) of the Punjab Education Code.

(ii) A list is laid on the table*

(d) Grant in aid to the school will be paid during this year and funds permitting, the question of arrears will also be favourably considered.

*Kept in the Library

REFUND OF FINES.

558. **Sardar Sajjan Singh** : Will the hon. Chief Minister be pleased to state :—

(a) Whether the applications of the patriots noted below were received by the Chief Secretary to Government, Punjab, for the refund of fines recovered in connection with political offences during the British regime. (1) S. Kishan Singh of village Barwala, Tehsil Patti, with my endorsement No. 715, dated 16th March 1949; (2) S. Samund Singh of village Barwala, Tehsil Patti with my endorsement No. 710, dated 16th March 1949, (3) S. Udham Singh, son of Surian Singh of village Padhri, Tahsil Tarn Taran, with my endorsement No. 573, dated 24th February 1949; (4) S. Randhir Singh of village Jhabhal, Tahsil Tarn Taran with my endorsement No. 572, dated 24th February 1949; (5) S. Bhagat Singh, son of Khushal Singh of village Padhri, Tahsil Tarn Taran with my endorsement No. 574, dated 24th February 1949; (6) S. Sajjan Singh *alias* Karnail Singh of village Mirgindpura, Tahsil Patti, with my endorsement No. 576, dated 24th February 1949, and No. 1106, dated 15th August 1950, respectively; (7) Shrimati Labh Kaur, widow of S. Asa Singh of village Bhikhiwind, Tahsil Patti, with my endorsement No. 577, dated 24th February 1949; (8) S. Teja Singh son of Mahan Singh of village Bhikhiwind, Tahsil Patti, District Amritsar, with my endorsement No. 578, dated 24th February, 1949; (9) S. Gehl Singh, son of Thakar Singh, Town Patti, District Amritsar with my endorsement No. 499, dated 14th February 1949; (10) S. Lakha Singh of village Dasuwal, Tahsil Patti.

(b) If the answer to part (a) above be in the affirmative, the action so far taken by the Government in the matter;

(c) Whether in any of the cases referred to in part (a) above fine has been refunded; if so, their list together with the amounts of fines so refunded?

The Hon. Dr. Gopi Chand Bhargava.

(a) Yes.

(b) S. Udham Singh and S. Randhir Singh were unable to produce documentary evidences and their cases along with all similar cases have been referred to local committees specially set up for this purpose, to make enquiries locally and report to Government. The claims of S. Kishan Singh and S. Lakha Singh have been referred to the Punjab Government (Pakistan) whose reply is still awaited. The case

of S. Sajjan Singh *alias* Karnail Singh is under consideration. The remaining applicants, S. Samund Singh, Bhagat Singh, Shrimati Labh Kaur, S. Teja Singh and Gehl Singh did not supply full particulars and have been asked to do so to facilitate verification of their claims from the Punjab Government (Pakistan). Their replies are still awaited.

(c) No.

PANEL OF CHAIRMEN.

Mr. Speaker : Under Rule (II) (I) of the Punjab Legislative Assembly Rules, I have nominated the following four honourable Members as Members of the Panel of Chairmen :—

1. Shri Bhim Sen Sachar.
2. Sardar Ujjal Singh.
3. Pandit Bhagat Ram Sharma.
4. Sardar Shiv Saran Singh.

DISCUSSION OF GOVERNOR'S ADDRESS.

Mr. Speaker : The House will now resume discussion on the Address of His Excellency the Governor.

Shri Bhim Sen Sachar : (Ex-Member, West Punjab Assembly representing Lahore City, General, Urban) (*Hindustani*) : Sir, His Excellency the Governor has made the following remarks on page 8 of his address.

We must go on ceaselessly improving our administration, curing it of defects and shortcomings, reducing its slowness, increasing its purity, integrity and efficiency and enhancing its understanding, responsiveness to genuine public needs, grievances and complaints.

Again on page 9, His Excellency remarks as follows :—

Discipline, unity, incessant hard work, avoidance of communalism in any shape or form and due regard for public welfare on the part of all our citizens continue to be our prime needs.

Sir, I am in perfect agreement with these views of his Excellency and, therefore, I must congratulate him on giving expression to them in his Address. The condition of the people of this State really cannot improve nor can there be complete tranquillity among them, so long as the administration does not reach the high standard envisaged for it by His Excellency in the remarks I have just quoted.

[Shri Bhim Sen Sachar]

But in order that the administration may approximate as nearly as possible to the ideal State, it is necessary to give attention first of all towards raising the standard of the Services. Infact, this is of prime importance. It is with this end in view, that I would like to make a few submissions to-day, to the Government. So far as I think, it is only by acting upon the suggestions that I am going to make that the dream of an ideal administration can become a reality.

My first submission is that the hon. Ministers should not interfere unnecessarily with the work of the services. By this I do not mean to suggest that you should have no control over them or that they should be absolute, and absolutely free to do what they like. What I want to stress is that you should avoid interfering with their day-to-day work. I am in fact referring to the well-known practice of telephoning the officers or pestering them with 'Chits', with a view to influencing their judgement even in the smallest matters, of course, with the object of doing favour to somebody. Things have come to such a pass that at times the Ministers themselves do not hesitate to go to the rooms of officers with a view to requesting them in their personal capacity to do certain thing for one of their friends. What I mean to say is that this most widely prevalent practice of 'recommendation' is seriously impairing the efficiency of the administration. It saps the independence and integrity of the services, making them servile and corrupt. The officers thus approached by the Ministers themselves can hardly be expected to discharge their duties honestly and conscientiously. They certainly do not let slip any opportunity of showing undue favour to their kith and kin and their impartiality which should be an essential feature of a good administration is replaced by blatant favouritism. Therefore, Sir, my submission is that it is very essential to ensure the *independence* of the services from undue interference. It is a condition precedent to the purity of administration. For this, we have first to give attention to their methods of recruitment. In this regard, my suggestion is that maximum powers should be vested in the State Public Service Commission, of which, to our good fortune, the Chairman is a very capable man and the members are also such as can be fully trusted to perform their duties well. I learn that the orders passed by the previous Government, with the object of safeguarding the interests of superseded officers, by making it necessary to send their cases for review to the Public Service Commission, have been revoked or it is contemplated to revoke them.

Minister For Local Self-Government and Labour : That practice still continues.

Shri Bhim Sen Sachar : It must continue if the services are to have some sense of security and a little satisfaction of being given a chance of getting a fair deal at the hands of the Public Service Commission—an independent body. So the orders in question should not be rescinded, merely because they were passed by the previous Government. Again if you want the services to be **strong and independent**, you must muster courage and declare it in so many words that henceforth communal considerations will in no way be allowed to influence recruitment to services and that merit alone shall be the criterion in this behalf. If every Minister starts patronizing persons of his community for posts in Departments under his control, there would be no end to communalism in services. And in fact services prove a very good breeding ground for communalism. This is what past experience shows. His Excellency has also appealed to the members of the Legislature to help improve the condition of the administration. We can discharge our responsibility in this vital matter only if we take a pledge not to recommend any body for anything to any officer and thus let the services function in an independent manner. People in general are very much groaning on account of the prevalence of this practice of '*sifarash*'. Their apprehensions that everything in this State is done on '*sifarash*' are not without foundation. I am here reminded of an interesting instance. Our hon. Chief Minister has so often stated that the things associated with the Unionist regime have gone along with that regime. It is undoubtedly true that we should not emulate the bad doings of the Unionists but what I ask is what is the harm if we allow what was good in their administration to continue? Mr. Speaker, you will be surprised to know that in this age of democracy, in this year of grace 1950, this Government has the audacity to reserve as many as seventeen seats in the Engineering College, Roorkee, to be filled by nomination. What I ask is why should admission to an Engineering College be made on the principle of nomination. So far as I think, Sir, and I am saying this from my own experience of the administration of this State that no other community in this State save the Scheduled Castes deserves any special representation, whether on ground of backwardness in education or for consideration of population or for any other consideration. It will not be possible to bring about efficiency, purity and integrity in this administration, so long as the pernicious principle

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of nomination is allowed to operate in any sphere, in any shape or form. Have these seventeen seats been reserved to be filled by Ministers' nominees, a certain proportion having been allotted to each Minister's share, as some people are saying? There appears to be no reason why recourse should be had to nomination when all appointments were made on the basis of merit last year. This clearly means that there is some thing wrong in the State of Denmark and perhaps attempts are made to favour some people. When this is so, those who suffer have to complain. Here is a complaint before me which I would read out to the House :

He joined the Department only last year along with 15 others—of course, he was a second class degree man from such and such place.

I ask why should such a thing be allowed to happen. Why should a person be shown favour because he happens to be a nephew of an influential personage? This is not the way to put an end to the evil of communalism. If we are really after eradicating this evil one should never deviate from the principle of merit in the matter of recruitment etc. We have to admit that even the hon. Ministers of this Government are guilty of contributing to the communal atmosphere by their vicious speeches. Unfortunately I have heard such speeches myself. If such a state of affairs continues, the House should rest assured that the State would be doomed. When we think on communal lines, when we recruit people to our services on communal basis, it would be quite wrong on our part to expect that communalism will get abolished in this manner.

As a matter of fact you are fanning the fire of communalism and not extinguishing it.

Mr. Speaker : I am never communal (*laughter*).

Shri Bhim Sen Sachar : I meant the Government, Sir. Now I wish to place a very important point before the House. In order to safe guard the liberties of the people it is very necessary that the executive should not be allowed to interfere with the work of the judiciary. But just the opposite appears to have been done here. The House will recall the assurance given by the hon. Chief Minister regarding the steel scandal cases. He said that the cases that had been instituted would be allowed to take their natural course and no steps would be taken to withdraw them or tamper with them. But in all seriousness

I ask, where are those cases? No decisions have been delivered in respect of cases up till to-day which were to be decided on the 15th of April 1950.

As far as the civil liberties are concerned, the less said the better. I have to hang my head in shame when I find that a person like Shri Tilak Raj Chadha, who some time back was a Member of this august House, was handcuffed and made to pass through bazars. It is something most disconcerting. The delay in the setting up of the Capital is not at all understandable. The Government had to spend about eight months to come to a settlement with the villagers whose lands had to be acquired for the Capital. There was no occasion for wasting so much of valuable time. But what I fear is that perhaps the question has still not been solved for good. I again advert to the problem of communalism as I am reminded of a remark made by an hon. Member of this House. He tauntingly said that we should be prepared to take the consequences when we had decided on resettling the Muslim of Ludhiana. Such fulminations on the part of hon. Members particularly those who are so near and dear to our hon. Ministers should be deprecated. It was very wrong for this hon. friend to say so. He should know that we have to establish a secular State and we should see that we do not do anything which smacks of and breeds communalism.

Coming to the Bhakra and the Nangal projects I find that the name of the hon. Chief Minister is conspicuous by its very absence on the Committee which is to be set up in this connection. It is very strange. Such a Committee must include the Chief Minister. It is learnt that the Chief Engineer and the Finance Secretary will go to bring the experts. I wonder how the non-experts can select the experts. The proper course was that the experts should have been required to send in their applications along with testimonials and selection could have been made from over here after going through the testimonials etc.

Another thing which is worthy of note is the fact that the people are un-necessarily put to bother by the hon. Ministers. Here I read out an extract from a report.

The hon. Chief Minister and another Minister were to pass through a particular district on the 19th and all the Gazetted Officers were asked to be present at the P. W. D. rest house for reception. They were scheduled to stay only for five minutes and then they never came—of course, nobody was informed about the change of programme.

[Shri Bhim Sen Sachar]

In all humility I ask where was the necessity of wasting the valuable time of the officers ?

One thing more and I shall have done. The receptions arranged by the hon. Ministers costing thousands of rupees are un-called for and there is no justification for them. People are forced to contribute towards them and such practices should be abandoned for the future. I strongly deprecate the idea of the hon. Ministers and hon. Members enjoying hospitality of the Deputy Commissioners and other officers. They cannot afford to give rich dinners and suppers to hosts of people. When the hon. Members and Ministers are given travelling and daily allowances etc., there is no reason why they should be troubling the officers. The officers may not say it openly but I can say without any fear of contradiction that they cannot afford to entertain people at their own cost with meagre salaries of say about Rs. 1,200 per month which at times are sought to be reduced. The sooner these mal-practices go, the better for the Government and its people.

Shri Ram Sharma : (Southern Towns, General, urban, *(Hindi)*); Sir, after hearing His Excellency the Governor's Address, there are two points which have struck me as most prominent. In the first part of the Address, reference was made to the destruction wrought by heavy rains and floods in this State. The words used in this connection made me believe that the conditions prevailing in this respect had been truly depicted and that the Government was greatly concerned about the miseries and hardships of the public. Later on, it was mentioned in the Address that progress had been made in several directions and that many good things were being done. Several things have been promised to be done in the future. When I heard these things, I was reminded of some of the speeches made by Shri Panikkar who is our Ambassador in China, when he told the people in a Delhi meeting that the National Government of China and Kuomintang had lost all contact with the people in China and had ceased to represent them before its final collapse.

Sometimes, I wonder, whether the same is not the case with our Government. Referring to the law and order position in the State, His Excellency said in the course of his Address that " It continues to be satisfactory " Further on he said that it was gratifying to note that the

President of our Union had also congratulated on our work of rehabilitation when it was said that very useful work was being done in the State. I wondered if it was being said about this State or some other State. In this connection I wish to refer to the two most striking statements made in the Address. His Excellency stated :—

I have concentrated more on administration than on policies, because as I see it, the business of State Government, unlike that of the Central Government, is not so much the making of policies—though this has a place—as administration which includes execution and implementation of policies and decisions.

So far as I am concerned, I understand and believe that the framing of policies is the concern of the Ministers and the administration is done by the services. Hon. Ministers must have seen the text of the Address beforehand and by their consent, they have told us that there is no need of our having them in this State, because the policies are not to be framed by them. Administration can very well be carried on by the Governor and the services. Where is the necessity of having a Cabinet of Ministers, if policies are to be framed only by the Central Government? I am not sure whether the hon. Ministers have thought about this matter or not but I felt sorry for the Cabinet when I heard these words.

The next thing to which I wish to refer is the execution of Bhakra Scheme. The need of this project had been felt for the last quarter of a century and the task of its execution fell mostly on the previous Ministries. This work is the responsibility of the Government of this State and they should take the credit of completing it. On the other hand, what has actually happened. This task has been taken over by the Central Government, thereby implying that our Government and our engineers are not capable of doing it. His Excellency the Governor is now the Chairman of the Board which has been constituted to control and conduct this work and officers of other Governments are also its members. Before partition, the then Government considered this work to be their sole responsibility. In the Address it has been said that 'work on the Bhakra Project is, on the whole, making steady progress'. When our Government has not been considered fit for this job and the Central Government has taken it into its own hands, I wonder, why our Government should take pride in this connection. When policies are framed from above and we have only to carry on the administration and big projects are taken over by the Centre, what is the use of saying that improvement is being made in this or

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that direction. In this connection, His Excellency the Governor said in his Address :—

We must go on ceaselessly improving our administration, curing it of defects and shortcomings, reducing its slowness, increasing its purity, integrity and efficiency and enhancing its understanding and responsiveness to genuine public needs, grievances and complaints.

No doubt responsibility also rests on the public, but does not the greater responsibility rest on the hon. Chief Minister ? Next to him, it lies on the other hon. Ministers and last of all on the public. The general public will do exactly as we do, because we have to set example for them to follow. We cannot absolve ourselves of our responsibility towards the public. This fact was fully realised, when His Excellency said in his Address—

This is a matter in which both the Legislature and the public share responsibility with the Government and with the united efforts of us all, I personally have no doubt that we can bring about improvement, which we desire so much, in a short time.

In these words, His Excellency has stated that responsibility rests on the members of the Legislature as well as the public for removing these shortcomings in the administration. But I would like to submit that, not to speak of poor people, even the Legislature has been rendered useless to a very great extent in the present regime. Then how can the people or any body extend any co-operation to the Government. Co-operation can not be inflicted on an unwilling Government. As regards the law and order, His Excellency says ; “ I need say very little about law and order position in our State. It continues to be satisfactory.” But I can say with confidence that if a vote were taken on this issue, it would certainly be against the opinion of His Excellency, the Governor. People do not think that the conditions are satisfactory. But the Government is oblivious of this fact. At present there has not been left any community of interest between the vested interests and the masses. I say, time is not far off when there will be bloody conflict between the rich and the poor, haves and the have-nots. But those who are sitting on the top of a volcano cannot see things in a clear perspective. Consequently, we will go the way, the Nationalist China has gone. They should learn a lesson from China, that is the need of the hour and they would ignore it to their peril. So far as Rohtak District is concerned, educated and

un-educated, lawyers and others are all of the opinion that the position of law and order is unsatisfactory. I would, at this stage like to read a few lines from the address presented to the Chief Justice on behalf of the Bar Association of Rohtak.

At the present time the magistracy has completely gone under and abdicated in favour of the police, and the courts have become registering offices of the police decrees. Even the court atmosphere has become a thing of the pastpolice keeps a parallel office in the very court room, where all chairs and tables, once meant to be used by members of the legal profession, are now one and all requisitioned to accommodate Police Officers from Foot Constables to others..... ; and lawyers have to stand on whatever space they can manage to find..... The courts have forfeited the confidence of the public and they come to courts not in the hope of getting any justice.

This address was unanimously passed and then presented to the Chief Justice on behalf of the Rohtak Bar Association. (*Interruptions*) Now His Excellency the Governor says that the position of the law and order is satisfactory. He should judge it from this address which is just an instance. So far as law and order is concerned, I say, it is a Police State. Not only that, I would say it is a bureaucratic dictatorship. Some of the hon. Members have complained that the Ministers interfere in the work of administration. But I say that the officials of the Government actually behave like dictators. As regards order, the police adopts third degree methods in their investigations and some times desperados are shot dead while caught un-armed and then Police Medals for gallantry awarded on false report of encounter.

Again His Excellency has said that his Government has been congratulated by the President for the work of rehabilitation done by it. But I would like to submit that the displaced persons themselves do not share this view. Our hon. Minister for Rehabilitation should himself know from the displaced persons as to what they feel about the work of rehabilitation. I am sure they are not happy over it.

So far as the poor landless tenants are concerned, the less said the better. In Rohtak District authorities have allotted their lands along with the standing crops to the big colonists who are well placed persons. With these words I resume my seat.

Sardar Gurbachan Singh Bajwa : (Ex-Member West Punjab, Assembly representing Sialkot, Sikh, Rural) (*Punjabi*) : Sir, other hon. Members have discussed most of the things that I had a mind to place before the House. I agree with the views expressed by

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my hon. Friends Chaudhri Krishna Gopal Dutt and Pandit Shri Ram Sharma. They have objected to that part of His Excellency the Governor's Address where he has said that it is not the job of the State Government to formulate policies, and that its job is only to implement them. If the job of the Government is to implement the policies formulated by the Central Government, then certainly it is regrettable. If the hon. Chief Minister also honestly thinks it to be so, what useful purpose would be served by the formation of Delimitation Committee and other Committees? It is no use incurring expenditure on that score. I think, if we are not at liberty to formulate policies for the betterment of our State, even after our liberation from the slavery of foreign Government, we have been misled. We don't want this new type of slavery.

If this is the state of affairs we should frankly tell the people that we have no policy of our own. We are bound by dictation from above. What I wish to say is that our Government should not let itself become an instrument in the hands of those who cannot be expected to know the real needs of the people of Punjab. If our Government does what its masters direct it to do, it cannot serve the people in a proper manner. Another thing on which I wished to say something is the question of Delimitation of Constituencies. But since a day has been allotted for discussion on this matter I will speak on it only at the proper time. Now Sir, I would like to voice my feelings on the question of self-help which His Excellency the Governor has recommended to the refugees and to those who have suffered on account of floods. I admit that self-help is always good. But it is no substitute for Government help. The Government should be there to help the people in days of emergency. It is the duty of the Government to render adequate help. But, on the other hand, we find that the Government often fails to discharge its duty. Only recently Taccavi Loans were given and the hon. Members can well imagine what relief the inhabitants of ninety villages can have when only ninety bullocks are provided for distribution among them. There is always a limit to self-help. But what can the people do if they have no space to build their houses upon. I visited Dera Baba Nanak and Ram Dass and saw the conditions prevailing there, myself. Of course, those who have spaces can build houses upon them and, in fact, some of them have already started building. But there are some people who have no

knowledge of their houses and of the house-sites. What self-help can such persons render? The reports which reach our Government from the subordinate officials are not reliable. Reports about twenty per cent of these houses and house-sites are not trustworthy. Another difficulty is that of building material specially of wood. These people cannot cut wood from the land allotted to them under the present conditions. What self-help can they render in the absence of such essential requirements for building their houses? If the Government desires that the public should undertake self-help then it should supply them with building material, and tell them the sites where they are to build their houses. I have tried to convince the people that they should build on the sites allotted to them. But in the absence of definite assurance from the Government with regard to their future policy in the matter of allotments, they would not do so. The policy which the Government will follow is dictated from above. I request the Government to pay heed to the difficulties of the people and start the work of repairs immediately because winter has set in. Refugees as well as others in the flooded areas are sitting under the trees and on the road-sides without any shelter for themselves and their animals.

The hon. Minister has set apart a day for discussion on this matter and I will say more on this topic that day. Here I will only try to show what the so-called promptness, on the part of the Government, actually means. I visited a place in Batala where wheat was stored. On account of floods damage was done to this wheat. No action was taken and the wheat got spoiled and began to give bad smell. When I passed by that stock of wheat my head began to ache and I had to go to a doctor on that account. The wheat is lying there for over a month and it has not been removed to any other place up till now. Perhaps the Government might be thinking of disposing it of on the ration cards. But I can assure the hon. Members that it is not at all worth human consumption and it will be extremely unwise and improper to distribute it at any place. It has been allowed to get worse and consequently to affect the health of those who live near by or pass by it. This is an example of the so-called promptness of the Government. Another matter to which I want to draw the attention of the House is the miserable plight of those unfortunate people whose lands are on the other side of the Ravi. These persons are cursing their stars for having been placed under the protection of the Indian Government. It would have been better for them if they had been placed under the protection of Pakistan. These people are in India but their lands are on the other side of the

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Ravi. They are not provided protection and facilities for the use of their land. Whenever they approach the Government of Punjab (India), they are told that the matter will be taken up with the Government of Pakistan and it will be decided because their land is on their side of the river. This is like Mahmood Ghaznavi who, when approached by an old woman in connection with her son, told her that it was a question of a distant land and so it could not be decided by him at once. If such is the attitude of our Government there cannot be any expectation of an improvement in the state of affairs. If our Government is unable to make any arrangements in this matter and is on the other hand leaving everything at the mercy of the river then we will lose fifteen or sixteen miles of territory. Our Government should pay full attention to this important matter. It will be of no avail to say that this is the business of the Central Government. As a matter of fact both the Governments should co-operate to alleviate the sufferings of the poor. If both of them cannot afford protection to these people, then they should leave the matter in the hands of the people themselves. I am sure they can effectively deal with Pakistan in this matter. On its part the public is quite strong. But what is needed is activity on the part of the Government itself. If nothing else can be done, at least, there is the possibility of bringing about a change in the course of the river. I belong to a village which is on the border of Pakistan and India. So I am conversant with the conditions prevailing there. There is a rivulet which can be utilised for diverting the course of Ravi for a distance of about two or three miles. If it is possible to build a huge dam at Bhakra and to harness the turbulent waters of Sutlej why cannot the course of Ravi be changed as desired ?

Then, Sir, I would like to make a mention of village Bhonewala. This village, too, is greatly menaced by the floods in Ravi. I have personally visited this place and I am of the opinion that it will not be long when it will be completely washed away by the action of the river. If arrangements are not made by the Government in time to save that village from the ravages of the river, the people will be put to great hardship. They will lose their lands and other belongings and will thus be rendered penniless in their country. They will be turned into refugees but will not be entitled to that amount of relief which refugees from Pakistan have received. Their rehabilitation would create another problem which, in the case of refugees from

Pakistan, the Government have not been able to cope with. In this connection my hon. Friend Sardar Udham Singh Nagoke tells me, that there are thirty such villages which are face to face with such danger. Unless timely help is sent to protect them, they will be wiped out by inundations and the problem of settlement of the people so displaced will become another headache for the Government. Besides, since the river is changing its course the whole territory on which these villages are situated, will come under the jurisdiction of Pakistan. Now, Sir, when Government do not have sufficient lands to rehabilitate refugees from Pakistan, from where will they find lands to settle these people, displaced by the action of the river ? Our Government are neither in a position nor wield any power or influence to demand more lands from the other State with a view to settle the displaced persons. Under the circumstances, I would request the Government to adopt adequate measures to save these people from red ruin which stares them in the face due to the impending inundation of their lands and also save this territory going into the hands of Pakistan by the action of the river Ravi. With these words I resume my seat.

Sardar Ujjal Singh (Ex-Member, West Punjab Assembly representing Western Towns, Sikh, Urban) (*Punjabi*): Sir, His Excellency the Governor was pleased to remark during the course of his Address that framing of the policies was the business of the Central Government rather than the State Government. These words have come in for much discussion and adverse criticism by my hon. Friends who have preceded me. They are of the view that His Excellency should not have expressed himself thus as the job of the State Government is not merely to administer, execute or implement policies and decisions. I think the hon. Ministers did not give serious thought to the matter and failed to anticipate the reaction of the hon. Members about it. I know His Excellency the Governor is an experienced and able administrator. He has used this expression very adroitly. I, for one, cannot believe that His Excellency was unaware of the fact that in the Constitution of India there were at least 66 subjects on which the State Governments could frame policies as they are exclusively in the jurisdiction of the State and that there are 47 subjects which are in the concurrent list on which the Central as well as the State Governments can formulate policies. He has, therefore, used this expression merely to shield the Ministry which in fact lacks any

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sound policy. Well, Sir, mere maintenance of law and order is not a great achievement for a Government. Even an alien Government used to maintain it and as a matter of fact it could not do without it to justify its rule or existence. But ours is a Government of the people for the people and by the people. Its activities are not to be confined only to this matter. It has to formulate policies for the betterment of the people. It has to see that its policies are so framed that they result in the improvement of financial and physical conditions of the people. I strongly feel that if our Government fails to give a practical shape to the directive principles as laid down in the Indian Constitution, with a view to building the health and wealth of the State, by framing suitable policies and implementing them properly, then I think the Ministry is not fit to adore the benches which it occupies at present. (*Hear, hear*). Then, Sir, if you just have a look at the conditions prevailing in our State, you will find that capital has taken flight to other States and the prices of articles of food and other goods have risen very high. We cannot advise the people to eat up whatever little they possess and then starve. Government cannot afford to allow this state of affairs in the country. I think unless Government seriously apply their mind to finding out ways and means for solving this problem, they cannot ameliorate the condition of the people. They must adopt measures and encourage the people to increase production both in the agricultural and industrial fields. I am of the opinion that there is no other way than this by which unemployment in the State can be reduced or capital formation can be encouraged. In this connection I cannot help expressing my gratification to the Government for doing something good for the people. For instance they have done well for making arrangements for the supply of seeds of good quality and utilisation of compost for manure. In this matter particularly they have stolen a march over other States. (*Hear, hear*). Consolidation of land holdings is also a commendable task which is being carried out by the Government. This will certainly help improve the productive capacity of cultivators. But may I ask from the Government why twenty four and a half lakhs of acres of land have been allowed to remain uncultivated, particularly at a time, when our country needs the utmost production of food grains and utilisation of every inch of land that is available? I know that Government has made a little effort to bring under cultivation some lands by means of tractors. But it is a

half-hearted measure. My submission is that the owners of waste lands, which are lying uncultivated, should be served with notices by the Government that the lands must be occupied and harnessed to produce food crops within two years or the same would be leased out for a period of 10 to 15 years to those people who wish to cultivate them. This is not all. I go still further and suggest that if the owners fail to bring their lands under cultivation, the same should be taken over by the Government who should set up an organisation of their own to cultivate the lands by means of tractors. I feel that if the land-owners allow their lands to remain fallow at a time when we need every inch of our lands to come under the plough to ward off famine conditions prevailing in the country, they have no right to keep these lands. It is a crime and national waste not to utilise these lands for purposes of growing more food.

Now I would like to make a few observations with regard to the development of industry which is to play a prominent part in building up the economy of our State. I may tell my rural brethren that they need have no apprehensions that agriculture would suffer if Government devote their attention to develop industry. In modern times, agriculture and industry go hand in hand. Industry will utilise the raw materials that agriculture would produce. The greater the agricultural produce, the greater the fillip received by the industry. So what are the main factors that help development of industry in a State? First is the provision of credit facilities. The Government should make arrangements for providing working capital to the people and advancing loans to them for starting industries. Secondly, cheap supply of electric energy be made available to the industrialists. In this connection I do admit that Government have done something creditable to help the people in the domain of industry. They have established a few industrial towns and given lands to the industrialists to set up factories. But may I ask as to how many people who purchased the industrial sites, have paid their price in full? So far as my knowledge goes, hardly half the number of people have made payment of the full amount. It is not because they do not want to square their account but because they lack sufficient wherewithal to meet the cost of the land. Then not a single factory has been set up so far in any of the industrial towns simply because the industrialists do not possess the necessary capital to build and start their factories.

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If I think aright, even in Panipat, where Government have installed Thermal Plant for the supply of 3,000 kilowatts of electric energy, it has failed to offer any inducement to the industrialists to set up the much needed factories. This does not connote that the people do not want to start industry. The will is there but the necessary funds for the purpose are lacking. His Excellency the Governor has expressed a pious hope that a start will be made by the industrialists in the construction of factories, when they receive loans from the Rehabilitation Finance Administration. It appears as if the Government have been labouring under a wrong impression. The Rehabilitation Finance Administration on which the Government have been building up high hopes in the matter of providing necessary capital to the displaced industrialists will not prove of much avail. This Administration has been set up with a capital of 10 crores of rupees only, for the whole of India. I am also a member of its Advisory Board, and I know more of its working than any body else. I may inform the House that although it has been my constant endeavour to see that our displaced brethren should get the maximum amount of loans, yet the amounts of loans so far advanced do not exceed an average of Rs. 10,000—an amount hardly sufficient to set up even a small chakki or flour mill. So it is futile to think that people would commence constructing factories on receipt of loans from the Rehabilitation Finance Administration. I am of the opinion that unless Government themselves do not actively move in the matter of providing credit facilities to the industrialists the dawn of industrial era in our State will recede still further. I remember that some time back a scheme was initiated for setting up a Provincial Finance Corporation for purposes of bringing about industrial development in the State. Negotiations were started with the Government of India by our Government on the subject. But after a protracted exchange of views the Central Government gave out that it would not be possible for it to take any share in the proposed corporation, but the Reserve Bank of India could. I do not know what has happened to that scheme.

(At this stage Mr. Speaker vacated the Chair and it was occupied by Mr. Deputy Speaker.)

Another point to which I wish to draw your attention is about affording banking facilities to industrialists in this State. Due to unsettled conditions which have arisen from the Kashmir situation,

banks are not prepared to invest any amount on industries in our State. Generally it has been experienced that the banking concerns which very much hesitate to advance loans to people for setting up factories are often prepared to advance money to them for running their concerns. They would prefer helping the people with a sufficient working Capital for running their industries than to afford similar facilities for setting up new industrial concerns. But so far as our State is concerned, we do not see any of these facilities being afforded to businessmen in general and our displaced industrialists in particular. In view of the Indo-Pakistan deadlock over the Kashmir issue, the banking concerns are very much afraid lest they should lose their investment. They maintain that so long as Indo-Pakistan issues remained unsolved it would not be possible for them to offer any capital to people for setting up new factories or even for running the factories already set up in the State. I am of the opinion that War Risk Insurance scheme should be introduced either by the Central Government or by our own Government. This proposal has already been made to the Government by the industrialists and the businessmen of our State. During the last Great War when the clouds of war were threatening the border provinces of Bengal and Madras, the people of the United Punjab who had no such fears had to pay premiums under the War Risk Insurance Scheme initiated by the Central Government. Why should not the factories be run on the lines of War Risk Insurance as was done during the last Great War, for the industrial development of our State? The introduction of the War Risk Insurance scheme is the need of the hour. This, I am sure, will enable and encourage the banking concerns to advance loans and afford all sorts of banking facilities to those who want either to set up or run various kinds of industries in the State. If this is not done then I am afraid there is no possibility of any industrial development in our State on any large scale. Now about electric energy, It is said that Nangal Hydro-Electric Project would be completed soon. I for one am of the opinion that sufficient funds should be made available to complete it as soon as possible. The prosperity and progress of our State is mainly dependent upon the completion of Bhakra and Nangal projects. It is estimated that 72 lac K. W. of electric energy would be produced from the Nangal project alone. It is also hoped that this energy would be available during 1951-52. If and when this energy is available, it is to be seen as to how and where to utilise it in the

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interests of the State. So far as the Mandi Hydro-Electric Scheme is concerned, this project took about six years to complete. It has not been possible to utilise the total energy of 30,000 K. W. generated from this project. Some portion of this energy is being sold to Pakistan also. It is therefore in the fitness of things to see how best this energy can be utilised for the betterment of the people. Right type of Planning in this direction will, I am sure result in the supply of this electric energy to industries at very cheap rates. I have studied the hydro-electric schemes of various countries. In America about 20 lac K. W. enegy was generated from one of its hydro-electric projects within eight years and the whole energy was consumed so much so that 70% of the total energy was consumed by the industries only. The electrical energy which is being supplied for industries in Tennesy Valley, is supplied at an average rate which is equivalent to 2.5 pies per Unit. In spite of the fact that the energy was sold at even the cheapest rates it has resulted in earning a net revenue of 13 million dollars in one year only. But so far as our State is concerned, we do not know if any scheme has been devised to find out how best can the electric energy which is soon going to be produced after the completion of the Nangal Hydro-Electric Projects be utilized in the State.

Sir, I do not want to take much of your time. I wish to say a few words about the Cottage Industries. It is said that we do not possess sufficient funds for importing plants and machinery from abroad. It is true that we have neither money with us nor have we earned any dollars to import machinery etc., from abroad. It would really have been in the fitness of things if we were to make a thorough study of the cottage industries in Japan. I would like to suggest that experts in cottage industries should be invited from Japan and their expert advice and guidance should be sought. I would like to make this point clear here that by cottage industries I do not mean hand-made things only. In my opinion the import of light machinery from abroad and the valuable help and guidance of the experts of cottage industries of Japan would surely be instrumental in developing cottage industries in our State.

Now about the rehabilitation. It is really a matter for gratification that land has been allotted to our displaced brethren. There is no doubt about it that certain defects are to be found in the working of this allotment scheme but perhaps they were inevitable.

Although something has been done for the Agricultural Community, those who lived in the towns in the United Punjab and owned property have nothing to fall back upon now. I am really constrained to remark that a fair treatment has not been meted out to them. They are even required to pay rent of the houses allotted to them. Our Government is losing sight of the fact that they have left all their property in Pakistan. No systematic arrangement exists for repairing their houses. In this connection I would like to suggest that no rent should be charged from those displaced brethren who were receiving from their property in Pakistan more than two or three times the present rent they are asked to pay.

One thing more and I have done. His Excellency the Governor has in the last portion of his Address laid much stress on the need of improving our administration. I cannot do without saying and I am really constrained to remark that a wave of frustration and dissatisfaction with the existing state of affairs has crept in the minds of the people of our State. They have lost all hope of improvement and they feel that they cannot succeed in getting such things done which would be in the interests of both the people and the State. So long as our Cabinet does not devote its attention towards doing something substantial for the good of the people, there can be no stable Government in our State. Party politics and group factions are proving a curse for the people of this State. Punjabis are known for their bravery courage, and enterprise. The energy that they possess is not to be found in any other part of our Union. But alas! group factions and party politics have weakened our State. All our efforts have therefore to be made to put an end to these baneful tendencies. The administration has to be purified and corruption has to be uprooted with firmness. With continued maintenance of peace and stability in the State the Punjab is destined to occupy the position of the granary of India and to make a remarkable progress all round if all of us work with a co-operative spirit and singleness of purpose.

Mr. Deputy Speaker : As the time at the disposal of the House is short and a number of Members are keen to take part in the debate, I will allow 10 minutes to each hon. Member.

Pandit Bhagat Ram Sharma : On a point of order, Sir. The other day when those hon. Members who had given notices of

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amendments were asked to move them, they were made to understand by the hon. Speaker that they would be given time to speak on their amendments. May I know if the Deputy Speaker will be pleased to take that assurance into consideration?

Mr. Deputy Speaker : Of course. That is why the duration of speeches has been reduced.

Shrimati Sita Devi (Ex-Member West Punjab Assembly representing Lahore City, General Women, Urban) (*Hindustani*) : Sir, if we study closely the Address of His Excellency the Governor we will find that it looks like a building whose outward structure may appear to be very splendid but which really lacks in intrinsic worth from inside. So it is never wise to judge things merely by appearances. Things gaudy in appearance may dazzle us and so I would say that the Address of His Excellency the Governor has a delusive appearance. People who are not residents of Punjab or such persons who are not members of the Assembly and are not conversant with the affairs of Punjab may perhaps be easily deluded and thus be not capable of judging aright and may readily accept what has been contained in the Governor's Address. But persons who are fully familiar with the conditions that are prevalent here would at once say that it is just like closing of eyes by the pigeon on seeing a cat which may make him think, though mistakenly, that there is no danger lying ahead. This is exactly what I should say of the Address of His Excellency the Governor that he delivered in the House. On page 3 of the Address he says.

My Government feels gratified that this huge and complicated operation has been accomplished. There have, undoubtedly, been mistakes and oversights but, by and large, the operation has been just and fair. Had it not been so, there would have been a great deal of friction and resentment, when it was being put through.

It would appear that according to him the work of quasi-permanent allotment of land has been accomplished satisfactorily and there has been no friction or resentment in any quarter. I think my hon. Friend the Minister in-charge will bear me out that thousands aggrieved persons had made complaints in this connection. I myself brought such matters to his notice and he said that he could not do anything and that the right course for the aggrieved persons was to prefer an appeal to the higher authorities. With all this, credit is

being appropriated by the Government and it is claimed that the operation has been 'just and fair'. The test applied is that if it had not been fair, "there would have been great deal of friction and resentment when it was being put through." Sir, if you have a closer view of how the allotment of evacuee land has been made to the displaced persons, you will find that bulk of the people are most dissatisfied with the allotments so made. You will notice, Sir, that the members of one family have been allotted land at different places far from each other with the result that they cannot individually devote their energies to the proper and efficient cultivation of the land allotted to them. The hon. Minister incharge knows it full well that he was receiving such complaints daily. In the face of this it is difficult to accept the claim made in the Governor's address. So far as the question of transferring of possession of land to allottees is concerned, I may say that if once an order of allotment was passed in favour of one person then after some time another order was issued in favour of another person in respect of the same land. Such instances are not few in number. Under these circumstances, I fail to understand how the Government can take pride in making a claim that the displaced rural population has been fully and satisfactorily rehabilitated.

It is amply true to say that the Patwari wields a great authority in the matter of rehabilitation of displaced rural population. His help is of positive advantage and sometimes carries more weight than even the Minister, Director of Rehabilitation or the Financial Commissioner, Rehabilitation. He can manipulate things in such a way that nobody can challenge. He can definitely help to secure substantial benefit for any displaced person if his palms are greased. Such being the state of affairs in the Rehabilitation Department, one can easily draw conclusion that it is impossible for anyone to expect justice and fair-play. Thousands of people have come to grief as a result of the allotment of land having been made in a haphazard manner but in spite of this the Government claims to have accomplished this task with remarkable smoothness. In a situation like this I can only say that.

किसी की जान गई और आप की अदा ठहरी।

ਕਿਸੀ ਕੀ ਜਾਨ ਗਈ ਅੰਰ ਆਪ ਕੀ ਅਦਾ ਠਹਰੀ।

[Shrimati Sita Devi]

Then, Sir, the Government has ear-marked 13 lakhs of rupees for making model lay-outs under the Rural Housing Scheme. In this connection I would ask what has become of those which were built by the Government sometime ago? I have come to know from the officers of the Government but I would not like to disclose their names that 25% of the provision made in the Budget is often spent and the rest of 75% is usually appropriated by the officers who have the constructional control. I fail to understand why the Government do not like to be profitted by the experience of the past. It constructed houses in Khanna and Rewari which have not been put to any use as nobody volunteers to buy them. Was it not a grave folly on the part of the Government to have incurred this enormous wasteful expenditure? I would, therefore, urge the Government to thoroughly consider the pros and cons of any such scheme before putting it into execution. I know that in Dhobri people took away wooden beams from the houses that were built by the Government. This fact was brought to the notice of the Government but it did not take any action in the matter. I understand that the Government has made provision of several lakhs of rupees for substantial repair of these houses. But I would urge that the Government should sanction liberal amount for rebuilding and repair of houses in areas affected by the recent floods. Government has come to the rescue of urban affected areas to some extent but the rural areas are almost neglected where the damage to property has been colossal. The misery of victims knows no bounds there. People are still sitting with their families in the open bewailing their lot. The scene is pathetic and heart-rending in the rural areas. Recently I met the Deputy Commissioner, Jullundur, and asked him to help the sufferers of Garha Camp but he showed his helplessness as he found it difficult to provide relief to the extent which the conditions created by the havoc call for. Instead of providing immediate relief to the sufferers, the Government is busy collecting the data and it will take a long time in framing the policy. There is clearly a need for greater relief particularly in rural areas. I hope the Government will give some assurance by making substantial provision to relieve the distress of the people living in rural areas.

As the time at my disposal is very short, I shall try to finish what I have to say in a few minutes. It is a matter for regret, Sir, that in his

Address, His Excellency didn't mention anything which might have tended to raise the morale of the people or to restore their confidence in his Government. People to-day are lacking the feeling that they are now living in a democratic Republic. They lay no great store by this Government even after inauguration of the new Constitution. They have no longer any faith in it. Announcements are daily being made through all means of publicity, urging the people to file claims for properties left behind in Pakistan but they are still indifferent and apathetic. They are not showing any zest in this matter because they have lost faith in the Government. They expect nothing from it. Doubts are assailing their minds and the Government is making no effort to re-assure them and convince them of its sincerity. They think that the Government only wants to collect money amounting to lakhs of rupees, in the form of registration-fees and that nothing will come out of all this fuss about filing of claims. When Mr. Ajit Parshad Jain, Minister of Rehabilitation, Government of India, visited Jullundur, he was surprised that people were not coming forward to file their claims.

(The bell was rung indicating that the time of the hon. Lady Member was over).

Please, just allow me to finish. I shall not take more than a minute. Then, His Excellency has not indicated in his Address as to what his Government proposes to do to eradicate black-marketing. A half-hearted measure was no doubt passed in this House in the last Budget Session, but even that worthless, halting, truncated measure has not so far been enforced and black-market is flourishing as ever. You can have as much of Sugar as you like at the rate of rupees two per seer. The flour that is being supplied is of worthless quality. It is mixed up with so many other things. But if a complaint is made about it, the Deputy Commissioner offers excuses that he cannot move in the matter since he has received a telephonic call from some Minister not to proceed in the matter. His Excellency has not mentioned even one thing on the basis of which it may be believed that this Government is functioning in the interest of the masses or that it proposes to do anything to inspire confidence among them.

Sardar Bachan Singh : Sir, May I know if the time of this House will also be distributed on the basis of favouritism ?

Mr. Deputy Speaker : No question of favouritism.

Shri Prabodh Chandra : Sir, There is a convention in all the Parliaments of the world that those members who give notices of amendments are allowed to speak first.

Mr. Deputy Speaker : Yes, only those members are called upon to speak.

Sardar Dalip Singh Kang (Ex-Member, West Punjab Assembly, representing Lyallpur East Sikh, Rural (*Punjabi*)) : Sir, we are grateful to His Excellency the Governor for having outlined the policies of his Government and thus enabled us to assess their soundness and worth. To-day we have here in this State a Congress Government which had, at the time of coming into power assured, the people that it would direct its best endeavour to the uplift of the down-trodden classes and towards improving the lot of the underdog. (*Laughter*). It had given its word of honour that it will have the "greatest good of the greatest number" as its guiding principle. It had promised to promote the welfare of the worker and the peasant. The late Mahatma Gandhi, whose portrait was unveiled here only yesterday, had expressed a keen desire to see a peasant installed as the first President of the Indian Republic. But we have to point it out with great regret that this Government has done nothing for the benefit of the peasants and workers. It has always been safeguarding and promoting the interests of the banyas—the middlemen who do not work with their own hands, nor contribute anything towards the country's production. Our Prime Minister had appealed to both the categories of people, the peasants as well as the traders to rise above selfishness and contribute towards the well being of the nation. From the former, he expected hard labour at the plough with a view to making the country self sufficient in food, and to the latter his request was to stop black-marketing and pay the income-tax which they had dishonestly withheld during the wartime by concealing their real income. While the former have enthusiastically responded to the call of the nation and helped achieve this State self-sufficiency in food, the latter have not cared a fig for the Prime Minister's appeal and are indulging in black-marketing as before. We are glad to find that through the efforts of the peasants, this State has become surplus area in food but we regret to say that black-market is flourishing more than ever before, and income-tax evaders have not paid a penny to the exchequer. It was the moral duty of the Government to do something to improve the lot of the peasant who had so enthusiastically responded to its call but it is to be regretfully admitted

that nothing has been done in this connection. On the other hand cases against balck-marketers have been dropped and we no longer hear as to what has become of them. True, if the rural Members of this House had pulled together they would have been in a majority. They would at least have been able to get the seventh ministership but thanks to our disunity, the interests of the rural population are being sacrificed when we had extended our support to Shri Sachar, he had promised to secure the representation of rural population in services according to a certain proportion. A Sub-Committee was also formed to consider this matter but then all of a sudden without consulting it, Shri Sachar declared that such a proposal aiming at reservation of posts for rural people was *ultra vires* of the Constitution. Where are those now, who used to say that they would forego ministerships rather than let the *abiana* be increased? Why are they keeping mum now?

Chaudhri Krishna Gopal Dutt : On a point of order, Sir. He is referring to a matter on which the decision of the House has already been taken, *i. e.*, the appointment of the Resources and Retrenchment Committee.

Sardar Dalip Singh Kang : I am not referring to a decision of the House. I am referring to those rural Members of the Assembly who said something outside the Assembly.

Then, Sir, when Dr. Gopi Chand Bhargava was re-elected leader of the House, an assurance was taken from him and it was hoped that the resolution passed by the Assembly with regard to the reservation of posts for ruralites would at last be implemented. But again nothing came out of it.

Sardar Udham Singh : Did it happen like this that at first Sardar Dalip Singh agreed secretly to the non-implementation of that resolution but later on took up the side of those who wanted it to be implemented? (*Laughter*).

Sardar Dalip Singh Kang : No, I have always been supporting it. I had taken an assurance from Mr. Sachar also, though he did not care to fulfil it.

Sardar Udham Singh : Was the resolution discarded at the instance of the hon. Member himself? It may be true that it was passed also with his advice.

Sardar Dalip Singh Kang : I am glad that my hon. Friend Shri Bhim Sen Sachar was good enough to hold out such a promise but unfortunately he went back on his word.

Shri Bhim Sen Sachar : Will the hon. Sardar Kartar Singh kindly say as to what were the remarks of hon. the Chief Minister in respect of recruitment on the basis of merit.

Minister for Education : He only said that posts would be reserved for the backward classes.

Sardar Dalip Singh Kang : I ask did not Sardar Patel give out in the Parliament that matters regarding services will have to be 1 P.M. decided by the States themselves? If it is so the State should not be somnolent about it. What is more it is laid down in Section 309 of the Constitution that legislation should be passed by the States in respect of these matters. And till such time as legislation is passed rules had to be framed for their respective States by the Rajpramukhs and the Governors.

I may also say a few words about the peasants. Nothing appears to have been done for them. Even the Peasant Welfare Fund which had been established for their benefit has been abolished. What I deplore is the fact that all the money that the Central Government gives for the Grow More Food is not being given to them for manure, percolation wells etc. but is being criminally wasted.

Shri Bhim Sen Sachar : On a point of personal explanation, Sir. It is good to cut jokes at times but jokes should not be such as hurt another. My hon. Friend Sardar Dalip Singh has remarked that I had talked to him regarding some decision about recruitment to services. It is wrong and I think it is due to short memory.

Sardar Dalip Singh Kang : Probably on his part.

Shri Bhim Sen Sachar : I am in a position to say that I never conveyed any decision to anybody in this matter at any time. There is no doubt that I took up this matter in my own hands and from the very outset I had resolved to kill the demon of communalism in the services. My hon. Friend Sardar Dalip Singh Kang will recall, as he had been constantly in my company during the time when I was a Premier, that even he himself agreed in the rooting out of communalism. I am grateful to him for all the good advice that he ever gave

me. The question was that the existing rules of recruitment favoured only the urbanities and that some such steps should be taken by which adequate representation was assured to the people hailing from the rural areas. I plainly say that I had no hesitation in agreeing to this suggestion (*cheers*). It is certainly wrong to put obstacles in the way of those who want to go ahead. I am always prepared to help those who are in the right and are somehow backward. I had opined that people should be recruited on the result of a competitive test but the question as to who should be taken and who should not be taken remained to be solved. I hope that my hon. Friend Pandit Shri Ram Sharma, in case he is present in the House, will bear me out. This whole thing was properly dealt with by the Advisory Committee appointed for the purpose. When it came to the Government, it was referred to the Government of India for advice. That Government pointed out to us that in accordance with the Constitution we could not distinguish between the urban and the rural people. If I remember aright my hon. Friend Sardar Kartar Singh wished to distinguish between the agriculturists and the non-agriculturists and I also wished that all Sections of our people should be properly represented in services. But this did not mean and does not mean that I was prepared to tolerate communalism, inefficiency or favouritism. I had an ardent desire to help our backward rural brethren.

Minister for Education : Sir, as I have been named in the discussion, I think I should also help make the position clear. In my opinion the resolution came to nothing as my hon. Friend thought it fit to refer it to the Governor for advice.

Sardar Narotam Singh : May I ask my hon. Friend Shri Bhim Sen Sachar as to how the resolution was sabotaged ?

Mehta Ranbir Singh : Does an hon. Member get a right to speak only if he is named in the discussion ?

Shri Amar Nath Vidyalkar : (Non-Union Labour) (*Hindi*) : Sir, I wish to read out the amendment of which I had given notice, so that the House might know the points to which I wished to draw its attention. The first thing pointed out by me was that the Address 'contains not even a cursory reference, what to say of an unqualified assurance, of giving adequate protection to the legitimate interests of the

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working classes, of removing their genuine grievances and securing for them the minimum conditions of work in the field and factory.

Secondly, it

Gives no assurance to the citizens of the State that the law and order will be maintained and administered in such a way as not to interfere with the natural and sacred civil liberties of the people, with a promise that the present restrictions will be early removed or at least substantially modified.

Thirdly the Address,

Fails to give any optimistic note for the all-round general development of the Province, and for removal of the deep-rooted dissatisfaction and discontent with the present administration.

In the last place,

It fails to give hopeful review of any significant progress made by this State since the time this House had the privilege of hearing His Excellency's Address last time'.

After hearing the speeches made in this House, I find that there is no group or section of people who are satisfied with the Government. Everybody condemns us. Yesterday, when I was passing along the Mall, the hon. Chief Minister happened to pass that way in his motor-car. A police constable standing by peevishly remarked that these people with Gandhi caps on were enjoying the use of motor rides, the poor people were being starved. When India became free on the 15th August, 1947, people worshipped us and regarded us as angels, but today everybody curses us. I do not feel offended with these persons, who pass such unpleasant and sometimes even very offensive remarks. I, however, hoped that His Excellency's Address would provide an opportunity for introspection, when we would be able to assess the results of what had been done in the past and might decide our programme of work for the future. To my disappointment, as stated by my hon. Sister Shrimati Sita Devi, the Address is completely silent about all such matters. When we were in the jails during the British regime, we used to see that the man on the Tower always shouted "*Sab Accha*" meaning thereby "all was well within the jail". There might be deaths, there might be disease, there might be even riots and serious clashes within, the Tower man continued to shout "*Sab Accha*". The same course seems to have been suggested to His Excellency by his

advisors now, and he has been persuaded to shout "*Sab Accha* within this State" in spite of all that is going on now before our eyes.

This reminds me of a recent saying of the former Prime Minister of Netherlands, Mr. Spaak, who remarked, "revolutions break out where those in power refuse to recognise facts." I am afraid, Sir, our present rulers are acting in a manner which is likely to lead our country to the most undesirable situation, ever experienced. I see, Sir, we are at present sitting on the top of a terrific volcano. The conditions are taking such a shape that, life might become absolutely impossible for the people, and they might lose all self-confidence and might be thrown in the hands of those elements that aim at over-throwing the present regime. We should not go on enjoying ourselves and feel comfortable about the things around us as people today question our *bonafides*. They ask, whether even in pre-independence days, the hon. Ministers lived in as magnificent bungalows as they live in today? Whether their children had the same opportunity for receiving such high class education, in the first class educational institutions? They also ask whether the standard of living of the Ministers was as high before the partition as it is today? What right have they to live like this while those serving the people's Government under them are living in the dingy cells, called Government staff quarters. Has any of the hon. Ministers ever cared to visit these dark and dirty cells, just under the magnificent Secretariat Building, where these lower grade Government servants, usually called the peons are made to live? In one narrow room, not sufficient to accommodate even one person, four or five persons have to live together. When these poor people ask for better wages, they are told that the Government has no funds and that they should feel thankful to the Government for its having increased their grade of pay from 15-1-20 to 20-1-50. In reply to a question asked by my hon. Friend Sardar Sajjan Singh, it was stated that the Government of no other State had increased the salaries of fourth grade employees. Will our Government wait till other Governments take action in this direction? Are we subordinates to those States, or are we independent, perfectly free to take whatever action we might like to take?

Sometime back when the attention of Government was drawn to the difficulties of labourers working at Nangal as workcharge staff, an assurance was given that no house-rent would be charged from these

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persons. In spite of this assurance, house rent has been imposed with retrospective effect, and arrears have been realised from these men with meagre earnings in single instalment, on the plea that the Government does not possess adequate funds. The Government can conveniently give free houses to its high officers, most comfortable furnished houses, but our Government is too poor to forego a few hundred rupees that it might be earning from the rents of the narrow rooms, constructed for the workers only, because, Sir, no other person than an unfortunate labourer would be prepared to live in these small rooms. I do not preach socialism or communism, Sir, when I say, that at least the minimum requirements of an honourable living should be made available to the labourers. What are the minimum requirements of the labour, their basic needs, that the Congress is committed to immediately safeguard? Their unions should be free to pursue their legitimate activities, and speedy recognition should be accorded to them. In Bhawani, the labourers had to remain on strike for seventeen days in order to fight for their recognition by the employers. It was a regularly registered union.

In Bhakra and Nangal, the Labour Union had not been recognised during the last nine months, in spite of the fact that it was a Registered Union and was affiliated to the Indian National Trade Union Congress, an organisation closely associated with the Congress. This is the treatment that the workers are receiving where the Government happens to be the employer. Those people who saluted the hon. Ministers at the gates of the Secretariat did their work with heavy hearts. They complained that while factory labourers got wages at the double rate for doing overtime work, these people got nothing if they had to work till 7 P. M. and if they had to stay after that hour they got only four annas even if they had to be there till mid-night. These people asked us as to what the Congress had done to ameliorate their condition. The people had failed to feel the glow of freedom which they had been waiting for, although, they know that our friends the hon. Ministers and their friends have sufficient reasons to feel satisfied with their lot after the attainment of freedom. I have made several attempts to persuade the Minister in-charge to discuss the whole labour situation, chalk out a policy-progressive enough to give at least the minimum satisfaction, but unfortunately I have failed so far. My impression is, and that is, Sir, my main complaint against the present

Ministers, that they are not earnest, and they lack the sense of urgency. This is serious and might prove fatal.

Then, Sir, there is the question of Civil Liberties. A very large number of cities, have been constantly subjected to the ban under Section 144; Section 144; is imposed on even a small pretext. Recently the Socialist Party at Ludhiana was denied the opportunity to publicly celebrate Mahatma Gandhi's birthday; I am informed that permission of the authorities was sought which was refused. In the industrial areas, Section 144 is imposed at the slightest pretext, or even without any pretext, in order to deprive the workers of their constitutional right to hold meetings, and propagate for the redress of their grievances. The local officials oblige the rich factory owners and act partially against the interests of the workers. On the other hand scores of persons are being detained without trial for a number of years. Even sternest warnings by the Higher Courts, and censures passed against the Government action, are all being ignored. Still the Government says that the condition of law and order in the State is satisfactory. I wish to ask, Sir, how the Government could make such a claim, when it had mercilessly suppressed the sacred liberties of its citizens. Our Government has totally neglected its primary duty to protect and safeguard the civil liberties of its citizens. When people are free to enjoy these liberties, only then you can say that law and order conditions are satisfactory. Not without that.

The peace which is said to prevail in the country, when people continue to be deprived of their most elementary rights, is the peace of the grave-yard. These conditions will surely bring about revolution in the country, which none of us would be able to prevent.

(Mr. Deputy Speaker called Chaudhri Kartar Singh to speak).

Shri Prabodh Chandra : On a point of order, Sir. The Chair had already ruled that those Members who have given notices of amendments to the Address will be given a chance to speak first. May I know if Chaudhri Kartar Singh has given notice of any amendment ?

Sardar Jagjit Singh Mann : The Chair can call any Member to speak.

Mr. Deputy Speaker : There have been many speeches against the Address. I want to give time to those who would speak in favour of the Address.

Chaudhri Kartar Singh : (Hoshiarpur West, General, Rural) (*Hindustani*): Sir, some of the hon. Members have criticised His Excellency, the Governor's Address in the way in which speeches are delivered at the time of Budget discussion. Most of the hon. Members have not offered constructive criticism.

Shri Prabodh Chandra : It is a question of sense and no sense.

Chaudhri Kartar Singh : I am sure no hon. Member has less sense than my hon. Friend. Some of the hon. Members have said that there is no law and order in the State. Some have said that the Government is ineffective and that it is the Governor and the Central Government who are actually ruling over us. These hon. Members lose sight of the fact that these very speeches would be used against them by their opponents when, after six months they go to the public for getting their votes. These hon. Members who are now criticising the Government will, then, be begging at the door of Sardar Patel for the Congress ticket. I am, however, not talking about those who were returned on the congress ticket but who later on left this party. I admit that the Government has not been able to remove all the difficulties of the people. It is a fact that rehabilitation was the greatest problem before us. As my hon. Friend Sardar Gurbachan Singh Bajwa pointed out, giving of loan for one bullock for each village would solve no problem. This is also correct that enough has not been done to help the flood stricken people. But no Government, I should say, could have given so much financial help as to repair and rebuild all the damaged houses in the rural areas. In this connection, the hon. Chief Minister would issue a statement giving full information detailing the help given in each district. The House would then be in a better position to criticise the Government in this respect. Again it has been said that communalism is rampant in the State and that Members of the Government are also affected by it. Public memory is proverbially short. May I know whether the speeches delivered by Shri Bhim Sen Sachar after his resignation from Premiership were not of communal nature? There is an hon. Member who is generally very loud in proclaiming his sympathy for the peasants. I do not want to name him. But I know he has brought a friend of his from Bombay whom he wants

to help in purchasing the damaged wheat from the Government. I may assure him that the Government would not be deceived by him. I would like to point out to Shri Bhim Sen Sachar that a person travelling in a cart cannot compete with the one travelling by a motor car. In order to extend the benefit of higher education to the boys of the rural people, Government nominates them because they cannot compete with the boys of rich people. Sardar Dalip Singh has pointed out that Shri Bhim Sen Sachar had held out a promise in the matter of services which he did not redeem. The hon. Dr. Gopi Chand has said that the hon. Sardar Patel is prepared to consider any proposal regarding the reservation of share of the rural people in the services. I may assure my hon. Friends like Sardar Dalip Singh Kang and Shri Prabodh Chandra that if they support the resolution that has been balloted, all other right thinking Members would support them. Let them make it a test case. If posts are to be filled in only by competition it means that they would go to rich persons and not to poor people. It is, therefore, necessary that hon. Members should pass the necessary resolution and the Government will have to act upon it.

Again my hon. Friend Shri Amar Nath Vidyalanker an all round expert has pointed out that the Government has done nothing for the labouring classes. I would like to submit that he should approach the Central Government to give more financial help to the Punjab Government. Ours is a refugee State. How can it afford to do everything for the uplift of the labourers? We do not get finances for such purposes from the Central Government. So long as our own financial condition does not improve, we would be at the mercy of the Central Government, and the Central Government would not give us more financial help unless we form a stable Government.

What I mean to say is that this Board was formed by the Government of India because the interests of three States are affected by the Bhakra and Nangal project. In order to minimise the chances of any possible clash between these three States, the Central Government, who is providing finances for this scheme decided to subordinate it to a higher policy board under the chairmanship of His Excellency the Governor in his personal capacity. Punjab, Patiala and Rajisthan are directly affected by this scheme. All the three States have an interest in the successful execution and working of this enterprise and it is a step in the right direction that the Governor of the Punjab has been nominated its President in his personal capacity. It is not Punjab alone which is to derive benefits from this scheme. In addition to these three States Bikaner is also to get water from this project; the money is to be provided by the Central Government. So it is but meat and proper that the Government

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of India should appoint a board to control the higher policy of this scheme. The critics of the Government in this matter lose sight of all these points of view and make undue criticism.

Chaudhri Lahri Singh : (Rohtak North, General, Rural) (*Hindi*): Sir, I feel that in the Address no mention has been made of some of the important questions that agitate the public mind these days. First of all the question of delimitation of constituencies has not been touched. Nothing has been said about the principles which are to be followed in delimiting the constituencies in our State, although great pressure was brought to bear upon the hon. Chief Minister in this regard in the last budget session. In March last the hon. Members stressed the need for having the advice of this House in the task of the delimitation of constituencies. Tentative proposals have since been drawn up and it is a matter of regret that the principles which were to be followed have been thrown to the winds. The distinction between the rural and urban population is being abolished in a way which is detrimental to the interests of the rural population. In the past the rural and the urban areas had separate representations. But now although a majority of the cabinet members, including hon. Giani Kartar Singh, belong to the rural areas yet they are jeopardizing the interests of those people. They take no account of the voice of this House in the matter of delimitation of constituencies. Most of the people do not like that the distinction between rural and urban areas be abolished so far as the question of elections is concerned yet the hon. Ministers are trying to ignore this voice of the common man. The result of this policy will be that the down-trodden people living in the rural areas of the State will have less representatives and so their voice will go unheard. If this policy is pursued we will find that every constituency will have four or five big towns which will control the votes of the rural population around them. Thus the real representatives of the rural people will be deprived of their chances to voice their grievances and to have an effective voice in the legislative bodies of the State. Now I leave it to hon. Giani Kartar Singh to judge for himself whether the policy at present pursued by those in power is beneficial to the rural population or not. As a matter of fact it will lead to an undoing of the good which the Agrarian Acts bestowed upon the peasants of our State. This is a question of immense importance. But nobody pays any heed to this aspect of the question. We ask the hon. Ministers to throw some light on it and to take the public into confidence. But they simply laugh at us and take the matter lightly. In fact, they cannot be serious about it. Their only desire is to draw fat salaries on the first day of every month. That is all they desire. They do not strive to create

conditions for the betterment of the masses but only for keeping law and order and nothing more. They are incapable of thinking in the terms of the development of our State. Mahatma Gandhi had an earnest desire and so it was provided in the Constitution of India itself that the Executive should be separated from the Judiciary. It is laid down in Article 50 that :--

The State shall take steps to separate the Judiciary from the Executive in the public services of the State.

The language of the Constituion is quite clear. But I regret to note that the Address contains no reference to any intention on the part of the Punjab Government to separate the Executive from the Judiciary. I may inform the hon. Members that the state of affairs under the present form of administration is quite unsatisfactory Justice is denied to the poor in the Courts of the State, because the Magistrates are under the influence of the executive officers. Many instances can be quoted to show that where the accused deserved to be rigorously dealt with they were let off with light punishments simply because the Magistrates were unable to exercise their independent judgements on account of the fear and the threats of their salaries being reduced or increments being stopped. Whenever we ask these Magistrates as to why they do not dispense justice with firmness they frankly admit this fact and say that the first day of the month is drawing near and so they cannot displease the higher officers. This is sheer injustice and its evil shadows are always cast upon the poor. If the hon. Members have an earnest desire to see that justice prevails in the land they have to gird up their loins and strive to get the Executive separated from the Judiciary. The princple is clearly recognised and provided for in the Constitution. It is a matter of regret that His Excellency the Governor has omitted to insert even a single line on this topic in his Address. There is no mention of any contemplated programme for any of the districts of our State with regard to such an important matter as this. As against this inaction on the part of our State, other States of India are making rapid strides in this direction. On the whole I can say that the Address delivered by His Excellency the Governor is nothing more than an essay written by an essayist. It does not go beyond that. It fails to put into practical shape the principles laid down by the Constitution. I would request the Government to make arrangements at an early date for separating the Judiciary from

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the Executive. The hon. Ministers should pay heed to sentiments and the feelings of the public on this and many other matters.

Another matter on which I wish to give vent to my feelings is regarding Bhakra project. A Board has recently been formed to control the construction of this project. What I wish to say here is that the burden of the loan which Government of India is supplying for the purpose of this scheme is to fall on the budget of the State of Punjab, although territories other than those in the jurisdiction of our State are to derive most of the benefits accruing from this scheme. All the twelve Districts of the Punjab are not to get water from Bhakra project. So this is a great fraud upon the people. From the name of Bhakra scheme the hon. Members consider that the scheme is for the State of Punjab. But this is not so. When I was a Minister I remember that in the Irrigation Department the Engineers told me that Gurgaon and Rohtak Districts may not be able to get water from this scheme. Tentative proposals were made in this direction and the hon. Mr. Gadgil considered these proposals. There was a proposal for supplying water to Bikaner also. But fortunately orders were issued that those districts should not be deprived of the advantages of this scheme. Survey should be undertaken with the same end in view. But later on it was decided that Gurgaon District may not get water. This is very disappointing, when Bikaner and so many other territories are to get water from the rivers of Punjab why not Gurgaon District which is quite near Delhi? When floods come the districts of Punjab suffer untold hardships but when the question of supplying canal water comes up the rights of our districts are neglected and Bikaner and other territories are given precedence over them. In spite of these glaring omissions we blindly cheer His Excellency the Governor for his Address. We never think that such important schemes as Bhakra have failed to provide satisfaction to the people of our State. Some districts which ought to get water from this project are being deprived of this. They pay interest for the same but they do not get corresponding benefits. I may also point out that under Article 43 of the Constitution of India, it has been provided that the State Government will take steps for the development of cottage industries in the rural areas. I submit that no attention has been paid by Government to this matter and it finds no place in their programme.

I cannot dilate upon this subject as the time at my disposal is almost over. I hope to discuss it fully on some other occasion.

Pandit Bhagat Ram Sharma : (Kangra West, General Rural) (*Hindustani*) : Mr. Deputy Speaker, let me first express my gratitude to His Excellency the Governor for his able Address by which an opportunity has been provided to us to have a detailed discussion on administrative policy of the Government. The first and foremost subject that has found place in his Address is the adoption of relief measures by the Government for affording help to the flood stricken people of the State. My heart goes out in sympathy for them in their distress which has been caused by the recent inundations in the rivers of Punjab in different districts. But in this connection I may point out that damage to property and suffering to the people caused by the floods in the hilly districts like Kangra far exceeds the losses and distress in the plains, where at some distant date, it is possible to adopt measures for preventing the recurrence of floods by constructing dams or changing the course of rivers. Again in plains there is some hope that after some time the damaged lands will become fit for cultivation at least within six months, but in my District of Kangra, they have been completely eroded and rendered waste for ever. It is not possible to reclaim them. The losses of zamindars are, therefore, comparatively heavy in the District of Kangra and the people have been put to great hardship. They have nothing to fall back upon. Whatever lands they possessed, have been washed away as a result of erosion caused by the floods. In plains Government can find some alternative lands to settle the flood-stricken people, but in the mountainous tracts of Kangra, there are no more lands to be found, which can be given to the zamindars who have been the victims of the ravages by the river, as a measure of help, so that they could eke out their living. I have already stated that recurrence of floods can be stopped by Governmental action but it is not possible to prevent floods in Kangra. Hence the people of Kangra deserve more help and attention of the Government for their rehabilitation. Moreover, the people of this *ilaga* are backward and they wield little influence with the Government while the people of the districts of Amritsar, Jullundur, Ferozepore etc., where, too, havoc has been caused by floods, are very vocal and influential and possess press to do propaganda for them. So they can obtain speedy help from the Government.

[Pandit Bhagat Ram Sharma]

My hon. Friend over there has told us the political consequences that will come in the wake of the destruction caused by the floods. In his opinion a portion of the territory of this State will come under the jurisdiction of Pakistan as a result of a change in the course of the river, Ravi. My submission is that if the Government fail to adopt measures to stop erosion of lands in the districts like Hoshiarpur, where the action of Chose, particularly that of the Narsala Cho, is causing havoc to the cultivable lands, I think this district will be finished soon. And similar fate awaits the District of Kangra too. So we shall have to train our rivers and nallahs which inundate during torrential rains, in such a manner that, in future, they cease to prove a menace to our lands. This task may at first sight appear to be impossible but this will have to be accomplished if we want to protect the districts of Amritsar, Jullundur, Hoshiarpur, etc., from further destruction by the floods. We should not content ourselves merely with the remark of His Excellency that we should boldly face the calamity. For the present our people will certainly endeavour to weather the storm but for the future Government will have to take steps to put a stop to the recurrence of such calamities and for that purpose, as I have already stated training of our rivers presents a problem which demands careful and active consideration at the hands of the Government.

Then, Sir, I would like to make a mention of the devastation which is likely to be caused to the people of the village of Andora in the Kangra District, as a consequence of the changing of the course by the river Beas. Since, you, Sir, also hail from the same district, you are well aware that the river Beas has formed a sort of delta near this village. So any change in the course of the river is liable to submerge the lands of the village and erode them, thus causing great distress to the people. We have been drawing the attention of the Government to this matter for the last three years but it is a thousand pities that no action has, so far, been taken to protect the people from the impending calamity. Now this river is flowing hardly at a distance of one furlong from Andora and if timely action is not taken to train it, then there is every likelihood of the village being wiped out during the next rains when the river will be again in spate. I would, therefore, request the hon. Minister concerned to move in the matter and adopt measures to train the channel of the river Beas. This will go a long way

to ensure the safety of life and property of the *ilaga*, which is menaced by it. Thousands of acres of lands, which will otherwise be rendered waste by the action of the river, will then yield rich crops.

Now I would like to draw the attention of the Government to certain matters which should form a part of their beneficent activities. In the Constitution of India, under the directive principles, it is laid down that the State Governments will pass Acts making provisions for imparting free and compulsory education to every adult up to the age of 40 years. It is also laid down therein that no village will remain without a maternity hospital and that the State Government will adopt measures to bring about the prosperity of the people as also equitable distribution of wealth among all the classes to ward off poverty. It has been provided in the Constitution that it will be the policy of the State Government to afford equal opportunity to every person without any distinction to improve his prospects. Besides, Government will take steps for the improvement of public health and make arrangement for the supply of nutritious food to the people. Moreover the directive principles make a mention of the fact that old and infirm people will receive pensions from Government to keep their body and soul together. What I want to drive at is that the directive principles which include such salutary measures for the benefit of the people do not find place in the Address of His Excellency the Governor. This is the third Address which we have received but every time these principles have been conspicuous by their absence. I, therefore, request the Government to make it a point to give a practical shape to these directive principles which will go a long way to prove beneficial to the people. I hope, in future, Government will ceaselessly endeavour to run the Administration of the State on the lines chalked out by the directive principles, as laid down in the Constitution of India. With these words I resume my seat.

(At this Stage Mr. Speaker resumed the Chair).

Shri Prabodh Chandra (Gurdaspur, General, Rural) (*Hindustani*) :
Sir, Before I give expression to my feelings on the Address of His Excellency the Governor. I would like to submit that I am reminded of a couplet which aptly applies to my hon. Friend who made certain

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remarks in response to my remarks of 'sense or no sense'. The couplet runs as under :—

जहां हंसों को दाने हैं जहां कबों को मोती हैं
लीडरों की बगल में देखये गोला कबूतर है।

ਜਹਾਂ ਹੰਸੋਂ ਕੋ ਦਾਨੇ ਹੈਂ, ਜਹਾਂ ਕਬੂਤਰੋਂ ਕੋ ਮੋਤੀ ਹੈਂ,
ਲੀਡਰੋਂ ਕੀ ਬਗਲ ਮੇਂ ਦੇਖੀਏ ਗੋਲਾ ਕਬੂਤਰ ਹੈ।

Sir, I have to say a few things within so short a time as five minutes. Here I am again reminded of a few urdu verses which in my opinion are sufficient to give expression to my thoughts.

बारनस कोर्ट में रंगीन साड़ियों की झलक
यह भौंपड़ों में गरीबों की बेकफन लाशें।
यह माल रोड पर कारों की रेल पेल का शोर
यह पट्टियों पर गरीबों के ज़रद रू वच्चे।

ਬਾਰਨਜ਼ ਕੋਰਟ ਮੇਂ ਰੰਗੀਨ ਸਾੜੀਓਂ ਕੀ ਝਲਕ,
ਯੇ ਭੌਂਪੜੋਂ ਮੇਂ ਗਰੀਬੋਂ ਕੀ ਬੇਕਫਨ ਲਾਸ਼ੇਂ।
ਯੇ ਮਾਲ ਰੋਡ ਪਰ ਕਾਰੋਂ ਕੀ ਰੇਲ ਪੇਲ ਕਾ ਸ਼ੋਰ,
ਯੇ ਪਟਰੀਓਂ ਪਰ ਗਰੀਬੋਂ ਕੇ ਜ਼ਰਦ ਰੂ ਬੱਚੇ।

People of our State also have the same feelings so far as our Government is concerned. The promises held out by us before the achievement of our freedom are no longer being fulfilled. Promises were held out to the effect that during the Congress regime every person would get his or her square meals and that nobody would starve for want of food, clothes and other necessities of life and that roofed shelter would also be provided to all. Promises were also held out to the people that their Government would guarantee education of their children and would also be on the look out that no person would die for want of adequate medical facilities. But what we see today is quite contrary to the promises held out by the Congress before its coming into power. What we find these days is that the salaries of the high officials are being raised without any rhyme or reason. In reply to a question whether there was

any difference in the matter of salaries to the officials between this Government and the Unionist Government, it was stated that there were 25 such officials whose salaries were raised from Rs. 1,500 to Rs. 2,600. I am really constrained to remark that on approaching the Government for raising the salaries of poor chaprasis we are told that Government do not possess sufficient funds to meet the extra expenditure. This is the excuse put forward by the Government for not meeting the genuine demands of chaprasis and the other low-paid staff. There seems to be no justification on the part of the Government for raising the salaries of the high officials, when it is not prepared to meet the genuine demands of the poor chaprasis.

Sir, I had to say a few things with regard to the recent floods. My intention in doing so is only to bring this fact to the notice of the Government as to how the officers proved guilty of dereliction of duty. Since it has been decided to discuss this important matter on a special occasion during the current session, I do not intend pressing this point at this stage.

Now I come to the concluding part of my amendment. His Excellency the Governor has in the course of his Address pointed out :—

My Government is glad that the agitation against the acquisition of land has been called off.

But I am really constrained to remark that he has seen the people over there at a distance and has thus drawn a wrong picture of their feelings. He has only felt their outward expressions and has not tried to gauge into the depths of their inner-most feelings. His Excellency the Governor asserted that all was well because he never tried to ascertain that in the inner-most depths of the ocean which looked quite calm and tranquil from without, there lurked such uneasy waves that were piercing even the hearts of the stones at the bottom. The officers of the Government working on the proposed site have miserably failed to find the root cause of the unrest prevailing in the minds of the people living in its neighbourhood. They too have not cared to gauge into the depths of their hearts to know for themselves the root cause of their woes and troubles. Perhaps Government are under the impression that by employing force or in other words machine guns, tear gas and other undemocratic weapons they have succeeded in suppressing the Anti-Rajdhani agitation. However, I have no hesita-

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tion in saying that the people living in the neighbourhood of the proposed site of the capital harbour in their inner-most hearts feelings of hatred and malice against the Government and they want to upset the very machinery of the Government that has been instrumental in rendering them homeless.

I am really constrained to remark that the American Town Planner has been paid about Rs. 1½ lakhs for preparing the so-called Master Plan about the new Capital near Chandigarh. It is really a matter of regret that our highly qualified and experienced engineers who are often called by the Central Government to prepare big plans for them and whose opinion is sought and very much valued by them on various important matters have not been asked to prepare the same plan and have thus failed to appreciate their engineering skill and efficiency. I have seen the so-called Master Plan of the new Capital and at the bottom of this plan we find the following words.

Let this be a new symbolic of the traditions of India unfettered by the traditions of the past.

According to the traditions followed during the British regime anything that a Britisher or an American could do was thought to be a good work because no one could dare question the standards of their skill and efficiency. I am of the opinion that such traditions were followed at a time when we were slaves. But under the changed conditions, when we have our own Government, there seems to be no justification on the part of the Government to overburden the poor tax-payers by paying a huge amount of Rs. 1½ lakhs for the preparation of the so-called Master Plan. This very work could have safely been entrusted to our engineers who could have devised a better scheme according to our present requirements. Here I am reminded of an instance. About 20 years ago, here in Simla, discussion was raised on the point whether or not our Indian officers were fit to carry on with the day-to-day administration independently. The one school of thought led by late Sir Jogindra Singh was of the opinion that our officers were not fit to carry on with this work yet, while the other school of thought led by Dr. Kitchlu maintained that they could easily and efficiently carry on with this work without the help of the foreigners. The late Sir Jogindra Singh cried from his house tops that it was not possible to run the administration without the help of the Britishers. In reply to this argument Dr. Kitchlu wanted Sardar Sahib to let him know if

instead of his illiterate wife he could make his maid servant who was literate and also knew well how to look after children, his wife. Dr. Kitchlu wanted Sardar Sahib to bear this point in mind that their officers could only prove efficient if they were actually given a chance to prove their worth. Similarly if the Government thought that our engineers were not proficient in their skill and that they were inefficient, they should have at least been afforded an opportunity to prove their worth and I am sure, they would have fared well. After all if we do not give them a chance to rectify their mistakes now (if at all they commit any) when are they going to get any other chance to prove their skill and worth ?

Further it has been remarked by His Excellency the Governor in the course of his Address that the law and order position is quite satisfactory in our State. Here I cannot do without saying that the officers of our Government continue to exercise their powers in a dictatorial manner. They are corrupt and are out to oppress the poor masses and the result of all this is that the grievances of the poor know no redress. I take this opportunity of making a humble demand on the floor of this House that a Commission be set up to enquire into the corrupt practices resorted to by the officers who do not hesitate to harm and oppress the people without any rhyme or reason. The I. C. S. officers who are the relics of the past are also included in the category of the officers who, day in and day out, are employing tactics to oppress the poor masses.

(The hon. Chief Minister was called upon to speak.)

Mehta Ranbir Singh : On a point of order, Sir. During your absence from the Chamber, Mr. Deputy Speaker was pleased to give a ruling that those Members who had given notices of amendments would be called upon to speak. I, therefore, request you to give me time.

Mr. Speaker : Had I adopted the usual course and allowed the amendments to be moved as they appear on the order paper, only the first amendment would have been moved and no other amendment could come up for discussion, but I gave an opportunity to all the hon. Members who had given notices of amendments to move their amendments. As the time at my disposal is short, it is not obligatory on me to give time to all those hon. Members to speak.

Mehta Ranbir Singh : The opposition should not be stifled like that.

Mr. Speaker : As a matter of fact nearly all the hon. Members who have taken part in the debate have played the role of the opposition since they have criticised the Government.

Mehta Ranbir Singh : Not a single Member from the opposition have spoken so far.

Mr. Speaker : The hon. Member has forgotten that Chaudhri Suraj Mal, Sardar Bachan Singh and Sardar Sajjan Singh have already taken part in the debate.

Mehta Ranbir Singh : None of the Members of the opposition have spoken today.

Mr. Speaker : I am glad that the hon. Member has corrected himself. I may inform the hon. Member that it is not binding on me to give time to the Members of the opposition every day on one and the same motion.

Chaudhri Sundar Singh : No representative of the Harijans has been allowed to speak, Sir.

Mr. Speaker : Every Member is a representative of the Harijans. It is not the Members of the scheduled castes only that represent the Harijans.

Mehta Kanbir Singh : I seek your protection, Sir, and request you to allow me to speak. I would submit that you may be pleased to set up a precedent that the Members from the Treasury Benches should not be the only Members who are allowed to take part in the debate.

Mr. Speaker : I am always prepared to give due consideration to the opposition but I cannot imagine that nobody from the Treasury Benches be allowed to speak. The hon. Member would agree with me that almost all the hon. Members who have spoken have criticised the Government and in a way, have played the roll of the opposition. As for me I have always tried to give more time to the opposition. On the present occasion also I have been quite liberal. May I know whether the hon. Member is pressing for his pound of flesh ?

Mehta Ranbir Singh : No, Sir. But it is not fair that I should be deprived of my right to speak because there is an amendment (*Mr. Speaker rose to speak*) in my name on the order paper. Moreover Mr. Deputy Speaker assured me that I would be given time.....

Mr. Speaker : I would ask the hon. Member to read the rules and to resume his seat when I am on my legs. As I have already said three Members from the opposition have already spoken and I am under no obligation to give time to each and every Member of the opposition.

Chief Minister : Sir, I rise to a point of order. The hon. Member who has been raising points of order has used the words
2 P. M. that the ruling of the Chair is very unfair. I would submit that no Member should be allowed to challenge the ruling. I would also draw your attention to the fact that the hon. Member is trying to obstruct the business of the House and the Chair should take notice of it.

Mehta Ranbir Singh : Sir, my submission is that on the 29th you gave an assurance that those Members who have given notice of any amendments would be given time to speak. In your absence Mr. Deputy Speaker who was presiding repeated that assurance again and again. I want to know if that assurance is going to be fulfilled or not ?

Chief Minister : Sir, it is repetition.

Mr. Speaker : It is not obligatory on me to give time to every member of the opposition—more so when there is not much time left and the hon. Chief Minister has to reply to the debate.

Mehta Ranbir Singh : Sir, I want to know.....

Mr. Speaker : May I ask the hon. Member to resume his seat and let the hon. Chief Minister to proceed ? He has already taken seven minutes in this discussion.

Mehta Ranbir Singh : Another point of order, Sir.

Mr. Speaker : Order please. Perhaps the hon. Member does not know that it is an offence to obstruct the business of the House. For that reason I would like him not to press this point any further.

Mehta Ranbir Singh : Another point of order, Sir.

Mr. Speaker : I warn the hon. Member that I will have to name him if he continues like this.

Mehta Ranbir Singh : Sir, an hon. Member of the House is entitled to raise as many points of order as he likes. I want to bring to your notice.....

Mr. Speaker : Order please. There is drastic action provided under the new Constitution, perhaps the hon. Member does not know that and I will not tolerate this sort of thing any further. I try to accommodate the opposition to the best of my efforts. On this occasion three out of six hon. Members of his side have spoken and it is not obligatory on me to give time to each one of them.

Mehta Ranbir Singh : My submission is that I can raise as many points of order as I like and I would request you to let me state that.

Mr. Speaker : But that does not give you any credit nor does it give any credit to the House.

Mehta Ranbir Singh : Sir, I want to know only one thing and that is whether we should seriously take the ruling of the Chair or not ?

Mr. Speaker : Whatever be the ruling from the Chair, it is final. No Member of the House can question it.

Mehta Ranbir Singh : Sir, I withdraw from the meeting as a protest.

(Mehta Ranbir Singh then left the Chamber).

Chief Minister (The hon. Dr. Gopi Chand Bhargava) (Hindustani) : Sir, before I reply to the criticism, I consider it my duty to apologise to the House for my frequent absence as also for my having to speak while sitting. My health does not permit me to stand the strain of being present in the House for any length of time and therefore I am obliged to retire again and again. I want to remove the wrong impression that my frequent absence is deliberate, nor should anyone construe it as disrespect to the House. I have not the least intention of showing disrespect to the House and if in the minds of some hon. Members this impression has been created, I beg to be excused.

Objections have been raised as to why His Excellency has in his Address mainly dwelt upon administration instead of concentrating upon enunciation of Government's policies. Here, Sir, I may with your permission quote something from the constitution. Article 176 makes it binding on the Governor to address the Legislature at the beginning of every session in order to inform the Members as to the reasons for which the session has been called. It reads as follows.

1. At the commencement of every session, the Governor shall address the Legislative Assembly or, in the case of a State having a Legislative Council, both

Houses assembled together and inform the Legislature of the causes of its summons. Again

2. Provision shall be made by the rules regulating the procedure of the Houses or either House for the allotment of time for the discussion of the matters referred to in such Address and for the precedence of such discussion over other business of the House.

It is under these provisions that the Governor has to come to this House and tell the hon. Members the causes of its summons *i.e.*, whether it has been summoned to discuss and give its approval to the annual Budget Estimates or the Supplementary Estimates or it has been summoned to enact some legislation. As a rule, the Annual Budget is placed before the House in the Budget session and the Supplementary Estimates are brought before it in the autumn session. In my opinion, the proper occasion for general discussion on the policies of the Government is the time of the presentation of the Budget and not the Governor's Address which is concerned more with telling the House the causes of its summons than outlining or laying down the policies of the Government. At the most, the Governor's Address can give a resume of Government's activities and should not be expected to lay down policies. No one should be under the false impression that since the Address is delivered by His Excellency, it gives expression to his personal views and not the views of the Ministry. If this were so, no discussion can take place on it in the House because the Governor is not responsible to this House. It is only because in framing his Address he seeks advice and information from the cabinet, that the House gets a right to discuss and criticize it. It is what we advise him about, that he expresses through the Address. It is when the cabinet approaches the Governor and requests him to summon the Legislature, that this House is summoned, and not otherwise. (2)

All the information that the address contains is supplied by the Ministry after collecting it from various Departments of the Government or the Committee of Estimates, if it concerns any budgetary matter. Therefore, Sir, whatever be the omissions or shortcomings in the Address, the responsibility is in fact ours and not that of the Governor. (3)

Sir, the first thing that His Excellency has mentioned in his Address is the loss and damage caused by floods and heavy rains in our State. It was stated that adequate measures were not immediately taken to afford relief to the people in the affected areas. Government (4)

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has also been criticized for its alleged failure to devise adequate measures to meet the calamity even up till this time. Objections have been raised as to why remissions of land revenue and *abiana* were not immediately announced in the case of affected areas. Sir, it appears to me strange that such an objection should also have been made by one of my able friends who is fully acquainted with the procedure of revenue collection. May I ask him as to how any remissions in *maliana* or *abiana* can be granted until the 'girdawari' has taken place? We have, therefore, decided to get the 'girdawari' of the affected areas completed as early as possible, so that it may be possible for us to grant remissions in *maliana* and *abiana*. Moreover, Sir, my submission is that excepting the smaller temporary measures of immediate relief, no major scheme for the rehabilitation of the people in the affected areas can be undertaken until and unless full information has been collected. Any large measures of relief aiming at resettlement of the sufferers must be undertaken with due care and therefore, we are awaiting detailed information about the extent of damage caused in each area. It is not correct that the district authorities remained apathetic and did not do anything in the matter. When information was first received about the condition of Ajnala Tehsil on 3rd September, the Deputy Commissioner accompanied by the Senior Superintendent of Police, the Superintending Engineer of the Irrigation Department and some Military officers visited Ajnala in order to have first-hand knowledge of the situation. After this the district authorities decided to approach the Military authorities to secure their aid to rescue the marooned people with the help of boats, because all roads were submerged under water and the *ilaga* was completely cut off. When on the next day, information was received that water was entering Ajnala, the Deputy Commissioner of Amritsar and my sister Bibi Parkash Kaur were the first persons to leave for Ajnala, but they could not reach there and after returning to Amritsar they contacted the Resident Magistrate of Ajnala on telephone and enquired from him the arrangements that had been made to save the town. I was apprised of the whole situation as soon as I got down from train.

After this, reports began to pour in from Ajnala, Amritsar and District Gurdaspur and all possible arrangements were made for food and shelter of the sufferers regardless of the fact that we are in a poor province. The Financial Commissioner was sent to see the situation

for himself. The Director of Health also rushed to the affected places to see that no epidemic broke out over there.

Shri Prabodh Chandra : Sir, it was decided that a day will be set aside to discuss the flood situation. The hon. Chief Minister should therefore, not deal with that subject at present.

Chief Minister : Sir, I am trying to meet the objections that some hon. Members have raised in their speeches,

Shri Prabodh Chandra : On a point of order, Sir. It has already been decided that separate time will be allotted for the discussion of flood situation. In view of this we have not said anything against the efforts of the officers in this connection. The hon. Chief Minister is talking about this point. I would request you to advise the hon. Chief Minister to leave this point and reply to other points.

Mr. Speaker : This is no point of order. When the hon. Member came to me, I told him not to touch the flood position. I know he did not say anything but other hon. Members have discussed it and therefore, the hon. Chief Minister can reply to that criticism.

Chief Minister : Sir, I wish to apprise the House of the work done by the Red Cross Society towards the checking of diseases in the flood effected areas. It distributed blankets worth Rs. 10,000 among the sufferers free of cost in the Districts of Amritsar, Gurdaspur, Ludhiana, Ferozepore and Hoshiarpur. Besides this it rendered the following help :—

1. The Head Master, Government High School Hissar collected 400 clothes and got them distributed through the Red Cross.

2. It distributed 1,00,000 pounds of skimmed milk in different districts.

3. It rendered the following help through Deputy Commissioner, Gurdaspur :—

76 Garments, 54 Jerseys, 20 blankets, 10 cotton blankets, sandfly matting 100 yards, mucks 132, 1400 bandages and 1600 mepacrine tablets. It also provided 25,000 Paludrine tablets and a sum of Rs. 2,000 cash, for relief.

4. In Amritsar District it gave 50,000 Paludrine tablets.

5. In Jullundur it sent 10,000 Paludrine tablets.

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6. 267 garments were sent to the Commissioner Jullundur Division.

7. It provided 1,00,000 vitamin compound tablets for free distribution.

In addition to this the District Red Cross Societies are doing their utmost to help these people. Here I should not forget to mention that 1644 clothes were distributed in Amritsar.

So far as the Government is concerned, it has decided to give the following help. This help has not so far been rendered as this Government has written to the Government of India for reimbursement. The hon. Members will find that the amount involved for this help has not been shown in the Supplementary Budget. It has been decided that shortly a Contingency Fund Bill should be passed by the House. To begin with we had a mind to make a provision at Rs. 50 lakhs in it but now we think it would be better if we provide a sum at Rs. one crore and spend as much money as require for relief purposes out of this fund. We have decided that Rs. 28,50,000 should be advanced by way of taccavi for seed, Rs. 12,65,000 for fodder, Rs. 1,85,000 for repairs to wells and Rs. 75,000 for bullock. This gives a total of Rs. 43,30,000. This is not all. Besides this expenditure Government has to spend a very good deal on some other items. Roads and some Government buildings have been badly damaged and their repairs will cost Rs. 11,00,000. A sum of Rs. 5,00,000 is to be spent on supply of food to the destitute and helpless people who have been marooned. Rs. 2,50,000 would be spent on anti-disease measures and this help would be in addition to what has been done by the Red Cross. A sum of rupees two lakhs is to be given to those families who have lost their bread-earners. As for the loss incurred by the Government on account of damage to food grains, it is in the neighbourhood of Rs. 25 lakhs. Remissions of land revenue and *abiana* will be about Rs. 10 lakhs. In this way the total loss will amount to something like Rs. 55,50,000. Government also proposes to advance a sum of Rs. 47,00,000 as taccavi for repairing and building houses. Rs. 45,00,000 will be given for repairs and Rs. two lakhs for building new houses for those sufferers who lost their houses. So keeping all these things in view we have asked the Central Government to give us a loan of Rs 88,30,000 for relief purposes. But it is not a very big sum and money will be spent

from the provincial account if the Government of India does not concede this demand.

Here I shall be failing in my duty if I do not thank all those who have been good enough to supply food and clothing to the sufferers of the floods. I assure every body that all that is possible is being done and will be done in this connection. However, I know that some people have taken an undue advantage of this misfortune and that is not good for them. Sir, it is said that the damaged food-grains cannot be considered a complete loss. Traders, not only from the Punjab but from Bombay and other States are also anxious to purchase these food-grains at cheap rates, but the Government does not wish to sell these at any price. I feel that the Government has taken sufficient interest in this matter and has tried to do its utmost. It is not correct to say that the Government has done nothing. Some of my hon. Friends say that the Government has not done enough and that much more should have been done. I concede that more should have been done but the Government has to keep its financial position also in view. At the time of giving help the Government acts in the belief that the people would also try to help themselves as much as possible and I am glad to say that as could be expected of the Punjabees, they have tried to rehabilitate themselves. This has solved the problem of rehabilitation to a large extent.

Then, Sir, objection has been taken to the work of rural rehabilitation. Land allotments were described as a scandal. I was pained to hear these words being used by an hon. Member who had himself been connected with administration and who is capable of understanding these things. Perhaps it has become a fashion in the Punjab to use the word 'scandal' when describing any act done by others. Perhaps it was used on the analogy of iron and steel 'scandal.' For the information of my hon. Friend, I beg to submit that 4,66,923 allotment chits were issued and people have been given an opportunity of submitting application for review or appeal. So far, 23,685 appeals have been received by the Government.

Sardar Dalip Singh Kang : This is incorrect.

Chief Minister : I say everything with full responsibility and my hon. Friend appears to be sadly mistaken.

Then, Sir, the area of land of which possession has not so far been taken is 109,415 acres. There are four kinds of appeals. First of all there are those appeals which have been submitted on the ground that entries in the *Jamabandi* were not correct and that the Government

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had not assessed the value of their lands properly. The number of such appeals is 5723. 13,746 appeals have been submitted on the ground that the applicants should have been allotted lands in villages other than those in which these had been allotted to them. 7000 appeals are those which have been submitted on the ground that the applicants had been allotted either no land or less than what was their due. The area of land required for this purpose is 45,000 acres and we are trying to get the lands of evacuee Muslims, mortgaged with non-Muslims, released so that these might be allotted to such persons. 3684 appeals relate to the quality of land. It has been said in these appeals that the quality of lands allotted was not good. In addition to these, 674 appeals are in fact, applications for exchange of lands. These facts will show that appeals have been submitted in not more than five percent of the total number of allotment chits issued. Such a small number of appeals in this huge task revealed that the work had not been done so badly, as it was sometimes intended to show. It could not, in any case, be called a scandal. The area of land belonging to evacuee Muslims was 20,12,879 standard acres and allotment chits had been issued with respect to 17,35,813 standard acres. 19,03,474 acres of land had been taken possession of and had been leased out and the total area of unleased land was 1,09,415 acres. For these reasons, the work of allotment of lands could not be called a scandal. Instead of describing it like that, the Government should have been helped so that this huge task could be accomplished in a better way and in lesser time. I admit that some defects were there but that was legacy of the past. To remove those, we required the co-operation of the public, which unfortunately we were not getting to the extent that was necessary. It had been said that the Patwaris and the Qanungos accepted illegal gratification at the time of giving possession of land. This might be true to some extent but when I asked those who had to offer bribes to give me the names of those persons whom they had to give these and also the amounts paid, nobody gave this information. Is not the giving of illegal gratification as bad as it is to accept it? When Patwaris went on strike, the same gentlemen who complained that these people took bribes, said that their salary should be increased and that on account of its being low, they had to take bribe. As regards corruption, I might submit, that it could only be eradicated, if one who gave bribe was treated in the same manner as the one who took it. There are very few human beings who can resist the temptation of accepting money when it is offered to them.

Again, Sir, it has been said that the Government is not doing anything for giving compensation for the evacuee property. At least, they think that as much is not done as they wish. It is possible that it is not being done with as much speed as they want. The problem of evacuee property, Sir, is a matter between the Pakistan Government and the Government of India. I would like to draw your attention in this connection to the words used by our hon. Prime Minister on the 20th September 1950, at a press conference. He said :

“In spite of what has been happening in regard to Kashmir, we have made our proposal to Pakistan about a no-war declaration. It will be remembered that this was originally made by us, when events took a serious turn in Bengal discussions, this proposal was set aside for the moment. It has been renewed again in its simple form. We believe that it shall be simple and without any strings attached to it.

we have further proposed that two of the major issues between us and Pakistan shall be referred to a tribunal consisting of two judges each of the highest judicial standing from India and Pakistan. These two issues are evacuee property and canal water. we are prepared to abide by the decision of this tribunal and we think that such a tribunal, considering the matters judicially, will arrive at an agreed decision. In the event of there being an equal difference of opinion, the matter can be considered then by some other way devised for a decision on such point as have not been decided. In any event the points of difference that have not been fully decided will be limited in scope. We are prepared to extend this principal to such issues of like nature as may arise between us and Pakistan. Thus we have not only offered a no-war declaration but have indicated a way of deciding matters under dispute.

Sir, the party of which I am a loyal follower, has, in its Nasik session, given the same lead. By doing so, we have proved that the stand taken by the hon. Prime Minister who is responsible for formulating the policies of the Government of India, is correct and in the best interests of the country. The Punjab Government cannot think of doing anything against that policy. I am a faithful member of the party and I cannot think of behaving like those hon. Friends who were elected on the Congress ticket but later on left that party. It is not proper for me to enter into a controversy on this point. It is no use discussing the merits and demerits of Nehru Liaquat Agreement in the manner in which it has been done here. We are under the discipline of an organised body and it is harmful to the interests of the country and those brethren who have left behind their properties, to discuss it in this manner. I, therefore, do not want to say anything more on this point.

Again it has been said that the Government has not formulated any industrial policy. If you were to look at the Seventh Schedule of the

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Constitution of India you will find in the Union List that item 52 reads as following :

“Industries, the control of which by the union is declared by Parliament by law to be expedient in the public interests.”

As regards the State List, I draw your attention to item 24, which reads as under :

Industries, subject to the provisions of entry 52 of List I.

It means that the permission of the Government of India is necessary for formulating policies in the matter of big industries. The State Government cannot do anything in this matter without the permission of the Government of India. They have appointed a Planning Commission and this Commission and other bodies of the Central Government have already held a number of meetings. As regards the various industrial development, schemes, they have given top-priority to the hydro-electric schemes. What is, I think, in the purview of the State Government is the small industries and the village industries. Capital, at the present moment, is shy. As a matter of fact it should be the duty of the Government of India to arrange for the capital. Now the Punjab Government advertised that sanction had been granted for setting up three sugar factories in the State. So much so, that the sites of the factories were also sanctioned. But so far nobody has come forwards to set up those factories. The industrialists, somehow or other do not want to invest their capital in the industry. We appointed a committee for the development of village industries, whose chairman was an hon. Friend of mine. But after sometime, that committee became defunct.

Again some hon. Friends have said that the Government is not doing anything for the benefit of the rural population. I may submit that Rural Development Board has been appointed to do work in this direction. I say no Government can function properly if it does not work for the advancement of the rural people who form no less than 80 percent of the total population of the State. On the one hand, it is said that Government is not doing anything for industrial development and on the other, we are asked to do something for the uplift of the masses. Now uplift of the masses cannot be effected without the development of village industries. We should, therefore work for the development of village industries. It would have been better if we had been allowed to spend Rs. 5 crores meant for the industrial development. Then there is the question of Industrial Finance Corporation.

It was thought that for this purpose loans would be got from the Government of India and the banks. But now the Government of India does not see much substance in this scheme. Consequently we have been forced to give it up. Now instead of five lakhs of rupees they have given us only Rs. 3 lakhs out of which only subsidies would be given.

Sir, our financial position could not allow us to spend such a large sum. Anyhow three lakhs of rupees were set apart for the purpose. This was for the giving of subsidies. Sir, we acquired land for the construction of industrial towns and we have given it to the displaced persons. We are trying our utmost to develop such towns as soon as possible. In Ludhiana such sites are also meant for the original residents of that District.

Another matter to which a reference has been made on the floor of this House is regarding controls and black-marketing in the State. Some of the hon. Members are in favour of distribution on ration cards, of such commodities as sugar. While others are against controls because in their opinion they lead to black-marketing. In order to place a check on the traders so that black-market may not prevail, an anti-black-marketing bill was placed before this House in the last session. But the President has not given his assent to it because the Government of India has itself issued an Ordinance on this subject, of nation-wide importance. On our part we are trying our utmost to remove any black-market that may be prevalent in the State and we wish to use any powers that we can get from the Public Safety Act in this direction. It has been said that we are charging money from the people. What I wish to state is that the Government has to spend ten percent on collection charges, repairs of houses and maintenance of widows. This expenditure must be incurred in accordance with an Act of the Government of India. Some of the hon. Members have levelled a charge against the Government that nothing is being done in the matter of giving services to the persons coming from rural areas and in other matters. But I wish to assure the hon. Members that all possible efforts are being made. For example, the Government have declared rural scheduled caste people as notified agriculturists and some other castes have also been declared agriculturists. Although I admit that the Government could not find its way to meet all the demands but still much has been done to meet legitimate demands and so it is incorrect to say that nothing has been done. If the hon. Members so desire I can place figures upto the first of July 1948, before the House in order to show that the scheduled castes and other

[Chief Minister]

rural people have sufficient representation in the services of the State. There may be low representation in some departments here and there but on the other hand there are some departments where they have a high representation. On the whole they are fully represented in the services.

Another thing to which some of the hon. Members have drawn the attention of the Government is the matter of giving education to the people of the rural areas. In this connection I wish to submit, Sir, that at present there are six Government Colleges in the State and about 25 Private Colleges. Unfortunately the private institutions prefer to remain in the urban areas only. People do not start such Colleges in the rural areas. But as regards enrolments and the number of students studying in various colleges, the following figures will throw some light :—

Figures on 30th September 1948.

Name of the Class.	Total enrolment in Government Colleges	Number in rural areas.	Total enrolment in Private Colleges.	Number in rural areas.
I Year ...	1272	475	5678	2421
II Year ..	..	328	4856	2134
III Yeat ...	465	179	..	197
IV Year ...	..	..	..	..
V Year ...	..	..	81	..
VI Year .	126	59	..	34

So it cannot be said that the rural areas do not find any representation in the competitive examinations. As regards selection it has been decided that posts carrying more than Rs. 150 as their salary will be filled by the Public Service Commission. As regard other posts it has been decided that a Committee of thirty officers selected for the purpose be constituted to supervise the selection of candidates for such posts. This Committee will have members of all the communities and it will make selections by merit. The Peasant Welfare Fund which was consolidated before the partition was created for giving scholarships etc. to the rural population. Out of it scholarships are given to the

village people and it is for the benefit of the rural population only. As regards education I may add that hundred and fifty more schools have been recognised and a large number of them are in rural areas. Special grants have also been given to many of the schools in rural areas. To-day I have little time at my disposal and so I cannot go into the details. I shall let the House know more about it at some other occasion. Here I will only add that it is quite incorrect to say that the Government is not doing anything for the welfare of the rural population.

The following amendments were, by leave, withdrawn :—

That at the end of the motion the following be added :—

“ But regret the inadequacy of measures suggested for Urban Rehabilitation and compensation for Urban property as also omission of Harijan problems.”

That at the end of the motion the following be added :—

“ But regret that the Government's clear economic policy has not been outlined—particularly in respect of the nationalisation of all means of production, distribution and transportation.”

That at the end of the motion the following be added :—

“ But regret to note the failure to enunciate a clear cut policy to give a practical shape to the directive principles of State policy incorporated in the Constitution of India.”

That at the end of the motion the following be added :—

“ But regret to note the failure to declare a clear cut policy to industrialise the State and thus ameliorate the general condition of the public.”

That at the end of the motion the following be added :—

“ But regret to note that the Address fails to enunciate any clear-cut financial, economic and industrial policy for the advancement and development of the State.”

That at the end of the motion the following be added :—

“ But regret to note that the Address—

(a) contains not even a cursory reference what to say of an unqualified assurance of giving adequate protection to the legitimate interests of the working classes, of removing their genuine grievances and securing for them the minimum conditions of work in the field and factory ;

(b) gives no assurance to the citizens of this State that the Law and Order will be maintained and Administered in such a way as not to interfere

with the natural and sacred civil liberties of the people with a promise that the present restrictions will be early removed or at least substantially modified ;

- (c) fails to give any optimistic note for the around general development of the Province, and for removal of the deep rooted dissatisfaction and discontent with the present administration ;
- (d) it fails to give a hopeful review of any significant progress made by this State since the time this House had the privilege of hearing. His Excellency's Address last time."

That at the end of the motion the following be added :—

" But regret that—

- (a) the Address does not make mention of the failure of officers of Gurdaspur District to give adequate and immediate relief to the flood stricken people ;
- (b) no definite mention has been made as to the actual progress in the Grow More Food Campaign ;
- (c) no mention has been made as to how and when the displaced persons from Chandigarh site will be rehabilitated."

That at the end of the motion the following be added :—

" But regret the omission of taking any steps for the amelioration of condition of the peasants and the rural people "

That at the end of the motion the following be added :—

" But humbly regret that His Excellency has omitted to mention the failure of his Government to safeguard the interests of the peasants and workers in the rural areas as a result of its maladministration."

That at the end of the motion the following be added :—

" But humbly regret that His Excellency has omitted to mention the failure of his Government to appoint a committee of this House to examine the question of delimiting the constituencies of Punjab State Legislative Assembly and House of peoples."

That at the end of the motion the following be added :—

" But regret that the Government has not placed before the Assembly any plan for the political, economic and social development of the people."

That at the end of the motion the following be added :—

" But regret to add

- (a) that the Government has miserably failed to grant adequate relief to the sufferers of the recent floods and rains in the Districts of Jullundur, Ferozepore, Amritsar and Gurdaspur ;
- (b) that the Government has been guilty of gross neglect of their duty to

bring forth legislation or to make rules for the recruitment to services according to the provisions of the Constitution of India ;

(c) That the Government has failed to take this honourable House and its Members into confidence while making proposals for the delimitation of Constituencies ; and

(d) that the Government has been postponing the question of temporarily shifting its offices and the High Court to a suitable place in the plains pending the permanent shift to the new Capital at Chandigarh. '

That at the end of the motion the following be added :—

“ But regret that

(a) No definite mention has been made as to the completion of New Capital and the shifting of the offices ;

(b) No clear-cut policy has been enunciated in respect of compensation to refugees for their properties.

That at the end of the motion the following be added :—

“ But regret to note that there is no mention in the Address of the extremely strained relations between the servants of the State and the public workers and any attempt on the part of the Government to remove it.

Mr. Speaker : Question is.

That at the end of the motion the following be added :—

“ But regret that

(a) nothing has been said or proposed to be done to inspire confidence in the minority communities ;

(b) nothing has been said or proposed to be done to put an end to the inefficiency and corruption from the administration ;

(c) nothing has been said or proposed to be done for the safety of the civil liberties of the people.”

The Assembly divided Ayes 5 ; Noes 51.

AYES

Bachan Singh, Sardar.

Rattan Singh, Sardar.

Jaswant Singh Dugal, Sardar.

Sajjan Singh, Sardar.

Ranbir Singh, Mehta.

NOES

Ajit Singh, Sardar.	Kehr Singh, Sardar.
Amar Nath, Vidyalankar, Shri.	Krishna Gopal Dutt, Chaudhri.
Badlu Ram, Chaudhri.	Lahri Singh, Chaudhri.
Behari Lal, Chanana, Shri.	Matu Ram, Chaudhri.
Beli Ram, Thakur.	Mehr Chand, Chaudhri.
Bhagat Ram Chodha, Shri.	Narinder Singh, Sant.
Bhagat Ram Sharma, Pandit.	Narotam Singh, Sardar.
BhimSen Sachar, Shri.	Pancham Chand, Thakur.
Dalip Singh Kang, Sardar.	Parkash Kaur, Shrimati Dr.
Dalip Singh, Thakur.	Partap Singh, Sardar.
Dev Raj Sethi, Shri.	Piara Singh, Sardar.
Durga Chand Kaushish, Pandit.	Prabodh Chandra, Shri.
Faqir Chand, Pandit.	Prithvi Singh Azad, The Honourable Shri.
Ganga Saran, Seth	Ranjit Singh, The Honourable Captain.
Gopi Chand Bhargava, The honou- rable Dr.	Rattan Singh Tabib, Shri.
Gurbachan Singh Bajwa, Sardar.	Sahib Ram, Chaudhri.
Gurbanta Singh, Master..	Sant Ram Seth Dr.
Harbhaj Ram, Chaudhri	Shanno Devi Saigal, Shrimati.
Ishar Singh Mujhail, The Honour- able Sardar.	Sher Singh, Chaudhri.
Jagdish Chander, Chaudhri.	Shiv Saran Singh, Sardar.
Jagjit Singh Mann, Sardar.	Shiv Singh, Sardar.
Jiwan Lal, Pandit.	Shri Ram, Sharma.
Kabal Singh, Sardar.	Swaran Singh, Sardar.
Kartar Singh, Chaudhri.	Sudarshan Seth.
Kartar Singh, The Honourable Sardar.	Sundar Lal, Chaudhri.
	Sundar Singh, Chaudhri.

Mr. Speaker : Question is.

That the Members of this House assembled in this session are deeply grateful to His Excellency the Governor for the Address which he has been pleased to deliver to the House.

The motion was carried.

*The Assembly then adjourned till 10-30 a.m. on
Wednesday, 4th October, 1950.*



PUNJAB LEGISLATIVE ASSEMBLY DEBATES

4th October 1950

Vol. II—No. 4

OFFICIAL REPORT



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PUNJAB LEGISLATIVE ASSEMBLY

2ND SESSION OF THE FIRST PUNJAB LEGISLATIVE
ASSEMBLY

Wednesday, the 4th October 1950.

*The Assembly met in the Assembly Chamber, Simla, at 10-30 a.m. of the clock.
Mr. Speaker (The hon. Sardar Kapoor Singh) in the Chair.*

STARRED QUESTIONS AND ANSWERS

NOMINATION OF CH. SANSAR SINGH AS MEMBER OF
DISTRICT BOARD, GURDASPUR

***2150. Shri Prabodh Chandra :** Will the hon. Minister for Local Self Government and Labour be pleased to state the reasons why Chaudhri Sansar Singh has been nominated as member of the District Board, Gurdaspur, in spite of his being placed in No. X-B ?

The hon. Shri Prithvi Singh Azad : Chaudhri Sansar Singh was nominated as member of the District Board, Gurdaspur, because he was an elected member of the District Board from Shakargarh Tahsil before the partition.

Shri Prabodh Chandra : May I know if it was in the knowledge of the hon. Minister that Chaudhri Sansar Singh who was nominated, was in No. X-B ?

Minister : At the time of the nomination, it was thought that all the elected members of District Boards who had come from Sialkot and Shakargarh Tehsils should be nominated to District Board, Gurdaspur. It is, however, in the knowledge of the Government that some interested persons are trying to get that man placed in No. X-B.

Shri Prabodh Chandra : Is it in the knowledge of the hon. Minister that before the nomination of this man, hundreds of telegrams were sent to the Government by the public protesting against the nomination ?

Minister : Yes. The Government is aware of the fact that such telegrams were sent on the initiative of certain hon. Members.

Shri Prabodh Chandra : Sir, it is a definite insinuation. Ask the the hon. Minister to withdraw it.

Mr. Speaker : Better avoid such things.

Shri Prabodh Chandra : Sir, ask him to withdraw this remark. I, too, can say hundred and one things against the Minister.

Minister : I have not named any one.

Shri Prabodh Chandra : Will the hon. Minister be pleased to state if any steps have been taken by the Government to undo the nomination in case it comes to know that the man was in No. 10-B ?

Chief Minister : I want to enquire from the hon. Member as to how he has come to know that the man is in No. 10-B.

Shri Prabodh Chandra : The hon. Minister just now stated that some persons tried to get that man placed in No. 10-B. May I know if it is the policy of the Government to place people in No. 10-B simply because certain persons want ?

Mr. Speaker : This is a hypothetical question.

Shri Prabodh Chandra : May I know if the Government has made any inquiry regarding the man ?

Chief Minister : We do not know whether he is in No. 10-B or not.

Shri Prabodh Chandra : The hon. Chief Minister himself stated just now that he is in No. X-B.

Chief Minister : My learned Friend when he was a Parliamentary Secretary, wrote a letter. The Government sent a reply to that asking certain information, but so far no reply has been received from him.

Shri Prabodh Chandra : I had got a letter from the Chief Minister and I had also replied to it.

Chief Minister : Did he disclose that secret as a Parliamentary Secretary ?

Mehta Ranbir Singh : May I know if the Government has decided to nominate all the members who have settled down in Gurdaspur District ?

Mr. Speaker : This is a general question.

Shri Ram Sharma : May I know whether before nominating this man Government was aware that his name was placed in No. 10-B ?

Chief Minister : It has already been replied to.

Shri Prabodh Chandra : My question is as to why that man was nominated in spite of his being in No. 10-B.

Mr. Speaker : Government does not admit it.

Shri Prabodh Chandra : Sir, I say that this man who is in Register X, has been nominated. Otherwise I can have no objection.

Shri Prabodh Chandra : The hon. Minister has stated that all the members coming from Sialkot and Sakargarh Tehsils were nominated. May I know if one Puran Chand who was not an elected member, was nominated, simply because Shri Prithvi Singh Azad was interested in him ?

Mr Speaker : No insinuation please.

ELECTIONS TO LOCAL BODIES IN THE STATE.

***2151. Shri Prabodh Chandra :** Will the hon. Minister for Local Self Government and Labour be pleased to state :—

(a) the year in which the general elections to the various District Boards in the State took place last ;

(b) when the Government intends holding the next elections to the local bodies in the State ?

The hon. Shri Prithvi Singh Azad :

(a) A statement is laid on the table¹ of the House.

(b) Local bodies elections dates will be fixed after the finalisation of electoral rolls of the Assembly as they will be utilised for the elections of local bodies.

Shri Prabodh Chandra : The hon. Minister has stated that the elections to some District Boards were held as far back as 1932, 1936, and 1937. As a result of this, the majority of those voters have either died or migrated to other places. In view of this fact does the Government propose to adopt some method to make the District Boards representative of the public ?

Minister : I have already replied to this question. When the electoral rolls are finally prepared, the Government will fix some dates for elections.

¹ Kept in the Library.

Shri Prabodh Chandra : Will the hon. Minister be pleased to state how the vacant seats will be filled up this time ?

Minister : By nomination.

Shri Prabodh Chandra : Will the hon. Minister be pleased to state the principles governing these nominations ? Is it not a fact that only the opinion of the Government will prevail in determining these nominations ?

Shri Prabodh Chandra : May I know the principles according to which such nominations will be made ?

Minister : The principles on which all nominations are generally made are applicable to this case also. In the case of District Boards and First Class Municipal Committees, the Deputy Commissioners of the districts and the Commissioners make recommendations to the Government and it makes nominations from the list so recommended. So far as second and third class Municipal Committees are concerned, the Commissioners make nominations on the recommendations from the Deputy Commissioners. Such nominations are then gazetted.

Sardar Ajit Singh : Is it a fact that those persons who are not 'badmashes' of number ten are not to be recommended for such nominations ? (*Laughter*).

Shrimati Sita Devi : Will the hon. Minister be pleased to state why no elections to the local bodies are possible while bye-elections for the Assembly can be held ?

Shrimati Sita Devi : Will the hon. Minister be pleased to give a reply to my question ? (*Interruptions*).

Mehta Ranbir Singh : The hon. Minister has stated that the elections for local bodies will be held when the electoral rolls are completed. May I know whether such elections will be held before or after the Assembly elections ?

Minister : I cannot say when such elections will be held. But I assure the hon. Members that the election of local bodies will take place as soon as the electoral rolls are complete.

NOMINATIONS TO MUNICIPALITIES AND DISTRICT BOARDS IN THE STATE.

*2152. **Shri Prabodh Chandra :** Will the hon. Minister for Local Self Government and Labour be pleased to state the procedure the Government follows while making nominations to A and B class Municipalities, and the District Boards in the state ?

The hon. Shri Prithvi Singh Azad : The nominations to the District Boards and first class Municipalities are made by Government on the recommendations of the Commissioners and Deputy Commissioners concerned which are based on the principles of nominations laid down by Government. The nominations to 2nd class Municipalities are made by the Commissioners of Divisions in a similar way.

Shri Prabodh Chandra : Will the hon. Minister be pleased to state the procedure which is followed in the matter of making nominations ; does the Government observe it in practice ?

Minister : The procedure is laid down in the gazette and it is followed by the Government.

Shri Prabodh Chandra : The hon. Minister has stated that nominations to 'A' class municipalities are made on the recommendations of the Deputy Commissioners and Commissioners. May I know if any person whose name is not included in the lists recommended by the Deputy Commissioners has ever been nominated ?

Minister : I have already stated that we make nominations from the names sent up by the Deputy Commissioners and Commissioners.

Shri Prabodh Chandra : Is it not a fact that the Deputy Commissioner, Amritsar sent up three names but the Government nominated another person ?

Minister : It is wrong.

Shri Prabodh Chandra : Is it not a fact that Shri Hari Krishan Khanna was promised nomination if he gave rupees ten thousand to the Congress ?

Minister : It is absolutely wrong.

Shri Prabodh Chandra : It is absolutely right.

Mr. Speaker : Order please. I may tell the hon. Member that he has to take the information as it is supplied by a Minister. He has no right to challenge it like this. If he wants, another course is open to him. But I will not allow this sort of things to continue because if it does not stop then the hon. Members will come right in the middle of the House.

Shri Prabodh Chandra : Will the hon. Minister state as to when the Deputy Commissioner, Amritsar, made his recommendations about the nominations and when the nominations were made ?

Chief Minister : Sir, the question does not relate to the Municipal Committee, Amritsar; therefore, I cannot give any information.

Chaudhri Suraj Mal : May I know if the procedure about nominations as disclosed by the hon. Minister had been ignored in the case of the Hissar District Board? I will make myself clear and ask whether the names recommended by the Deputy Commissioner for nominations were accepted by the hon. Minister or whether he made his own nominations.

Chief Minister : If the hon. Member were to give notice information would be collected. But I fail to understand how a Member can come to know of the recommendations made by the Deputy Commissioner. It is an official secret and nobody is expected to know and disclose them.

Chaudhri Suraj Mal : Sir, I want information from the hon. Minister and not a sermon from the hon. Chief Minister.

Sardar Rattan Singh : Will the hon. Minister be pleased to state whether Hindu and Sikh wards are also kept in view while making such nominations?

Minister : Government does not make nominations on the basis of Hindu and Sikh considerations. Only deserving persons of the illaqa are recommended for nomination.

JAGIR MONEY OF MUSLIMS MIGRATED TO PAKISTAN

*2110. **Sardar Narotam Singh :** Will the hon. Minister for Rehabilitation be pleased to state :—

(a) the total amount of Jagir money realised on behalf of the Muslim Jagir-holders who have left Punjab for Pakistan ;

(b) the steps taken by the Government so far to distribute the same amongst refugee jagir-holders settled in the State of Punjab ?

The hon. Dr. Lehna Singh Sethi :

a) Approximately Rs. 5,77,671/-.

(b) Claims of the displaced Jagirdars and Muafidars have been registered and question of payment is under the active consideration of Government.

Shri Prabodh Chandra : Will the hon. Minister be pleased to state the date by which claims were received by the Government? May I also know when a decision on them is to be expected?

Minister : So far as the first part of the question is concerned I require a regular notice. As regards the second, decision will be made **बहुत जल्दी षुउत नलदी**

Shri Prabodh Chandra : Will the hon. Minister please define the words **बहुत जल्दी षुउत नलदी** ?

Minister : **बहुत जल्दी षुउत नलदी** means very soon. (*Laughter*)

Shri Prabodh Chandra : Is it in the knowledge of the hon. Minister that two years have elapsed since the claims were received by the Government, but so far no decision has yet been taken upon them?

Minister : I assure the hon. Member that final decision will be taken very soon.

Shri Prabodh Chandra : May I suggest to the Government that pending a final decision on the matter an interim relief may be provided?

Minister : I have already given an assurance that the final decision will be taken very soon so there appears to be no need for an interim relief.

— — —

PREFERENTIAL TREATMENT TO ALLOTTEES OVER
HARIJANS IN THE MATTER OF ALLOTMENT
OF HOUSES ETC.

***2207. Shri Bhagat Ram Chodha :** Will the hon. Minister for Rehabilitation be pleased to state :—

(a) whether the Government has decided to give preference in the matter of allotment of houses to the allottees over the Harijans who are already in possession of those houses ;

(b) whether it is a fact that Harijans who had built houses in certain villages at their own cost are also being turned out ;

(c) the scheme, if any, Government has formulated for the rehabilitation of the Harijans ?

The hon. Dr. Lehna Singh Sethi :

- (a) Preference in the matter of allotment of houses to the allottees has been given over the unauthorized occupants of the houses in rural areas irrespective of the fact whether the unauthorized occupant is a Harijan or any body else.
- (b) No.
- (c) The scheme formulated by Government for the rehabilitation of Harijans is placed on the table¹.

Shri Bhagat Ram Chodha : Is the hon. Minister aware that a large number of Harijans of Jullundur District met him and complained that they were being turned out of their houses ?

Minister for Rehabilitation : Yes, they did make complaints but the same have been set right.

Shri Bhagat Ram Chodha : May I know whether it is the policy of the Government to eject landless kamins from the houses occupied by them and allot the same to the zamindar allottees ?

Minister : The policy of the Government is that landless kamins who wish to stay and live in the villages, will not be ejected, but in the contrary case, their houses would be allotted to those who want to live there.

Shri Bhagat Ram Chodha : Will the hon. Minister please tell us the arrangements made by the Government to house non-agriculturist traders in the villages ?

Minister : The traders who wish to settle in the villages, would be provided with houses by the Government.

Shri Bhagat Ram Chodha : May I know whether houses left by Muslim traders in the villages could not be allotted to the non-agriculturist traders, who wish to settle in the villages ?

Minister : Yes, those houses can be and are allotted to them.

Shri Bhagat Ram Chodha : If that is the case, then why have they been ejected from their houses in tehsil Phillaur ?

Minister : If they have been wrongly ejected, then possession of their houses would be restored to them soon.

¹Kept in the Library

Shrimati Sita Devi : Will the hon. Minister for Rehabilitation please tell us whether it is a fact that the order of the Government regarding giving of preference to the allottees in the matter of allotment of houses, is not vague? If so, then what are the reasons that, barring Jullundur district, non-zamindars in every other district are being turned out of their houses and zamindar allottees given preference over them?

Minister : Whatever lacuna existed in the government order, has been removed and now the order of the Government on the subject is quite clear and unambiguous.

Shrimati Sita Devi : Is it within the knowledge of the hon. Minister that Mr. Parshotam Lal, R. A. O. told us.....

Mr. Speaker : Please make a mention of the officers by designation alone and not by name.

Shrimati Sita Devi : Is the hon. Minister aware that R. A. O. Jullundur told us that the orders of the Government were that zamindar allottees should be given preference over non-zamindars in the matter of allotment of houses and he issued these instructions to the Tehsildar of his village?

Minister : None of the officers mentioned by the hon. Lady Member told me anything. But the policy of the Government is that houses of zamindars should be allotted to the zamindar allottees and so far as landless or non proprietor kamins are concerned, if they want to live in the villages, they should also be provided with houses.

Shrimati Sita Devi : May I know whether a deputation met him complaining thereby that non-agriculturists were driven out of their houses in the villages?

Minister : Many a deputation met me in this connection and their grievances have been redressed. If any complaint is within the knowledge of the hon. Lady Member, she should bring it to my notice and action will be taken to remove it.

Shrimati Sita Devi : May I know whether the Director of Rehabilitation has issued instructions to all the district authorities on the basis of the clarification he has made just now? Is it also a fact that the Director of Rehabilitation said 15 days ago that no such orders existed?

Minister : I am not aware of this.

Shrimati Sita Devi : Is it within the knowledge of the hon. Minister that the order on the subjects, as clarified by him is not being carried out in other districts except the Jullundur District ?

Minister : I think it is in force in all the districts.

Master Gurbanta Singh : Is the hon. Minister aware that despite the instructions of the Government on this point, Harijans are still being ejected from non-agriculturist Muslim evacuee houses ?

Minister : I think that now they are not being ejected. If my hon. Friend has any case to his knowledge, he could refer it to me and action will be taken to restore possession.

Master Gurbanta Singh : Will the hon. Minister kindly tell us the names of officers in whose notice such cases should be brought because every where we are told by the officers that government instructions were to give preference to allottees in the matter of allotment of houses, over non-agriculturists ?

Minister : The Deputy Commissioner of Jullundur has informed me that no such case has been brought to his notice.

Master Gurbanta Singh : Is the hon. Minister aware that only three days back a deputation of persons from five or seven villages went to see the Deputy Commissioner, Jullundur, but he being out of station, they met the Revenue Assistant and voiced their grievances before him regarding their ejection from their houses and that officer told them that under orders they had to give preference to the zamindars over others in the matter of allotment of houses, irrespective of the fact that they were occupied by the kamins or not ?

Minister : I assure my hon. Friend that it has not come to my knowledge.

Chaudhri Sundar Singh : Will the hon. Minister please tell us whether the houses of landless evacuees, now allotted to the zamindars, will be re-allotted to the landless refugees ?

Minister : Those who would like to live in the villages, will get a house. There will be no dearth of houses for them.

Chaudhri Sundar Singh : Will the hon. Minister please state whether any action will be taken against those officers who have turned out Harijans in certain villages from their houses built by them at their own cost ?

Minister : If it is proved that Harijans were ejected from houses built by them at their own cost, then the same would be restored to them.

Sardar Gurbachan Singh Bajwa : May I know as to what is the policy of the Government with regard to the allotment of a single house left by a big zamindar in a certain village, to small zamindar allottees?

Minister : If there are no other houses, certainly some small zamindars will be accommodated in that big house, and others will be provided with facilities to find out or build up some shelter like huts for which they can obtain loans from the Government.

Sardar Gurbachan Singh Bajwa : But what about those houses which were built by the evacuee zamindars ? Whom will they be allotted ?

Minister : They will be allotted to the zamindar allottees. But if they have been taken possession of by non-zamindars, they will be turned out of them, and allotted to the zamindar allottees.

Dr. Sant Ram Seth : May I know if tented accommodation is provided to those who are not allotted any house ?

Minister : No.

— — —

COMPLAINTS FROM THE INHABITANTS OF MODEL TOWN, HOSHIARPUR.

***2168. Sardar Shiv Saran Singh :** Will the hon. Minister for Public Works be pleased to state :—

(a) whether he has received any complaints from the owners and tenants of the houses in Model Town, Hoshiarpur regarding the bad condition of the said houses, and the leakage of their roofs in the recent rainy season ; if so, the action Government proposes to take in the matter ;

(b) whether he has received representations from the refugees that the prices charged for these houses have been excessive and much beyond the average price for such houses ;

(c) if the answer to part (b) above be in the affirmative ; the action which the Government propose to take in order to redress the grievances of the refugees ?

The hon. Captain Ranjit Singh :

(a) Yes. The matter is being enquired into.

(b) Yes.

(c) Government have already notified to the Public through the Press that the market value of these houses is much more than that being charged from their buyers.

Shri Prabodh Chandra : Will the hon. Minister please tell us as to when this representation was received by the Government and also what action was taken on it ?

Minister for Public Works : I require notice for this.

Shri Prabodh Chandra : The hon. Minister just now stated in his reply to the main question that a representation had been received and was under consideration of the Government. My question is quite simple and it seeks information as to when was it received ?

Minister : I cannot tell the date off hand.

Shri Prabodh Chandra : Let him tell the month or the year ; whether it was received in 1948 or 1949 ?

Minister : What will be the good of that ?

Shri Prabodh Chandra : Is it for the hon. Minister or for the Chair to say as to what will be the good of that ?

Mr. Speaker : It is just possible that the hon. Minister is under the impression that he might be able to reply, if he is told the good of asking that question.

Sardar Shiv Saran Singh : I want to enquire in regard to reply to part (c), since generally the market prices of these houses are excessive, whether Government contemplates to reduce their price so that the refugees may be able to make their payments in easy instalments ?

Mr. Speaker : Government's view is quite different on this point.

Shri Prabodh Chandra : In reply to part (b) above, the hon. Minister has stated that the Government is considering their representations with a view to redressing their grievances. May I know from the hon. Minister whether Government has formulated any policy so far as this matter is concerned ?

Minister : I have already given my reply in part (c) above. The decision made after considering this matter has been conveyed to the people.

Mr. Speaker : Next question please.

SCHEDULED CASTES AGRICULTURISTS.

*2114. **Shri Virendra :** Will the hon. Minister for Education be pleased to state :—

(a) the names of the Scheduled Castes which have been declared agriculturists ;

(b) whether there are still any Scheduled Castes which have not been declared as agriculturists ; if so, the names of those castes and the reasons for their not being declared as such so far ?

The hon. Sardar Kartar Singh : (a) and (b) A statement showing the names of scheduled castes declared as agriculturists and those not so declared as yet is laid on the table. The case of the latter is under the consideration of Government.

The following Scheduled Castes have been declared as Agricultural Tribes :—

- | | |
|---------------------|-------------------------|
| 1. Ad Dharmi | 11. Khatik |
| 2. Batwal | 12. Kori or Koli |
| 3. Bawaria | 13. Mazhabi |
| 4. Balmiki | 14. Megh |
| 5. Bhanjra | 15. Od |
| 6. Chamar | 16. Ramdasi or Ravidasi |
| 7. Dagi | 17. Sanhai |
| 8. Dhanak | 18. Sanhal |
| 9. Dumna or Mahasha | 19. Sarera |
| 10. Kabirpanthi | |

The following Scheduled Castes have not so far been declared as Agricultural Tribes :—

- | | |
|----------------------|---------------|
| 1. Bangali | 9. Pasi |
| 2. Barar | 10. Perna |
| 3. Bazigar | 11. Pherera |
| 4. Chanal | 12. Sansi |
| 5. Gagra | 13. Sapela |
| 6. Gandhila | 14. Sikligar |
| 7. Marija or Marecha | 15. Sirkiband |
| 8. Nat | 16. Chura |

Shri Virendra : Is it not a fact that the hon. Chief Minister announced during the last Budget Session that all the Scheduled Castes would be declared agriculturists? May I know as to why only some of the Scheduled Castes have been declared agriculturists while others have not been declared as such?

Minister for Education : Scheduled Castes, as such cannot be declared as agriculturists. There are certain legal difficulties in doing so also but they are being declared agricultural tribes, caste by caste, or in other words they have to be declared as agriculturists separately. Some of them have been declared agriculturists while the cases of others are under the consideration of the Government.

Shri Virendra : May I know as to why this matter was not brought under consideration during the last Budget Session? May I also know the reasons for the delay?

Minister : Only few castes remain to be declared as agriculturists and their number is not more than ten per cent. About 90 percent have so far been declared as agriculturists and the decision about the rest would be made after duly considering their cases.

Shri Ram Sharma : May I know the basis on which certain Scheduled Castes have been declared agriculturists and others have not been declared as such ? Is there also any set principle according to which certain castes are to be declared as agriculturists first and others later or, why is this distinction being observed ?

Minister : Their number and interest in agriculture is taken into consideration before arriving at any decision.

Shri Ram Sharma : Shall I take it that so far only those castes have been declared as agriculturists whose number is large and who actually cultivate lands and that those castes who are small in number and are doing comparatively less work in the fields have been left over ?

Minister : Yes.

Sardar Bachan Singh : May I know if the 'Muzhabi sikhs' include themselves in the category of 'chuhras' ?

Minister : No. Mazhabi sikhs are not included in the category of 'chuhras'. This has to be decided by the Court.

Sardar Bachan Singh : May I know if a large number of 'Mazhabi sikhs' are such as used to get their names registered under the category of 'Chuhras' but when they embraced Sikhism they declared themselves as 'Mazhabi sikhs' ?

Minister : Most of them say that they are rajputs. (Laughter)

Sardar Bachan Singh : Is the hon. Minister aware of the fact that a large number of persons belonging to 'chuhra' tribe cultivate land ? Is it a fact that the number of such 'chuhras' is very large ?

Minister : Yes, they are sufficient in number.

Sardar Bachan Singh : Then what are the reasons for their not being declared as agriculturists ?

Minister : Only 'Balmikis' amongst them have been declared as agriculturists.

Sardar Bachan Singh : In view of the fact that 'Balmikis' and 'Mazhabi sikhs' have been declared as agriculturists, may I know as to why 'chuhras' who mostly depend upon land, have not been declared as such? Why have the claims of 'chuhras' been ignored at the time of declaring 'Balmikis' and Muzhabi sikhs as agriculturists?

Minister : If 'chuhras' are taken under the category of Balmikis, then they are understood to having been declared as agriculturists and if they happen to be blacksmiths then I must say that their case is under the consideration of the Government.

Master Gurbanta Singh : May I know as to why 'Ramdasias' and 'Ad Dharmis' who mostly depend upon land, have not been declared as agriculturists? Is the Government prepared to declare them as agriculturists?

Minister : This provision already exists now.

Master Gurbanta Singh : Is it a fact that the number of 'chamars' in Gurdaspur district is very large. If so, may I know as to why they have not been declared as agriculturists?

Minister : I require a fresh notice for this question.

Shri Ram Sharma : May I know if in the official records there is any difference between 'Balmikis' and 'Chuhras'? Is it on the basis of this difference that the former have been declared as agriculturists whereas the latter have not been declared as such?

Minister : There are as many as 34 castes amongst the Scheduled castes people. The cases of these castes have been and are being examined one by one. Some of these have been declared as agriculturists whereas the cases of others are under the consideration of the Government.

Shri Ram Sharma : In view of the fact that some castes have been declared as agriculturists while others have not been declared as such, may I know as to what he means by 'some castes'? What are the grounds for giving preferential treatment to Balmikis over the 'Chuhras'? Why have the former been declared as agriculturists while the cases of the latter are yet under the consideration of the Government?

Minister : I have already stated that only those castes have been declared as agriculturists whose number is large and who mostly depend upon land. The cases of other castes are under the consideration of the Government.

Master Gurbanta Singh : Is he aware of the fact that according to the Census of 1941 the number of 'chuhras' is much larger than the 'Balmikis' ?

Minister : I have no information about it.

Shri Bhagat Ram Chodha : Does the hon. Minister know that Balmikis usually reside in towns and chuhras live in villages ?

Minister : I have no information as to how many live in towns and how many in villages.

Shri Bhagat Ram Chodha : Is it not a fact that Balmikis who live in villages call themselves chuhras and as such they should have also been declared as agriculturists ?

Mr. Speaker : This is a question of opinion.

Chaudhri Suraj Mal : May I know whether they constitute a separate class or whether they are included in the general group ?

Minister : They have been included in the general group.

Chaudhri Suraj Mal : May I know whether the Government propose to consider the question of including all agricultural tribes in one group instead of keeping each class as separate ?

Minister : I require notice.

Chaudhri Matu Ram : May I know in how many districts Government has been deriving political advantage by declaring Harijans as agriculturists ?

Mr. Speaker : Order, order.

Pandit Durga Chand Kaushish : Has the Government ever realised that it is against the Constitution of India to notify people of scheduled castes as agriculturists ?

Mr Speaker : It is a question of legal opinion.

Shri Bhagat Ram Chodha : If any chuhras call themselves as Balmikis, they can become agriculturists. Then may I know if the Government has any definite principle ?

Minister : All those chuhras who are Balmikis have been declared as agriculturists.

DECLARING RAMGARHIA HINDUS AS AGRICULTURISTS

*2115. **Shri Virendra:** Will the hon. Minister for Education be pleased to state:—

(a) whether it is a fact that the Ramgarhia Sikhs have been declared as agriculturists;

(b) whether it is a fact that the Hindu Ramgarhias have not been declared as agriculturists under the Punjab Alienation of Land Act; if so, the reasons therefor?

The hon Sardar Kartar Singh: (a) Yes

(b) No. The attention of the hon. Member is drawn to Punjab Government Notification No. 6309-R-50/5007, dated the 20th September, 1950, as a result of which all Ramgarhias have been declared as statutory agriculturists.

Mr. Speaker: Question No. *2167 has been postponed.

Shri Prabodh Chandra: Sir we find that a large number of questions are postponed. Can we expect any replies of these questions?

Chaudhai Suraj Mal: May I know why are they postponed?

Chief Minister: Because the replies are not ready.

Chaudhri Suraj Mal: That was never done before.

Mr. Speaker: I would like to make this point clear. When a reply to a particular question is not ready, the Government can say 'that the reply is not ready' and if that is done, that question does not come on the agenda again. If, however, Government asks for its postponement that question is put on the order paper for some other day so that this practice of postponing the questions is advantageous to the hon. Members putting questions.

Chief Minister: Previously the practice in the case of those questions the replies of which had not been received by the Government, was that an interim reply to the effect 'that the reply is not yet ready and will be communicated to the hon. Member when ready' used to be given. But now such questions are sought to be postponed to a certain day: I might as well add that when once a question is printed on the agenda its reply is sent to the hon. Member asking it even though the session is prorogued.

Shri Prabodh Chandra : I would like to point out, Sir, that in such cases no replies are received by us. Even those questions which were put in 1947 when we used to hold our sittings in the Governor General's Lodge have not been replied to.

Mr. Speaker : That is quite incorrect. The hon. Sardar Sajjan Singh will bear me out that replies to such questions are always sent.

Shrimati Sita Devi : Under the rules the notice period is 15 days, but may I know why replies to those questions, the notices of which are sent even a month earlier are not ready?

Chief Minister : Replies to all those questions are read on the floor of the House or laid upon the table when their answers are received by the Government. I might, however, like to take this opportunity to submit that in a number of cases the questions are so vague that it takes a very very long time to collect the required information for instance information regarding the number and names of certain persons is asked for right from the 15th of August, 1947. In such instances it is quite natural that the information is not readily available and postponement is sought. We try our best to collect as much information as is available. Replies to unstarred questions are also sent to the Assembly Department.

Mr. Speaker : I would request the hon. Members to realise that only those questions which are really important should be put as starred questions. I find that in very many cases matters which are of no significance are put as starred questions. The result is that very important questions are left out. As supplementary questions can be asked only on starred questions it would be advisable to ask information on important matters only and unimportant questions should be put as unstarred questions. But as this is not done, unfortunately we find ourselves lagging behind today is the 3rd day of the session and we are still on the list of questions for the first day. I would, therefore, in the hon. Member's own interest and in the interest of the people, request the hon. Members to avoid putting starred questions relating to matters which are of comparatively less importance. One of my hon. Friends is an expert in asking questions. (*Laughter*). He gets his own questions signed by other hon. Members. The result is that most of the hon. Members are deprived of their right of putting question. Hitherto I have not changed any starred question into an unstarred one but if the Members persist in their practice I shall be obliged to change them.

Shrimati Sita Devi: Can I expect the reply to my question No *2092 which has been postponed to be given during the session?

Chief Minister: I will read out a part of the question, Sir. It reads :

(a) the number of rural and urban school and college students who participated in making "Grow More Food" campaign a success during the month of April, 1950 when schools and colleges in the State were closed for this purpose; You can imagine, Sir, how long it will take to get all this information. And what useful purpose will it serve? In such cases it is pretty difficult for the Government to get all the necessary information within time.

Mr. Speaker: I quite agree that sometimes the questions are very vague. I would ask the hon. Members to put in definite questions. At times I find that the various parts of the questions are more in the nature of supplementary questions. The questions should be brief and definite.

Shrimati Sita Devi: I submit, Sir, that my question is not at all vague. May I know whether I shall get its reply in one month, two months or three months?

Mr Speaker: In my opinion the question of the hon. Lady Member cannot be replied to at all.

DECLARING SCHEDULED CASTES AS AGRICULTURISTS.

*2208. **Shri Bhagat Ram Chodha:** Will the hon. Minister for Education be pleased to state :—

(a) whether it is a fact that Ramgarhia Sikhs have recently been notified as agriculturists ;

(b) whether the Hindu Ramgarhias have not been declared as such ; if so, the reasons therefore ;

(c) whether it is a fact that even certain scheduled castes among the Sikhs have been declared as agriculturists ;

(d) the castes which have not been recognized as such ;

(e) the sub-castes of the Hindu Scheduled castes, which have, so far, not been declared as agriculturists ;

(f) the reason for discrimination in this behalf in certain districts ?

The hon Sardar Kartar Singh : (a) and (b) All Ramgarhias have recently been notified as agriculturists by dropping the word 'Sikhs' from the original notification declaring Ramgarhias Sikhs as notified agriculturists.

(c), (d) and (e) Certain castes which are known, for the purposes of the Constitution as Scheduled Castes have been declared agriculturists under the Land Alienation Act in recent months. These castes cannot be discriminated on the basis of religion under this Act. The following are the castes which have been declared as agriculturists :—

- | | |
|---------------------|------------------------|
| 1. Ad-Dharmi | 11. Mazhabi |
| 2. Batwal | 12. Megh |
| 3. Bawaria | 13. Od |
| 4. Balmiki | 14. Ramdasi or Ravdasi |
| 5. Bhanjra | 15. Sanhai |
| 6. Chamar | 16. Sanhals |
| 7. Dhanak | 17. Sarera |
| 8. Dumna or Mahasha | 18. Dagi |
| 9. Kabirpanthi | 19. Kori or Koli |
| 10. Khatik | |

(f) The following castes have not so far been declared as agriculturists :—

- | | |
|----------------------|---------------|
| 1. Bangali | 9. Nat |
| 2. Barbar | 10. Pasi |
| 3. Bazigar | 11. Perna |
| 4. Chura | 12. Pherera |
| 5. Chanal | 13. Sansi |
| 6. Gagra | 14. Sapela |
| 7. Gandhila | 15. Sikligar |
| 8. Marija or Marecha | 16. Sirkiband |

There case is under consideration.

Pandit Durga Chand Kaushish : On a point of order, Sir. A very important question of principle is involved in this question, and I would request you to give your definite ruling in regard to it. I had asked the Government to give me basic information in regard to this matter but I was denied that information because the Land Alienation Act has been challenged in a court of law. But this particular question has been replied to. May I request you to disallow

such questions because any reply given, any supplementary question replied to, any discussion on this matter might prejudice the decision of the court? And so long as this matter is not decided it should not be raised on the floor of the House.

Mr. Speaker: No reply has been given which in any way offends this Act or any article of the Constitution of India.

Shri Bhagat Ram Chodha: Are "Julahas" also included among those who have been declared 'agriculturists'?

Minister for Education: No, the 'Julahas' are not included among the Schedule Castes.

Shri Bhagat Ram Chodha: Are 'Tarkhans', 'Lohars' and 'Bahma Brahmans' all included among the Ramgarhias?

Minister: I don't know.

Shri Bhagat Ram Chodha: Why were not Hindu Ramgarhias declared agriculturists along with the Sikh Ramgarhias.

Minister: This has now been done.

Shri Bhagat Ram Chodha: Why was not this done before? Were the Hindu Ramgarhias deliberately ignored?

Minister: No, Even now I have doubts if there are any Hindu Ramgarhias. At first I was under the impression that there were only Sikh Ramgarhias but later on when objection was raised, the word 'Sikh' was dropped.

Shri Bhagat Ram Chodha: Is not the hon. Minister aware of the fact that even among Sikh Ramgarhias, there are many without 'Keshas'?

Minister: Yes, but many other people without 'Keshas' are also regarded as Sikhs. So the keeping of 'Keshas' cannot be made the basis of any distinction.

Shri Bhagat Ram Chodha: Doesn't the hon. Minister know that most of the Ramgarhias in villages are either 'Tirkhans' or 'Lohars' or 'Bahma Brahmans'?

Minister: There are hundreds of castes and I cannot be expected to remember them all.

Shri Bhagat Ram Chodha : Is it not a fact that 'Bahma Brahmans' of Delhi have made a representation dated 15th September, 1950, that they should also be notified as 'agriculturists' ?

Minister : Yes, their case is under consideration.

Master Gurbanta Singh : Is the Government prepared to treat those persons of backward classes, who have embraced Christianity, as agriculturists ?

Minister : I have already stated that under the Constitution of India, nobody can be discriminated against on grounds of religion. There is no longer any such distinction as between Jat Sikhs and Jat Hindus. All of them are agriculturists because they belong to the Jat community. So if those Christians happen to belong to any of the castes, which have been declared agriculturists, they will automatically be treated as such.

Master Gurbanta Singh : Can those 'Mazhabis' and 'Balmikis' who have turned Christians, be not regarded as agriculturists ?

Minister : I have just replied to it.

Pandit Durga Chand Kaushish : The hon. Minister has just stated that only those castes have been declared as agriculturists, which have been included among the schedule castes in the constitution. Does this mean that this right can be claimed by a person only by virtue of his birth in a particular caste ?

Minister : Yes, under the Land Alienation Act, this is the case.

UNSTARRED QUESTIONS AND ANSWERS.

REPRESENTATION OF SIKHS IN SERVICES.

559. **Sardar Rattan Singh :** Will the hon. Chief Minister be pleased to state:—

- (a) whether it is a fact that he stated in a press statement that Sikhs are duly represented in the services commensurate with their population strength in the State ; if so, whether he will place the record with the details on the Table from which he drew this conclusion ;

- (b) whether he is aware of the fact that in the Civil Secretariat, out of 56 Secretaries, Under-Secretaries, Deputy Secretaries and Assistant Secretaries there are only 9 Sikhs working at present ;
- (c) if the answer to part (b) above be in the negative, whether he will give the correct figures ;
- (d) whether he is aware of the fact that out of 50 Superintendents in the Secretariat, there are only 9 Sikhs ;
- (e) if the reply to part (d) above be in the negative, whether he will give the correct figures ;
- (f) whether he is aware of the fact that out of 11 Gazetted posts in the Financial Commissioners' offices, Sikhs hold only two ; if not, the number of gazetted posts which are held by Sikhs ?

The hon. Dr. Gopi Chand Bhargava : The information is being collected and will be supplied to the hon. Member when ready.

560. Sardar Rattan Singh : Will the hon. Minister for Rehabilitation be pleased to state the total number and appointments, gazetted and non-gazetted, made in the Relief and the Rehabilitation Department of the State from 15th August, 1947 and the number of persons belonging to different communities among them separately ?

The hon. Dr. Lehna Singh Sethi : Appointments in this Department were not made on communal basis. No statistics about appointments community-wise were, therefore, maintained. The Relief and Rehabilitation Department is purely temporary and many changes have taken place since the date of its formation. A number of Organisations have either been disbanded or reduced very considerably. In these circumstances, the information asked for is not readily available and the time and trouble involved in collecting the same at this stage will not be commensurate with any possible benefit to be obtained.

RECRUITMENT IN THE CIVIL SUPPLIES DEPARTMENT.

561. Sardar Rattan Singh : Will the hon. Minister for Development be pleased to state the total number of appointments made in the civil supplies department of the state during the last three years, and the number of persons belonging to different communities among them separately ?

The hon. Sardar Ishar Singh Majhail:—The requisite information is given below :—

Total appointments made in the Civil Supplies Department during the period.

15-8-1947 to 15-8-1950.	Hindus.	Sikhs.	Indian Christians.	Scheduled Castes.	Muslims
(1)	(2)	(3)	(4)	(5)	(6)
6,045	3,741	2,096	58	131	19

RECRUITMENT IN THE P. C. S. (EXECUTIVE BRANCH).

562. Sardar Rattan Singh : Will the hon. Chief Minister be pleased to state whether any appointments have been made in the P. C. S. (Executive Branch) since August, 1947 ; if so, the total number of persons belonging to different communities among them separately ?

The hon. Dr. Gopi Chand Bhargava : Since August, 1947, 45 candidates have been recruited to the P. C. S. (Executive Branch) and their representation community-wise is as follows :—

Hindus	Sikhs	Others
32	11	2
(One sheduled caste and one christian.)		

RECRUITMENT IN P. C. S. (JUDICIAL BRANCH.)

563. Sardar Rattan Singh : Will the hon. Chief Minister be pleased to state whether any appointments have been made in the P. C. S (Judicial Branch) since August, 1947, if so, the total number of appointments so made and the number of persons belonging to different communities among them separately ?

The hon. Dr. Gopi Chand Bhargava : As a result of examination held in February, 1950, 4 Hindus, 2 Sikhs and one Scheduled Caste candidates have been selected for the first time since August, 1947, for appointment to the P. C. S. (Judicial Branch). Four of them have joined their posts.

564 }
565 } Cancelled.

ADDITIONAL POLICE POSTS IN THE STATE.

566. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state :—

- (a) the names of the localities in each of the districts of the State from which arrears on account of the additional police posts located there were due under section 15 of the Police Act on 15th August 1947 ;
- (b) the total amount of money due from each locality on 15th August 1947 ;
- (c) the total amount of money recovered from each locality up till 31st August 1950 ;
- (d) the actual costs of each of the police posts quartered in each locality in the State ;
- (e) (i) whether Government has recently issued instructions to the District Magistrates to the effect that costs be assessed after calculating the actual expenditure of each of the police posts ; if so, when, together with details of the instructions issued ;
- (ii) whether the amount realised in excess of the actual costs from any of the localities referred to above will be refunded ; if not, the reasons therefor ?

The hon. Dr. Gopi Chand Bhargava : The information is being collected and will be supplied to the hon. Member when ready.

— — —

DAMAGE TO CERTAIN VILLAGES OF TARN TARAN TEHSIL BY THE FLOODS.

567 Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state :—

- (a) whether the Government is aware of the fact that Mano Chahal, Nurpur, Jootiala, Miani, Sheikh, Bhure, Tatla, Qazi Kot Seron, Plasaur villages of tahsil Tarn Taran have been greatly affected by the floods of 1950 ;
- (b) the steps taken by the Government to give relief to the people of these villages ;
- (c) the nature of the relief given to each of the villages noted above ;

(d) whether any houses were damaged or demolished in each of these villages belonging to landowners and the landless inhabitants respectively ; if so, their number ;

(e) the extent to which crops have been damaged and the loss sustained by each of these villages separately ?

The hon. Dr Gopi Chand Bhargava : The information is being collected and will be supplied to the hon. Member when ready.

— — —
DAMAGE TO CERTAIN VILLAGES OF PATTI TAHSIL BY
FLOODS.

568. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state :—

- (a) whether the Government is aware of the fact that Sur Singh Singhpura, Bhikhiwind, Kale, Sandpura, Mari Samra, Mari Gor Singh, Mari Nauabad, Bhagwan Pura, Kalsian Kalan, Algon, Bahrwal, Wan Chela, Kalia, Sankhatra, Daleeri, Mari Hungha, Sidhwan, Narli, Naula, Mari Kambo Ke, Amirshah, Kalsian Khurd, Dall, Wan, Bamka, Baler, Horike and Fraudipur villages in Patti Tahsil have been greatly effected by the recent floods ;
- (b) (i) if the answer to part (a) above be in the affirmative, to what extent the standing crops have been damaged in each of these villages ;
- (ii) the number of the houses belonging to the landowners and the landless persons which got damaged or demolished respectively in each of the villages mentioned in part (a) above ;
- (iii) the total loss sustained by each of the villages as a result of damage to the standing crops and the houses ;
- (c) (i) whether any relief has been provided by the Government to the villages noted above ; if so, the nature of the relief sanctioned ;
- (ii) the total amount of money provided in each village as Taccavi and grant separately for the construction of the houses to landowners and landless persons, respectively ;
- (iii) the number of the persons of each of the categories referred to above who have been allowed to avail themselves of the relief and grant measures ?

The hon. Dr. Gopi Chand Bhargava : The information is being collected and will be supplied to the hon. Member when ready.

GOVERNMENT OWNED TRUCKS AND LORRIES

569 Sardar Sajjan Singh : Will the hon. Minister for Education be pleased to state :—

- (a) the total number of trucks or lorries purchased by Government upto 31st March, 1950.
- (b) when they were purchased ; and the amount paid at the time of each purchase ;
- (c) the total amount of money spent for the construction of their bodies upto 31st March 1950 ;
- (d) the total expenditure incurred by the Government for the purchase and the construction of the bodies of the vehicles referred to above ;
- (e) the number of the vehicles disposed of upto 31st August 1950 and the manner in which they have been disposed of ;
- (f) the total amount of money received by the Government on account of their disposal upto 31st August 1950 ;
- (g) the number of the vehicles which have not been disposed of upto now together with their total cost price ?

The hon. Sardar Kartar Singh :

- (a) 426 vehicles.
- (b) These were indented in December, 1947 and were received in different lots, the last one arriving on 23rd January 1950. The total amount spent during the year 1948-49 and 1949-50 is Rs. 26, 71, 659/4/- and Rs. 10, 73, 839/6/6 respectively.
- (c) The total expenditure on body building is Rs. 7, 51, 675/-/-.
- (d) Rs. 37,45,498/10/6 plus Rs. 7,81,675/- = Rs. 45,27,173/10/6.
- (e) (i) No. of vehicles allotted to Government and semi-Government Departments. 139
- (ii) No. of vehicles utilised in the operation of Government Transport Services. 137
- Total.276
- (f) Rs. 16, 62, 367/12/- . In addition Rs. 12, 50, 601/- on account of cost of 45 chassis allotted to Amritsar Omnibus Service, 29 to Ambala Roadways and 12 to Jullundur Omnibus Service are yet to be recovered and necessary adjustments made.
- (g) (i) 150.
- (ii) Rs. 18, 14, 204/14/6.

RICE MILLS IN DISTRICT AMRITSAR.

570. **Sardar Sajjan Singh** : Will the hon Minister for Development be pleased to state:—

- (a) the localities in each Tehsil of Amritsar district where rice mills have been sealed ;
- (b) the date since when each of these mills has been sealed ;
- (c) the period during which the mills remained sealed upto 15th September 1950 ;
- (d) the period for which each of them was allowed to work upto 15th September 1950.
- (e) the procedure laid down for the selection of a rice mill for granting to it a permit for husking paddy ;
- (f) the points taken into consideration by the Government before granting the required permits for husking rice.

The hon. Sardar Ishar Singh Mujhai :—

(a), (b), (c) and (d). The required information is given in the attached statement.¹

- (e). Authorisations issued to millers for husking paddy fall under the following three categories :—
 - (I). On Government account *i. e.* when the rice is to be taken over by Government through authorised rice dealers. In this case authorisations are granted to all genuine rice millers in trade at the rice markets.
 - (II). On account of Zamindars, *i. e.* when the producers having paddy of their own get it husked into rice for their household consumption. In such cases millers only at the places where adequate supervision, preferably 24 hours watch, over the activities of the millers, can be exercised by a member of the Civil Supplies staff personally, are authorised. Such authorisations are therefore, generally issued to millers at the headquarters of members of the Civil Supplies Staff. All the genuine millers at these places are some times grouped into an association but as a rule only one mill at a time is authorised for this purpose, out of the millers in turn.

¹ Kept in the Library

- (III). On account of big landlords *i. e.* when a landlord mill owner wishes to husk his own produce of paddy himself and sell rice to Government, retaining a small quantity for his own use. The applications from such landlords are considered on merit.
- (f). As in (e) above. Genuineness of millers is determined by the following factors, mainly—
- (I). The miller should be a food grain licensee and an old trader having business experience in rice milling. His concern must be a well established one.
- (II). His machines must have an adequate milling capacity.
- (III). The mills premises must be spacious to allow the dryage of paddy, expected to be received at the mill.

— — —

TERMINATION OF THE SERVICES OF THE SUB-INSPECTORS,
CO-OPERATIVE CREDIT SOCIETIES, GURGAON.

571. **Sardar Sajjan Singh:** Will the hon. Minister for Development be pleased to state :—
- (a). whether any Sub-Inspectors, Co-operative Credit Societies posted in the district of Gurgaon were discharged from service between 15th August 1947 and 31st December 1947 ; if so their list together with the grade of their pay and the per mensem they were drawing at the time of their discharge from service ;
- (b). whether any of them was given any charge-sheet before his services were dispensed with; if not, the reasons therefor ;
- (c). whether the persons referred to in part (a) above were given any chance of defence before being discharged; if not, the reasons therefor ;
- (d). the provisions of law under which their services were dispensed with ;
- (e). whether any of the discharged Sub-Inspectors mentioned in part (a) above has been re-employed; if so, whether he has been given the same rank, pay and grade as he had at the time of his discharge ; if not, the reasons therefor ?

The Hon. Sardar Ishar Singh Mujhail: The information is being collected and will be supplied to the hon. member when ready.

TERMINATION OF THE SERVICES OF MUSLIM TEACHERS OF
DISTRICT BOARD SCHOOLS OF GURGAON DISTRICT.

572. **Sardar Sajjan Singh** : Will the hon. Minister for Education be pleased to state:—

- (a) whether the services of any Muslim teachers of the District Board Schools of the Gurgaon district were dispensed with during the year 1947; if so, their names together with their home addresses, vocational qualifications, the monthly pay and the grade of pay of each of them at the time of his discharge the school in which he was employed, the date of his discharge and the post he was holding ;
- (b). whether any of the persons referred to in part (a) above made any representations to the Government or the District Board, Gurgaon, up to 31st August 1950 for re-employment; if so, the number of such representations and the action taken by the Government in each case ;
- (c) the names and the number of the persons referred to in part (b) above who have been re-employed with the following particulars in each case :—
 - (i) the pay and grade he has been sanctioned ;
 - (ii) the post he has been given ;
 - (iii) the date of his re-employment; and ;
 - (iv) whether he has been given the same pay and grade after re-employment as he had at the time of his discharge; if not, the reasons therefor ;
- (d) whether the Government proposes to reinstate the persons referred to in part (b) above on the posts they held in 1947 and pay them the arrears of pay since the date of their discharge up to the date of their re-employment; if not, the reasons therefor ?

The hon. Sardar Kartar Singh : The information is being collected and will be supplied to the hon. Member when ready.

EXPORT OF RICE FROM THE STATE.

573 **Sardar Sajjan Singh** : Will the hon. Minister for Development be pleased to state : —

- (a) (i) whether any rice were exported to other deficit states by our state Government during the period 1st January

1950 to 31st June 1950 ; if so, the quantity of the rice in maunds exported to each state ;

- (ii) the total purchasing price of the rice exported to each state separately ;
 - (iii) the stocking and other charges in connection with the rice referred to in part (ii) above upto the date of despatch ;
 - (iv) the total expenditure incurred by our state on account of the price and other charges referred to above in each case ;
- (b) the total amount charged by the Government from each of the states referred to in part (a) above ?

The hon. Sardar Ishar Singh Mujhail :

- (a) (i) Yes. Quantity exported in maunds is :—

Bombay	...2,96,734
Cutch	... 36,704
Delhi	.. 43,159
Defence Department	... 36,886
Himachal Pradash	... 27,413

- (ii) Rice was purchased at different rates at different times. No purchases were made separately for export. It is not, therefore, possible to state the purchasing price specifically.
- (iii) This rice was not specifically marked for exports and therefore not stored separately. Stocking and other charges cannot, in these circumstances be stated.
- (iv) Does not arise in view of (ii) and (iii) above.

(b)

Bombay	... Rs. 64,52,034
Cutch	... Rs.5,04,315
Delhi	... Rs. 9,94,835
Defence Department	... Rs. 7,00,943
Himachal Pradesh	... Rs. 5,20,323

PROCUREMENT OF WHEAT IN THE STATE.

574. **Sardar Sajjan Singh** : Will the hon. Minister for Development be pleased to state :—

- (a) (i) whether any wheat was procured during the year 1950 from various districts of the state; if so, the list of the places where the procured wheat was stocked at different places in each of the districts;
- (ii) the quantity of wheat in maunds stocked at each of the places referred to in part (a) (i) above ;
- (iii) the arrangements, if any, made by the Government for the safety of the wheat during the rainy season;
- (b) whether any quantity of wheat was damaged during the rainy season of floods of 1950; if so, the names of the places where wheat was damaged and the quantity of wheat in maunds damaged at each place;
- (c) whether any enquiry about the damage was instituted by the Government; if so, with what result ?

The hon. Sardar Ishar Singh Mujhail :

- (a) (i) Yes. List enclosed¹
- (ii) Quantity stored varies from day to day. Quantity in stock on a specified date can be stated and for this notice is required.
- (iii) Godowns were examined and repaired, where necessary, before rains and were properly looked after during rains. All necessary precautions were taken to prevent entry of water into the godowns.
- (b) Yes. The main places are Tarn Taran, Batala, Talwandi, Moga and Ajitwal. The quantity damaged is not likely to exceed 5000 tons.
- (c) Top ranking officers of the Civil Supplies Department have visited the flood effected places and seen things and supervised salvage operations at the spot. Government is satisfied that all precautionary measures were taken to prevent damage. Prompt steps were taken to salvage the foodgrains involved.

¹ Kept in the Library.

EVACUEE HOUSES AT TOWN PATTI.

575 Sardar Sajjan Singh : Will the hon. Minister for Rehabilitation be pleased to state :—

- (a) the total number of evacuee houses at town Patti, District Amritsar;
- (b) (i) whether possession of the evacuee houses in this town which have been allotted to the new allottees has been delivered to each of them, if not, the reasons therefor;
- (ii) the number of the evacuee houses of which the possession has not been delivered to the allottees;
- (iii) the list of the persons referred to in part (a) (ii) above and the reasons for the non-delivery of the possession in each case;
- (c) whether there are any evacuee houses in this town in which persons other than the displaced persons are living; if so, the number of such houses and the reasons for not getting them vacated for the rehabilitation of the refugees;
- (d) whether there are any evacuee houses in Patti town referred to above in the possession of school teachers, revenue patwaris and other Government servants who are not posted at Patti, if so, the list of such houses together with the names of their occupants;
- (e) (i) whether there are any evacuee houses in the possession of displaced landowners who have been allotted lands elsewhere; if so, their number and the reasons for not getting these vacated upto 11th September 1950 ;
- (ii) whether there are any allottees of village Peeruwala and Kamayan who have been allotted lands in the Suburban area of the town under the quasi permanent allotment scheme, but have not been allotted any house upto 11th September 1950 ;
- (iii) whether any of them have not been given possession of the houses allotted to them; if so, their list and the reasons for non-delivery of the possession ?

The hon. Dr. Lehna Singh Sethi : (a) Total number of evacuee houses at town Patti, District Amritsar in fact at present is 948.

- (b) (i) The possession has been delivered in 58 cases to the new allottees and possession in case of 80 has yet to be delivered. Unauthorised occupants of these houses have been served with a notice to vacate them immediately. Ejectment has been delayed due to heavy rains and unprecedented floods.
- (ii) 80 (Eighty)
- (iii) List A is placed on the table.¹ Reasons for the non-delivery of possession have been explained in reply to (b) (i) above.
- (c) Yes. Six persons, who are locals, are in possession of evacuee houses. Notices to vacate the premises have already been issued to them and action is being taken to eject them forcibly, if they do not vacate.
- (d) Yes. There are 12 houses in possession of school teachers, Patwaris and other Government servants who are posted out of Patti. List B giving the necessary details is placed on the table¹,
- (e) (i) Yes. There are 73 displaced land owners who, though allotted land elsewhere are still in possession of evacuee houses at Patti. Notices have already been issued to them to vacate the premises, but due to heavy rains and unprecedented floods delay in action has occurred.
- (ii) Yes. Out of 31 allottees of village Kamayan 4 have not been allotted houses as they have not applied for the same. All the land allottees of Peeruwala, have been allotted houses.
- (iii) Out of 27 land allottees of village Kamayan who have been allotted houses, 17 are yet to be given possession of the houses allotted to them. As regards Peeruwala, only five land allottees are yet to be delivered possession. List C & D, giving the details are placed on the table¹. The reasons for delay in the transfer of possession are (i) that after due service of notices, reasonable time

¹ Kept in the Library

had to be allowed to the unauthorised occupants to vacate the premises and (ii) the situation created by the excessive rains and unprecedented floods caused postponement of the ejection of the unauthorised occupants. Necessary action would be taken as soon as the normal conditions are restored.

— — —

ALLOTMENT OF LANDS OF PATTI, TARN TARAN, AJNALA
AND AMRITSAR TAHSIL.

576. Sardar Sajjan Singh: Will the hon. Minister for Rehabilitation be pleased to state:—

- (a) the evacuee area of cultivable lands in each of the villages of Patti, Tarn Taran, Ajnala and Amritsar Tahsils of the Amritsar District, respectively, which was not allotted to any displaced persons upto 15th June 1950; if so, the reasons therefor ;
- (b) (i) whether the areas referred to in part (a) above were disposed of after 15th. June 1950; if so, the procedure adopted for their disposal ;
- (ii) whether any of the said areas was leased out to the local residents or refugees to whom lands had been allotted; if so, the reasons therefor;
- (iii) whether any of these areas was allotted to any of the displaced persons settled under the quasi - permanent allotment scheme; if so, the names of such villages and the area allotted in each;
- (iv) whether any of the areas under reference was leased out temporarily to the displaced persons who were entitled to lands but could not get it allotted; if so, the rate of rent fixed per acre ?

The hon. Dr. Lehna Singh Sethi : The information is being collected and will be supplied to the hon. Member when ready.

SUPPLY OF CANAL WATER IN DISTRICT AMRITSAR.

577. **Sardar Sajjan Singh** : Will the hon. Chief Minister be pleased to state :—

- (a) the steps, if any, so far taken by the Government to supply canal water to irrigate the barani lands of the villages Mari Gor Singh, Mari Samra, Sur Singh, Kale, and Sanopura, Tehsil Patti, District Amritsar ;
- (b) whether it was proposed to dig out a new channel from Basarka distributary to irrigate the barani lands of these villages; if so, the action, if any, so far taken by the Government in the matter ?

The hon. Dr. Gopi Chand Bhargava :

- (a) The scheme for extending irrigation to these villages of Amritsar District are under investigation.
- (b) The detailed scheme for extending irrigation to village Sur Singh from Basarka distributary is in hand.

CRIMINAL TRIBES.

578. **Sardar Sajjan Singh** : Will the hon. Chief Minister be pleased to state :—

- (a) the number of the members of the Criminal Tribes who were convicted for murder, dacoity high-way robbery, rape and other cognisable offences during the following period:—
 - (i) between 15th August 1947 to 31st March 1948,
 - (ii) between 1st April 1948 to 31st March 1949,
 - (iii) between 1st April 1950 to 31st August 1950 ;
- (b) the number of the persons referred to above who were acquitted in appeals or revision during the periods noted above ?

The hon. Dr. Gopi Chand Bhargava : The information is being collected and will be supplied to the hon. member when ready.

SCHOOL GOING CHILDREN OF THE CRIMINAL TRIBES
IN THE STATE.

579. **Sardar Sajjan Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) the number of children of the school going age belonging to the Criminal Tribes in the state ;
- (b) the number of the children referred to above who are attending school at present ;
- (c) (i) the number of the children of school going age at each of the reformatory settlements ;
- (ii) the number of students at each reformatory school ;
- (iii) the number of the scholarship-holders in each reformatory school and the amount given to each of them per month in each school ;
- (d) the total number of the students who passed the primary examination from the schools under the control of the Criminal Tribes Department ?

The hon. Dr. Gopi Chand Bhargawa :

(a)-(d) :—A statement is attached¹

TRAVELLING ALLOWANCE DRAWN BY DEPUTY COMMISSIONER
AND SUPERINTENDENT OF POLICE, AMRITSAR FOR THEIR
VISIT TO KAIRON, DISTRICT AMRITSAR.

580. **Shrimati Dr. Parkash Kaur :** Will the hon. Chief Minister be pleased to state :—

- (a) with reference to the reply to unstarred question No. 219 put by S. Sajjan Singh on 28th March, 1949—
 - (i) the date on which the bill of the Superintendent of Police, was despatched from his office to the Deputy Inspector General of Police, Jullundur for counter-signature;
 - (ii) the despatch number according to the despatch register of the office of the Senior Superintendent of Police, under which the bill was sent to the Deputy Inspector General of Police, Jullundur;
 - (iii) the date of receipt of this bill together with its receipt number in the office of the Deputy Inspector General of Police, Jullundur;

¹Kept in the Library

- (iv) the date when this bill was sent back by the Deputy Inspector General of Police, Jullundur with his counter-signature to Senior Superintendent of Police, Amritsar together with its number in the despatch register of the office of the Deputy Inspector General;
- (v) the date together with the receipt number of this bill in the office of the Senior Superintendent of Police, Amritsar;

(b) whether the amount of this bill was ever drawn by the Senior Superintendent of Police, Amritsar; if so, when, if not, the reasons therefor?

The hon. Dr. Gopi Chand Bhargava :

- (a). (i) 8th April, 1949.
- (ii) No. 5148/A.
- (iii) No. 8871, dated 11th April, 1949.
- (iv) No. 8871-R. O., dated 2nd May, 1949.
- (v) No. 6799-A, dated 4th May, 1949.
- (b). Yes, on 10th May, 1949.

POINTS OF PRIVILEGE.

QUESTIONS.

Sardar Bachan Singh : Sir, on a point of privilege. To-day during the question hour you were pleased to remark that certain questions admitted as starred questions, were fit to be admitted as unstarred ones and that you could change the nature of the question. My submission is that asking of questions is a privilege granted to the Members of the Legislature by the Constitution and if a starred question is altered to an unstarred one, the Member will be deprived of his right of asking supplementary questions.

Mr. Speaker : The question of privilege is not involved in this matter. In the rules of procedure of some of the legislatures it is provided that the Speaker can alter the nature of the question. In our rules there is no such provision and therefore, at present, I have no right to change a starred question into an unstarred one but I am thinking of having the rules amended to get such a right to myself. There is another thing in this connection that I want to tell the hon. Members and that is that some of the questions which they give notice of are of very excessive length.

Sardar Bachan Singh : If we do not make a question lengthy, then the Ministers would require notice for every little thing and hence in the very beginning we ask for details in the original question and, therefore, the questions become lengthy.

Mr. Speaker : I quite realise this difficulty but all the same I may tell the hon. Member that under the rules I can disallow a question if it is unduly lengthy.

Sardar Sajjan Singh : Sir, no heed is paid by the Government to unstarred questions. I had given notice of 47 unstarred questions for today but none of them has been replied to so far.

Mr. Speaker : You wait for some time because willingly or unwillingly they must give a reply.

ORDER OF PRECEDENCE OF MEMBERS OF THE ASSEMBLY.

Chaudhri Kartar Singh : On a point of privilege, Sir. May I request you kindly to ask the Government to fix the order of precedence of the hon. Members of this House ?

Mr. Speaker : I think the hon. Member is referring to the Warrant of Precedence. I may tell the hon. Members that it is not within the power of the Provincial Government to determine that order. It is the Government of India who decide the precedence but the State Government can move the Government of India and get the thing decided. If the hon. Members so want, I will also move the Government to request the Government of India to determine the order of precedence of the Members of the Legislative Assembly.

Chief Minister : Sir, I may submit through you that the order of precedence is decided by the Government of India. We receive from them different orders from time to time and act accordingly in this behalf. If the order of precedence of any official is not received, we follow the old order. In that old order, no precedence is given to the Members of the Provincial Legislative Assemblies. I have already asked the Chief Secretary to refer the matter to the Government of India and get our position in that order determined.

Shri Virendra : Sir, I would request you that you, as the custodian of the rights and privileges of the Members of this honourable House I should take steps and protect the rights of the Members.

Mr. Speaker : I came to know of this difficulty only the other day when the civic address was presented to the President of India. I assure the hon. Members that I will take steps to have the warrant of precedence determined with regard to the Members of the Legislative Assembly.

— — —
POINT OF ORDER RE. LAND ALIENATION ACT.

Pandit Durga Chand Kaushish : On a point of order Sir. I am very sorry to point out that I have raised several points of order on several occasions but you have not been kind enough to give your considered ruling on any one of them.

Mr. Speaker : Tell me what point of order you raised to which I did not give my ruling ?

Pandit Durga Chand Kaushish : For example, my point of order of today relating to the Land Alienation Act.

Mr. Speaker : Yes. You asked me at that time whether the Ramgarhias people could be declared as Agricultural Tribe or not and whether the Land Alienation Act contravened the provisions of the Constitution. The thing is that unless and until this particular Act is declared void by the High Court or the Supreme Court, it is to remain in force and the Government has a right under this Act to declare any tribe as agriculturists.

— — —
FIXATION OF DATE FOR DISCUSSION OF FLOOD SITUATION.

Shri Prabodh Chandra : Sir, may I know whether in consultation with the Leader of the House, you have been able to decide the date on which the flood situation in the State is to be discussed ?

Mr. Speaker : I am sorry I have not been able to get time, but I shall let you know tomorrow.

— — —
PAPERS LAID ON THE TABLE.

ORDINANCES.

Chief Minister : Sir, as required by Clause 2 (a) of Article 213 of the Constitution of India I beg to lay on the table* of the House ordinances Nos. 4-13 of 1950 promulgated since the prorogation of the last session of the Assembly.

* Kept in the Library.

AMENDMENTS TO MOTOR VEHICLES RULES

Minister for Education (The hon. Sardar Kartar Singh) : Sir, In pursuance of Section 133(3) of the Motor Vehicles Act, 1939, I beg to lay on the table¹ of the House, the amendments to Rules 4·37, 4·44 and 4·54 of the Punjab Motor Vehicles Rules 1940, made since the last Budget Session of the Assembly.

REPORT OF THE ESTIMATES COMMITTEE.

Deputy Speaker (Thakur Pancham Chand) : Sir, I beg to present the report of the Estimates Committee of the Punjab Legislative Assembly on the Supplementary Estimates (1st Instalment) for the year 1950-51.

EAST PUNJAB IMPROVED SEEDS AND SEEDLINGS (AMENDMENT) BILL.

Minister for Development (The hon. Sardar Ishar Singh Mujhail) : Sir, I introduce the East Punjab Improved Seeds and Seedlings (Amendment) Bill.

Minister : I move—

That the East Punjab Improved Seeds and Seedlings (Amendment) Bill be taken into consideration at once.

Sir, I do not feel called upon to make a long speech because, as stated in the statement of Objects and Reasons, the Act of 1949 was entirely concern of the Agriculture Department, while under the Grow More Food Scheme, the Deputy Commissioners have been made responsible for this work. This amending Bill has been brought forward in order to associate the revenue staff with the agriculture staff. With these words, I request that the Bill be taken into consideration at once.

Mr. Speaker: Motion moved —

That the East Punjab Improved Seeds and Seedlings (Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : The house will now consider the Bill clause by clause.

¹Kept in the Library.

CLAUSES 2 TO 4.

Mr. Speaker : Question is—

That clauses 2 to 4 stand part of the Bill.

The motion was carried.

CLAUSE 1.

Mr. Speaker : Question is—

That clause 1 stand part of the Bill.

The motion was carried.

TITLE.

Mr. Speaker : Question is—

That Title be the Title of the Bill.

The motion was carried.

Minister for Development : Sir, I move—

That the East Punjab Improved Seeds and Seedings (Amendment) Bill be passed.

The motion was carried.

— — —

EAST PUNJAB URBAN RENT RESTRICTION (AMENDMENT)
BILL.

Minister for Public Works (The hon. Captain Ranjit Singh) : Sir, I beg to introduce the East Punjab Urban Rent Restriction (Amendment) Bill.

Minister : I move—

That the East Punjab Urban Rent Restriction (Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : The House will now consider the Bill clause by clause.

CLAUSES 2 AND 3.

Mr. Speaker : Question is—

That clauses 2 and 3 stand part of the Bill.

The motion was carried.

CLAUSE 1.

Mr. Speaker : Question is—

That clause 1 stand part of the Bill.

The motion was carried.

TITLE.

Mr. Speaker : Question is—

That Title be the Title of the Bill.

The motion was carried.

Minister for Public Works: I move—

That the East Punjab Urban Rent Restriction (Amendment) Bill be passed.

The motion was carried.

EAST PUNJAB DRUGS CONTROL (AMENDMENT) BILL.

Minister for Development (The hon. Sardar Ishar Singh Mujhail) :
Sir, I beg to introduce the East Punjab Drugs (Control) (Amendment) Bill.

Minister : I move—

That the East Punjab Drugs (Control) (Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : Before the Bill is taken into consideration clause by clause I would like to draw the attention of the hon. Minister concerned to the difference in the wordings of clause 4 in this Bill and clause 4 of the Improved Seeds and Seedings Bill. In the Drugs Control (Amendment) Bill the words are that 'the Ordinance is hereby repealed' but in the other Bill the words are.—

'Ordinance is hereby repealed; but, notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of powers conferred by or under this Act, as if this Act had been in force on the day on which such thing was done or action taken.'

I would like to know if any action has been taken under this ordinance during the period it remained in force. If something has been done then it would be proper to have such words in the clause instead of merely repealing the Ordinance.

Minister : Sir, the Government of India objected to this Ordinance under Article 31(2) of the Constitution and therefore, no action was taken under it. For this reason it is not necessary to have the words suggested by you.

CLAUSES 2 to 4.

Mr. Speaker : Question is—

That clause 2 to 4 stand part of the Bill

The motion was carried.

CLAUSE 1.

Mr Speaker : Question is—

That clause 1 stand part of the Bill.

The motion was carried.

TITLE.

Mr. Speaker : Question is—

That Title be the Title of the Bill.

The motion was carried.

Minister for Development : Sir, I move—

That the East Punjab Drugs (Control) (Amendment) Bill be passed.

The motion was carried.

— — —

EAST PUNJAB REFUGEES REHABILITATION (LOANS AND GRANTS) (SECOND AMENDMENT) BILL.

Minister for Rehabilitation (The hon. Dr. Lehna Singh Sethi) :

Sir, I beg to introduce the East Punjab Refugees Rehabilitation (Loans and Grants) (Second Amendment) Bill.

Minister (*Hindustani*) : I move—

That the East Punjab Refugees Rehabilitation (Loans and Grants) (Second Amendment) Bill be taken into consideration at once.

Sir, the refugees had to face a number of hardships on account of certain clauses of the East Punjab Refugees Rehabilitation (Loans and Grants) Act. It is to remove those hardships of the refugees that this Bill has been brought forth. The first hardship was that the Deputy Commissioners were not authorised to review their own orders once passed. Now by this Bill, they would be able to bear appeals and to revise their decisions. Secondly, some of the people went out of the State or committed some irregularities. On account of that, they were immediately made to pay back the whole loan. This caused hardship to the refugees. So now according to this Bill, the loans from such refugees would be recoverable in instalments, spread over two years. With these words I move this Bill immediate consideration of the House.

Mr. Speaker : Motion Moved—

That the East Punjab Refugees Rehabilitation (Loans and Grants) (Second Amendment) Bill be taken into consideration at once.

Chaudhri Krishna Gopal Dutt (Ex-member West Punjab Legislative Assembly representing North East Towns General,

Urban): Mr. Speaker, I want to give expression to my reactions to this bill which I consider in essence important. I am speaking in a conflict of duties—duty to the health of the Minister-in-charge and duty to the interests of the refugees. I would like to point out to the hon. Minister and the House the genesis of the discussion that took place on the floor of the House when the question of loans to the refugees in the state was first mooted. At that time I pointed out that the conditions and the terms under which loans were being granted were very hard and stringent and that in certain respects they exceeded the stringency which the notorious and rapacious money lenders used to employ in this state or in this country. It is not only in regard to the loans which are given by the Government here but also by the Governments elsewhere and also by the Government of India that the refugees have got strong objection to the terms on which loans were given to them. I wish to point out this fact because I gave a warning to the House and the Government at that time that the circumstances of the refugees did not permit the re-payment of the loans advanced by the Government and that the Government would feel this difficulty at the time of recovery of these loans. On behalf of the refugees I made it absolutely clear, Sir, in such unambiguous and unmistakable terms that quite a large number of refugees would not be able to repay these loans. You know, Sir, that all the refugees were not given loans but only some of them were given. Now I know, and I think my knowledge is shared by the hon Minister who has got a soft corner in his heart for the refugees and who himself is a refugee and knows the hardships of the refugees, that the loans which have been given will not be recoverable in many cases. The measure with which the Government has come out is a relief measure; it is meant to give certain concessions for the repayment of the loans taken by the refugees. The bill provides that the Government will arrange for the repayment of loans in two instalments spread over two years. The mistake in the policy of the Government was to give loans indiscriminately to those who were not in a position to pay back. Another thing was that the economic condition in the state were not favourable and settled; they were then and even today distressing. The result was that the people who were given loans were not able to start any profitable business and they could not make their both ends meet and they ate away that amount which was given with the ostensible purpose of rehabilitating them. So my contention is that most of the refugees will not be able

[Chaudhri Krishna Gopal Dutt).

to pay back the loans to the Government. Naturally it is not a question of the period in which the loans are required to be paid back, but it is a question that the loans should be wiped off entirely. The condition of the refugees is too well known to be expressed and I would request the Government that in spite of the fact that certain Acts have been passed, and they should not be strictly enforced and the Government should take a realistic view of the situation. Law is for the man and man is not for the Law. What to say of the letter. I would urge that even the spirit of the law should not be insisted upon. I am afraid that if that is not done the Government will land themselves into difficulties and will court the resentment of the refugees. There may be some instances where the refugees have been able to utilise that money and invest it in business and if the Government find that investment is yielding return and the refugees are in a position to repay, the instalments can be taken. But I am afraid that such instances will be few and far between and the money that has so far been taken by the refugees has not been invested as to enable them to start life afresh and it will be impossible for them to repay that money. If the hon. Minister cares to read what I said when this question cropped up on the last occasion on the floor of the House he will be convinced that what I said was and what I say now is perfectly justifiable. My contention is that the Government should rise above false prestige and should have the good of the people at heart. If, on the other hand, the Government sets into motion its machinery to recover the loans and punish those who are unable to pay, the Government will be guilty of making innocent and helpless members of a well ordered society as the victims of the law. As I have already said that law is meant for the people and not people for the law. Under the circumstances, the law should not be strictly enforced, Government should in their own interest and in the interest of the people rise above legalistic niceties and take a humanitarian view of the situation. The Government would be well advised to instruct the deputy commissioners that those people, about whom the local authorities are convinced that they are not in a position to repay the loans, should not be pressed to do so and that any amounts standing against their names should be written off. I would, therefore, put to the hon. Minister that the period of two years that he has set in this Bill for the repayment of the loans is too little. There may be cases, Sir, if economic conditions in the state improve and the money advanced to the refugees is put to the right use by them in some profitable business, that they may be able to pay back the

amount in two years time. But Sir, there would be cases in which refugees would not be able to re-pay the loans even in two years and, therefore, I make a second suggestion that the Government should extend this period and accept the amendment given notice of by Shri, Virendra. If this suggestion is not accepted at this time the Government might have to come before the House again for extending the period. The course open to the Government would be either to take action against those who do not repay or to extend the period again and again. In my opinion it would be advisable to extend the period to three years in this Bill. With these words, Sir, I suggest to the hon. Minister to rise above the administrative suggestion made to him by his department and accept the suggestion which has been made by a friend of his who is also a friend of the refugees.

Mr. Speaker : Question is—

That the East Punjab Refugees Rehabilitation (Loans and Grants) (second Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr Speaker : The house will now consider the Bill clause by clause.

Clauses 2 and 3.

Mr. Speaker : Question is -

That clauses 2 and 3 stand part of the Bill.

The motion was carried.

Clause 4.

Shri Virender : Ex-Member West Punjab Assembly representing West Multan Division, General, Rural) (*Hindi*) :

Sir I beg to move—

That in the proposed proviso, line 7, for the word "two" the word "three" be substituted.

Sir, the object of this Bill or the ordinance which was issued by the Government on the subject, is to provide maximum facilities in the matter of repayment of loans granted by the Govt. to the refugees. I feel that clause of this Bill which requires the loans to be repaid within two years, is not in consonant with the condition, prevailing in the country

[Shri Virendra]

at present. The displaced persons are not in a position to repay the loans. So, my submission is that since the intention of the Government is to provide all possible facilities to the refugee borrowers in the matter of repayment of loans, the period should be extended from two to three years. In the statement of objects and reasons attached to this Bill, it has been stated that the object is :

“Further to avoid hardship to such deserving borrowers whose loans have been declared as immediately recoverable under Section 10 of the Act for reasons beyond their control and who are accordingly not in a position to make immediate repayment of the loan.”

So when the Government itself admits that the reason for bringing forward this Bill is that the refugees are at present not in a position to pay back their loans, it is quite necessary that the period for the recovery of loans be extended from two to three years. I do not mean that the loans should be totally written off. But what I want to drive at is that the period should be extended so that the displaced persons may find it easier to pay the same and at the same time Government will be saved of the botheration of effecting recoveries through Governmental action. With these words I move this amendment.

Minister for Rehabilitation : I accept the amendment

Mr. Speaker : Clause under Consideration amendment moved.

That in the proposed proviso line 7, for the word “two” the word “three” be substituted

The motion was carried.

Mehta Ranbir Singh (Ludhiana and Ferozepore, General, Rural) (*Hindustani*) : Sir, the clause under consideration says that if the loans of a refugee borrower have been declared immediately recoverable and that he is not in a position to make immediate repayment, then by furnishing two sureties to the satisfaction of the controlling Authority, he can be allowed to repay his loans in instalments spread over two years. I feel that the difficulties and hardships which the refugees have to face in rehabilitating themselves by starting new business under unfavourable circumstances, are not fully realised or assessed by the Government. Now under this amending Bill, the refugees are being put under compulsion to produce two sureties, if they want to avoid immediate repayment of their loans. They are being forced to go from pillar to post in search of sureties and entreat

affluent people to stand surety to them. This will certainly plunge them in still more difficulties. I am of the opinion that Government should take necessary action against these borrowers who are found to be willfully evading repayment of their loans. But where the Controlling Authority is satisfied that the borrower is really not in a position to repay the loan immediately and that he is a deserving case, then instead of compelling him to furnish two more sureties with a view to allowing him to repay in instalments in a period of two years, his loans should be totally written off. I, therefore, feel that this provision is harsh and will add to the hardships of the borrower. As a matter of fact, the object of my amendment which has not been allowed to be moved by the hon. Speaker, was to amend this clause in such a manner as to get the loan of the borrower written off by the Government in deserving cases. I think Government are trying to take undue advantage of the difficulties of the refugees by bringing forward this amending measure. They should not follow in the foot-steps of the proverbial Shylock in demanding their pound of flesh from the refugees, who have obtained loans for business purposes. It is most undesirable to pass on the onus of payment of these loans to the sureties. It would be better if the loans are altogether written off by the Government. I may also point out that generally the borrowers are very respectable parties. It is only under duress of straitened circumstances that they are not in a position to pay back their loans. If compensation of their properties left in Pakistan are paid to them, I am sure, they will certainly and gladly pay up the loans taken by them. I would therefore, urge upon the Government the desirability of taking a realistic view of the matter. I hope the hon. Minister in charge will either accept my suggestion to write off the loans or will withdraw the clause.

Minister for Rehabilitation (The hon. Dr. Lehna Singh Sethi) (*Hindustani*) : Sir, I am constrained to remark that my hon. Friends who want to enlist the sympathy of the refugees, make speeches without caring to go through the Bill. If they had carefully studied the provisions of the original Act and perused the amendment Bill along with the Ordinance which was promulgated on the subject, then I am sure, they would have realised that there was not the slightest need for making long and windy speeches on this measure. I may assure the hon. Members that this amending Bill entails absolutely no hardship upon the refugees. As a matter of fact, Government, of their own accord, realised the difficulty of the borrowers regarding repayment of

[Minister For Rehabilitation]

loans and endeavoured to obviate the same by issuing an ordinance. There is no denying the fact that it had the desired effect. It gave relief to them to a considerable extent. They got more time to repay their loans. Now that very ordinance is being given the shape of an Act otherwise it will cease to operate at the expiration of six weeks from the re-assembly of the Legislature. I may, therefore, make it clear that this amending measure no longer brings any hardship to the refugees, nor does it add to their existing difficulties which are the result of their displacement from their hearths and homes. It rather affords them great relief, as the conditions laid down under the original Act have been relaxed and toned down to their benefit. Under the parent Act the borrower is required to repay the loan in a period of six years in instalments. Besides, at the time of taking loans, he has to state clearly the purpose, the nature of the business and the place where he intends to start his business. Again the conditions of loan require him to utilise the loan for the same purpose for which it was taken and start the business in the same town or city which he mentioned in his application. So if he violates any of the conditions, he becomes liable for the immediate recovery of the loans by the Controlling Authority. But the Government were not ignorant of the difficulties of the borrowers. For instance a refugee gets loan for a certain business to be started in a particular town. But after some experience he finds that the place and the conditions prevailing there are not favourable to the success of his business. So he decides to shift his business to some other place, say in Uttar Pradesh or Madhya Pradesh, but under law he is prohibited from doing so. If he does, then he infringes the conditions of loan and thus forfeits the concessions regarding repayment of his loan, which becomes immediately recoverable from him. This obviously is a great hardship, for him. As a matter of fact if a refugee works hard to rehabilitate himself, he deserves more help and facilities, but the law under the original Act is hard upon him if he changes his place of business due to unfavourable circumstances. Since this was a genuine hardship for deserving cases, Government thought it advisable to bring forward this amending Bill. It requires the borrower to furnish two sureties to the satisfaction of the Controlling Authority from the place to which he wants to shift his business and then he would be allowed to repay his loan within a period of two years. But this period has again been extended to three years as a result of the acceptance by Government, of the amendment moved by my hon. Friend Shri Virendra.

Further my hon. Friend Chaudhri Krishna Gopal Dutt has, in the course of his speech, expressed the view that the conditions laid down in the Amending Bill are very difficult to fulfil and that the loanees would unnecessarily be put to a lot of inconvenience. But I would like to bring this point home to him that the conditions governing the advancement of loans by the Punjab Government are very mild as compared with those of the Central Government. He should also not lose sight of the fact that the rate of interest charged by our Government is very low in comparison to the rate of interest charged by the Central Government, so much so, that that where as we charge only 3% interest, the Central Government charges 6% interest. Besides, he also expressed the view that there seemed to be no necessity for the borrowers to furnish the proposed sureties. I may tell my hon. Friends in general and my hon. Friend Chaudhri Krishna Gopal Dutt in particular that under the parent Act the borrowers have already furnished sureties before receiving the loans. The provision for furnishing fresh sureties has been made only if they shift to some other places. For instance if a loatee, after receiving the required loan from the Government at Simla, shifts to Saharanpur, then he is given the concession to repay the loan with interest on instalment basis at Saharanpur instead of at Simla and for this he has only to furnish two fresh sureties. I need not go into the minute details of this Bill as under the provisions of the Original Act the borrowers have to fulfil certain very stringent conditions. For instance on violation of any condition, the loan becomes immediately payable. It is only with a view to tone down such conditions that the Amending Bill has been brought before the House.

Shri Kedar Nath Saigal.—If a borrower shifts to Saharanpur, would it be possible for him to secure sureties there ?

Minister for Rehabilitation.—Perhaps my hon. Friend is not aware of the fact that there are quite a large number of refugees in Saharanpur. They are about 30,000 in number. Those borrowers who shift there, can easily succeed in securing sureties. They can stand surety to each other.

Mr. Speaker : Question is—

That Clause 4, as amended, stand part of the Bill.

The motion was carried

Clause 5.

Mr. Speaker : Question is—

That Clause 5 stand part of the Bill.

The motion was carried

Clause 1.

Mr. Speaker : Question is—

That clause 1 stand part of the Bill.

The motion was carried

Title

Mr. Speaker : Question is—

That the Title be the Title of the Bill.

The motion was carried.

Minister for Rehabilitation : I beg to move—

That the East Punjab Refugees Rehabilitation (Loans and Grants)
(Second Amendment) Bill as amended, be passed.

The motion was carried

— — —
SMALL TOWNS (AMENDMENT) BILL

Minister for Labour (The hon. Shri Prithvi Singh Azad) :—Sir, I beg to introduce the Punjab Small Towns (Amendment) Bill.

Minister for Labour : I move—

that the Punjab Small Town (Amendment) Bill be taken into consideration at once.

Sir, the object of bringing forward this Bill, is to make four amendments in the original Act with a view to making certain necessary changes.

The first amendment seeks to make certain changes in the structure of the municipalities already constituted under section 3 part (b) in certain towns. But these towns are very small, so much so, that their population is less than 10,000. If it is intended to convert such municipalities into Small Town Committees, then such a step cannot be taken under the existing rules. It has been experienced by the Government that municipalities in Small Towns cannot function satisfactorily. It is with this purpose that this amendment has been provided in the Bill to declare the municipality of a small town as a Small Town Committee as and when any necessity is felt by the Government to do so.

The second amendment which it is proposed to be made in the existing rules is, regarding the discontinuation of the appointment of non-official members. It is also intended to do away with the practice of nominations to the committees altogether after the new elections.

Shri Kedar Nath Saigal :—Have these nominations been stopped ?

Minister for Labour :—Yes. But I would like to point out that it is also intended to prescribe the maximum number of ex-officio members who would continue to be members of these committees in the capacity of specialists and experts. The number of such members, appointed by the Government, would not exceed 8. Though they will be the members of the Small Town Committees, yet they will not enjoy, any right of vote. They would as I have already stated, be required to give their opinion in the capacity of experts or specialists and would be at liberty to participate in all the proceedings of these Committees.

The third amendment relates to the manufacture of compost manure by the Small Town Committees, since it is obligatory on them to manufacture it. Certain defects have been found in the Ordinance which was promulgated for this purpose. As a matter of fact there exists no principle on which the compensation is to be given by the Small Town Committees for acquiring the rights or interests of any persons in the night-soil meant for manufacturing compost manure.

Sir, according to this Bill, when a Small Town Committee acquires dung or nightsoil for purposes of manure, it shall pay to the persons collecting such dung etc., a fair amount of compensation. All such necessary provisions which were not contained in the old Act have been incorporated in this Bill. I, therefore, hope that the House will take it into consideration at once.

Mr. Speaker : Motion moved—

That the Punjab Small Towns (Amendment) Bill be taken into consideration at once.

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural) (*Hindustani*) : I move—

That the Punjab Small Towns (Amendment) Bill be circulated for electing public opinion thereon by 31st December, 1950.

[Sardar Bachan Singh]

Sir, this Bill is very important one. In the statement of objects and reasons, it has been stated that it is intended to abolish the system of nomination of non-official members in the future constitution of the Small Town Committees. But I would say that it is only to hood-wink the public that the Government is following a policy of abolition of nomination system. In fact effort has been made by the Government to uphold this system though in a somewhat different way. Sir, you will find that a clause has been incorporated in the Bill by virtue of which members not exceeding eight in number can be appointed by the Commissioner. The Small Town Committees will usually consist of 8 or 10 members of which eight can be such as are appointed by the Commissioner. It would mean that the system of nomination would continue as before. The members so appointed by the Government would by their influence try to exert pressure on the other members of the committee in order to get things done according to their wishes. I really wonder that such a Bill should be sponsored by the Congress Government which claims to be a democratic Government in order to perpetuate this system of nomination. I know that the Congress has always been condemning this system most unreservedly. Sir, we all know that when decisions on very important matters are taken by the Parliament without the appointment of any officers or when the Budget estimates aggregating to crores of rupees are passed by this Assembly without the help of any officers, then why the nomination of members be considered necessary in the case of Small Town Committees. Such a queer logic is not understandable to my mind. However, when the members of the Assembly think it necessary to take the advice of any officer in the legislation work then they call such officers in the meetings of select committees for necessary advice and consultation. In these circumstances, I would say that when the system of appointing officers is not prevalent in any State Assembly then cannot the Small Town Committees function with efficiency without the proposed nominated element. It only means that the Government wants to retain its hold in the Small Town Committees. Being a member of the District Board, I have an experience how the nominated members adopt tactics for securing votes from other members as would suit their purpose. I am, therefore, confident that the proposed method will give rise to corruption and other malpractices. Obviously an elected member of the Small Town Committee will approach the officer so nominated and would try to take advantage of his position for selfish ends. They will resort to all foul means to get benefit from these officers. The result of this would be that these members would naturally be too willing to

cooperate with the officers in the matter of casting their votes. They will join with these officers and abide by their wishes. It is, therefore, evident that this policy which the Government desires to follow will lead to many corrupt practices and to the perpetration of serious irregularities. Sir, if we look at the constitution of small town committees in other democratic countries, we find that the only system that is in vogue there is that the seats on small town committees are always required to be filled by election. But the case seems to be quite the reverse here where the Government intends to appoint officers of their own choice as members of the small town committees. With all this the Government want to delude the public to think that it is following a policy of abolition of nomination system.

It is particularly unfortunate that people have formed an impression in the State that the Ministers are only figure-heads and that the work of administration is in fact being carried on by the officers of the Government. Today the officers of the Government are drawing fat salaries to the tune of Rs. 3,500 per mensem while the Ministers themselves are getting Rs. 1,300 per mensem. Where the Government is so incompetent and the officers are drawing such fat salaries it can be rightly said that a democratic form of Government has not been established in our country. These officers who in fact from the Government would never like their prestige and dignity to suffer in any way. They chalk out the policies of the Government and the Ministers have only to set the seal of their approval. Sometimes they are quite ignorant of the working of ordinances that are promulgated from time to time. When the hon. Minister who has introduced this Bill was asked if the ordinance which was promulgated in this behalf was put into effect, he displayed amazing ignorance. You can, therefore, well judge the efficiency of the Government where the Ministers have not even the knowledge of important matters. The Bar Association of Rohtak had once remarked that the magistrates were the registering agencies and this can well be applicable in the case of hon. Ministers who are registering agencies of officers decisions and wishes,

It is not a matter of minor importance. Sir, it involves a principle of unquestionable import—a principle to uphold which we have been taking up cudgels all along a principle which the Congress once held so dear that it was not prepared to forsake it for any reason whatever. I am referring to the basic principle of democracy—the right of election, the right of the people to choose their own representatives. This very principle is now being cast to the winds by persons belonging to that very organization which once stood for full fledged, unmixed

[Sardar Bachan Singh]

democracy and was not prepared to accept any dilution or corruption or unitation of it. And the measure which reflects this principle in its pure form will soon be before you under the title of Gaon Panchayat Bill. It has been admitted, while framing that Bill, that 'appointment' can have no place in the constitution of local self governing institutions. When in the constitution of the most primary institution of this kind, i.e., the Panchayat, method of appointment by nomination is out of question, when in the constitution of the highest representative body of the State viz., the Legislative Assembly, there can be no departure from the method of election, why should the method of appointment be employed in the case of Small Town Committees? It can only mean the continuance of corruption and favouritism.

Then it is averred that the Government has at present no powers to convert a Municipality into a Small Town Committee and it is now proposed to assume these powers through this Bill. It is strange that while every small organism in the world tends to evolve itself into a bigger one our Government seems to be anxious to go counter to the natural process of evolution and make the clock move backwards. Instead of wishing a Municipality to develop into a corporation, it would be pleased to reduce it to the status of a Small Town Committee. Its next step perhaps would be to reduce this Legislature to the status of a Municipal Committee and then to convert every Small Town Committee into Panchayat. What will happen if this Bill is enacted into law? Every Municipality will have to flatter and honour the Government to keep up its existence and that which fails to do so would be reduced to the status of a Small Town Committee and then God will take care of local self government in this State. The way the powers of nomination have been and are being exercised, leaves no room for doubt about the fate that the local self governing institutions will meet, in case the Government is armed with new powers. If certain principles had been laid down, qualifying the powers to reduce the status of a Municipality, there would not be much objection to this provision in the Bill. It is not specified as to what conditions would govern the use of these powers. For instance, if it had been laid down that in case the population of a town having a Municipality dwindled down to a certain limit, the Government would have the powers to reduce its status, there would have been no objection to it. But the provision as it stands would leave the Government with arbitrary discretion of turning a Municipality into a Small Town Committee. As our Chief Minister would put it the sweet will of the government to do what it thinks fit, would then have free scope.

Then I see no reason why the Government should be anxious to rush this measure of great public importance through the House. Only to-day, during the Question Hour, the hon. Minister for Local Self Government was pleased to remark that it would not be possible to hold elections to the local bodies until after the electoral rolls for the State Legislative Assembly had been completed. It has to be noted that these lists of voters have yet to be got printed. Then objections will be invited and the scrutiny will continue for 21 days. Then the revised lists will be sent for printing again. All this will take a lot of time. Then why this hurry to pass this Bill here and now? Surely it can wait for several months and since it effects the interests of the people in general, it would be in the fitness of things to circulate it among the public to elicit their opinion on it. It is not an ordinance, that unless it is passed, it will lapse.

So far as the question of holding elections is concerned, it has been hanging fire since long. I must make it indubitably clear, that we are in favour of early elections. Last year, when the hon. Minister had stated that elections to local bodies would be held 'as soon as possible', we had asked him to define the phrase 'as soon as possible' and he had not given any definite reply and had evaded the issue. Sir, elections to local bodies are going to be held in Uttar Pradesh in the month of December. I see no reason why they can't be held here earlier than March, as stated by the hon. Minister. It appears to me that the Government of this State wants to postpone them on one pretext or the other. It has become a habit with it to offer lame excuses and it is never at a loss to find one, when it doesn't like to do a particular thing. As the Persian saying has it :

ਬਹਾਨਾ ਖੂ ਰਾ ਬਹਾਨਾ ਬਿਜੀਆਰ ਅ ਯਤ

बहाना खू रा बहाना बिसियार आयद ।

And then if the hon. Minister holds the opinion that elections to local bodies cannot be held before March, why should there be any effort to rush through this measure in this very session. Why can't the Government agree to my suggestion to send it for circulation among the people so that they may be in a position to give expression to their considered opinion on the proposals made in this Bill. It appears that this Government wants to muzzle the local self-governing institutions by acquiring the powers of appointing its own officers as their members, just as the British Government used to do.

With these words, Sir, I once again urge that this Bill be circulated to elicit public opinion on it till a suitable date so that if the public opinion gives a verdict against its passage, it may not be taken up by this House again.

Mr. Speaker : Motion under consideration, (amendment) moved—

That the Punjab Small Towns Amendment Bill be circulated for eliciting public opinion thereon by 31st December 1950.

Shri Ram Sharma : (Southern Towns General Urban) (*Hindustani*)

Sir, I too have a few words to say about this amendment moved by my hon. Friend Sardar Bachan Singh. Since this House is again and again approached for effecting amendments in the laws relating to the constitution of the local bodies, including the Small Town Committees it became a party to whatever changes are made through them. Not only do we see that this practice of nomination has become pretty old and has been all the more extensively used since the partition, but we have also to realize that by giving approval to its continuance we have also been responsible for its perpetuation. In the form of one amending Bill or another, it has been coming before us for approval and we have been according sanction to it, without giving much thought to the principles involved in it. The result is that this practice to day tends to become a permanent feature.

Then Sir, the hon. Chief Minister says that this nomination will be a qualified nomination and it should not be confused with nomination as it is generally taken to be because the nominated members shall be entitled only to take part in the discussions and shall not have the right of vote. I agree what he says has a grain of truth in it and this nomination will be a diluted form of nomination. But what I object to is the fact that it is nomination all the same and it does not matter much that the nominated members will not be entitled to vote. It is not something very significant that they will take part in the proceedings and will influence the discussions which are taken in the Small Town Committees. Taking part in proceedings and influencing decisions by experts or non experts is not an ordinary privilege it is indeed a great favour which will be conferred by Government on the nominated persons. Under these circumstances no one can deny that this nomination is not going to be a nomination in the accepted sense as it would not be in any concentrated form. I think this nomination has all the necessary elements of a nomination. This point apart, I find that regular nominations are to be made by the commissioner or other competent authority if and when the seat of a member falls vacant. So to ascertain as to what the people at large think of the nomination in general of ex-officio members as also of nomination when a seat fall vacant, we should seriously consider and accept the amendment which has been proposed by my

hon. Friend Sardar Bachan Singh. In both cases the idea of nomination is very important and we should know the feelings of the general people about it before we take any decisions in this House. In such matters we should not be in a hurry and there is no harm if we spend a little time over such measures. As it was pointed out during the Question Hour it has been repeatedly indicated by the public as also by this House that the idea of nomination does not find favour in any quarter and should be discarded. We all know that such expressions of opinion cannot be easily spurned by the Government and therefore it cannot right away accept the principle of nomination. In this back ground it has at times given out and once even a press statement was issued that nominations would be abolished. I say when the Government realises that nomination is so very unpopular in the country why does it have recourse to it even in its diluted forms. After all what pride is there in doing things which are not liked by our people. I am always prepared to bow down to the party discipline and act as ordered by the party but I think I shall be failing in my duty if I don't point out the fact that nomination is not liked by the people and it is time that we should ascertain their exact views about it. We should circulate the Bill under consideration for eliciting public opinion and this is the least that we should do about it. The reply given to a question during the Question Hour that nominations have to be made as elections cannot be held in the absence of the adult franchise lists etc. does not satisfy any body. People feel that such answers are given by the Government only to hood wink them. They feel that elections are postponed by Governments to exercise their power of nomination. I think the Government is aware of all this and in case it has any doubt it should ask the public to convey their opinion on the Bill under consideration. The Government should rather thank Sardar Bachan Singh for this amendment, as he has given it a very useful tip.

The second thing that I wish to deal with is that very indefinite things are being conveyed to the public through this House. In reply to a question by a hon. Member as to whether elections to the local bodies were to be held some time before the general elections or after a very vague and indefinite reply was given. When such be the case it appears all the more necessary that the people should be given an opportunity to express their view in regard to important measures like the one now under consideration. The hon. Chief Minister was pleased to remark that in the absence of the new electoral rolls it was not possible to hold elections to the local bodies. I was surprised to hear him say this. I ask why can not

[Shri Ram Sharma]

we hold elections to the local bodies on the basis of the old lists when we have found it possible to do so in the case of by elections to the state legislature. We tolerated the by elections in the case of the state legislature and that also on the basis of the communal electorate but we cannot do it in the case of local bodies. The argument passes my comprehension. I feel that election by say 750 voters instead of a thousand is many times better than having recourse to the system of nomination. I can appreciate the inability of the hon. Minister to give adequate answers during the Question Hours but when important Bills are to be passed we should give an opportunity to the people to have their say.

Therefore, sir, I wish to point out to the Government that it should try to change its attitude and should not bring forth amending Bills every now and then. Fresh instructions are issued very frequently and before two or three months have elapsed since the passing of an Amending Bill, another ordinance has to be issued to make more modifications. This state of affairs does no credit either to the Government or to its legal officers. I do not understand why the Government should have any objection to the circulation of this Bill. By doing so, the Government shall come to know that the people are strongly opposed to the method adopted by the Government of going on nominating persons on one excuse or the other. In some cases elections have not been held for the last fifteen or even twenty years. The public does not view this with approbation and it is the bounden duty of the Government to do away with the system of nominations.

Mr. Speaker : There has arisen a doubt in my mind as to the implication of this Bill if passed into law. Clause 3 runs—

Every such committee shall consist of :—

- (a) Such number of members elected from the inhabitants of the town in accordance with rules made by the State Government.....
- (b) Such number as may be fixed by the State Governmentwho may be appointed by the Commissioner.....

Now Article 171 (3) of the constitution lays down—

Of the total number of members of the Legislative Council of a State :—

- (a) as nearly as may be one-third shall be elected by electorates consisting of members of municipalities, district boards and such other local authorities in the State as parliament may by law specify;

Now reading both these together how can these Members who would be appointed by the Commissioner be debarred from voting in the elections of the Legislative Council of the State?

Minister for Labour : I will draw your attention to the proviso to Clause 3. It has been laid down.

Provided that a member appointed under clause (b) shall not have the right to vote in any capacity whatever, but shall have the right to attend and participate in all the proceedings of the committee or any sub-committee of which he may be named a member :

If he cannot vote in the committee, how would he be able to exercise any right of vote in the elections of the State Legislative Council.

Mr. Speaker ; Once it is admitted that they are members, technically speaking, they would have a right to vote under Art. 171.

Shri Bhim Sen Sachar : Sir, I associate myself with what you have been pleased to say that this clause of the Bill now under consideration is *ultra vires* of the constitution of India if it is intended to deprive the nominated members of the committees from the exercise of their vote in the election of the members of the Legislative Council. Under the circumstances the Government would be well advised to consult their law officers and till then to postpone the consideration of this Bill.

Chaudhri Lahri Singh (Rohtak North General Rural) (Hindi) :—
Mr. Speaker. Most of the hon. Members of this House feared that by passing this Bill, the Government wanted the persons nominated by it to take part in the election of one third of the total number of Members of the upper House. I am, however, glad that you have grasped their point and have pointed out the constitutional irregularity of the clause concerned. The hon. Minister in-charge of the Bill said that the nominated members would not enjoy the right of vote. Without meaning any disrespect to him, I beg to submit, sir, that he is not conversent with even the elementary principles of law and no useful purpose would therefore be served in arguing this matter with him. Another thing which I wish to point out is that even if it is conceded for the sake of argument that nominated members would serve as experts on these Committees, the question arises as to what type of experts will be available in the villages or small towns. We are not dealing with the Municipal Committees of cities like Lahore or Simla,

[Chaudhri Lahri Singh]

where experts might be available. For instance, a Civil Surgeon will not be nominated as a member of a Small Town Committee, because if that were done, a great deal of expenditure would be involved in his coming from and returning to his district head quarter. At the most a Tehsildar will be nominated as a member of the Committee. He will take part in the deliberations and will try to influence decisions of the committee. As a Tehsildar works as a Magistrate also, the elected members will not be in a position to defy his wishes. The question of having experts on the Small Town Committees does not arise at all because experts in the real sense of the word are not available in villages or small towns. The best experts that can be found in the villages are Sanitary Inspectors or vaccinators. Besides, the Government is not in a position to bear the heavy expenses by way of paying travelling allowances to big Health officers, nor can the committees shoulder such a burden. If the purpose of the Government is to nominate officials like Sub-Divisional officers and Tehsildars to these committees, it will certainly create bad effect on the elected members, because they will not be able to work independently. I feel that continuance of the method of nomination to the committees even in this age of freedom when every adult has been given the right of franchise tantamounts to a blot on the fair name of the Government. By doing so, our Government is taking away from the people the right of vote which Mahatma Gandhi and the framers of the constitution have given them. I know that for this legislation the hon. Minister would be able to get parties and also get himself garlanded by the hon. Members. But that is not the proper way of doing things. For instance there is the case of Shri Dev Raj Sethi. Along with his being a member of the Assembly he is also a member of the Rohtak Municipal Committee. When he goes there, groups of nominated members follow him everywhere. It is with a view to getting such cheap respect that the Government has introduced this method of nominations to the committees. I would, therefore, request the hon. Minister either to withdraw the Bill or to circulate it for eliciting public opinion thereon upto a certain date as suggested by my hon. Friend Sardar Bachan Singh, so that the real purpose of the Bill may be known to the people.

Shri Behari Lal Chanana : (Ex-member West Punjab Assembly representing South-East Multan Division General Rurals, *(Hindustani)*): Sir, I do not intend to attack the bonafides of the Government. I simply want to tell them that this Bill which seems quite innocent at first sight can really be the cause of a lot of mischief. My lawyer

friends have already thrown light on its legal aspects. I want to draw the attention of the House to that part of the statement of objects and reasons which says :

‘Remove the existing legal bar to the declaration of a Town already having a municipality as a Small Town so that petty municipalities for which the Small Towns legal machinery is more appropriate can be converted into Small Towns

So if the Bill is passed the State Government becomes free to declare any small municipality as a small town committee adversely affected by such a demotion status of the local body, requires to be examined from the constitutional aspect also. The question of civic right, which will be for this purpose I would draw your attention to to relevant Article in the Constitution.

As nearly as may be 1/3 shall be elected by electorates consisting of members of municipalities.” Thus the municipalities automatically get this right of vote for the upper House of Legislature by virtue of this Article of the Constitution. But this Bill empowers the state Government to declare a small municipality as a small town committee. The indirect result of the use of this power by the Government shall be that the automatic right of vote conferred on the small municipalities will be taken away by the Government as a small town committee have no similar right under the Constitution. I, therefore draw the attention of the Government and the House, through you, Sir, to this point and would like to submit that this Bill might be declared ultra vires of the Constitution on this score. The nominations of members is in itself may be an objectionable thing. But the fact that the Government by virtue of this Bill, can deprive any municipality of its right of vote conferred on it under the Constitution by declaring it a small town committee, is still more dangerous. I therefore draw the attention of the Government to this fact and request them to give it their careful consideration.

Shri Amar Nath Vidyalkar (Non union Labour) Hindi : Sir, I have no desire to indulge in a mere repetition of the points raised by many of the hon. Members. Well, Sir, I associate myself with the view expressed by them. But I would like to avail of opportunity to draw the attention of the hon. Member towards a matter on which nothing has so far been said on the floor this House. It is with regard to the provision in the Bill about the manufacture of composts from night soil. I fully approve of the efforts of the Government in this direction and I want that the same should continue. But what I object to is the attempt made to deprive the poor sweepers

[Shri Amar Nath Vidyalkar]

of their possession and proprietary rights over the night soil. These provision of the Bill will affect that class of people who are extremely poor. It will deprive them of their small source of income. Such persons wish to keep the night soil in their possession and to sell it according to their free will at prices that might be determined in a free market. These poor people are not so vocal, as to be able to raise an effective voice in order to safeguard their interests. Whenever any question affecting the interest of big landlords and capitalists is raised, a shelter is taken behind some laws of the land and appropriate measures are adopted, but when these poor people are affected and they are deprived of their rightful possession no body comes forward to protect and safeguard their interests. There is none to take account of the hardships of these people. The possessions and property of the poor have no value in the eyes of the Government. They are deprived of their proprietary rights without any compensation etc. In fact these poor people have a right to sell on market prices I think it does not behove the Government to deprive them of their meagre earnings which they make not from their seemingly petty possessions. The present society is taking a stand on free markets. Big business permits no interference from the Government when the interests of rich classes are concerned. But the interests of the sweepers are being treated with utter indifference and unconcern. Let the prices of night soil compost be determined in the free market. I may also so point out that there are many cases which have come before the courts in this connection at places like Karnal etc. In such cases we have seen that extremely low prices have been paid for the night soil. Many such complaints have been lodged with the authorities. So I wish to draw the attention of the hon. Minister towards them and to request him to see that these poor people are not deprived of their rightful possession and property. With these words, Sir, I resume my seat.

Chaudhri Krishna Gopal Dutt : (Ex-Member West Punjab Assembly representing North Eastern Towns, General, Urban): Sir, I am thankful to you for giving me an opportunity to express my views on this subject because my approach to it is slightly different from that of my hon. Friends who have so far taken part in the debate. I was struggling in my mind whether to speak or not because I am likely to be misunderstood but I thought it my duty to give expression to my feelings in the interest of the working of the Local Self Government in the State. Sir, the principle of nomination which has been so much condemned from time to time on the floor of the House by almost every

member, is not so objectionable, if properly used. I take the odium on my shoulders as a student of political science when I say that the principle of nomination was perfectly justified at least in its genesis. We have had a bitter experience of the working of the Local Self Government in the State-bitter experience of how votes have been polled and abused. If we are not prepared to face the realities of the situation, then I am afraid that the feature of democracy in this State is doomed. We are now on the eve of making a very great experiment of adult franchise and some shrewd political observers shudder to think of the consequences of adult franchise in view of the experience that has been gained in the State in regard to the elections of local bodies. Sir, the principle of nomination was justified by every political thinker and writer in the world till democracy abused it. And now democracy itself is abused as it is a standing discredit to the Government that it should be suspected of political nominations. If the Governments in the world and the Governments in this country-particularly the provincial governments had not abused the principle of nomination, it would not have been maligned as much as it has been. What was the genesis and the assence of the principle of nomination in the local bodies? It was to create a check and a balance on the working of democracy so that democracy might not abuse itself. It has happened several times that very undesirable persons have been returned to the municipal committees and since they abused their membership, the working of the committees was not smooth. In several cases the Government was forced to supersede the municipal committees and in order to avoid undesirable things happening in the committees the principle of nomination was resorted to. But, Sir, since the bureaucratic Government in the British regime did not use this principle in a right manner and used it to its own political advantage, it was looked down upon by the members of the local bodies, the members of the legislatures and by the public at large. It must not be forgotten that in every municipal committee and town committee questions crop up which require technical and expert advice and generally that advice is not forthcoming from the elected representatives so it becomes necessary to have nominated element for the purpose of giving expert opinion.

This is the one fundamental point before the House today, this question should be considered dispassionately. I know there is a great political mannerism and the masses are swayed by the term democracy. After all there are certain pre requisites of democracy and if these pre requisites do not exist in any form then instead of a blessing democracy it is turned into a curse. Democracy does not mean merely counting of heads; if that were democracy then a flock of sheep would form the best democracy in the world. Sir, we the responsible

[Chaudhri Krishna Gopal Dutt]

members of the State have to take a realistic view of the situation. I appeal to the Members who call themselves Socialists and who may be called upon to form a Government some day to realise what the situation in the State is. If we do not take proper care in the coming elections, the capitalists will buy the votes, and therefore, we should have some machinery in our hands with which to check the misuse of votes either in the constituencies or in the municipal committees. Sir, we cannot trust our State Government or for the matter of that any State Government in India, as they are likely to misuse the power of nomination. Therefore I suggest that in every State the town committees should be permitted to call in the services of members for advice on definite problems, so that the idea of special nominations which was thought of by writers of very old and remote times and even of the present times may be fulfilled. For instance if before a town committee there is a medical question for consideration, the committee may call for the services of any expert medical man and may not be bound down by the views of the Civil Surgeon, who will represent the view point of the Government of the day. I am in favour of this form of nomination. Sir, this is a very important point and I will explain it a little more and I hope the House will permit me to do so. When there is a question before a town committee—a question which requires expert advice—then it should be the privilege of the municipal committee to call in the services of any man in the town to come and guide the committee on that particular subject. I would further appeal to the Government to bring forward a provision by virtue of which the town committee may be entitled to nominate or appoint a particular person for a particular period only. The nomination should not be till the life of the local body itself, but it should last till the time that particular question is not decided. In other words that nomination should be for a particular purpose and for a particular occasion.

The second thing which has been taken objection to, by those people who are swayed by the emotion of democracy but who, I dare predict, will be the first victims of democracy in the very near future when the general elections take place, is the appointment of certain people who are called officials. But why should there be an objection to it? Because after all it is provided in the Bill that they will not be full-fledged members of the Committee. They will have no right of vote. They will be members of the committee and will take part in the proceedings of the local body without exercising a right to vote. I do not, therefore, see any force in their opposition on this score. I have

at the same time pointed out to the House the danger of nominations, but by the form of nomination I have put forward, people who are not officials at all and who will not be under the thumb of the minister, who may be a very able man or only a nincompoop, will be able to guide the deliberations of the local bodies on technical subjects.

Another fear has been expressed that they will be able to exercise their influence and votes at the time of elections to the Upper House. About that we can provide in this very Bill. It can be clearly laid down that they are not full fledged members of the committee, they are there to give expert opinion on certain matters, and will have no right of vote for any purpose. When it is laid down that they will not exercise any votes so far as the municipal affairs are concerned how can they be given a right to vote at the time of elections to the Upper House? I think the hon. Minister will be able to give a clear picture so far as this Bill is concerned. With these few remarks I resume my seat.

Minister for Labour (The hon. Shri Prithvi Singh Azad) (*Hindustani*): Sir, this is a very small and simple measure but it has met with a barrage of criticism from the hon. Members. I am however, grateful to my hon. Friend Chaudhari Krishna Gopal Dutt for throwing flood of light on the implications of the Bill. Government will certainly bear in mind the constructive suggestions put forward by him and other hon. Members. But adverse criticism advanced by some of the hon. Members calls for a few words from me. One of my hon. Friends over there objected to the Bill on the ground that the retention of the provision, namely, the nomination of members to the Small Town Committees, was meant to perpetuate the spirit of partisanship and corruption. Well, Sir, the hon. Member appears to be labouring under some wrong impression. Undoubtedly the amending measure seeks to continue the system of nomination of members but I may point out that there is a world of difference between the proposed system and the previous practice. The nominated members under the provisions of this Bill will not enjoy the right of vote and this takes away the wind out of the sails of my hon. Friend's objection. As a matter of fact they will be nominated in the capacity of experts and they will be there to guide the Small Town Committees in matters where expert knoweldge is required. Government have adopted this device to do away with the previous discredited system of nomination. But it is a thousand pities that in spite of Government's solemn assurance that the nominated element in the Small Town Committees as proposed in the Bill, has been

[Minister for Labour]

deprived of the right of vote, some of the hon. Members of the House still persist in doubting the bona fides of the Government. As you are aware, Sir, generally the Small Town Committees are not well off financially. They cannot afford to keep salaried experts for lack of funds. They have sometimes to approach the P. W. D. for advice on matters concerning construction etc., and sometimes to the Health Department for guidance on the formulation of scheme regarding sanitation etc. In view of these difficulties Government have decided to bring in the experts in the Small Town Committees as nominated members, so that the local bodies may function more efficiently. For instance if a Town like Sonapat or any other town is declared as a Small Town Committee, the doctor in charge of the Government dispensary can conveniently be nominated as a member of the Small Town Committee to advise and guide it on matters concerning public health and medical requirements of the people of that town. Similarly the head masters of high schools can be treated as experts so far as educational matters are concerned. In the same way heads of all departments in a Small Town Committee can render great assistance by their expert advice. It is the intention of the Government to appoint advisors on these committees from Education, Public Health and Public Works Departments. As I have already stated these ex-officio members shall not have any right to vote. Since you have drawn the attention of the Government to this important point that these members appointed by the Government could not, under the Constitution be debarred from voting in the election of the Legislative Council of the State, because as members of these committees they have a right to vote, it is just possible that the present wording of the Bill may cause some misunderstanding. Keeping this fact in view Government have decided to make the necessary amendment.

One of my hon. Friends has complained that by converting certain municipalities into Small Town Committees we intend to deprive the members from the exercise of their votes in the election of the members of the Legislative Council. But I would like to make it clear that only those members of the municipal committees shall have the right to vote in the election to the Upper House who were members of these committees on April 1, 1949.

Shri Bhim Sen Sachar : What provision is there for the future ?

Minister for Labour : Elections would be held in 1951 and the question of raising any objection cannot arise at that time. However :

so far as the question of making some adequate provision for future is concerned, I would like to make it clear and as I have already stated that it is the intention of the Government to make the required amendment.

An objection has been raised by one of my hon. Friends that at the time of deciding whether or not a certain municipality should be declared a small town committee, efforts would be made by such municipalities to keep the Government in good humour for fear of being declared as a small town committee. But I may assure my hon. Friends that such a situation would not arise at all. Government have arrived at this conclusion that the municipalities of only those towns should be declared as small town committees which have less than 10,000 population. It is hoped that the Municipalities of those towns having less than 10,000 as their population when converted into small town committees, can work more conveniently and efficiently than before. It has been experienced that the municipalities in small towns have not functioned satisfactorily and Government have thus decided to convert them into small town committees. It will not be out of place to mention here that the people of these small towns have constantly been requesting the Government to convert their municipalities into small town committees. Moreover the municipalities of the small towns have to face many difficulties in carrying on their day to day administration and it is also with this end in view that the Government have decided to take such a step.

Objection has also been raised with regard to the determination of compensation for the manufacture of compost as mentioned in Section 5 of the Amending Bill now before the House. Government have made it obligatory on the part of the committees to manufacture compost manure. The sweepers and scavengers do not get any compensation for collecting dung etc. There were certain obstacles in the way of paying compensation to them. In fact no principle whatsoever was laid down on which compensation for manufacturing compost manure could be given. Section 5 contains such principle on which such compensation can be given by the small town committees.

The objection raised by one of my hon. Friends that by placing this Bill on the statute book it is the intention of the Government to make the system of nominations to local bodies more effective seems to be quite baseless. In the end I would request the House to take this Bill into consideration at once.

Mr. Speaker. : Question is—

That the Punjab Small Towns (Amendment) Bill be circulated for eliciting public opinion thereon by 31st December, 1950.

The Assembly divided:

Ayes 6. Noes 46.

AYES.

- | | |
|---------------------------------|-------------------------|
| 1. Bachan Singh, Sardar | 4. Rattan Singh, Sardar |
| 2. Jaswant Singh Duggal, Sardar | 5. Sajjan Singh, Sardar |
| 3. Ranbir Singh, Mehta | 6. Suraj Mal, Chaudhri |

NOES.

- | | |
|--|--|
| 1. Amar Nath Vidyalkankar, Shri | 15. Gurbachan Singh, Sardar |
| 2. Ajit Singh, Sardar | 16. Harbhaj Ram, Chaudhri |
| 3. Badlu Ram, Chaudhri | 17. Inder Singh, Sardar |
| 4. Behari Lal Chanana, Shri | 18. Isher Singh Mujhail, Sardar |
| 5. Beli Ram, Thakur | 19. Jagdish Chander, Chaudhri |
| 6. Bhagat Ram, Chodha | 20. Jagjit Singh Mann, Sardar |
| 7. Bhagat Ram Sharma, Pandit | 21. Jiwan Lal, Pandit |
| 8. Bhim Sen Sachar, Shri | 22. Kabul Singh, Sardar |
| 9. Dalip Singh, Thakur | 23. Kartar Singh, Chaudhri |
| 10. Dev Raj Sethi, Shri | 24. Kartar Singh,
The Hon. Sardar |
| 11. Durga Chand Kaushish, Pandit | 25. Kehr Singh, Sardar |
| 12. Ganga Saran, Seth | 26. Krishna Gopal Dutt,
The Hon. Chaudhri |
| 13. Gopi Chand Bhargava,
The Hon. Dr. | 27. Lahri Singh, Chaudhri |
| 14. Gurbachan Singh Bajwa, Sardar | 28. Lehna Singh Sethi, Dr. |
| 29. Man Singh Jathedar, Sardar | 38. Samar Singh, Chaudhri |
| 30. Matu Ram, Chaudhri | 39. Sant Ram Seth, Dr. |
| 31. Narinder Singh, Sant | 40. Sher Singh, Chaudhri |
| 32. Narotam Singh, Sardar | 41. Shiv Singh, Sardar |
| 33. Pancham Chand, Thakur | 42. Shri Ram Sharma, Pandit |
| 34. Piara Singh, Sardar | 43. Sita Devi, Shrimati |
| 35. Prem Singh, Chaudhri | 44. Swran Singh,
The Hon. Sardar |
| 36. Prithvi Singh Azad,
The Hon. Shri | 45. Sudarshan, Seth |
| 37. Rattan Singh Tabib, Shri | 46. Tara Singh, Sardar Sahib Sardar |

Mr. Speaker : Question is—

That the Punjab Small Towns (Amendment) Bill be taken into consideration at once.

The motion was carried

Mr. Speaker : The House will now consider the Bill clause by clause

CLAUSE 1: SUB-CLAUSE (2)

Mr. Speaker : Question is—

That sub-clause (2) of clause 1 stand part of the Bill.

The motion was carried

CLAUSE 2

Mr. Speaker : Question is—

That clause 2 stand part of the Bill.

The motion was carried

CLAUSE 3

Pandit Bhagat Ram Sharma : (Kangra West, General, Rural);
I beg to move:

That for clause 3 the following be substituted, namely :

For sub-section (2) of Section 4 of the said Act, the following shall be substituted :—

(2) Every such committee shall consist of such number of members elected from the inhabitants of the town in accordance with rules made by the State Government under this Act :

Provided that the Commissioner may nominate to each committee such number, as may be fixed by the State Government but not exceeding four of officials to act as advisers. Such advisers shall not be deemed members of the committee and shall have no right to vote in any capacity whatever but shall be entitled to participate in the proceeding of the committee in an advisory capacity.

Mr. Speaker : Clause under consideration, amendment moved—

That for clause 3 the following be substituted, namely :

For sub-section (2) of Section 4 of the said Act, the following shall be substituted :—

2) Every such committee shall consist of such number of members elected from the inhabitants of the town in accordance with rules made by the State Government under this Act :

Provided that the Commissioner may nominate to each committee such number, as may be fixed by the State Government but not exceeding four of officials to act as advisers. Such advisers shall not be deemed members of the committee and shall have no right to vote in any capacity whatever but shall be entitled to participate in the proceeding of the committee in an advisory capacity.

Sardar Swaran Singh : (Jullundur West, Sikh, Rural) : Before
2 p.m. any discussion on this subject on merits takes place, I think
there is a point which requires elucidation. Under the
proposed sub-section there is a provision that every committee shall
consist of so many members. Then there is the provision for nomina-
tion of advisers. Now the point for consideration is whether these two
things fit in or not. To me it appears to be an anomaly. Govern-
ment should therefore make certain after consulting its legal advisers
as to whether this is the correct position or not.

Mr. Speaker : The idea underlying the amendment seems to be
this. Under the existing provisions of the Act the committee is to
consist of so many elected and so many nominated members. But this
position cannot continue under the new Constitution. In order there-
fore to remove the anomaly the present amendment is proposed by
which advisers are taken and they shall have no right to vote.

Question is—

That for clause 3 the following be substituted, namely ;

For Sub-section (2) of Section 4 of the said Act, the following shall be
substituted :

(2) Every such committee shall consist of such number of members
elected from the inhabitants of the town in accordance with rules made by
the State Government under this Act :

Provided that the Commissioner may nominate to each committee
such number, as may be fixed by the State Government but not exceeding
four, of officials to act as advisers. Such advisers shall not be deemed
members of the committee and shall have no right to vote in any capacity
whatever but shall be entitled to participate in the proceedings of the
committee in an advisory capacity.

The motion was carried

Mr. Speaker : Question is—

That clause 3 as amended stand part of the Bill

The motion was carried

CLAUSES 4 to 7

Mr. Speaker : Question is—

That clauses 4 to 7 stand part of the Bill.

The motion was carried

CLAUSE I SUB-CLAUSE (I)

Mr. Speaker : Question is—

That Sub-clause (1) of clause 1 stand part of the Bill

The motion was carried

Minister for Labour : (The hon. Shri Prithvi Singh Azad)
I move—

That the Punjab Small Towns (Amendment) Bill, as amended, be passed.

The motion was carried

EAST PUNJAB SPECIAL TRIBUNAL (CONTINUANCE)
(AMENDMENT) BILL

Minister for Labour : (The hon. Shri Prithvi Singh Azad): Sir, I beg to introduce the East Punjab Special Tribunal (Continuance) (Amendment) Bill.

Minister for Labour : I move—

That the East Punjab Special Tribunal (Continuance) (Amendment) Bill be taken into consideration at once.

Mr. Speaker : Motion moved—

That the East Punjab Special Tribunal (Continuance) (Amendment) Bill be taken into consideration at once.

Sardar Swaran Singh : (Jullundur West, Sikh, Rural): Sir, when a similar Bill was before the House during the last session, I said that the existence of these special tribunals was an anomaly and an assurance was held out at that time on behalf of the Government that steps would be taken to expedite the cases pending with the tribunals so that we might revert to the normal courts of law for the administration of justice. I have since then examined certain provisions of the Constitution. Though the point is not free from difficulty, to my mind these tribunals offend against certain fundamental rights granted under the Constitution. Under the new Constitution of India it is provided that justice will be meted out to people according to the ordinary law of the land. The constitution of special tribunals, therefore, with special functions and special courts of appeal and all the other provisions, appears to me to be against the provisions of the Constitution of India. At any rate, even though it may not literally offend against either the fundamental rights or against the other provisions of the Constitution, it is a very unwholesome practice to constitute special tribunals. We should have confidence in the judicial machinery that might be set up according to the ordinary provisions of the law of the land. The constitution of special tribunals creates a genuine fear in the minds of the people who have to take their trial before these tribunals, that these tribunals are constituted with a special object in view and the executive can be legitimately exposed to the criticism that these special tribunals are constituted to register special decrees under the influence of the executive. This may or may not be correct. But that is the feeling of the people and the consequent reaction created in the minds of the people should be avoided. The confidence in the judicial machinery is one of the essential pillars upon

[Sardar Swaran Singh]

which the entire constitution is based and that is the basis of any good Government also. It is a pity that the special tribunal has not been able to conclude its work and that the work is still hanging on. There is a further feeling also that once these special tribunals are constituted, they continue functioning in such a way that they are prone to extend their lives and this thing continues and the Government is burdened with additional cost. The Government has to make special arrangements for prosecution and the persons who are dragged to these tribunals to get justice are also put to additional difficulties. Not only that, but so far as ordinary courts of law are concerned, the law provides that any one who is aggrieved—be it prosecution or defence—can always approach the High court in case of any apprehension that justice is not being meted, for transfer of the case. But in the case of special tribunal this right which is guaranteed under the Criminal Procedure Code is denied. It is doubtful whether such a right to the aggrieved person can at all be deprived. Now the tribunal under consideration has already been functioning for a very long time and it is time it is wound up and we revert to the ordinary courts of law. The expenditure on this special tribunal or special magistrates or special courts of law can also be saved. Neither is it in the interests of the Government nor does it inspire confidence among the people to continue the special tribunal. I therefore request the Government to go into this question afresh and see whether something cannot be done in this direction. The matter should be quickly decided.

Sardar Bachan Singh: (Ludhiana Central, Sikh, Rural) (*Hindustani*): Sir, one is greatly grieved to find the establishment of special tribunals in the country particularly when we have set up a democratic constitution. In my opinion the establishment and continuance of special Tribunals is nothing short of offering an insult to a people and their country. It has been stated that because the work of the special Tribunal has not finished it should be allowed to exist till such time as it has disposed of all cases which had been entrusted to it. Another argument adduced in favour of passing the Bill is that the ordinance which extended its life was to lapse after six weeks from the commencement of the session of the Legislative Assembly and therefore it was necessary to enact this measure. In my opinion it would have been better if instead of introducing this bill the Government had ordered the Tribunal to finish the work within six weeks after the commencement of the session. (An hon. Member. It may not finish the work even in 6 years). I shall not be surprised if it does so. But this

does not reflect well on us or on our State. I honestly feel that in the first place the establishment of this Tribunal was uncalled for. But supposing this Tribunal had somehow been established I say what is the necessity of continuing it at this stage. No attempts should be made to perpetuate it. When it is said that it will be allowed to live till such time as the work is finished, I am reminded of the old man who under the pretext of plucking fruit for Sindbad the sailor would not come down from his shoulders. These fruits were never had and the poor Sindbad had to carry the man on his shoulders for nothing. Similar is going to be the case with this Tribunal. It will never finish the work and go on having a good time at our cost. I would again request the Government that it should pick up courage and order the existing Tribunal to complete the work in their hands in a period of six weeks. If this is not done it will clearly signify that an unnecessary burden of expenditure is being placed on the State exchequer. Another disadvantage of continuing the tribunal is this that people are deprived of that justice which is administered in the ordinary courts. People, after all do not expect unadulterated and pure justice from the special Tribunals. As a matter of fact we heaved a sigh of relief when it was said during the last session that it was about to finish its work and would come to an end ipso facto. But it appears to be altogether a different story now. I would in these circumstances request that the Government should withdraw this Bill and in case it does not, it should be overthrown.

Chaudhri Suraj Mal (Hansi, General, Rural). (*Hindustani*): Sir, to me it appears as if this Government wishes to rule the State only by ordinances. Every day we find a new ordinance and the pity is that these ordinances are issued for most ordinary things. It is something most ridiculous. However I expected that while introducing this Bill the hon. Minister incharge will say something as to the necessity of this measure. I thought he would tell the House as to how many cases were pending before the Tribunal, how many were unfinished and how much expenditure was to be involved. But strangely enough he spoke about none of these things. Probably he did not feel the necessity as there was a comfortable majority at his back and any measure that he introduced whether good or bad would be passed. This is certainly not a right attitude to take. The Government should realize that as pointed out by my hon. Friend Sardar Swaran Singh, the existence of special tribunals effects administration of justice in the ordinary courts of the country. Not only that. Additional burden of expenditure is

[Chaudhri Suraj Mal]

placed on the poor taxpayer. Every day one tax or other is imposed on the poor zimindars so that one or other friend of the hon. Ministers may be favoured.

Mr. Speaker : —No insinuation please.

Chaudhri Suraj Mal : -I don't mean any insinuation Sir. I am only saying that taxes are un-necessarily laid on the poor zimindars and it is very reprehensible to levy taxes on the poor so that rich friends may be afforded a good living. I have no doubt that a longer lease of life is being given to this tribunal with such an intent. It is time that every one of us should realise his duty towards the State. We should not be led by selfish motives and should always keep the interests of the State upper most in our hearts. So far as the Government is concerned it should see that not a penny of the exchequer is wasted on un-necessary things. We should first attend to our dire needs like consolidation holdings etc. So in these circumstances I request that the Bill under consideration should be withdrawn. I am sure that the prestige of the Government will not suffer by such an act on its part. And then what is there in false notions of dignity and prestige.

Chief Minister : (The hon. Dr. Gopi Chand Bhargava) (*Hindustani*) : Sir, an hon. Member who may be called an oppositionist has criticised the Bill merely for the sake of criticism.

Chaudhari Suraj Mal : What about Sardar Swaran Singh ?

Chief Minister : If my hon. Friend waits a little I shall tell him that there was absolutely no argument in his speech. So far as Sardar Swaran Singh is concerned he spoke like a lawyer. I may tell the House that it was Sardar Sahib himself who introduced this Bill in 1948. Well, Sir, at the time of partition, it was agreed by the Government of India and Pakistan that the Burma Fraud Case would be instituted by the former and that a special tribunal would be set up to try it. All the other cases have been decided and the only case which has still to be tried by the special tribunal is the Burma Fraud Case. This could not be finished earlier because the accused could not be arrested for some time. There are eighteen charges against the accused and he has submitted the names of some persons living in England, whom he desires to produce as his defence witnesses. The question whether a commission had to be appointed for the examination of these witnesses or interrogations had to be sent there, came before the High Court.

[Chief Minister]

That Court has now decided that a commission should be appointed for this purpose. We will have to send our counsel for examining those witnesses. The expenses in connection with this case are borne by the Central Government and not by us. Objection raised by some hon. Members could be appreciated, if the tribunal had been constituted for trying the case of this Government. As I have submitted before, this tribunal is trying Burma Fraud Case in accordance with the decision reached with the Pakistan Government. It has been said that the setting up of this tribunal violates the provisions of the constitution and conflicts with the Fundamental Rights. It has also been argued that the accused have been deprived of their right of appeal to the High Court and that justice is not administered properly by the tribunals. In this connection, I may point out that we have consulted not only our own legal advisers but also those of the Government of India and all of them are of the opinion that there is no violation of the constitution. If the constitution of the tribunal was not good in law, the accused would have taken this matter to the High Court and obtained its verdict. If a Bill of this nature could be passed in 1948 why should there be any objection to the appointment of a Tribunal now for the purpose of trying an accused on eighteen different charges. Only a lawyer could advance such arguments.

Sardar Dalip Singh Kang : Are we not governed by the new Constitution after the 26th January, 1950 ?

Chief Minister : The provisions of this Bill are in accordance with the Constitution. Some of the arguments advanced today could be adduced in 1948 also, when a similar measure was passed. As I have already stated, it is proposed to continue the special tribunal for trying the accused in Burma Fraud Case, because the Government of India has to do so according to its agreement with the Government of Pakistan. We as well as the Government of India are anxious to finish this case as early as possible. At first it was hoped that the Burma Fraud Case would be over by the time the previous Bill was to expire. As, however, that case could not be completed by the 13th August an ordinance had to be promulgated for the continuance of the tribunal. I do not find anything objectionable in this procedure.

Sardar Dalip Singh Kang : May I draw your attention to Article 21 of the Constitution, which lays down that —

No person shall be deprived of his life or personal liberty except according to procedure established by law.

Mr. Speaker : He is being prosecuted according to the law.

Chief Minister : Moreover, he has the right of appeal to the High Court. There is nothing un-constitutional in the setting up of a special tribunal and no injustice is being done to the accused who has to be tried by it. If it were un-constitutional, the accused would have obtained the decision of the Supreme Court on this point. Well, Sir, at first the special tribunal consisted of three members, but now when there is only one case to be tried by it, it shall consist of only one member. It is no use opposing this measure merely for the sake of opposition. With these words, I request that the Bill be taken into consideration at once.

Mr. Speaker. Question is :

That the East Punjab Special Tribunal (Continuance) (Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : The Bill will now be considered clause by clause.

CLAUSES 2 and 3.

Mr. Speaker : Question is—

That clauses 2 and 3 stand part of the Bill.

The motion was carried.

CLAUSE 1.

Mr. Speaker. Question is —

That clause 1 stand part of the Bill.

The motion was carried.

TITLE.

Mr. Speaker. Question is :

That the title be the title of the Bill.

The motion was carried.

Chief Minister. I move—

That the East Punjab Special Tribunal (Continuance Amendment) Bill be passed.

Mr. Speaker. Motion moved—

That the East Punjab Special Tribunal (Continuance) (Amendment) Bill be passed.

Chaudhri Suraj Mal : (Hansi, general, Rural) (*Hindustani*) : Sir, the arguments advanced by the hon. Chief Minister in support of the

motion for passing this Bill were so unconvincing that only a medical man could have advanced them. He has said that the Government will not have to incur any extra expenditure on this tribunal, as if the money required for this purpose would come from England or from Burma. If the money is granted by the Government of India for this purpose, naturally the burden falls on our own countrymen living in other parts of India. Of course, if this money were to be got from Burma Government it would have been a different matter. But now the burden of expenditure will fall on our own people if the life of this tribunal is extended. Secondly it has been said that there were eighteen cases to be decided by this tribunal. These will never be decided in the manner in which they are being dealt with at present in spite of these facts, I know, this Bill is going to be passed into law. But all the same, I would request the hon. Chief Minister to keep in view the interests of the public at large.

Mr. Speaker : Question is—

That the East Punjab Special Tribunal (Continuance) (Amendment) Bill be passed.

The motion was carried.

MUNICIPAL (AMENDMENT) BILL.

Minister for Labour : (The hon. Shri Prithvi Singh Azad) Sir, I beg to introduce the Punjab Municipal (Amendment) Bill.

Minister for Labour (Hindi) Sir, I move -

That the Punjab Municipal (Amendment) Bill be taken into consideration at once.

Sir, this Bill seeks to make such amendments in the Municipal Act as have already been accepted by the House in the case of Small Towns Act. The objections raised in connection with that Bill can be raised on this Bill also. I, therefore, request the House, through you, Sir, that the Government would bring in another amending Bill to remove the defects that exist in the present Bill. With these words, I commend this Bill to the House for its immediate consideration.

Mr. Speaker : Motion moved—

That the Punjab Municipal (Amendment) Bill be taken into consideration at once.

Sardar Bachan Singh : [Ludhiana, Central Sikh, Rural] (*Hindustani*) : Sir, the Municipal Bill was drafted on the same lines on which the Small Towns Bill was drafted. I am, however, glad to hear that the hon. Minister in-charge has promised to bring in another amending Bill to remove the defects present in the Small Towns Bill or in this Bill. I think the adage, namely, better late than never, holds good even in the present case. The fact, however, is that the Government was under the impression that it could pass any Bill howsoever defective on the strength of its votes. But now this impression has been belied. Our purpose in opposing the Government is not to oppose it for the sake of opposition, as the hon. Chief Minister has pointed out.

Chief Minister : If you don't, you are not doing your duty.

Sardar Bachan Singh : We oppose the Government only when we see that it is doing a wrong thing. It is our duty to save it from being misled. The fact is that, if it were 1937 at this time and the place Assembly Chamber at Lahore where the late Sir Sikander Hayat Khan was the Chief Minister, even Dr. Gopi Chand would have acted in the same manner.

Mr. Speaker : There is no question of going into the duties of the opposition at this time.

Sardar Bachan Singh : We oppose the Government not for the sake of the opposition but to save it from being misled. I know, the Government party could not give as many useful suggestions during the last Session, as were given by us. We think on constructive lines and not on destructive lines. We want to build the nation on constructive and socialist lines and not to destroy it. I, therefore, congratulate the Government for admitting its short comings and defects.

Chaudhri Krishna Gopal Dutt: (Ex-Member West Punjab Assembly representing North-Eastern Towns, General, Urban) : Sir, this Bill is similar to the Bill which we have just passed. I only want to know from the hon. Minister as to when he thinks that he would bring into operation the clauses for which he has reserved the right to himself for doing so.

Mr. Speaker : Question is—

That the Punjab Municipal (Amendment) Bill be taken into consideration at once.

The motion was carried

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

CLAUSE 1

SUB-CLAUSE (2)

Mr. Speaker : Question is—

That sub-clause (2) of clause 1 stand part of the Bill.

The motion was carried

CLAUSE 2

Pandit Bhagat Ram Sharma: (Kangra West, General, Rural) :
I beg to move—

That for the existing clause the following be substituted :

“2. For section 12 of the Punjab Municipal Act, 1911 (hereinafter referred to as the said Act), the following shall be substituted, namely ;

12. Subject to the provisions of Section 17, a Committee shall consist of such number of elected members as the State Government may prescribe in this behalf :

Provided that the State Government may nominate to each Committee such number as may be fixed, but not exceeding eight, of officials to act as advisers. Such advisers shall not be deemed members of the Committee and shall have no right to vote in any capacity whatever, but shall be entitled to participate in all proceedings of the committee in an advisory capacity.”

The motion was carried

Mr. Speaker : Question is :—

That clause 2, as amended, stand part of the Bill.

The motion was carried.

CLAUSE 3

Pandit Bhagat Ram Sharma: (Kangra West, General, Rural) :
Sir, I beg to move —

That the following new sub clause be added :

(i) Sub-section (1) shall be omitted.

Mr. Speaker : Section 13 of the Municipal Act lays down :

If a member of a committee is appointed by office, the person for the time being holding the office shall, unless the Provincial Government otherwise directs, be a member of the committee until the date fixed for the meeting at which his successor is required to take the oath of allegiance.

Now if you appoint or nominate the official by name and if that official is transferred, will he continue to be member of the committee, although he is transferred? What provision do you make in case that official is transferred?

Minister for Labour : There are executive instructions to the effect that that official ceases to be a member from the date of his transfer.

Mr. Speaker : Executive orders will not prevail. I think that there should be a provision in the Act that that official ceases to be a member in case of transfer.

Shri Bhim Sen Sachar : I think that Section 13 of the Act should be retained and if the adviser is appointed by his designation instead of by name, then the question of transfer does not affect the position. Whoever is appointed for that office, will be the adviser.

Mr. Speaker : It is for the Government to decide.

The Assembly then adjourned till 10-30 a. m. on Thursday, 5th October 1950.

PUNJAB LEGISLATIVE ASSEMBLY

DEBATES

5th OCTOBER 1950

Vol. II — No. 5.

OFFICIAL REPORT.



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Punjab Legislative Assembly

SECOND SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Thursday, 5th October 1950.

The Assembly met in the Assembly Chamber, Simla, at 10-30 a.m. of the clock.

Mr. Speaker (the hon. Sardar Kapoor Singh) in the Chair.

STARRED QUESTIONS AND ANSWERS

STORAGE OF WHEAT IN KHANNA.

*2088. **Mehta Ranbir Singh:** Will the hon. Minister for Development be pleased to state:-

(a) whether it is a fact that some wheat is stored in Model Town, Khanna, if so;

- (i) the quantity of wheat stored there;
 - (ii) the number of houses occupied for its storage;
 - (iii) the rent of each house which the department will have to pay on this account;
- (b) whether this wheat is stored in bags or loose;
- (c) the precautions taken by the Government against damage to wheat so stored?

The hon. Sardar Ishar Singh Mujhall:

- (a) Yes.
- (i) 13,722 bags.

[Minister for Development]

(ii) 21

(iii) Not yet assessed.

(b) In bags.

(c). (i) The roofs were mud-plastered before the rain started.

(ii) Stocks have been dusted with Commaxine dust to prevent infestation.

(iii) Stocks are inspected by the staff after every rain.

(iv) Proper dunnage has been provided.

Mehta Ranbir Singh: May I know what rent the Government is going to pay for these shops?

Minister: I have stated that the rent has not yet been assessed

Mehta Ranbir Singh: Will the hon. Minister be pleased to state whether the rent will be the same which the public pays for such shops?

Minister: The assessment of rent by the Government is generally $4\frac{1}{2}$ per cent of the capital outlay.

Mehta Ranbir Singh: Is it a fact that the rent to be paid by the Government is likely to be more than Rs. 50/-?

Minister: There are three categories of shops and at present I cannot say anything about it.

Mehta Ranbir Singh: Is it more than that, what do the calculations reveal?

Minister: My department does not make such calculations. It is the job of another department.

Mehta Ranbir Singh: Is the hon. Minister aware of the fact that many other shops which were lying vacant were not taken by the Government for this purpose? What were the considerations for selecting such shops?

Minister: There were no special considerations except that we hired such shops as we found available.

SCARCITY OF DRINKING WATER IN PATHANKOT TEHSIL

***2153. Shri Prabodh Chandra:-** Will the hon. Minister for Public Works be pleased to state:-

- (a) whether he is aware of the fact that the people of Shah Puri Kandi in Pathankot Tehsil have to walk for miles together to get drinking water;
- (b) whether the Government contemplate boring some wells in the said area?

The hon. Captain Ranjit Singh:

- (a) Yes.
- (b) The question of testing the yield of the existing wells in this area is under consideration of the Government. After verifying these results, if necessary, the question of boring wells will also be considered.

Shri Prabodh Chandra: Will the hon. Minister be pleased to state when it came to the knowledge of the Government that the people of that village have to fetch water from a distance of about five miles?

Minister: The Government is aware of it since a long time. It is not a new thing

Shri Prabodh Chandra: I want to know a definite date.

Minister: I am unable to give a definite date without proper notice.

Shri Prabodh Chandra: Is it not a fact that a representation was submitted to that effect when hon. Captain Ranjit Singh was a Minister in the first ministry of the hon. Dr. Gopi Chand Bhargava?

Minister: I do not remember.

Shri Prabodh Chandra: Is it not a fact that a representation was submitted in 1948?

Minister: I require notice.

Shri Prabodh Chandra: Sir, I want a definite reply.

Mr. Speaker: I cannot compel the hon. Minister.

Shri Prabodh Chandra: May I know what steps have been taken by the Government to remove the hardships of these people?

Minister: I have already given the reply.

Shri Prabodh Chandra: What is the action taken by the Government on the representation made by the people?

Minister: It has been replied to. At present I am not in a position to say anything.

Shri Prabodh Chandra: When will the Government be in a position to take a final decision with regard to this matter?

Minister: At an early date.

SHRI RAM SARUP SUB-INSPECTOR OF POLICE, AMBALA.

***2034. Shri Ram Sharma:-** Will the hon. Chief Minister be pleased to state :—

- (a) whether Shri Ram Sarup, Sub-Inspector of Police, Sadar Thana, Ambala was entrusted with the duty of collecting funds for the Red Cross Society;
- (b) if so, the actual amount collected by him for this Society;
- (c) the amount deposited by him with the Society;
- (d) whether any complaints have been received by Government that the full amount collected by the Sub-Inspector was not deposited with the Society.
- (e) the action Government has taken or proposes to take in the matter?

The hon. Dr. Gopi Chand Bhargava:

- (a) Government have no knowledge.
- (b) Does not arise.
- (c) Does not arise.
- (d) L. Devi Chand made a complaint of this nature. Accordingly Deputy Superintendent of Police (Headquarters)

was deputed to make an enquiry, but Shri Radha Krishan, the mover of the complaint, refused to give any proof in support of his allegations against S. I. Ram Sarup.

- (e) In view of the fact that Shri Radha Krishan has refused to produce proof, no action is possible.

Shri Ram Sharma: It may be true that the person who made the complaint has refused to give his statement later on, but has the Government tried to find out whether collections for Red Cross were made by the police officials or not?

Chief Minister: Red Cross is not a Government department. But the Deputy Commissioner in his capacity as the president of that Society helps in the making of such collections. A complaint was received by me sometime back personally. I ordered an enquiry and sent for that person. When I asked him to submit a positive proof to the D. S. P. in the matter, he refused to do so. He told me that he was not prepared to submit proof to the D. S. P. but he could give such a proof to a Magistrate. I explained to him that such a procedure was not proper, but the statement should first go to the D. S. P. But he refused to do so. So any inquiry in the matter was not possible. Without any proof how can I say that the official concerned was guilty?

Shri Ram Sharma: Will the hon. Minister be pleased to state why collections for Red Cross Fund are made with the help of Government officials?

Chief Minister: There are certain charitable institutions to which permission is generally granted to collect funds with the aid of Government officials. Red Cross Society is one of those institutions.

Shri Ram Sharma: Is the hon. Chief Minister aware of the fact that at many places it has become a habit with the officials to go and collect all sorts of funds?

Chief Minister: It is possible but I am not aware of it.

Shri Ram Sharma: Will the hon. Chief Minister be pleased to issue instructions that Government officials should not help in the collection of funds for any institution?

Chief Minister: It is possible for us to issue instructions to the effect that the Government officials should not make a misuse of their powers in the matter of collections. But how can we stop them from rendering aid in the case of all charitable institutions? There are certain organizations to whom aid must be rendered. For instance we would not have been able to make such large collections for Gandhi National Memorial Fund but for the help extended to us by the Government officials and I am glad to say that the Police Department made a collection of two lakhs for that fund.

Shri Ram Sharma: Is it in the knowledge of the hon. Chief Minister that the Congress has been blamed by the people because of the unfair means employed by officials in making collection for that Fund? Is it not true that the fair name of Mahatma ji has been brought low by the misdeeds of such persons who made forcible collections in his name?

Chief Minister: Complaints to that effect were received. But on enquiry they proved to be unfounded. We had to take the help of Government officials because those upon whom devolved the duty of co-operating with us in this matter took up an attitude of non-cooperation.

Shri Ram Sharma: Is the hon. Chief Minister aware that the reply given by him would create a bad impression on the public and that they would think that Government always remains ignorant and its replies are not based on facts?

Chief Minister: It is a matter of opinion.

Chaudhri Suraj Mal: Is it in the knowledge of the Government that this Sub-Inspector is one of the most honest officers?

Chief Minister: I have not made any enquiries about this and unless there is anything against him, he is presumed to be honest.

Mehta Ranbir Singh: The hon. Chief Minister has stated that Lala Duni Chand refused to offer evidence for the substantiation of the said complaint. May I know whether Government, of its own accord, instituted any enquiries in the matter? If not, why not?

Chief Minister: I never mentioned the name of the complainant.

Mr. Speaker: It is always better to avoid names.

Mehta Ranbir Singh: Very well, Sir. May I ask the hon. Chief Minister whether Government, of its own accord, instituted enquiries into the complaint, when the complainant refused to help the police by not offering the proof?

Chief Minister: When a complaint is received, the police first approaches the complainant to substantiate it. I may point out that it is an offence to put in a false complaint. Again if the complainant refuses to give any indication about the correctness of the allegations mentioned in the complaint, it is well nigh impossible to proceed with the enquiries.

Mehta Ranbir Singh: May I know why, when it is stated in the complaint that funds were collected from such and such a place, Government did not make enquiries from those places?

Chief Minister: The practice is first to contact the complainant to produce proof in support of his allegations. If he cooperates, then further enquiries are conducted.

Mehta Ranbir Singh: Will the hon. Chief Minister please tell us whether after finding out that the complaint was not based on facts, any action was taken against the complainant? If not, what are the reasons for that?

Chief Minister: Due to the old age and respectability of the complainant, no action was taken against him.

Mehta Ranbir Singh: May I know as to what is the standard of justice of the Government? Under what law does it make distinction taking action against a person and letting off the others?

Chief Minister: Government can exercise its discretion in the matter.

Sardar Sajjan Singh: Under what rule or law can this discretion be exercised?

Chief Minister: The hon. Member can himself find out the law and precedent in the matter.

Sardar Bachan Singh: Will the hon. Chief Minister please tell us whether, if an old person makes wrong allegations, he should be let off without being proceeded against under the law, simply because of his old age?

Chief Minister: In such cases leniency is shown.

GRANT OF EXTENSION OF SERVICE IN THE JAIL DEPARTMENT.

***2062. Shri Ram Sharma:** Will the hon. Chief Minister be pleased to state:-

(a) whether it is a fact that in the Jails Department, one P. C. S. officer and one Civil Surgeon have been granted extensions of service after superannuation to serve as superintendents;

(b) whether any superintendent, who had risen to this post in the department itself, was ever given such extension of service;

(c) the reason, if any, for the granting of extension in the cases mentioned in part (a) above?

The hon. Dr. Gopi Chand Bhargava:

(a) No. Two such officers have, however, been re-employed for a short period.

(b) Yes, two retired Superintendents of Jails were re-employed in the year 1949.

(c) These officers were re-employed in the interest of public service due to shortage of qualified superintendents and pending the direct recruitment of new superintendents. The services of one of those officers have since been terminated and the term of re-employment of the other expires on the 31st October, 1950.

Shri Ram Sharma: Will the hon. Chief Minister kindly tell us why no person belonging to the Jail Department has been given any extension of service in the post of Superintendent, while retired persons from other departments have been given this chance?

Chief Minister: A person who has risen to the post of Jail Superintendent will have to retire and no extension is granted to him as such.

Shri Ram Sharma: May I know how a retired Civil Surgeon or a P. C. S Officer is qualified to receive extension in service and be appointed as Jail Superintendent?

Chief Minister: I may tell my hon. Friend that no extension has been granted to anybody. The said retired officers were re-employed. There is a lot of difference between grant of extension of service and re-employment.

Shri Ram Sharma: That is right technically. But I want to know why at the time of re-employment Government did not consider it advisable to take a retired person of the Jail Department rather than re-employ a retired person from another department?

Chief Minister: Government offers re-employment only to those whom it considers fit for holding that job.

Shri Ram Sharma: My point is whether a retired Jail Superintendent was not considered fit for re-employment? If not, what led the Government to ignore him and give chance to retired officials of other departments?

Chief Minister: Nobody was ignored. As I have stated, Government re-employs those whom it deems fit to hold the charge of that post.

POSTING OF POLICE MEN IN MODEL TOWN, KHANNA.

*2109. **Mehta Ranbir Singh:** Will the hon. Chief Minister be pleased to state—

(a) whether it is a fact that some police-men are posted in Model Town, Khanna; if so, since when and the total amount spent on them so far;

(b) whether it is also a fact that almost all the houses are vacant in the Model Town, Khanna?

The hon. Dr. Gopi Chand Bhargava:

(a) Yes, since 1st June, 1949. Rs. 4892-8-0 have been spent on them up to 31. 8. 1950.

(b) No.

Mehta Ranbir Singh : May I know for what purpose police was posted there ?

Chief Minister : For purposes of 'chaukidari'.

Mehta Ranbir Singh : What sort of 'chaukidari' when nobody was putting up in the Model Town, Khanna ?

Chief Minister : I have never said that nobody is residing in the Model Town, Khanna. The hon. Member is aware that there is a godown of the Government there as well.

Mehta Ranbir Singh : Will the hon. Chief Minister kindly tell us whether the expenditure incurred on the policemen there, would fall on the maintenance charges of the godown ?

Chief Minister : No. The department concerned will bear that expenditure.

Mehta Ranbir Singh : Is it a fact that Government godown was constructed long after June, 1949? If so, what was the police guarding at that time ?

Chief Minister : This police was posted to safeguard the houses in Khanna and protect them from any damage that might be caused to them.

Mehta Ranbir Singh : May I know if any house in the Model Town, Khanna, has ever been damaged by the people, as they were in existence before June, 1949? If not, then for whose protection was police posted there ?

Chief Minister : But it is possible that the people of Khanna might have changed their minds now. (*Laughter*)

Sardar Bachan Singh : May I know why police has been posted for purposes of 'chaukidari' when this could be conveniently done by the appointment of a chaukidar ?

Chief Minister : Government has no intention to appoint new persons for the job when it has got police to perform this duty.

REFUND OF FINE TO POLITICAL WORKERS.

*2118. **Shri Virendra :** Will the hon. Chief Minister be pleased to state:-

(a) the number of applications received by the Government from political workers for the refund of fine paid by them, during the British regime;

(b) the number of cases in which the fine has been actually refunded and the total amount refunded so far by the Government?

The hon. Dr. Gopi Chand Bhargava:

(a) 201.

(b) 44. The fines amounting to Rs. 11,123/8/- have been refunded.

Shri Virendra: Will the hon. Chief Minister please state the number of applicants whose fines have been refunded?

Chief Minister: I cannot tell the number off-hand.

Shri Virendra: May I know as to when the Government will be able to dispose of the remaining applications?

Chief Minister: As soon as possible.

Shri Virendra: Since Government experiences great difficulty in the disposal of certain applications for want of necessary record which has been left in West Pakistan, may I know in what manner the Government contemplates to refund the fines to those applicants?

Chief Minister: Since there is very little hope of the necessary record being sent by the West Pakistan Government, the intention this Government is to refund the fines after taking affidavit from the individuals concerned.

Shri Ram Sharma: Is he aware of the fact that generally the officers ask the applicants to submit proofs of their having paid the fines? Is it a fact that they are asked to give them the dates when the fines were imposed? Is he also aware of the fact that Government does not render any assistance to these applicants?

Chief Minister: Government is not in possession of any old records. It is because of this fact that the applicants are asked to submit any proof of their having paid the fines. As I have already stated, the applicants can in the absence of any proof with them submit an affidavit.

Shri Ram Sharma: Is it a fact that in spite of the orders of the Government to the effect that fines would be refunded to political workers, fines are not being refunded even one year after the submission of applications?

Chief Minister: It is just possible that fines may not have been refunded as referred to by the hon. Member. If my learned Friend brings any such cases to my notice I shall arrange to get the fines refunded in no time.

Shri Ram Sharma: Is he aware of the fact that the Chief Secretary to Government, East Punjab, wrote in his letter No. 10370-P G-49/52358 dated 22nd August 1949, to Rao Mangli Ram Vaid:

I am directed to say that the Governor of East Punjab is pleased to sanction the refund to Rao Mangli Ram Vaid, son of Rao Khushali Ram, Village Khatiwas, Tehsil Jhajjar, District Rohtak, of two fines of Rs. 69 and 50 which were imposed on him for participation in national movements.

Is it a fact that Rao Mangli Ram Vaid has been trying for this refund for the last one year and that he has not so far received any payment of this refund? In view of the fact that there are many such cases in which payments in connection with the refunds of fines have been over-delayed, may I know if the hon. Chief Minister would go through them and get their fines refunded? Is he going to take any steps in this direction?

Chief Minister: I admit that the letter as referred to by the hon. Member has been written by the Chief Secretary.

Shri Ram Sharma: But fines have not been refunded even and after one year.

Chief Minister: I do not go through each and every letter and cannot therefore say anything at this stage about the letter referred to by the hon. Member. If he will give this letter to me or will write to me about it, I shall certainly move in the matter and arrange refund of the fines.

Shri Ram Sharma: In view of the instance already quoted by me, may I know if he will give his personal attention to the

matter? Is he aware of the fact that this delay is due to the fact that there is something wrong in the working of the department concerned?

Chief Minister: I have been sending for the figures regarding this matter from my department. I have not forgotten it nor will I forget it as it is my duty to do this work and do it well.

Shrimati Sita Devi: May I know whether or not the submission of an affidavit is sufficient? Does the Government want some recommendation or some evidence of some particular person in addition to the affidavit?

Chief Minister: Does my sister want the Government to issue notification for the submission of affidavits? I have already stated that in case they do not find it possible to furnish any proof they can submit affidavits and get their fines refunded?

Shrimati Sita Devi: I do not want that. What I want to point out is this that the officers ask them to produce witnesses.

Chief Minister: An affidavit is quite different from a witness.

Shri Bhim Sen Sachar: The hon. Chief Minister has stated that he has been sending for the figures regarding this matter from his department. May I know if the case referred to by my hon. Friend Shri Ram Sharma was gone through by him; if so, whether he has taken any action?

Chief Minister: Generally I send for the figures from my department and I do not send for the cases of any particular persons.

Shri Kedar Nath Saigal: From which fund are these refunds being made?

Chief Minister: Government has decided to refund fines and these refunds are made from the Government revenues.

Shri Kedar Nath Saigal: Has the Government taken any action against those officers who cause undue delay in making these refunds?

Chief Minister: No delay is caused in refunding the payments. Delay is only caused in dealing with the applications. If and

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when attention of the Government is drawn to such cases in
which the applicants cannot find it possible to furnish any proof,
instructions are issued for taking affidavits from them instead.

Shri Ram Sharma: In view of the fact that in spite of the
instructions of the Government, delay of one year and two months
has been caused in refunding the fines in the case already referred
to by me, may I know if any enquiry would be held and action
taken against the officers responsible for this delay?

Chief Minister: I shall look into this matter.

Mr. Speaker: Next question please.

HOME DEFENCE GUARDS.

***2119. Shri Virendra:** Will the hon. Chief Minister be pleased to
state:-

- (a) whether it is a fact that the Government has decided
to set up Home Defence Guards;
- (b) the names of the Towns in the State in which these
Home Defence Guards have been set up so far;
- (c) the name of the officer-in charge of this organization
together with his qualifications?

The hon. Dr. Gopi Chand Bhargava:

- (a) No.
- (b) and (c) Do not arise.

I may add for the information of the hon. Member that it
is Home Defence Services and not Home Defence Guards.

Shri Ram Sharma: Sir, the hon. Chief Minister has played
on the word 'guard'.

Chief Minister: I have not played on any word. I have
only given the hon. Member the required information.

Shri Ram Sharma: May I know if the 'Home Defence Services'
is a new name given to the N. V. C. ? Is it a better organization
than the N. V. C. ?

Chief Minister: It has no concern with N. V. C.

Shri Ram Sharma: What services are being rendered by the Home Defence Services?

Chief Minister: Persons belonging to Home Defence Services train people in every district in air-raid precautions, first-aid, and fire-fighting. Volunteers are not recruited in the Home Defence Services.

Mr. Speaker: Next question please.

RAM SARUP CONSTABLE, PROVINCIAL ARMED POLICE

***2120. Shri Virendra:** Will the hon. Chief Minister be pleased to state:-

(a) whether it is a fact that one Ram Sarup Constable, Provincial Armed Police, was burnt to death while on duty during a tattoo show at Jullundur on the 15th April, 1950;

(b) if the answer to part (a) above be in the affirmative the amount of compensation, if any paid to the relatives of the deceased ?

The hon. Dr. Gopi Chand Bhargava:

(a) Yes

(b) A sum of Rs. 900/- was paid as Maintenance Allowance to the widow of the deceased during the months of April and May, 1950.

A case for the grant of family pension to the dependents of the deceased is also under consideration.

JAILS AND CONVICTS IN THE PUNJAB STATE.

***2121. Shri Virendra:** Will the hon. Chief Minister be pleased to state:-

(a) the total number of jails in the Punjab State;

(b) the total number of convicts in these jails at present;

(c) the number of jails for women in the Punjab State;

(d) the total number of women convicts in the Punjab State at present;

[Shri Virendra]

(c) the number of convicts who are habitual offenders ?

The hon. Dr. Gopi Chand Bhargava :

(a) 15.

(b) 6946.

(c) There is no separate special Jail at present for women prisoners but a Femal Ward outside the main Jail of District Jail, Ludhiana has been reserved for the confinement of women prisoners. A proposal for having a separate jail for women is, however, under the consideration of Government.

(d) 81.

(e) 1112.

PERMISSION TO USE LOUD SPEAKERS IN LUDHIANA.

*2124. **Mehta Ranbir Singh :** Will the hon. Chief Minister be pleased to state whether he is aware that the District Magistrate, Ludhiana and the Administrator, Ludhiana Municipality, allowed the use of loud-speakers to the Students Congress, Ludhiana in a public meeting in the municipal gardens on 13-8-50 and a similar permission was given to the Youth Congress, Ludhiana on the same day, if so, the time scheduled for both the meetings ?

The hon. Dr. Gopi Chand Bhargava :

(a) Yes. The District Students Congress, Ludhiana was allowed the use of loud-speakers till 10.30 P. M. on 13-8-50 by the District Magistrate, Ludhiana.

(b) No such permission was given to the Youth Congress, Ludhiana for the 13th of August, 1950, either by the District Magistrate, Ludhiana or the Administrator, Municipal Committee, Ludhiana.

Note. The Youth Congress did not apply for permission.

Mehta Ranbir Singh : Is the hon. Chief Minister aware that there had been a clash between the two congress groups in Ludhiana

as permission to hold the meetings was given for the same day?

Chief Minister: This is not the question that has been asked. The Youth Congress, Ludhiana, had no permission to hold the meeting on that day.

Mehta Ranbir Singh: Is it a fact that the Youth Congress also went there to hold the meeting and that there was a clash between the two groups?

Mr. Speaker: The Government does not admit that there was a clash.

SOCIALIST PRISONERS IN THE STATE.

*2155. **Shri Prabodh Chandra:** Will the hon. Chief Minister be pleased to state:-

(a) the total number of prisoners belonging to the Socialist Party, convicted and detained, at present in all the jails of the State;

(b) how many of them are placed in B class?

The hon. Dr. Gopi Chand Bhargava:

(a) 142 convicts and 15 detenus on 26.9.50.

(b) 24.

Shri Prabodh Chandra: May I know whether those convicts have also been included who had offered satyagrah in connection with Chandigarh agitation?

Chief Minister: I cannot say it off-hand?

Shri Prabodh Chandra: May I know whether a uniform principle is observed in the matter of classification of prisoners in case of Socialist, Congress and other prisoners?

Chief Minister: Uniform procedure is observed in case of all convicts. So far as the detention of certain prisoners is concerned, the procedure is somewhat different.

Shri Prabodh Chandra: May I know why the Communist prisoners are accorded better treatment than Socialist prisoners in the matter of classification?

Chief Minister: The hon. Member will get this information in reply to another question on the list.

Shri Prabodh Chandra: May I know why Mr. Tilak Raj Chadda, a Socialist prisoner, was not placed in B class according to his status?

Chief Minister: The hon. Member has not asked for information relating to any particular person in the question. I, therefore, require notice to answer this question.

Shri Prabodh Chandra: Is the hon. Chief Minister aware that Socialist prisoners are not accorded good treatment in the jails?

Chief Minister: I think equal treatment is accorded to all prisoners in the jails. I can say that the treatment which is accorded to prisoners in our State is much better than in other States.

Shri Prabodh Chandra: May I know why better treatment is accorded to Communist prisoners than to the Socialist prisoners in the jails?

Chief Minister: I do not believe that any discrimination is shown in the matter of treatment to prisoners in the jails.

Shri Prabodh Chandra: Is it not a fact that Communist prisoners are placed in B class whereas Socialist prisoners are given C class?

Chief Minister: I have already given reply to this question. So far as prisoners are concerned, equal treatment is accorded to them in the matter of classification. But in case of political detenus, the rules are somewhat different.

Sardar Bachan Singh: May I know the reasons for this discrimination between different categories of prisoners?

Chief Minister: The hon. Member will get the required information in reply to a similar question on the list.

Shri Ram Sharma: The hon. Chief Minister has stated that better treatment is accorded to the political prisoners and other detenus in the jails in our State as compared with other States. May I know what sort of treatment is meted out in other States to the prisoners of the status of Shri Tilak Raj Chadda who had been a member of Punjab Legislative Assembly and also Secretary of the Socialist Party?

Mr. Speaker: I would ask the hon. Member to avoid reference to other States.

Shri Ram Sharma: Sir, I wanted to know what sort of treatment is accorded to such prisoners in other States as the hon. Chief Minister has stated in his reply that better treatment is accorded to these prisoners in our State as compared with other States?

Shri Bhim Sen Sachar: Is it a fact that a Socialist detenu sometime back died in the jail on account of hunger strike?

Chief Minister: So far as I know, no such detenu died in the jail on account of hunger-strike.

Shri Bhim Sen Sachar: Is it not a fact that one detenu died in the jail and this detenu remained on hunger-strike for many days?

Chief Minister: I am not aware that any detenu who had died in the jail remained on hunger strike.

Shri Kedar Nath Saigal: Is it fair that during the regime of Congress Government a Socialist leader of the status of Shri Tilak Raj Chadda should be handcuffed and paraded through the bazaars of the town?

Mr. Speaker: This is a question of opinion.

Shri Prabodh Chandra: Is the hon. Chief Minister aware that Baba Nand Singh remained on hunger strike for about two months and when his condition became worse, the hon. Chief Minister was requested to release him?

Chief Minister: I remember that my hon. Friend saw me at Amritsar and had stated that Baba Nand Singh was not keeping

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good health. I made telephonic enquiry from the Civil Surgeon about the state of his health and he told me that his condition was not so bad. On the following day he was released unconditionally. Baba Nand Singh had given up hunger strike then.

Shri Prabodh Chandra: Is the hon. Chief Minister aware that Baba Nand Singh died ten days after his release.

Chief Minister: He had given up hunger strike and if any person falls ill afterwards, Government cannot help. He was in the hospital and when his condition was not satisfactory he was released.

FACILITIES TO COMMUNIST AND SOCIALIST PRISONERS.

*2175. **Shri Prabodh Chandra:** Will the hon. Chief Minister be pleased to state whether it is a fact that the facilities that are being given to Communist prisoners are not being given to the Socialist prisoners in the State; if so, the reason thereof?

The hon. Dr. Gopi Chand Bhargava :

First Part. No.

Second Part. Does not arise.

Shri Prabodh Chandra: Is it a fact that Socialist prisoners are not given the same facilities as are enjoyed by the Communist prisoners?

Mr. Speaker: This does not arise out of this question.

Chief Minister: I have already replied to this question.

Shri Prabodh Chandra: It does arise, Sir, out of the question that is there.

Mr. Speaker: It is not in my power to force the Government to give a reply.

RECOVERY OF ARMS IN THE STATE.

***2172. Sardar Shiv Saran Singh:** Will the hon. Chief Minister be pleased to state whether he has received any representations from the various rural people that undue harshness and ill-treatment is made by the police in the recovery of arms in the State; if so, the result of any enquiry made in this behalf?

The hon. Dr. Gopi Chand Bhargava:

The answer to the first part is in the negative.

The second part does not arise.

Shri Ram Sharma: Has the Government received any complaint to the effect that the Police employs undue harshness in the matter of recovery of unauthorized arms?

Chief Minister: I have already given a reply to it.

Shri Ram Sharma: Is the hon. Chief Minister aware that even after giving a promise to the Congress Workers not to challan the persons concerned, the Police later on prosecutes them, after recovering arms from them with the help of Congress workers?

Chief Minister: I don't want to give any reply to it.

INVESTIGATION REGARDING THE MURDER OF AN ASSISTANT SUB INSPECTOR OF POLICE AT VILLAGE KACHA PAKKA, DISTRICT AMRITSAR.

***2183. Sardar Bachan Singh:** Will the hon. Chief Minister be pleased to state :—

- (a) whether an Assistant Sub Inspector of Police was murdered at village Kacha Pakka, tehsil Patti, district Amritsar in the month of March, 1950 ;
- (b) whether the Senior Superintendent of Police, Amritsar, visited this village after the aforesaid incident ; if so, when ;
- (c) whether Sardar Sajjan Singh, Margindpuri, M. L. A., submitted a complaint to the hon. Chief Minister vide his

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letter No. 554, dated 22nd April, 1950 (Registered), alleging that innocent inhabitants of this village were made to crawl by the officer referred to in part (b) above; if so-

- (i) whether any enquiry was ordered by the Government in this case
- (ii) the rank of the officer who held the enquiry ;
- (iii) whether the investigating officer called upon S. Sajjan Singh, M. L. A. to furnish evidence in support of the allegations made in the complaint; if so, when ;
- (iv) whether Sardar Sajjan Singh was served with a notice to appear before the investigating officer referred to above; if so, when; if not, the reasons for failure to call him for furnishing the required evidence to prove the allegations made in his letter referred to above ;
- (d) the result of the enquiry referred to in part (c) above;
- (e) whether he will lay on the table of the House a copy of the letter sent by S. Sajjan Singh, M. L. A. , referred to in part (c) above ?

The hon. Dr. Gopi Chand Bhargava:

- (a) Yes.
- (b) Yes; the next day.
- (c) i & ii. A complaint containing allegations of high-handedness and corruption against various Police Officers including S. S. P., Amritsar who had a hand in the investigation of the above murder case was received and enquired into by the D. S. P., Patti as the chief allegations of corruption etc. were against police subordinates.
- (iii) No.
- (iv) Since Sardar Sajjan Singh claimed to be a spokesman of various alleged aggrieved persons and was not an eye-witness to the occurrence there was no necessity to call

for him. Moreover the alleged victims of police high-handedness outrightly denied the allegations made on their behalf.

(d) All the allegations were found to be incorrect.

(e) Not available at present.

Sardar Sajjan Singh: The hon. Chief Minister has just stated in reply to a question that the Government calls upon the complainant to furnish evidence. I want to know, when in this case I was the complaint, why I was not asked to produce evidence in order to prove the allegations made by me.

Chief Minister: I don't want that the Police should serve notices on M. L. As. and bother them unnecessarily.

Sardar Sajjan Singh: As none of the allegations has proved true, may I know if the Government is prepared to move against me for making these allegations?

Chief Minister: I regret that I don't want to put M. L. As. in such a situation as my Friend desires, because I realize that being representatives of the people, they have to forward to the Government whatever complaints are brought to their notice and they are generally not in a position to verify their genuineness. If, however, the hon. Member can name the original complainants, it might be possible to proceed against them.

Sardar Sajjan Singh: May I know the law under which M. L. As. are immune to such action?

Chief Minister: I don't want to put the hon. Member in the situation he so earnestly desires.

Shri Ram Sharma: May I know what difficulties there are in the way of Government's calling upon M. L. As. who have forwarded any complaint, to be helpful in the enquiry, and thus availing of their aid in the investigation of the matter?

Chief Minister: It is a matter of opinion, Sir.

Shri Ram Sharma: It is not a matter of opinion, Sir. I want to know the reasons for which the Government considers it difficult to seek the help of M. L. As. in investigating complaints

[**Shri Ram Sharma**]

made through them, especially when other people do not come forward to give evidence?

Chief Minister: I again say that this involves an expression of opinion. However, we want that the aggrieved persons should themselves make the complaint.

Sardar Bachan Singh: May I know why the investigation of the allegations made by Sardar Sajjan Singh against the Superintendent of Police, Amritsar, was entrusted to the Deputy Superintendent, one of his subordinates?

Chief Minister: The Government appointed the officer whom it considered suitable on the work of investigation.

Sardar Bachan Singh: Is the Government of the view that the inquiry against an officer can be satisfactorily conducted by an officer subordinate to him?

Chief Minister: Whatever was done, was done after careful consideration.

CRIMINAL TRIBES IN THE STATE.

*2209. **Shri Bhagat Ram Chodha :** Will the hon. Chief Minister be pleased to state :—

- (a) the names of such classes of people who are termed 'criminal tribes' in the State ;
- (b) the schemes formulated by the Government for their welfare ;
- (c) whether Government intends removing the use of the term ' criminal tribes ' for these classes of people ;
- (d) whether it is a fact that even the educated and respectable persons coming out of these classes are also termed by the Government as members of criminal tribes ;
- (e) whether a person is considered by the Government to be a member of a criminal tribe on the basis of his birth ?

The hon. Gopi Chand Bhargava :

(a)—(e) Statement is laid on the table.'

Kept in the Library.

Shri Bhagat Ram Chodha : Have any of the educated persons belonging to these tribes, been absorbed in Government Service ?

Chief Minister : Those of them who are successful in the selection, are taken in Government Service. There is no ban on their recruitment.

Shri Bhagat Ram Chodha : Is the Government aware that very few of them are in Jails and still they are being styled as 'criminal' ?

Chief Minister : Yes, but many are being kept in the Reformatory.

Shri Bhagat Ram Chodha : Is it not a fact that in the crimes that are now a days being committed, very few of them have any hand ?

Chief Minister : Yes, that is why it has been decided to exclude from this category those who have not committed any crime during the last five years. I may also inform the hon. Member that the Government of India has appointed a Committee to consider this matter and it is hoped that when its report is received, the Criminal Tribes Act will be amended accordingly.

Shri Bhagat Ram Chodha : Have any work centres been opened to give them training in crafts ?

Chief Minister : The hon. Member should look into the reply to the original question.

Shri Bhagat Ram Chodha : Have any of them been allotted any land ?

Chief Minister : The hon. Member is requested to refer to the reply.

Shri Bhagat Ram Chodha : Is the Government prepared to remove the odious label that attaches to them ?

Chief Minister : I have given full information on this matter to the hon. Member

Shri Bhagat Ram Chodha : Has the Government taken any steps to remove the stigma of criminal tribes on these people?

Chief Minister : I hope my hon. Friend has gone through the reply that had been sent to him. I may in addition to that inform him that we are waiting for the report of the Committee that has been set up by the Government of India in this connection. However we

[Chief Minister]

have decided to exclude from the list of criminals those people who have not committed any crime for the last five years.

Shri Bhagat Ram Chodha : Does the Government intend to dub these people as criminal tribes for ever ?

Chief Minister : I have already replied to this question.

Sardar Ajit Singh : Is the hon. Chief Minister aware that the Pakistan Government has done away with term ' criminal tribes ' ?

Chief Minister : We do not believe in copying Pakistan ; we are led by our own lights.

Sardar Ajit Singh : Will the people at present known as ' Criminal tribes ' called as such for ever ?

Chief Minister : I have already replied that this matter is under the consideration of the Government. When the report is submitted by the Committee which has been set up by the Government of India in this behalf, a regular Bill will be introduced in this House and most probably the use of this term will be discontinued. Moreover we have decided in anticipation of that report that any one belonging to the criminal Tribes who does not commit a crime for 5 years, should be excluded from the lists.

Shri Ram Sharma : Why does not this Government after the inauguration of independence and the declaration of fundamental rights itself take the initiative in this matter? Why should it ask for instructions from the Government of India when dubbing a person as a criminal merely on account of birth or relationship is repugnant to our Constitution ?

Chief Minister : I carefully study what the Government of India or the different States do in different matters. As a matter of fact we had asked for advice in this connection from the Government of India and it told us that as a committee had been set up to report on this matter we should wait for a little time before passed an enactment. It was certainly a good advice because if we pass any enactment now we might have to amend it after the submission of the report so that law is uniform throughout the country in this respect. Then I have said that we have in anticipation of that report decided to exclude from the lists all those who do not commit any crime for a period of five years. I may tell the hon. Member that the Criminal Tribes Act will in all probability be repealed and another Act will be passed on the lines of the Habitual Offenders Act.

Shri Ram Sharma : Did the Government itself submit any proposal for the repeal of the Criminal Tribes Act after the inauguration of independence and declaration of fundamental rights ?

Chief Minister : The Constitution came into force on the 26th of January, 1950. We had submitted our proposal before that?

Sardar Ajit Singh.: Are the criminal tribes people given the right of vote ?

Chief Minister : Yes.

Sardar Bachan Singh : If people do not commit crimes for five years will the individuals only be excluded from the lists or the whole tribes ?

Chief Minister : The individuals only.

Sardar Bachan Singh : Cannot this period of five years be reduced to 3 years?

Chief Minister : After the Government of India Committee give it's report, a regular Bill will be passed and everything will be done according to the wishes of the hon. Members.

Shri Bhagat Ram Chodha : Have the family allowances of those detenus who resorted to hunger strike been discontinued ?

Chief Minister : If a communist commits a crime his family is not made to suffer for that.

Sardar Ajit Singh : Is it not a fact that some people have been arrested, detained or interned though they did not belong to any Communist party ?

Chief Minister : Information can be given if the hon. Member asks about a particular individual. His question is too general.

DETENUS.

*2210. **Shri Bhagat Ram Chodha :** Will the hon. Chief Minister be pleased to state:-

(a) the number of detenus in Punjab Jails at present who are detained without trial;

(b) the total expenditure incurred on them;

(c) the number of such detenus as are in receipt of the family allowance;

[**Shri Bhagat Ram Chodha**]

(d) the rate at which the family allowance is being given to each one of them;

(e) the number of detenus released on parole since 1949?

The hon. Dr. Gopi Chand Bhargava :

(a) 144 (on 29.9.1950).

(b) It is not in public interest to disclose this information.

(c) 18.

(d) The allowances range between Rs.25/-p.m. and Rs. 115/-p.m.

(e) 24.

UNSTARRED QUESTIONS AND ANSWERS:

Murder and Dacoity cases in the State.

581. SARDAR SAJJAN SINGH : Will the hon. Chief Minister be pleased to state :—

(a) the number of the murder and dacoity cases separately challaned in each of the Districts in the State during the years 1948 and 1949 respectively?

(b) the number of the murder and dacoity cases separately in which the accused were convicted in each of the districts by the courts of law during the years 1948 and 1949 respectively;

(c) the number of cases in which capital punishment was awarded by the lower courts and confirmed by the High Court during the years 1948 and 1949 respectively;

(d) the number of the convicts referred to in part (c) above who were hanged during the years 1948 and 1949 respectively;

(e) the number of the persons killed in connection with murder and dacoity cases separately during the years 1948 and 1949 respectively?

The hon. Dr. Gopi Chand Bhargava :

(a) to (e). A statement is laid on the table.¹

¹kept in the library.

MURDER AND DACOITY CASES IN THE STATE.

582. SARDAR SAJJAN SINGH : Will the hon. Chief Minister be pleased to lay on the table a statement showing :—

(a) (i) the number of murder and dacoity cases respectively registered at the police stations of each of the districts between 1.1.50 and 31.8.50 in the State; (ii) the number of the persons killed in connection with the cases of each of the categories referred to above;

(b) the number of theft and burglary cases registered at the police stations of each of the districts during the aforesaid period;

(c) the number of other cognisable cases registered at the police stations of each of the districts during the aforesaid period;

(d) the number of the murder and dacoity cases traced respectively during the period mentioned above;

(e) the number of theft and burglary cases traced during the period referred to in part (a) (i) above;

(f) the number of other cases referred to in part (c) above traced during the above mentioned period;

(g) (i) the number respectively of the murder and dacoity cases committed to Sessions Judges during the period mentioned in part (a) (i) above; (ii) the number of the accused awarded capital punishments which were confirmed by the High Court in connection with the cases referred to in part (a) (i) above; (iii) the number of the persons hanged in connection with these cases; (iv) the number of the cases of theft and burglaries in which accused were convicted during the period mentioned in part (a) (i) above; (v) the number of the cases referred to in part (c) above in which accused were convicted during the above mentioned period?

The hon. Dr. Capi Chand Bhargava :

(a) to (g). A statement is laid on the table 1

1 kept in the library.

**HOLDING OF THE POLITICAL CONFERENCE AT VILLAGE
CHAK TINDANWALI, DISTRICT FEROZEPUR.**

583. **Sardar Sajjan Singh:** Will the hon. Chief Minister be pleased to state :-

(a) whether any political conference was scheduled to be held at village Chak Tindanwali, police station Jalalabad, district Ferozepur on 21. 12.49;

(b) (i) whether meetings were banned under section 144 Criminal Procedure Code by the District Magistrate, Ferozepore in the ilaqa of Jalalabad police station on 20. 12. 49; if so, the reasons therefor;

(ii) the period for which meetings were banned in the jurisdiction of this police station;

(c) whether Shri Mehar Chand Ahuja, President, Provincial Kisan Panchayat applied to the District Magistrate, Ferozepore to relax the restrictions under section 144 Criminal Procedure code for the meetings referred to in part (a) above; if so, the action taken by the Government in the matter ?

The hon. Dr. Gopi Chand Bhargava:

(a) Government have no information,

(b)(i) First part.

Yes.

Second part.

The ban was imposed in the interest of public safety and maintenance of public order.

(ii) Two Months.

(c) First part.

Yes.

Second part.

The request was not accepted on account of the prevailing situation in the area

HOLDING OF A PUBLIC MEETING AT JALALABAD ETC.

584. **Sardar Sajjan Singh:** Will the hon. Chief Minister be pleased to state : —

(a) whether any public meeting under the auspices of the kisan panchayat was scheduled to be held at Jalalabad town on 19. 4.50 ;

(b) whether public meeting were banned by the District Magistrate, Ferozepore under the Public Safety Act in the ilaqa of Jalalabad Mandot, Guruharsahai on 18. 4.50; if so, the reasons therefor ?

The hon. Dr. Gopi Chand Bhargava :

- (a) Government have no information.
- (b) Meetings and processions were banned in the jurisdiction of Jalalabad Police station, by the District Magistrate, Ferozepur, in the interest of public safety and maintenance of public order.

**CANCELLATION OF ARMS LICENCES IN LUDHIANA AND
HISSAR DISTRICTS.**

585. Sardar Sajjan Singh: Will the hon. Chief Minister be pleased to state:-

- (a) the names together with the full addresses of the arms licensees in Ludhiana and Hissar Districts whose licences have been cancelled between the period 1-3-50 and 31-8-50;
- (b) the reason for cancellation in each of the cases;
- (c) whether any of the persons referred to in part (a) above was a member or worker of the Socialist Party ?

The hon. Dr. Gopi Chand Bhargava:

It is not in the public interest to give this information.

**ALLOTMENT OF EVACUEE HOUSES AT VILLAGE
VERKA, DISTRICT AMRITSAR.**

586. Sardar Sajjan Singh: Will the hon. Minister for Rehabilitation be pleased to state whether he is aware of the fact that a complaint was made to the Deputy Commissioner, Amritsar by me vide my letter No : 1236, dated 3. 9. 50 to the effect that at village Verka some of the local persons were in possession of evacuee houses in preference to refugees ; if so, whether any enquiry was made in the matter and if so, with what result ?

The hon. Dr Lehna Singh Sethi:

Yes. The complaint in question has been received and necessary enquiries are being made . On account of preoccupation of Revenue staff with flood relief work, tahsil officers have not been able to dispose of the matter earlier.

**RESTORATION OF PROPERTY PERMITS TO DISPLACED
MUSLIM LANDOWNERS OF VILLAGE DHUNELA, DISTRICT
GURGAON.**

587. **Sardar Sajjan Singh :** Will the hon. Minister for Rehabilitation be pleased to state :—

- (a) whether for the restoration of property, permits were issued to certain displaced muslim landowners of village Dhunela, District, Gurgaon in the month of April, 1950; if so, their list ;
- (b) (i) whether all the persons referred to in part (a) above were put in possession of the lands and the houses for which permits had been issued ; if not, the reasons therefor ;
- (ii) the list of those who could not be restored possession;
- (iii) whether he is aware of any complaints made by the persons referred to in part (b) (ii) above and by me and received by the District Authorities, Gurgaon up to the 31st August, 1950 if so, the action taken by Government in the matter ?

The hon. Dr. Lehna Singh Sethi :

- (a) Yes. As per list attached.
- (b) (i) Out of 28 persons who were issued restoration orders 23 were delivered possession of their lands and houses. Of the remaining five, three had left for Pakistan and their restoration orders have therefore been cancelled. The remaining two persons were not delivered physical possession because their area was allotted to some displaced persons on quasi permanent basis. Action is being taken to get the allotment of displaced persons cancelled and restore them the area.
- (ii) Only two persons noted at Serial Nos. 27 and 28 in the in the attached list.

(iii) Complaints have been made by these two persons and action to restore their properties is being taken by the district authorities. No written complaint was made by Sardar Sajjan Singh, M. L. A. in this respect.

List of persons of village Dhunela, Tahsil Gurgaon, District Gurgaon to whom Restoration Permits were issued in the month of April, 1950.

S. No.	Name of village	Name of persons	Remarks
1.	Dhunela	Chhutmal son of Budha	Restored and possession given.
2.	"	Hussain son of Dal Singh	"
3.	"	Ghasita son of Tonda	"
4.	"	Mangal son of Mawasi	"
5.	"	Rasula son of Pir Khan	"
6.	"	Khelu son of Wazir	"
7.	"	Shabdal son of Hussaina	"
8.	"	Chao Khan son of Nazar Khan	"
9.	"	Amrao son of Hashmal	"
10.	"	Ibrahim son of Bhure Khan	"
11.	"	Bura son of Bahadur	"
12.	"	Hari Khan son of Bashir	"
13.	"	Munir Khan son of Jagroop	"
14.	"	Kalu son of Bahadur	"
15.	"	Atra son of Raushan	"
16.	"	Dinu son of Abdi	"
17.	"	Mst Chand Bibi	"
18.	"	Chhota son of Hashmal	Cancelled
19.	"	Munir Khan son of Makhmal	Restored and possession given.
20.	"	Sumer Khan son of Amrito	"
21.	"	Khuda Bux son of Jaimal	"
22.	"	Nawal son of Malha	"
23.	"	Feroza son of Bahadar	"
24.	"	Rozdar son of Hashmal	Cancelled
25.	"	Mangal son of Usaf	[Restored and possession given.
26.	"	Umid son of Saroopu	Cancelled
27.	"	Mangal son of Bohar	As the land have been
28.	"	Dula son of Naina	allotted to refugees they have not been given possession.

REHABILITATION OF DISPLACED MUSLIMS IN THE STATE.

588. Sardar Sajjan Singh : will the hon. Minister for Rehabilitation be pleased to state :—

- (a) the decision arrived at by the Government regarding the rehabilitation of those displaced Muslims in Gurgaon and other districts of the State who were neither enumerated in the census of July, 1948, nor entered in the police record of 1948 ;
- (b) the decision arrived at by the Government regarding the restoration of properties to the heirs now in India (returnees from Pakistan) of those Muslim owners who had died either in Pakistan or their way back from Pakistan after the announcement regarding restoration of properties to Muslims made by the Government of India in 1948 ?

The hon. Dr. Lehna Singh Sethi :

- (a) The restoration of land to all classes of displaced muslims is made under the provisions of section 16 of the Administration of Evacue Property Act, XXXI (Central) of 1950.
- (b) As per (a) above.

SUPERVISORS OF CO-OPERATIVE SOCIETIES OF GURGAON DISTRICT.

589. Sardar Sajjan Singh : Will the hon. Minister for Development be pleased to state—

- (a) (i) the names of the supervisors of co-operative societies in the Gurgaon district who were in service in the month of September, 1947 ;
- (ii) the pay per mensem of each of them in September; 1947 ;
- (b) (i) whether services of any one of them were terminated ; if so, their list ;
- (ii) the reasons for terminating their services ;
- (c) (i) whether any of the persons referred to in part (b) above have been re-employed ; if so, their list and the date of their re-employment ;

- (ii) whether they have been put in the same grade and at the same pay which they had at the time when their services were terminated ; if not, whether Government proposes to reinstate them on their original grades and pay up their arrears of pay since the date of terminating their services ; if not the reasons therefor ?

The hon. Sardar Ishar Singh Mujhail : The information is being collected and will be supplied to the hon. Member when ready.

BASTI NAU OF KAPURTHALA.

590. **Sardar Sajjan Singh :** Will the hon. Minister for Rehabilitation be pleased to state :—

(a) whether “ Basti Nau ” which was formerly a part of Kapurthala State has been amalgamated with the Jullundur district; if so, since when ;

(b) whether the whole of this Basti (Suburb) lies within a radius of 2 miles of the municipal limits of Jullundur City; if so, whether the entire revenue estate has been declared suburban area for purposes of allotment ;

(c) (i) if the answer to part (b) above be in the negative, what portions of this revenue estate have been declared suburban and rural area;

(ii) the total area of land in the suburban and the rural sections of this basti;

(d) whether any refugees who were not entitled to suburban area lands have been allotted land in this Basti; if so, their list with the following particulars :—

(i) their names, (ii) the names of the localities and Districts where each one of them was holding lands in Pakistan, (iii) the area each of them was holding in Pakistan; (iv) the grade of this area; (v) the total area allotted to each of them in Basti now; (vi) the reasons for allotting land to him in this Basti;

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(e) (i) whether any of the officers of the Rehabilitation Department or their near relatives have been allotted lands in this Basti; if so, their list and the reasons for the allotment to each;

(ii) whether any of the temporary allottees have been allotted land here;

(iii) the names of the villages or towns and Districts where each of the persons referred to in part (e) (ii) above was owing lands and their grades;

(f) whether any of the sitting allottees have been ousted from this Basti under the quasi permanent allotment scheme; if so, the list of such persons and the reasons for the ousting of each of them?

The hon. Dr. Lehna Singh Sethi:

(a) Yes. Since 26th January, 1950.

(b) Yes. The entire revenue estate has been declared as suburban area for purposes of allotment.

(c) (i) Does not arise.

(ii) 45 St. Acres, the whole of which is suburban.

(d) When this Basti was under the jurisdiction of Pepsu Government allotments were made in favour of persons who were not entitled to suburban lands. However, when on account of the exchange of enclaves this Basti was amalgamated with Jullundur District, all allotments which had been made in favour of non-suburban allottees were cancelled and now it is proposed to allot this land to first grade suburban claimants of land.

(e) Does not arise.

(f) Does not arise.

SURVEY OF LANDS FOR IRRIGATION PURPOSES IN AMRITSAR DISTT.

591. **Sardar Sajjan Singh:** Will the hon. Chief Minister be pleased to state:—

(a) the names of the villages of each tehsil of Amritsar District where the survey of lands was conducted by the

Canal Department for irrigation purposes during the year 1949-50;

- (b) the decision, if any, arrived at by the Government for the irrigation of the lands referred to in part (a) above?

The hon. Dr. Gopi Chand Bhargava:

- (a) The names of villages of which the survey was conducted by the Canal Department for irrigation purposes during 1949 50 are given in the enclosed sheet.¹
- (b) The scheme is under consideration of the Govt.

REVENUE RECORDS OF VILLAGE MATTA, TEHSIL PATTI.

592. **Sardar Sajjan Singh:** Will the hon. Minister for Rehabilitation be pleased to state :-

- (a) whether the complete revenue records including jamabandi and mutations of village Matta, tehsil Kasur, District Lahore has been received from the West Punjab Government; if so, since when ;
- (b) whether it is a fact that the pedigree table attached to the jamabandi received contains the names of several such landowners whose numbers of the khatas are entered at the foot of the pedigree table but the jamabandi records pertaining to these khatas are missing from the records received ;
- (c) whether it is also a fact that the entries of shamlat dheris of Mal and Lashkri and Turj Pindi of this village are also not traceable from the jamabandis received ;
- (d) whether entries pertaining to Khataunis Nos. 27 to 84 are also missing from the jamabandi records ;
- (e) (i) if the answers to the 1st part of part (b) above be in the affirmative and to the 2nd part of part (b) and parts (c) and (d) above be in the negative when was this fact made known to the Registrar, Land Claims ;
- (ii) the steps so far taken by the Government to send for the missing jamabandi records from Pakistan ;

¹Kept in the Library.

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- (f) (i) whether any of the landowners whose khatahs were found missing applied to the Rehabilitation authorities for the allotment of the lands on the basis of verifications of their claims; if so, the decision taken by the authorities concerned in the matter.
- (ii) the number of the landowners of this village who could not get their sanads of allotment in the absence of their revenue records under the circumstances explained above ;
- (iii) The number of the persons who have been allotted lands on the basis of verifications of their claims and their affidavits ;
- (iv) the number of the persons who have not been allotted lands so far and the reasons for the same;
- (v) whether the persons referred to in part (f) (iv) above have been called upon to put in the required affidavits by the Rehabilitation Department for allotment purposes if not, the reasons therefor ?

The hon. Dr. Lehna Singh Sethi:

- (a) Incomplete record of village Matta, tehsil Kasur has been received from West Punjab.
- (b) Yes.
- (c) No. The land of shamlat dheri of Mal and Tarn Pindi is entered in the jamabandi received from Pakistan. The record of shamlat dheri Lashkri has not been received so far.
- (d) No.
- (e) (i) The information was given to the Registrar Land claims on the 22nd April, 1949 during the preparation of chhant jamabandi.
- (ii) The original jamabandi has been demanded for comparison from the West Punjab authorities since the 25th April, 1949 in order to clarify the discrepancies but it has not so far been received.

- (f) (i) Allotments of nine out of 109 landholders, made on the basis of oral verification, had been erroneously cancelled by the district authorities. Fresh orders for allotment on the basis of oral verification have been passed on the application of seven persons.
- (ii) Allotment could not be made to 55 claimants of this village on account of incomplete record received from Pakistan.
- (iii) Allotment has been made to 100 persons on the basis of oral verifications.
- (iv) Allotment has not been made to 55 persons, 22 claims are lying unsatisfied. Allotment of 9 persons was erroneously cancelled by district authorities. Claims of 24 persons were not verified during oral verification.
- (v) All displaced landholders were required to get their claims verified from August to November, 1948. None of the displaced persons from village Matta have since been specially asked to file any affidavits. Any aggrieved persons could file a regular application for review of allotment.

ALLOTTEES OF VILLAGE MAHAIDIPUR, DISTRICT AMRITSAR

593. **Sardar Sajjan Singh:** Will the hon. Minister for Rehabilitation be pleased to state:—

(a) Whether the allotment of village Mahaidipur, tehsil Patti, district Amritsar was completed before 15-6-50;

(b) the number of the temporary allottees who were entitled to be allotted lands under the quasi-permanent scheme in this village and the area to which they were entitled;

(c) the total area which remained unallotted after the satisfaction of the claims of the persons referred to in part (b) above;

(d) (i) the names of the sitting allottees who were ousted from this village during the quasi-permanent allotment for reasons other than the difference of grade and allocation;

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(ii) the reasons for ousting each of the persons referred to in part (d) (i) above ?

The hon Dr. Lehn Singh Setli:

(a) Yes.

(b) Out of 86 temporary allottees, 70 have been allotted an area of 640 st. acres on quasi-permanent basis, 8 were non-landholders. One was also sitting allottee of Ferozepur district hence he was allotted land there. Of the remaining seven, one was suburban claimant and was allotted suburban land in Ferozepur district and six were also allotted land in Ferozepur district on their own request.

(d) (i) and (ii). List A is placed on the table.¹

**CONSOLIDATION OF HOLDINGS OF LAND OF VILLAGE DHUN,
DISTRICT AMRITSAR.**

594. Sardar Sajjan Singh: Will the hon. Minister for Development be pleased to state :—

- (a) whether the consolidation of holdings of land of village Dhun, Tehsil Patti, District Amritsar, which was in hand at the time of partition has been completed by now;
- (b) whether the consolidation records of this village have been received from west Pakistan authorities; if not, the steps taken by the Government to get them;
- (c) the steps, if any, taken by the Government to complete the consolidation of this village after partition; if not, the reasons therefor ?

The hon. Sardar Ishar Singh Mujhail:

- (a) No.
- (b) No. The Punjab (Pakistan) Government, who were addressed in the matter, have not yet returned the required records. It is, however, not now considered worth while to pursue the matter further.
- (c) The question of the reconstruction of the lost record of this village is under active consideration and all possible efforts are being made to expedite the work.

¹Kept in the Library.

REVENUE PATWARIS.

595. **Sardar Sajjan Singh:** Will the hon. Minister for Education be pleased to state :—

- (a) the number of days for which the revenue patwaris of Tehsil Patti, District Amritsar were called to the Tehsil and Kanungoi Headquarters respectively during each of the months from 1st June 1950 to 31st August 1950 ;
- (b) whether any of the Kanungoi Headquarters is situated at a distance of more than 5 miles from the circles of any patwaris, if so, their list ;
- (c) whether any of the patwaris mentioned in part (a) and (b) above were paid their Travelling Allowance and Halting Allowance for their stay at the Kanungoi Headquarters, ; if not, the reasons therefor ;
- (d) the amount, if any, paid to each of the patwaris referred to in part (a) above as Travelling Allowance or Halting Allowance for their stay during their visits to the Tehsil and Kanungoi Headquarters respectively for the aforesaid period upto 31st August 1950; if not, the reasons therefor ?

The hon. Sardar Narotm Singh.

- (a) No patwari was called at the Headquarters of any field Kanungo during the period 1st June 1950 to 31st August 1950. They were, however, called at the Tehsil Headquarters on two occasions for two days only.
- (b) Yes. A list is attached¹.
- (c) and (d) In view of the reply to part (a) of the question the question of payment of travelling allowance or halting allowance to patwaris for their stay at Kanungoi Headquarters does not arise. No such payment was, however, made to patwaris for their stay at Tehsil Headquarters as no claims were received from them.

¹Kept in the Library.

**APPLICATIONS FROM THE PUBLIC FOR THE SUPPLY OF
IRON AND STEEL**

596. Sardar Sajjan Singh : Will the hon. Minister for Development be pleased to state :—

- (a) the number of the applications received by the licensing officer, Iron and Steel, Kalka between 1st January 1950 and 31st August 1950 in each of the months from the public for the supply of iron and steel for the construction of new buildings and repairs of the old ones ;
- (b) (i) the number of the applications rejected and accepted respectively during the above mentioned period upto the 31st August 1950.
- (ii) the number of the applications disposed of within one month, two months and three months respectively of their receipts in the office of the licensing officer during the period mentioned in part (a) above ;
- (iii) the number of the applications disposed of within 4 months 5 months and 6 months of their receipts during the period mentioned in part (a) above and the reasons for delay in each case;
- (iv) the number of the applications referred to in part (a) above which are still pending ?

The hon. Sardar Ishar Singh Mujhail :

It is regretted that the information asked for by the hon. Member is not readily available and the time and labour involved will not be commensurate with any possible benefit to be obtained.

**APPLICATIONS FROM AMRITSAR DISTRICT FOR THE
SUPPLY OF IRON AND STEEL.**

597. Sardar Sajjan Singh : Will the hon. Minister for Development be pleased to state:-

- (a) the number of applicants of the Amritsar District who applied to the licensing officer, Iron and Steel at Kalka

for the supply of iron and steel to construct new buildings and repair the old ones during the year 1948 and 1949 respectively;

- (ii) the number of the applications accepted and rejected during the years 1948 and 1949 respectively;
- (b) the names togetherwith their full addresses of the applicants referred to in part (a) above whose applications were accepted upto 31-8-50 during the period mentioned in part (a) above with the following particulars:-
 - (i) the date of receipt of the application ;
 - (ii) the date of its final disposal;
 - (iii) the quantity of iron and steel asked for by each applicant;
 - (iv) the quantity of iron and steel allowed to each applicant;
 - (v) the date of issuing the required permit to each applicant?

The hon. Sardar Ishar Singh Mujhall:

It is regretted that the information asked for by the hon. Member is not readily available, and the time and labour involved will not be commensurate with any possible benefit to be obtained.

APPLICATION FOR CERTIFIED COPIES.

598. **Sardar Sajjan Singh:** Will the hon. Minister for Rehabilitation be pleased to state:-

- (a) the number separately of the urgent and ordinary applications received by the copying branch of the Rehabilitation Department at Jullundur for the supply of certified copies during July and August, 1950, respectively;
- (b) (i) the number of urgent applications referred to above disposed of within one week, 2 weeks and 3 weeks of the date of their receipts;

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- (ii) the number of urgent applications referred to above disposed of within 4 weeks, 5 weeks and 6 weeks from the dates of their receipts together with the reasons for delay in each case;
- (iii) the number of the applicants who asked the copies to be sent by V. P. P. during this period;
- (iv) the number of the applicants to whom copies were sent by V. P. P. during this period;
- (c) (i) the number of the applications referred to in part (b) (ii) above which were disposed of within 2 weeks, 3 weeks and 4 weeks of the date of their receipts;
- (ii) the number of applications which were disposed of after 5 weeks or more; if any, together with the reasons for delay in each case;
- (d) (i) the number of the urgent applications received by post from the persons residing in Patti Tehsil of Amritsar District; between 10-8-50 and 5-9-50;
- (ii) the period taken for the supply of the required copies to the applicants by V. P. P. referred to in part (d) above?

The hon. Dr. Lehna Singh Sethi:

- (a) The number of applications received was :

	Urgent	Ordinary	Total
July, 50.	392	1699	2091
August, 50.	1663	3214	4877
Total :	2055	4913	6968

- (b) (i)
- | | One week | Two weeks | Three weeks | Total |
|--------|----------|-----------|-------------|-------|
| July | 315 | 39 | 20 | 374 |
| August | 1187 | 243 | 157 | 1587 |
| Total | 1502 | 282 | 177 | 1961 |
- (ii) within four weeks 27, within five weeks nil and within six weeks 7.

In a period of three months from 5th July to 4th Oct., 1950 no less than 11298 applications for copies had to be dealt with by the Land Claims Organisation. The copies of jamabandis were usually lengthy ones. Somtimes more than one application for lengthy copies were received for the same village. Not more than one man could work on one jamabandi at a time and it took a number of days to prepare lengthy copies of the record of the same village one after the other. Sanctioned strength of the Copying Branch was 13 Copyists only. Average out-turn per copyist per working day was 2 copies. It was not possible to obtain extra staff for the Copying Branch. At the cost of other work, as many workers as possible, were withdrawn from other Branches to help the Copying Branch, but even then it was not possible to cope with the extra-ordinary heavy receipt of applications for copies. Detailed reasons in each of the 34 cases are given in annexures I and II.

(iii) 114

(iv) Nil.

(c) (i)	2 weeks	3 weeks	4 weeks.
	282	177	27

(ii) 16 applications were disposed of after 5 weeks. Reasons are given in para (b) (ii) and annexures II & III.

(d) (i) 23.

(ii) 7 applications referred to in part (d) above were disposed of within one week and 16 applications within 2 weeks.

BAN ON PROCESSION AND PUBLIC MEETINGS IN THE STATE.

599. **Sardar Sajjan Singh:** Will the hon. Chief Minister be pleased to state:-

(a) the period for which processions and public meetings were banned in each of the districts of the state between 1.1.50 to 31.8.50 ;

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- (b) the provision of law under which the action referred to in part (a) above was taken;
- (c) the reasons for banning the public meetings and the processions in each of the districts in the State?

The hon. Dr. Gopi Chand Bhargava:

The required information is given in the attached Statement¹

**SUPPLY OF PAKISTAN SALT TO DEPOT HOLDERS IN
AMRITSAR DISTRICT.**

600. **Sardar Sajjan Singh:** Will the hon. Minister for Development be pleased to state:-

- (a) the names of the depots in the rural and urban areas of Patti and Tarn Taran Tehsils of Amritsar District respectively where Pakistani salt was supplied by the Government between 1-1-1950 to 31-8-1950;
- (b) the quantity of the aforesaid salt supplied at different depots during the period referred to above;
- (c) the quantity of the aforesaid salt delivered to each of the villages attached to the different depots mentioned above upto 31-8-50;
- (d) the quantity of this salt in stock at each of the depots on 1-9-50;
- (e) (i) whether the Civil Supplies Authorities ever checked the salt accounts of any of the depot-holders during the aforesaid period; if so, whether any discrepancies in the distribution and balance in stock were found by them in the case of any depot-holders;
- (ii) whether any action was taken by the Government against the defaulters?

The hon. Sardar Ishar Singh Mujhail:

(a) & (b) M S Bhagat Ram Ram Nath Ghariaala 50 mds.

¹Kept in the Library.

- (b) M/S Khushal Chand Mulkh Raj Khem Karan 20 mds.
 Balwant Singh Dubli 50 mds.
 Charanji Lal Gian Chand Patti 30 mds.
 Salig Ram Patti 30 mds.
 Atma Singh Labhu Ram. Patti 30 mds.
 Amar Nath Patti 30 mds.
 Ram Nath Bhagat Ram Valtroha Mandi 140 mds.
- (c) & (d) At present the roads have become impossible due to heavy floods and the information cannot be collected.
- (e) (i) No discrepancy was reported.
 (ii) does not arise.

SCALE OF PAY OF REVENUE AND CANAL PATWARIS IN THE STATE.

601. Sardar Sajjan Singh : Will the hon. Ministers for Revenue be pleased to state :—

- (a) whether the scale of pay of revenue and canal patwaris was revised by the Government during the year 1949, if so, who, and the new scale of pay so sanctioned by the Government;
- (b) whether increments due on account of this revision have been paid to the patwaris concerned in each of the districts in the state to 31st August 1950, if not, the reasons for delay ;
- (c) when does the Government purpose to pay up the arrears of increments referred to in part (b) above ?

Sardar Kartar Singh.

- (a) 1st Part. Yes.
 2nd Part. August, 1949.
 3rd Part. Rs. 30-1-40/1-50.

(b) The arrears have been paid to the Patwaris in the Gurdaspur district and Nawanshahr tahsil of the Jullundur district only. The non-payment of arrears in other district is partly due to non receipt of service records of displaced patwaris from the west Punjab and partly due to the fact that their cases of fixation are under examination in the Accountant General's office.

(c) Arrears will be paid when service books of Patwaris received from Pakistan and after their pays are fixed with the approval of Accountant General, Punjab.

FILING OF SUITS BY THE DISPLACED MUSLIMS FOR THE RESTORATION OF THEIR PROPERTIES IN DISTRICT, GURGAON.

602. Sardar Sajjan Singh: Will the hon. Minister for Rehabilitation be pleased to state:—

- (a) the number of the suits for restoration of properties filed by the displaced Muslims with the Deputy Custodian and

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Rehabilitation authorities of the Gurgaon District respectively upto 31st August 1950;

- (b) the number of the suits decided within 6 months, 9 months, 1 year, 1½ years, respectively since their presentation to the Deputy Custodian and the Rehabilitation Authorities separately;
- (c) (i) the number of the suits referred to in part (b) above which were accepted upto 31st August 1950;
(ii) the number of the suits which were rejected to 31st August 1950;
- (iii) the number of the suits pending on 1st September 1950;
- (d) whether Government proposes to issue instructions to the District Authorities to expedite the disposal of the pending suits; if not, the reasons therefor;
- (e) (i) whether the office of the Deputy Custodian in the Gurgaon District has been abolished; if so, since when;
(ii) the authority to whom the suits pending with the Deputy Custodian referred to in part (e) (i) above have been transferred?

The hon. Dr. Lehna Singh Sethi :

The number of suits for restoration of properties filed by the displaced Muslims in respect of Urban properties with the Assistant Custodian General, Gurgaon, and rural properties with Deputy Custodian of Gurgaon District (Rehabilitation authorities) was 3 and 4590 respectively.

- (b) The number of suits in respect of urban properties decided by the Asst. Custodian, General Gurgaon within 6 months 9 months, 1 year and 1½ years, since their presentation to him, is 2, nil, nil, and in respect of rural properties decided by the Deputy Custodian Gurgaon is 705,8,6 and nil respectively.
- (c) (i) The number of suits referred to in part (b) above which were accepted upto 31st August 1950 by the Assistant Custodian General, and Deputy Custodian Gurgaon is 2 and 3679 respectively.

- (ii) The number of the suits which were rejected upto 31st August 1950 by the Assistant Custodian General and Deputy Custodian Gurgaon is nil and 40 respectively.
- (iii) The number of suits pending with Asstt. Custodian, General, and Deputy Custodian Gurgaon on 1st September 1950 was nil and 871 respectively.
- (d) Monthly returns about pending and disposed of cases are received from the districts which are scrutinized to see that no delay takes place in disposing them of.
- (e) (i) The post of the Additional Deputy Commissioner, Gurgaon who was invested with the powers of Deputy Custodian has been abolished since 6th June 1950 and the Deputy Commissioner, Gurgaon has been invested with the powers of the Deputy Custodian.
- (ii) On the abolition of the post of Additional Deputy Commissioner, all the pending cases with him referred to in part (e) (i) were transferred to the Deputy Commissioner, Gurgaon who is ex-officio Deputy Custodian.

GARDEN COLONIES IN JULUNDUR DIVISION.

603. **Sardar Sajjan Singh:** Will the hon. Minister for Rehabilitation be pleased to state :

- (a) (i) the names of the localities in each district of the Jullundur Division in which area have been reserved for garden colonies;
- (ii) the extent of the area reserved for a garden colony in each locality;
- (b) (i) whether any special cut from the allottees of this area has been fixed; if so, the rate of this cut sanctioned;
- (ii) the reasons for this special cut;
- (c) whether it is a fact that in several places this cut has not been enforced but that it has been imposed at Town Patti, District Amritsar; if so, the reasons therefor ?

The hon. Dr. Lehna Singh Sethi:

(a) (i) A statement is placed on the table.¹

(ii) A statement is placed on the table.¹

(b) (i) Yes. A statement is placed on the table.¹

(ii) The additional valuation has been levied in garden colonies (i) Patti, district Amritsar, (ii) Boot Kingra, district Jullundur (iii) Bir Akhara, Agwar Khawaja Bajju, district Ludhiana (iv) Rahaon, district Ludhiana keeping in view the nearness of the area to towns, sale-price and cash-rent of such lands.

(c) No, this is not correct. Special valuation has also been applied on Garden Colonies (i) Boot Kingra, Jullundur (ii) Bir Akhara Agwar Khawaja Bajju, Ludhiana and (iii) Rahaon, Ludhiana.

FIXATION OF DATE FOR DISCUSSION OF FLOOD SITUATION.

Shri Prabodh Chandra: Sir, before you pass on to the next item on the agenda I would like to remind you that yesterday you promised to discuss with the Chief Minister and fix time for the discussion of the flood situation in the State. May I know if any decision has been arrived at?

Mr. Speaker: Yesterday I had a talk with the Leader of the House and we decided that four hours should be devoted for discussing this subject. The day has not been decided but on the day when we discuss the flood situation we might have to hold two sittings of the House. We may sit from 9 to 1 in the morning and from 2.30 to 7 in the afternoon and if I find that the number of speakers is large I might extend the sitting by, say, half an hour or so.

Shri Virendra: Sir, I request that time should not be fixed for tomorrow.

Mr. Speaker: I understand your point. We will fix a day when the Members are not in a hurry to run down to the plains.

Mr. Speaker: Before I call Shri Bhagat Ram Chodha to move his resolution I want to say that hon. Members do not study the

¹Kept in the library.

Rules of Procedure. They do not give proper notice while sending notices of amendments. I find that amendments are coming in even at this minute. I would ask the hon. Members to send their amendments to my office with proper notice that is required under the rules.

Sardar Bachan Singh: Sir, the House does not know before hand what amendments are coming up because they are not circulated.

Mr. Speaker: I quite realise the difficulties of the hon. Members of the House, when the amendments are not circulated. Members have no time to study and give their considered opinions about them. That is why I have brought this point to the notice of the Members.

RESOLUTIONS.

COMPENSATION AND GALLANTRY AWARDS TO SUFFERER MEMBERS OF INDIAN NATIONAL CONGRESS.

Shri Bhagat Ram Chodha (Jullundur, General, Rural) Punjabi Sir, move—

This Assembly recommends to the Government that in view of the innumerable sacrifices made by the members of the Indian National Congress and the hardships suffered by them in India's fight for freedom, the sufferer members now unable to earn their livelihood should be given compensation and gallantry awards as is done in the case of War Heroes.

I wish that this resolution had been moved by the Government so that the people might have realised that the sacrifices made in the cause of freedom were fully appreciated. When the struggle is being carried on, one cannot pay proper attention to the condition of those taking part in it, but now when the country has attained freedom and the party which struggled for it is in power, it is the duty of the Government to help those who lost their limbs or have in some other way been disabled from earning their livelihood. It is my good luck that I have to move this resolution today. I know, Sir, under what difficult conditions some of our brilliant young men staked their lives and organised the freedom movement even in the year 1914. Some youngmen formed an underground association, known as the Ghadhar Party in 1913, when it was an offence even to utter the words 'Bande Matram' and there was a rule of

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terror in the country. In those days, in order to please the rulers and to obtain grants of jagirs, a brother reported to the Government against his brother and the son reported against his father. It was very difficult in those days to organise any movement against the Government. The members of the Ghadhar Party, who were working against heavy odds, secretly obtained weapons from Japan and some other countries. These weapons were then carried by them in their shoes or under their shirts. Cyclostyled news-sheets known as 'Shahi zulum' and 'Shamsher Khalsa' were secretly distributed among the public. They staked their lives in order to carry on the struggle for independence. Everybody knows how a large number of our young men came from America in the famous ship, known as 'Kamegatamaru'. A large number of them were shot dead, but those who succeeded in reaching different parts of the country were given shelter by the members of the 'Ghadhar Party.' Some of them found shelter in Ludhiana. I remember, a batch of young men who came to Jullundur under the leadership of Banta Singh. These people did their work at the risk of their lives and property. In those days the rulers had inspired great awe in the minds of the people. When these workers found that there was a young educated man whom they wished to join their organisation, they would secretly drop a pamphlet in his way. When that young man came across it, he could not dare to read it on the road-side, so he folded it and brought it home. This process was repeated a number of times. When that youngman managed to read the two, or three pamphlets surreptitiously placed in his way by the members of the revolutionary party, one of them would cautiously approach him one day, and talk about the political situation in the country and impress upon him that their life of slavery was much worse than death. Then, by and by, the young man inquired about other things such as the source of the publication of the pamphlets etc. Afterwards he was taken to the party meetings where nobody knew the names of anybody, nor anybody cared to know. This is how those brave men carried on their activities in those days of British rule which inspired deepest terror in the minds of the public.

Mr. Speaker: I must remind the hon. Members that time limit is 15 minutes for each Member. More time would be given to the

Shri Bhagat Ram Chodha: I was describing the methods and activities of those patriots who fought for the liberation of our country. Later on, those patriots were arrested and were hanged. Some of them, of course, managed to escape death somehow or other. Their properties were confiscated and they were not liked by their own parents. They were called thieves and all that. In this way, they put up with all sorts of insults and privations but continued their struggle for independence. It was those people who gave real sacrifices for the cause of political freedom and not the Congressmen who would offer for arrest in meetings with garlands around their necks. Then, the persons who returned after finishing their terms of transportation formed themselves into a Chakkar Varti Jatha. They became *Gargajj Akalis* and *Babbar Akalis* and started *Babbar Akali* movement. Later on they joined the Congress. Some young men like Bhagat Singh organised a Gaddar Party whose members had to undergo untold hardships. Their families were victimised and police posts were established in their villages. I would again, Sir, mention the name of Banta Singh at this stage. When his wife went to see him for the last time in jail, he said to her, "Don't put a blot on the sacrifices that I have made. Let this son die like me; otherwise people would call him a 'bastard.'" Today nobody remembers those brave men. Their names are forgotten or at the most they would be found only in the files of the British Government. What is the reward that the Government has given for all these sacrifices of those patriots? What do we see today? We see that the same old reactionaries of the days of the British Government are acting as agents of the Police. We see that bogus Congressites are reaping the fruits of the freedom while the genuine Congress workers are even today suffering as before. They are not liked by the officers. If they ask for licences to start some trade or business it is said that they had no licences in 1939 and 1942 and hence they could not get the licences. In this way, not to speak of app'auding them for their sacrifices, they are being debarred from earning their livelihood even. The Government has not done anything for the maintenance of those old and disabled workers who spent their lives in jails for the cause of independence. Those of them who are able bodied even now are prepared to work, but the Government does not provide work for them. On the other hand, the toadies of the British Government are even today

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favoured by the officers. They still hope that the British would come back some day. What sympathy can they have with the Congress? When people see the persons wearing pointed caps going in and out of offices, they become disgusted with the Congress although they do not know that these Congress workers are only bogus and not genuine patriots. It is the duty of the Government to provide work for those patriots and to give pensions to those of them who are disabled. Those of them who are without food, should be fed and those who want work should be provided with work. The Government should help those patriots whose children are starving but who don't believe in begging from, the officers. They do not want to barter away their self respect although they are facing such hardships. I wish some of my hon. Friends sitting here had broadened the scope of the resolution by offering some amendments. My purpose in moving this resolution is that everybody who suffered for the cause of independence should be helped irrespective of whether he was a member of Congress party or not. Sir, Congressmen have made many sacrifices for the independence of our country.

Sardar Gurbanta Singh: Has the hon. Member himself made any sacrifice?

Shri Bhagat Ram Chodha: Yes, I have suffered for the sake of the scheduled castes. (*Laughter*)

Sardar Gurbanta Singh: Has the hon. Member ever been to jail?

Shri Bhagat Ram Chodha: In my opinion mere going to jail is no great sacrifice. Well, Sir, I was speaking about those unfortunate brethren who have suffered untold miseries during the British regime. They were crushed by the rulers because they had the courage to speak the truth in the face of those who wanted crores of Indians to remain under their thumb. In spite of the fact that India has achieved independence no rewards have been offered to such people. On the other hand they have been neglected and discouraged. Their condition is aptly described by a Punjabi proverb:—

ਇਕ ਸੁਹਣੀ ਦੂਜੇ ਸੁੱਤੀ ਉਠੀ ।

इक सोहणी दूजे सुती उठी ।

They were put to hardships and trouble by the British rulers of India. Next came partition and they fell victims to its fury. After that our Government neglected them. Their condition became worse. The fourth factor that has recently contributed to their misery and misfortune is the flood situation in our State. Nature has mercilessly showered its wrath on the people who were already suffering. The Government officials and the hon. Ministers who are strolling on the Mall here at Simla, cannot imagine the plight of the people in the plains. They are busy in tea-parties and feasts but the poor are suffering. Many of them have no clothes to cover their naked bodies. (An hon. Member: Here also the poor people are suffering). Yes, I admit that. But the hon. Member may not have gone to the Mall in the evening. The glamour and splendour which is seen there makes our administrators forget the plight of the poor people whose children get no clothes, no diet and no proper medical and educational facilities. As a matter of fact they are starving. It is from among these poor people that Congress got young men who sacrificed their lives so that India may get independence. It is from among these miserable human beings that India got soldiers who fought in foreign lands so that India may live. I am not speaking of Congressmen alone. I am speaking of military men and soldiers also who fought against British Imperialism in the Great War of 1914 when they refused to obey the orders of those who were doing unjust acts. I am also speaking of those soldiers who died in Burma and who laid down their lives for the sake of national emancipation. I would urge upon the Government to be liberal in the matter of giving rewards to the heirs of such persons. Their children and widows should not be left to make both ends meet with great difficulties. Those persons who have sacrificed their families and who have suffered untold miseries should not be allowed to go unrewarded. Our Government should not be a thankless Government. Those who brought about the independence of our country and who suffered for that should be given maximum possible rewards by the Government.

Mr. Speaker: Resolution moved-

This Assembly recommends to the Government that in view of the innumerable sacrifices made by the members of the Indian

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National Congress and the hardships suffered by them in India's fight for freedom, the sufferers members now unable to earn their livelihood should be given compensation and gallantry awards as is done in the case of War Heroes.

Before I call upon hon. Members to speak, I would ask them to keep in mind that they should not take more than 15 minutes each for their speeches.

Chaudhri Suraj Mal: Sir, I want to bring it to your notice that the Opposition should be given enough time to express its point of view.

Mr. Speaker: I always keep the interests of the Opposition in my mind. The reason why I did not call upon you to speak at this stage is that the Opposition should first hear the view point of the supporters of the resolution who speak from the Government side. Then it should give a reply.

The amendment given notice of by Master Kabul Singh does not fit in properly with the text of the resolution. I would ask him to have it properly worded before I can consider it.

Chaudhri Krishna Gopal Dutt (Ex-Member West Punjab Assembly representing North Eastern Towns, General, Urban): Sir, I congratulate my hon. Friend Shri Bhagat Ram Chodha on the courage he has shown in bringing forward this resolution before this House. Sir, I wholeheartedly associate myself with the letter and spirit of the resolution and I consider it to be one of the most important resolutions that have ever been brought before the legislature in this country. We must realise the implications of this resolution in view of the unfortunate mis-understandings and nasty propaganda that has been carried on in the country against the Congress from time to time ever since the dawn of independence in this country. Sir, the mover of the resolution has expatiated on the sufferings undergone by a very large number of Congress workers, some of whom kissed the gallows, others were put behind the prison bars for years on end and still others ruined financially. Sir, it is a pity that this resolution has not come either from the Central Government or from any State Government so far. I believe when the Congress took powers in its own hands and took

the reins of Government not exclusively but made a sort of coalition at the centre, then Sir, it was the first duty of the Government to look after the families of those people for the sacrifices of whose relations they were in office and they were in power. Those who are sitting on these benches today owe their power and strength and office to the sacrifices of hundreds of thousands of people in this country, the like of which has never been seen before. There might have been bloody wars, there might have been other kinds of war, there might have been violence, for the sake of achievement of independence. But the novelty of our struggle is a new kind of sacrifice that called for greater courage, greater forbearance and greater endurance than is required by their armies on the battle-field where people would be shot in one minute or a few seconds. As has been acknowledged by international opinion, ours was a supreme struggle, an unprecedented struggle and therefore the sacrifices of our co-workers and our leaders were really unprecedented. In these circumstances, would it not be expected from those people who used to work from night to morn and from morn to night that they should also make arrangements for the livelihood of themselves and their families? They were devoting their time for the cause of the country and for years they were put behind prisons. Some went to the gallows and nobody is now caring for them or for their families? I want to answer in this connection a criticism which has been universally levelled on the Congress and the Congress workers by the hostile press and by those people who are against the Congress and unfortunately even by those people who were in the Congress, that the Congress people and the Congress workers are exploiting the situation and that they are eating the money which has been reserved for other purposes. I want to point out to them that the Congress was such that it was not merely a political party. When it was fighting for the entire country and making sacrifices for the entire country, it was a national organisation and as a national organisation it was the duty of that organisation to look after the families of those people who were either killed or wounded in various forms. I am using the word 'wounded' in a non-violent terminology. If the Congress had merely been a political party as were the other political parties in other countries, like Socialists, Liberals or Labour

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and if it patronised its own workers for the sake of mere patronage, for the sake of consolidation of power of that particular party, then the objection of patronising the workers would have been valid. But in this case such an objection is not valid at all, because as I have said, though in future the Congress party may be a political party and there may be several other political parties who might fight the Congress party, the Indian National Congress from its very inception since Mahatma Gandhi took its reins in his hands was not a mere political party. It was a national organisation. Therefore those people who are condemning the Government for coming to the succour and aid of the Congress workers are not justified. Those hostile workers of the Congress who come forward and condemn the Congress and condemn the Government for having done a little bit for a few Congress workers, have no valid ground. Therefore I make bold to say on the floor of this House that when I was in charge of Industries and I had certain permits with me to give I am not ashamed to admit and on the other hand I am proud of it I gave them to certain Congress workers who, I thought, were destitute and whom I considered it my duty to help. At that time, the Congress President, Dr. Pattabhi Sitaramayya, issued a statement that the Congress workers should not be given the permits. I sent word to him that with due respect to him I did not agree with him and that so far as the Congress workers were concerned I would utilise my office to rehabilitate them because it was the duty of the Government to rehabilitate them. Then the Congress President said that so far as refugee workers were concerned, I could go ahead and I was welcome to do that. I will give only one prominent instance so that this misunderstanding which has been created by the opponents of Congress and by friends within the Congress should be removed. The prominent instance is that in Russia when Bolsheviks took over power, they patronised their workers, they patronised the families of those people who had been killed or wounded or rendered disabled or who had no opportunities to earn because they gave their whole time to the party. Mind you, it was a political party, it was not a national organisation like the Indian National Congress. The Communist Bolshevik Party of Russia was a single party. It cannot be called a national organisation. A modern instance that I might present before you and through you to the House and through

the House to the State and through the State to the country because the misunderstanding has become nation-wide, is that of modern China, the new Republic of China. In the political programme which they have formulated and which is considered to be a constitution of the new China, it is specifically laid down that the Communist party of China will help all those communist workers who have been working in that party either violently or non-violently. Sir, there it is. It is not a national organisation as ours is. It is a political party formed to wrest power from other hands. They are not ashamed to include this provision in their programme. On the other hand, I find that there are elements in the Congress who are ashamed to see that the Congress workers are being helped by the Congress Government. It is not a matter of shame at all. It is a matter of pride. It is a matter of duty for the national organisation to instruct the Congress Governments to help as many Congress workers as possible who destroyed themselves in that organisation. (*Hear, hear*). During the past two years or so, I have been feeling and feeling sorely on this point and I was looking for an opportunity for expressing my sentiments on this point. This opportunity has now come before me and I make bold to say that this resolution should be adopted unanimously by this House and should be implemented and incorporated in its programme by the present Cabinet.

Sir, if it has been admitted in this House that those men in the army who were serving under a foreign Government and who were patronised by them should be rewarded and their families given help, I don't see any reason why we should be ashamed of patronising our own men who formed a non-violent army the like of which never existed before on such an unprecedented scale consisting of hundreds and thousands of men, women and children. When we ask the Government to help our workers—that very Government which had shown consideration for those who helped the alien rulers up comes the criticism from the newspapers. I make bold to say that if the Congress listens to the advice of the hostile elements in the various State Government, and the Central Government, the Congress will die from within and not from without. From time to time Provincial Governments have set apart huge sums of moneys for the rehabilitation of men in

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the army. I plead, Sir, that we are also an army, we were an army if we are no longer an army and have been reduced to a political party when the national struggle for independence was being carried out. We were great national army for the liberation of our country in bondage, led by Mahatma Gandhi who enjoyed the inward, mental and spiritual support of the entire nation. I plead for those people who toiled day in and day out for their country and could not spare any time to earn anything for the maintenance of their families. I consider that it is the duty of the Government now to come forward and help those who sacrificed themselves for the liberation of the country. The instance of China is there. All those Communists who were working for the Communist Party will be provided by the Government. I repeat and would most earnestly urge upon the Government that it should extend its helping hand to those sufferers and those martyrs of the nation who were mainly responsible for carrying on the struggle for freedom and by whose sufferings the country has achieved its long, cherished goal of freedom and independence. With these few remarks, I lend my whole-hearted support to this resolution. (*Hear, hear*)

Mr. Speaker; Notice has been received of the following amendment to the resolution:-

That after the word "Government" the following be substituted:-
"to take steps to prepare a list of martyrs and political sufferers of British regime in the State along with that of their dependents and give immediate relief to them in the form of monetary help and gallantry awards."

As this is a comprehensive amendment, I would allow it to be moved first so that if it is carried, the main resolution in the amended form will be discussed.

Sardar Kabul Singh, (Jullundur East, Sikh, Rural, I move,

That after the word "Government" the following be substituted:-
"to take steps to prepare a list of martyrs and political sufferers of British regime in the State along with that of their dependents and give immediate relief to them in the form of monetary help and gallantry awards".

The motion was carried.

Mr. Speaker: Now the resolution reads as below:-

This Assembly recommends to the Government to take steps to prepare a list of martyrs and political sufferers of British regime in the State along with that of their dependents and give immediate relief to them in the form of monetary help and gallantry awards.

Shri Virendra: Sir I wanted to move an amendment to the original resolution to the effect that in addition to the words "Indian National Congress," the words "other organisations" should be inserted.

Mr. Speaker: The resolution as now worded includes all organisations so that the hon. Member's object is also achieved.

Shri Virendra: But according to my amendment there was emphasis on the Indian National Congress but now it is not there.

Mr. Speaker: Now all the organisations including the Indian National Congress come in.

Shri Virendra: It is a question of emphasis on the Indian National Congress.

Mr. Speaker: It would be better to have a discussion on the resolution as it is now worded.

Shri Virendra (Ex-member West Punjab Assembly representing West Division Multan, General, Rural) (*Hindustani*): Sir, I rise to congratulate my hon. Friend Shri Bhagat Ram Chodha for moving this important resolution. I think that this resolution should have been moved two years earlier. As a matter of fact it would have been in the fitness of things if this very resolution was introduced and passed unanimously on that memorable day when we were left free to run our Government or, in other words, when power was transferred to Indian hands and India was declared as a free country. If we study the history of the last 50 years of our country, we will find that freedom which our country has attained a few years ago and all this change from foreign rule to democratic form of Government, is mainly due to the sacrifices made by millions of workers of our country. They made the biggest sacrifices in

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the struggle for freedom of our country. This is not all. If we find ourselves seated here on the benches in this august House as Members or Ministers, it is all due to their sufferings and sacrifices. All honour and respect that we command both in and outside this House, is again due to their sufferings and sacrifices. If we study the history of the world we will come across many instances where people of a country after successfully fighting the war of freedom set up their Government and the first thing that they did was to think about those countrymen through whose sufferings and sacrifices they were in a position to declare their country free from the foreign yoke.

One of my hon. Friends in the course of his speech quoted instances of Russia and China. But I will go a little further and say that it is not in Russia and China alone but in almost all the countries of the world that the sufferings and sacrifices of the prime warriors in the battle of their freedom have been appreciated and adored not only in their own country but also by the freedom-loving countries of the world. It is an open secret writ large in the history of all the countries of the world that the first and the foremost thing done by the people of every country immediately after achieving their freedom has been to do something substantial for their countrymen in lieu of their sufferings and sacrifices in the battle of freedom of their country. Sir, In the last European war many countries had sent their armies to help Britain. When that war was over, the first step that those countries took was to make adequate arrangements to ensure the livelihood of the families of those soldiers who had laid down their lives in the battle-field. In case of other soldiers the Governments of those countries took steps for promising them a bright future. But I regret to point out that our Government has not done anything for those workers who had made innumerable sacrifices for the cause of India's freedom. I would call it the blackest ingratitude on the part of the Government to display apathy or indifference to those sincere workers who had sacrificed their name, fame, comfort and happiness for the sake of their motherland and who are the glowing examples of patriotism. My hon. Friend Shri Bhagat Ram Chodha, the mover of this resolution, has only made mention of the members of the Indian National

Congress in his resolution which is before the House. But in my opinion whereas we think of Congress workers, and Congress leaders who participated in the struggle for freedom, we should not at the same time forget those martyrs who, though not associated with the Congress organisation, had endeavoured hard for the liberation of our country. Of course, there was a time when persons believing in the cult of violence fought the battle of freedom fearlessly by revolutionary methods were considered to be following a wrong course. I would not like to enter into such discussion whether that course was right or wrong, but I would, however, submit that whereas due notice is taken of those brethren who rallied round the Congress flag and struggled for the cause of freedom by non-violent means, it is equally essential that we should not forget those martyrs who suffered great hardships, faced the bullets and cheerfully went to gallows for the sake of freedom. I would say that though their way of approach was different, their goal was the same *i. e.* to make India free. We should not make any discrimination between Congress and non-Congress men but should treat them alike for awarding compensation and gallantry awards as they all by their selfless devotion to their country had dedicated themselves to the national cause. It is all due to their combined efforts that India has attained Swaraj. It is all due to their sacrifices that we find today our own brothers holding offices of Ministers and our own men occupying high posts in the Government administration. We should not lose sight of the fact that thousands of workers who had made great sacrifices in India's fight for freedom are today in miserable plight. Many of them have been reduced to such a state that they cannot afford to have two square meals a day. They are all wallowing in poverty. In such circumstances, you may pause to conjecture, Sir, how hopeless and cheerless life appears to them. In their utter disappointment they often ask us and that rightly too—is this the freedom we have got for which we had made so many sacrifices? I think the Government should feel ashamed for not doing anything for these political sufferers. They are now living a quiet life after 15th August 1947 as they think that independence has now been won and the mission of their life has been fulfilled. They have never asked the Government to give any compensation for their sacrifices. But may I ask the Government whether it is conscious of the fact that the power that has come

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into its hands is not the result of their sacrifices? We shall certainly be giving a poor account of ourselves if we do not come to the aid and succour of these destitute Congress workers at this juncture. I would say it is the duty of the Government to ensure the well-being and livelihood of these patriots.

Sir, I have already said that there were many national workers who faced bullets of the police in the British regime and there were many who went to gallows. There were also such workers who suffered long terms of imprisonment extending to 20 years and subsequently died in the jails. There were many who went on hunger-strike in jails and laid down their lives. The families of these martyrs are now becoming the victims of despair, destitution and trekking into the gloom of uncertain future. I would, therefore, ask the Government that every ounce of the State's energy should be directed to provide immediate relief to them. In all civilised countries the Governments gave ample reward to such workers who had helped and suffered in liberation struggle and also ensured livelihood for their future. Why should this Government lag behind to provide necessary relief to those political sufferers but for whose efforts India would not have been free? Giving of relief in the form of monetary help and gallantry awards would not in any way be an obligation to these sufferers but it is the paramount duty of the Government to do so. If this Government is here it is due to the selfless sacrifices of these gallant soldiers who fought fearlessly to wrench freedom from the alien Government. Since the Congress Government owes its power to the sacrifices of these people, it should not have the least hesitation in taking steps to alleviate the sufferings of these Congress workers who have been reduced to the verge of starvation. If the Government adopts dilatory tactics in affording relief to these workers, it cannot remain in power for a long time. I would rather go a step further and say that the hard-won freedom may be put in jeopardy if adequate steps are not taken by the Government to rehabilitate these sufferers. I know that there are certain hon. Friends in this House that cut jokes at us for supporting this resolution. In fact these people have always been eloquent in opposing and criticising the Congress workers even during the

British regime. They were pro-British and were always at the beck and call of their masters. So it is but natural that they should find somehow or other any excuse to ridicule us. But there should be no fear for that. We are sure that our Government which is constituted of old and veteran leaders of the Congress will have no hesitation in accepting such a resolution. I, therefore, whole-heartedly support the resolution moved by my hon. Friend Shri Bhagat Ram Chodha and commend it for the acceptance of the House.

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural (*Hindustani*) : Sir, sometime back the War Awards Bill was introduced in this House by the then Minister Sardar Swaran Singh. Many Congressite Members stood up to criticise the Government for bringing forward such a measure before the House. They asserted that such awards should have been given to the Congress workers who had made sacrifices in the cause of India's freedom. The Government's move to give awards to the families of the soldiers was vehemently criticised on that occasion. The hon. Chief Minister who was Premier at that time had in reply to that debate remarked during the course of his speech :—

“Then, Sir, It has been advocated by my hon. Friends that if defence forces are to be rewarded like this, then I should bring forward another Bill to reward those Congressmen who have struggled and suffered in India's cause. I consider this suggestion as a direct insult to their peerless patriotism. If Congressmen have passed through ordeals of suffering, it is because of their convictions and their cherished desire to see India liberated from the bondage of an alien power. Now, with the achievement of that goal, they stand best rewarded. (cheers). Besides, if a Congressman makes any sacrifice in the cause of his country, he does so not with the idea of any reward but as his duty which he owes to India. (Applause). I am a humble Congressman and I have tried to serve India in my own humble way and according to my lights. But I have never thought of any reward for whatever little service I have been able to render in the national struggle. I know I have not suffered as much as my other brethren have. But I do not consider this office as my reward. My reward is the pleasure and satisfaction that I have in seeing that the cause for which I suffered a little in my own humble way, has been achieved. (Hear, hear). My country has been placed on the map of free nations. This is my best reward. I consider it my good fortune to see India emancipated from the

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yoke of slavery, in my own life time. We Congressmen were also like soldiers in our national struggle. Now what is the qualification of a soldier? He deems it his good fortune to have an opportunity of being sent to the battle-front. In fact he yearns for an opportunity to lay down his life for the sake of his country. Nothing more is a matter of pride to him than to sacrifice his all in the service of his motherland. Does he seek any reward to do it? The success of righteous cause, is the desire uppermost in his heart. This is what the Congressman has been cherishing. His desire has been fulfilled. His goal has been achieved. The country is free and that is his reward. (Cheers). So it is inconceivable for me to make provision for awarding jagirs to Congressmen. This will be an act derogatory to the invaluable and selfless sacrifices made by them.'

This is what our hon. Chief Minister was pleased to state in reply to criticism made in connection with the War Awards Bill, in this very House, in this very Chamber, and this is how he was cheered and applauded for his refusal to consider national heroes for award of compensation and rewards. The words, 'I consider it a direct insult to their peerless patriotism' should once again be noted. Now it is being stressed again and again that the members of the Congress have made great sacrifices, that they have ruined themselves in the service of the nation and, therefore, they must be given compensation and also gallantry awards. In order that odium for demanding compensation should not attach to Congressmen alone it has now been proposed to include members of other organizations also, who might have suffered in the cause of the country.

Sir, this resolution reminds me of Sir Khizar Hayat's ignominious act of conferring jagirs equal to four hundred squares of land on his followers sometime before his resignation. As he was sure that in the next elections he would not be able to come into power, he thought that time proper for favouring his henchmen. In June last, when I visited Pakistan as a member of the Good Will Mission, I was told that all this has been undone and these jagirs have been confiscated. I wonder how this Government which has done nothing for sufferers in the cause of the country so far, has all of a sudden to-day begun to feel sympathy for them. If it had been really anxious about their welfare, if it had the least regard for their services, if it had an iota of sympathy for them, it would have taken steps to improve their condition soon after the assumption of power *i. e.* after 15th August, 1947, and would not have waited for three years, remaining unmoved at their pitiable condition. This

measure could have been proposed in 1948, 1949, or in the Budget session of 1950, but then our hon. Chief Minister held different views. Now that the elections are coming, a sop must be offered to old Congress veterans in order to win them over to the side of the present Ministry, so that they might excuse it for its misdeeds. I have the greatest respect and regard for those friends who have suffered and made sacrifices for the achievement of independence, but what I want to point out is that if this Government really wished them well, it should not have neglected them up till this time. If all of them could not have been compensated for their sacrifices, at least the families of those of them who had sacrificed their lives, leaving the families in straitened circumstances should have been looked after. (*Interruption*). I have always been pleading that we should duly honour those patriots and the Government should give them whatever compensation it can. But I must call in question the motives of this Government in supporting and wanting to pass this resolution now. It is being done evidently with a view to win over those old Congressites whose honesty and integrity did not permit them to derive any personal gain in the form of quotas, permits, and loaves and fishes of office, and who are not pleased with this Ministry owing to its utter neglect of them. Leaving aside such selfless Congress workers who do not care for personal gain, another object of passing this resolution is to purchase the favour of all those Congress-men who have had no share in the general scramble for advantages and gains that was initiated under the auspices of this Ministry. After this resolution is passed, this Government will be in a position to satisfy all those members of the party who have not received any benefit from its coming into office so far. But I must assure it that it will not succeed in its object. Let it make any efforts that it can to purchase the votes of the people. They will not be received for all time to come. They have not forgotten the steel scandal cases, the corruption and the black-market that have been rampant in the province under its regime, the traffic in quotas and permits that has been going on ever since its coming into power, and hundred and one misdeeds of which it has been guilty. Sir, it is strange that this Congress Ministry wishes to give awards to the Congressmen when its Chief Minister considers such an act as a direct insult to the selfless workers. As a matter of fact we very well know as to why all this bitter drink in the form of the present

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resolution is being quaffed as nectar. It is all on purpose and my reading of this situation is that it is the case of—

ਇਬਤਦਾਏ ਇਸ਼ਕ ਹੈ ਰੋਤਾ ਹੈ ਕਿਆ ।

ਆਗੇ ਆਗੇ ਦੇਖੀਏ ਹੋਤਾ ਹੈ ਕਿਆ ॥

इबतदाए इशक है रोता है क्या ।

आगे आगे देखिये होता है क्या ॥

These are, according to the poet the first stages of love ; God only knows as to what will be the end. We will see this Government in its truer colours as the election draws closer and closer. I find three such hon. Ministers sitting in front of me who appear to pretend sympathy for the Congress workers. None of these three Ministers has rendered any service to the Congress. Not to talk of them, none of the fathers or fore fathers did anything of this kind.

Dr. Sant Ram Seth: The hon. Member himself was returned on the Congress ticket but he backed out.

Sardar Bachan Singh: What I am driving at is, how can those who have never done anything for the Congress feel for those who suffered for it? People who have been sufedposhes and lambardars all their lives cannot have any genuine feeling for the Congress sufferers. They have on the other hand contributed their utmost to the suppression of the Congress movement. It is rather odd that even the Hindu Mahasabha preachers have adopted the role of Congress sympathisers. Those who never did anything for the Congress cause are the Congressites of today and people like me who bore the brunt during the most difficult days are not tolerated and are forced to leave. This reminds me of the story of an Arab and a camel. The camel got into the tent when the Arab came out. However it is now an open secret that the public has come to know of all the activities of these black marketers and is not going to be hoodwinked by them. Everybody knows that these stunts are being played merely for the sake of election and nothing would be heard of them when it is over.

Sardar Gurbachan Singh Bajwa (Ex-Member West Punjab Assembly representing Sialkot, Sikh, Rural) (*Punjabi*): Sir, I am glad that such a good resolution has been moved by my hon. Friend Shri Bhagat Ram Chodha. He has as a matter of fact reminded us of the noble sacrifices which were in the past made for the liberation of our motherland. I also in fact desire to support this resolution with the same vehemence as some hon. Members of this House have done. I realise that unless and until regard and respect is shown to the sacrifices and those who make them, we cannot produce men and women in future who are prepared to suffer for the cause of the nation.

In the past sacrifices were made to achieve independence but now when it has been achieved we stand in need of making greater sacrifices to maintain it. So in future we will have to produce persons who would be willing to suffer for us. But how will it come about unless we provide some impetus for them? This impetus will come only when we are in position to reward the services and the sacrifices which were made for us in the past. I am aware of all this. But I somehow feel that passing such a resolution at present is rather premature. Some of my hon. Friends will be surprised to hear me say this. I shall presently explain as to what I exactly mean by what I say. We all know that if and when the awards are to be given to the Congress sufferers, they have to be given from the public funds. We will be justified in giving rewards if our people approve of this act. In my opinion they will approve of it only if we can convince them that after the achievement of independence we have created prosperity and plenty for them. During the old regime when we were fighting our battle of independence, we were constantly promising them that by the out-going of the then existing order and the in-coming of the new Government the face of the country would be changed and not a trace of poverty and helplessness would be allowed to remain. These were the promises we gave them. Now if we go to them and ask them whether they are prepared to contribute their mite for the families of the brave fighters of the battle of freedom, will we be in a position to convince them that what we told them has come true? My opinion is that so far we have not been successful in bringing about any satisfactory state of

[Sardar Gurbachan Singh Bajwa]

affairs. Independence was indeed very welcome but great misfortunes followed in its wake for some of our people. Owners of lands and houses have been rendered homeless and penniless. The widows who had palatial houses in the West Punjab are living in a miserable condition without any kind of shelter. It may be said that some lands and houses have been allotted to the refugees but everyone knows that the lands which have been allotted do not satisfy the need of the person concerned and the rent of the houses is so much that it is not possible for the displaced people to pay them. In these circumstances are we in a position to tell our people that the existing order is better than the past which we have left behind and we wish them to contribute for giving to the families of those people who fought and died to bring about the existing conditions? . . . I cannot go and ask people to pay more taxes for more land-revenue in order that those people, who brought them to their present plight might be rewarded. If the people are in such a condition that they do not approve of these things, there is no reason why this resolution should be passed. I wish I could support this resolution, but the conditions are such that I am compelled to regard it as premature. It will be said that I too was one of those persons who were responsible for the prevailing conditions but in my opinion, that would not be a sound argument. Whoever might be responsible for it, the condition of things in the country is not such that we can feel proud of or ask our people to feel proud of those who fought to bring about the present conditions. Therefore the people cannot be asked to pay taxes to the Government, in order that those who brought about the freedom of the country might be rewarded. With these words, I request the mover of the resolution to withdraw it, because it is premature.

Chaudhri Suraj Mall (Hansi, General, Rural) (*Hindi*): Sir, on reading the resolution and hearing the speeches delivered by some of the hon. Members, I could not understand how it could have been brought forward by a member of the Congress Party, whose leader in this House, Dr. Gopi Chand Bhargava and also Dr. Pattabhi Sitaramayya, the ex-President of the Congress, said only a short time back that it did not lie in the mouth of Congress

men to make such demands. It looks very humiliating to make recommendations of this nature. A whip has been issued by the leader of the party to the members that they should support this resolution. While speaking on a Bill sometime back, the hon. Chief Minister said-

'This matter of awards is fit for the army and not for the soldiers of the congress'

I am unable to understand the reason of his going back on those words. When the Leader of the the House has issued a whip to the members of his party to support this resolution, there must be some motive behind this move. He wishes to purchase the support of some persons by giving them awards. This is the greatest degradation of the State that the Leader of the House wants to obtain the support of some persons by offering them awards. It has been said that the members of the Indian National Congress made great sacrifices and brought about the independence of the country. There can't be a greater bluff than this. The Britishers could not be made to quit this country by these persons. It was the international situation which compelled them to leave this country. In the Second World War, when England was in great difficulty, in order to obtain the support of democratic countries, it declared that it was fighting the war for the preservation of freedom in the world. When countries like Russia and China questioned the truth of that statement made by a country which had kept India under its control the British Government had no alternative but to declare its decision to give us freedom. In addition to this, the activities of those Indian soldiers, who joined Shri Subhas Chandra Bose and fought the battle of freedom on the fields of Burma and Imphal, made great contributions to this cause. When the British Government noticed that the Indian soldiers too had joined the struggle for freedom, they came to the conclusion that this country could no longer be kept under their domination. Mutiny by the Navy in Bombay and by the members of Territorial Army in Delhi went a long way in freeing this country. It is a fallacy to say that Congressmen brought about freedom of India. It is not only I who hold this view but a large section of the general public are also of the same opinion. The time at my disposal is very short ; otherwise I would have quoted the statements of several eminent leaders to support my contention.

[Ch. Suraj Mal]

Another thing which I wish to point out is that the congress Government has done nothing to eradicate the evils prevailing in the country. They have rather made the condition worse.

Mr. Speaker: Please speak to the motion. It is the question of political sufferers and not of thy Congress Party which is under discussion.

Chaudhri Suraj Mal: Sir, I am within my rights to say these things because this resolution has been brought forward by the Congress Party. What have they done since coming into power in this State? I was once described by these gentlemen as a jat who could be satisfied with sweets. The appetite of these persons is so insatiable that they swallowed numerous quotas of steel, iron and cements.

An hon. Member: Chaudhri Lahri Singh used those words about you.

Chaudhri Suraj Mal: So far as I am concerned there is no difference between Chaudhri Lahri Singh and Dr. Gopi Chand. All i. p. m. those who wear pointed caps are of the same type. It is possible that Chaudhri Lehri Singh might not have been able to swallow much of that steel and cement. But those who have swallowed huge quantities of cement and steel should not taunt me for having swallowed *laddus*. I say, if you want to uplift the country, you will have to raise your character and inculcate the feeling of sacrifice. The Government does not think of helping those poor and suffering refugees who are crying for something to eat. It pays no heed to the misery of the flood-stricken people. Who knows how many of those unfortunate families are today lying without shelter on account of these floods? Their small children are crying for bread. But the pity is that the Government is not taking any steps for ameliorating the hard lot of those people. The public is now becoming conscious of all these things and the Government would no longer be able to deceive them by using such tricks. If it wants that the country should progress, it should build up the national character and develop the feeling of sacrifice and renunciation. These things

are needed today in the interests of the country. We see that every body is for himself and his relatives. He wants that his own kith and kin should get provided somehow or other. The result is that nobody cares for the poor zamindars, who are not allowed to carry their produce to the market. I know that a zamindar of Rohtak district, when he was taking his produce to the nearby market, was arrested by the police, his produce along with his bullocks was auctioned and he was sentenced to six months' imprisonment. This is how zamindars are being treated by the officers. But the Government does nothing for them. On the other hand, we see that people who don pointed caps can easily get permits from the Government and then freely exploit the poor villagers. I know that trucks laden with commodities were recently sent from here. In that bargain persons concerned made profits at the rate of Rs. 10/-for each maund. It is these deeds which are now sought to be legalised by bringing forth this resolution. I, therefore, oppose it with all the force at my command and request the hon. Chief Minister to issue a whip for its withdrawal.

Chief Minister (The hon. Dr. Gopi Chand Bhargava) *Hindustani* : Sir, I did not like to enter into the question of

Shri Bhim Sen Sachar: With the chair's permission, I will put one question if the hon. Chief Minister agrees to answer it.

Chief Minister : Yes.

Shri Bhim Sen Sachar : The hon. Chief Minister will remember that the Government had appointed a Board for national workers on the lines of Sailors, Soldiers and Airmen Board. I had transferred Rs. 2000/- from the Premier's Fund for the benefit of the workers. The hon. Chief Minister should throw some light on this also.

Chief Minister : If the hon. Member can wait a little, I will place all these things before the House. I did not want to dwell upon the pros and cons of this resolution. I only wanted to inform the House as to what the Government had done in this direction. But now after listening to the speeches of some of the hon. Members, it has become necessary for me to reply to their criticism. I was surprised to hear the objections raised by my hon. Friends and I was

[Chief Minister]

reminded of the proverb that those who live in glass houses should not throw stones at others. I was surprised to see that even those hon. Members who got squares of land from the Unionist Government simply for helping it and who are even now trying to get benefits for themselves, have the audacity to raise objections in this manner against this resolution and the amendment, which seek to help those who suffered for the national cause. It is sought by the resolution that the persons who made sacrifices in the struggle for independence and who are now unable to earn their livelihood, should be helped. I would not have minded if other people had objected to it; but when I saw that even those who got benefits from the Government were opposing this resolution, I was simply surprised.

It has been said that we can now get the warrants against our relatives cancelled even while sitting in Allan Bank. I may inform the House that the Government has decided that no officer has the authority to withdraw a case filed in a court, except the Cabinet. This has been done after taking into consideration the acts done at the time when we were not in power. There is no truth in allegation that while sitting in Allan-Bank I have cancelled the warrants of some of my relatives. As a matter of fact I have always favoured the principle that such decisions should be taken by the Cabinet itself. The previous Government withdrew a case on the recommendations of two of the members. Therefore we changed the procedure. Generally it is the function of the Home Minister to decide such cases. He is to see whether any case should be withdrawn or not. If he considers it proper he may have the advice of the Cabinet on it. But for my part I have always preferred to consult my colleagues in all matters. So to put forward the argument that a person like myself is incapable of giving any awards etc, is quite fallacious. When I introduced the Bill for giving awards to the Military men who made sacrifices for the sake of India, some of my hon. Friends had raised objection to it. I pressed for giving awards to them and in my speech I had also stated that gallantry awards by way of compensation should not be given to those persons who made sacrifices in the struggle for independence launched by the Indian National Congress. To-day also I am of the same view. Some of my hon. Friends have

remarked that there are certain persons who have made sacrifices, but now they are living in hardship. Efforts should be made to render them adequate help. A nation which cannot help those who suffered in the work of its salvation and which cannot make arrangements for creating peaceful conditions of living for them cannot, as a matter of fact, keep alive the memory of its struggle for independence. It is an account of the sufferings of these people that we are free today. After the achievement of national independence all of us ought to enjoy the fruits thereof. But it is a matter of regret that only some of us are in fact, enjoying benefits of independence while others are where they were. I hope hon. Members will excuse me when I say that it is due to the sacrifices of some of our people that we are to-day sitting in this august House as free people. Sir, it has been alleged by some of the hon. Members that some of the Congressmen have received permits and that they have eaten up iron and cement. Such an idea can come in the heads of those persons only who can believe that even human beings are capable of digesting such hard things as iron and cement. Some of my Friends criticize the Government by bringing in the names of Harijans and other poor people of the State. In fact, I know that such critics are themselves the perpetrators of hardships upon the poor Harijans and the tenants. They are big zamindars and they live in villages and do all sorts of things against the interests of the tenants and of the Harijans. But when they come here they try to show themselves off as the benefactors of the poor. As regards permits for iron and cement, I can assert that only such persons were given iron and cement who were considered to be doing this trade for a considerable time. If the hon. Members look up the list of cases they will come to know that out of those persons against whom cases, were instituted and inquiries were carried out, there was none who may be said to be a Congress worker-by Congress worker I mean an office-holder of the Congress organisation. I have myself seen the list and I am in a position to say that except for one or two persons, there is no other Congress worker who has been given a permit and who has not been doing this business for a considerable period. (*Interruption*).

Chaudhri Suraj Mal : May I put a question with your permission?

Chief Minister : I do'nt give way.

Chaudhri Suraj Mal : I know he would not.

Chief Minister : Sir, I was saying that the persons, whose names are alleged to have brought a bad name to the Congress in this matter, are in fact those persons who have been doing this business of iron and cement for some generations. I do not wish to say anything more on this subject because as yet, the cases are sub-judice. As regards raising of a fund for the relief of national workers, it has been said by my hon. Friends that it is an immediate necessity. Its creation will help those who have suffered for the independence of India. For our part we are trying our utmost to render all possible aid to such people. In the past we have been doing whatever we could in this direction and I assure the hon. Members that in future also we will continue doing our best. A Government of the people considers it its duty to help those who have suffered for the people. We are no exception to this. What surprises me most is the fact that without any reason and valid grounds whatsoever, some of the hon. Members indulge in unnecessary criticism against the Government. They do so for no other reason except that of catching votes for themselves in the forthcoming elections. There are some persons in whose heads nothing else but the manner through which they can catch votes and win the elections, enters. They only know how to change parties when it suits them and how to influence the voters in their constituencies. Beyond this they do not think. Well, Sir; the object of this resolution is to afford some financial aid to such persons as have suffered on account of their active participation in the national movements. But some of my hon. Friends smell a rat in this. They think that this is being done as a vote catching device for the Congress during the forthcoming general elections. This is far from the intention of the Government. This is rather a figment of the fertile brain of my hon. Friends. Government has not been actuated by such motives.

Chaudhri Suraj Mal : But this idea occurred to the hon. Chief Minister first.

Chief Minister : The hon. Member was obsessed with this idea after he had quitted the Congress Assembly Party.

Sardar Bachan Singh : I left the party because corruption was rampant in it.

Chief Minister : That is not the case. He left the Congress Assembly Party, after the dissolution of the previous Ministry. (*Hear, hear*). Sir, I regret to use such a pungent remark, but I cannot help making it when I am forced by the hon Members. Well, Sir, to take up the thread, I was submitting that the National Workers Relief Fund has been constituted and the rules are being framed for affording relief to the persons who come under its purview. The cases which might be considered for relief out of the Fund in question must satisfy the following conditions:-

1. Their cases should not be covered by the Cabinet decision.
2. They must have spent the best part of their lives in political activities for which they had suffered conviction in jail, which had the effect of so seriously undermining their health and as a result they are now incapable of earning a livelihood.
3. Those who had spent the best part of their life in active political work and who are now in indigent circumstances and have no other source of income to fall back upon.
4. Widows of political workers who have no other source of income and whose husbands died in the struggle for freedom,

This is not all. Those national workers whose cases are not covered by any of the categories mentioned above and are thus debarred from obtaining any financial assistance, have been afforded relief in other ways. In this connection a press communique was issued by Government as long ago as August, 1948. It is, therefore, wrong to say that Government never thought before of helping the national workers and that this idea had occurred to only just now. I would like to read out that press communique which runs thus:-

Representations having been made by the sufferers for the restoration of confiscated property, both moveable and immovable, political pensions and jagirs and also for refund of fines levied under the previous regime for participation in national movement or as a result of conviction in political cases, Government have made the following decisions:-

[Chief Minister]

1. Claims of persons, who suffered confiscation of property etc., during national movements after the 1st Lahore Conspiracy Case of 1913, shall be entertained.
2. "National movement" shall include Civil Disobedience, Akali and Babar Akali movements and such movements as Government may decide were "national Movements".
3. Where lands or landed properties etc., had been confiscated and sold, only the sale proceeds of auctions shall be restored, after deducting actual expenses of sale.
4. Restoration could only be made in favour of those, who had actually suffered or their direct decedents but not collaterals.
5. Civil pensions that had been confiscated could only be restored in favour of the pensioners themselves and not their decedents. The restoration will be from the date of the order and not with retrospective effect.
6. The question of political pensions, military pensions including Jangi Inams is for the Dominion Government to decide.
7. Fines, where actually realised, shall be refunded to the actual sufferers or their direct decedents after deducting expenses incurred in their recovery.
8. Any claim put up to Government should be accompanied by documentary evidence of confiscation etc, and the amounts involved and each case will be decided on merits after considering documentary evidence that may be produced or may be available to the Provincial Government. It is obvious that any claims that cannot be properly verified from records, would not be admitted.
9. The question of actual restoration of lands or properties situated in West Punjab does not arise but any pensioners from West Punjab, who had suffered confiscation of properties or pensions or fines during national movements, can put up their claims to Government for their consideration.

The East Punjab Government have considered the question of affording relief to the families whose heads have been hanged or shot dead during national movements or died in jails or spent their lives in jails and which have no means of livelihood or own land not exceeding six acres. The decisions which have been reached are hereby announced for information of all concerned:-

The families which have been ruined on account of their heads having been hanged or shot dead or having died or spent their lives in jails for patriotic activities and have no means of

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livelihood will be given relief in the form of pensions at suitable rates to be fixed in each case and their children will not be required to pay any fees in schools up to the matriculation standard.

Note:- National Movements shall include Civil Disobedience, Akali and Babar Akali movements and such movements as Government may decide were "National Movements".

Now, Sir, from the measures adopted by the Government you will see that the National Workers Relief Fund has been constituted on strong foundations. Besides this, Government schemes for purposes of giving relief to the persons who suffered as a result of participation in the national movements, do not stop here. They go still further. It has been decided to help those persons also who lost their service, pensions etc., because of their association or participation in the national movements. In this connection I would draw the attention of the hon. Members to another Government communique which was issued to cover such cases. It is like this:-

The question of relief to such persons has been engaging the attention of the Government of India and they have now decided that:-

- (i) Persons who were dismissed or removed from service because of their association with the national movements will be eligible to a grant, with retrospective effect from the date of the termination of such appointments, of such pension or gratuity, as would have been admissible to them on those dates had they been retired from service on grounds of ill-health. Persons, who were granted a compassionate allowance less than that admissible on the foregoing basis, will be eligible for corresponding increase of such allowance.

The benefit of this relief will also be extended to ex-Government servants, who resigned their appointments whether such resignation was voluntary or forced provided it is proved that such resignation, was preceded or followed by actual participation in the national movement was attributed to such participation and was not dictated by any other consideration.

- (ii) Civil pensioners, whose pensions were forfeited because of their association with the national movements shall have their pensions restored with retrospective effect from the respective dates of their forfeiture.

[Chief Minister]

- (iii) The question of restoration of civil pensions which had been confiscated owing to the pensioners' association with national movements was also considered by the Council of Ministers in their meeting held on the 24th June, 1948, and it was decided that civil pensions that had been confiscated could only be restored in favour of pensioners themselves, not their descendents, and the restoration will be from the date of the order and not with retrospective effect.

Well, Sir, these are a few measures which Government intends to adopt with a view to afford relief to the workers who suffered in the cause of freedom movements and action is being taken to implement them.

It has been said that a member of Congress Party should not have moved the resolution today. Since it is a non-official day, every hon. Member, to whatever party he may belong, is within his rights to give notice of a resolution. Perhaps my hon. Friends know it full well that a resolution given notice of by a member after being balloted is moved on the floor of the House on a non-official day. Every Member is free to move amendments to such resolutions. My hon. Friend Chaudhri Suraj Mal had also given notice of an amendment. It seems that he has changed his mind as is clear from the fact that he has not moved the amendment already given notice of by him. His amendment reads:-

"that in line 6, after the word 'awards' the following be added:-
'in one form or another'."

Mehta Ranbir Singh: On a point of Order, Sir May I know if any reference can be made to any amendment which has not been moved by the hon. Member? The hon. Chief Minister has referred to the amendment given notice of by an hon. Member May I know if he has taken it to have been moved by him while he has not moved it actually?

Chief Minister: I did not say that the amendment was moved by the hon. Member. When portions of speeches were read out on the floor of this House and I did not have any objection to that as they are the property of the hon. Members, I

do not find any reason why objection has been taken by the hon. Member for referring to a certain amendment notice of which had already been given. This notice of an amendment clearly goes to prove that he was in favour of the resolution. He was in its favour because he wanted that some compensation and gallantry awards in one form or another should be given to those members of the Indian National Congress who have suffered hardships for our country's freedom and who are now unable to earn their livelihood. Since the Government is already doing its work in this direction, there seems to be no fundamental or any practical objection if this resolution is passed. As the Leader of the House, I have decided to accept the amendment moved by my hon. Friend Sardar Kabul Singh.

hon. Members: The question be now put.

Mr. Speaker: Question is-

That the question be now put.

The motion was carried.

Minister for Local Self Government and Labour: Sir, I rise on a point of personal explanation. The hon. Member Sardar Bachan Singh made certain insinuations against me in the course of his speech and I want to repudiate them by saying that whatever he said was not correct and that I have always been a soldier of the Congress.

Shri Bhagat Ram Chodha: Sir, I have to say a few words only. I have really been surprised to hear my hon. Friends Sardar Bachan Singh and Chaudhri Suraj Mal opposing the resolution now before the House. (*Noise and interruptions*). Sir, what I wish to point out is that so far as my hon. Friend Chaudhri Suraj Mal is concerned, he has nothing to tell us about his sufferings and sacrifices in the battle of our country's freedom. He is lamenting over the death of the Unionist Government. While sitting on the Unionist benches, instead of doing some substantial work, he used to flatter and humour the then Unionist Government. He cannot realize the importance of this resolution. I would like to bring this point home to him that it is only the brave who can appreciate the bravery of others.

[Shri Bhagat Ram Chodha]

It has really pained me to hear my hon. Friend Sardar Bachan Singh opposing the resolution. My hon. Friend who has himself been a soldier in the battle-front of our country's freedom has opposed it simply for opposition's sake ; otherwise in his heart of hearts he is not opposed to it. I would like to bring this point home to him and my other hon. Friends opposed to it that when they are out to appreciate the sacrifices of others, there is no reason why they should not appreciate the sufferings and sacrifices of those political workers who have fought in the battle of our country's freedom. I would also like to remind my hon. Friend Sardar Bachan Singh in particular, who has also made sacrifices in the battle of our country's freedom, that by opposing this resolution he will not be able to make his name.

Mr. Speaker: Question is-

This Assembly recommends to the Government to take steps to prepare a list of martyrs and political sufferers of British regime in the State along with that of their dependents and give immediate relief to them in the form of monetary help and gallantry awards.

The motion was carried.

Shrimati Sita Devi: On a point of Order, Sir. Both resolution and non-official bills are always taken up for discussion on a non-official day. I would therefore request that the Bill standing in my name be also taken up today. Since more than half of the time is over, it is requested that a time-limit be fixed.

Mr. Speaker: We shall begin with the Bill at 2 P. M.

Shrimati Sita Devi: Since the House is to adjourn at 3 p. m. one hour as referred to by you may not be sufficient to complete the discussion on the Bill. I would, therefore, request you that Government business should not be taken up on the next non-official day when non-official business can be transacted on that day as a matter of right.

REPRESENTATION IN SERVICES.

Sardar Piara Singh (Hoshiarpur South, Sikh, Rural) (*Punjabi*):

Sir, I move-

This Assembly recommends to the Government to make provision under Article 16 (4) of the Constitution of India for the

reservation of appointments or posts in favour of the agriculturists and other citizens residing in the rural areas of the State as in the opinion of this House it is a backward class of citizens and is not adequately represented in the services under the State.

Sir, I have to make a few submissions in support of my resolution. My hon. Friends know full well that majority of people of our country in general and our State in particular live in the villages. This resolution has been brought before this House for the sake of the people living in the villages for whom very meagre amenities of life are being provided by the Government in comparison with those living in the towns. The conditions under which people are living in the villages are far from satisfactory. Instances in this connection are not wanting. In most of the villages of our State there are neither schools nor hospitals. Now take the case of the towns. In the towns we find adequate educational and medical facilities being afforded to people at a minimum cost. In cities there are well-equipped colleges, metalled roads and many public libraries but such facilities are non-existent in villages. The people residing in rural areas are a backward class of citizens and are not adequately represented in the services under the State. The Government of India has made a provision in the Constitution for the reservation of posts in favour of the backward class of people. 90% of the population in the rural areas are a backward class of citizens and are unable to compete with the people living in the cities. It is, therefore, necessary that posts and appointments should be reserved for them according to their population. We always notice that persons living in the cities wear very costly clothes and their standard of living is very high as compared with the people living in rural areas. The rural class of people cannot make any progress if the Government does not come to their aid and succour. I would say that the hard-won freedom will not be preserved if adequate steps are not taken by the Government to help the people residing in the rural areas. There are many villages in the State where the people do not get enough food to eat. Circumstanced as they are, it is exceedingly difficult for them to impart education to their children. Such being the state of affairs in the villages, these people cannot

[Sardar Piara Singh]

rise up to an equal standard of living with others who are more fortunate in this respect. The Government should, therefore, uplift them and make them progressive. The Government should make a provision for the reservation of appointments and posts in favour of these people according to their population so that they may be able to develop in stature equal to that of the progressive people of the cities. With these words, Sir, I resume my seat as I know that there are other Members also who have to express their views on this resolution.

Mr. Speaker: Resolution moved-

This Assembly recommends to the Government to make provision under Article 16 (4) of the Constitution of India for the reservation of appointments or posts in favour of the agriculturists and other citizens residing in the rural areas of the State as in the opinion of this House it is a backward class of citizens and is not adequately represented in the services under the State.

Chaudhri Sher Singh (Jhajjar, General, Rural) (*Hindustani*):

I move-

- (i) That in lines four and five, for the words "agriculturists and other citizens residing in the rural areas of the State", the words "statutory agriculturists and other backward classes of the State" be substituted.
- (ii) That in lines five and six, for the words "as in the opinion of this House it is backward class of citizens and is not adequately represented in the services under the State", the words, "which in the opinion of this House are not adequately represented in the services under the State" be substituted.

Sir, a resolution was passed in the House last year by which it has been sought that appointments and posts in the State should be given to persons residing in cities and rural areas according to the population. But I understand that racial discrimination is contrary to the principles of the Constitution which lays down that all men are entitled to equal opportunities. So to remove that defect I have moved an amendment to the resolution moved today that for the words "agriculturists and other citizens residing in the rural areas of the State", the words

“ statutory agriculturists and other backward classes of the State ”
be substituted. I have thus deleted the words “rural areas” in
the resolution. But all the same I would like that those people
who are socially or educationally backward, whether they may be
residing in the cities or in the rural areas, should be given
adequate representation in the services under the State according
to their population. Sir, the state of affairs as it exists at present
is that services are the monopoly of the people living in the
cities who are numerically less in proportion to the population
in villages. Mahatma Gandhi, the father of the nation, had once
remarked that he wanted to set up kisan-mazdur praja raj in the
country. In order to achieve that end we should place the
governance of the State in the hands of the Kisan and Mazdoor
classes of people. If those conversant with the problems of the
rural population who also belong to rural areas, are absorbed in
the services of the State, they will naturally have the well-being
of the rural people at heart and would tackle their problems
satisfactorily. But unfortunately the case is reverse now. The
officers of the Government who often hail from the cities have
neither the intelligence nor the capacity to understand the problems
of the people residing in the rural areas. They do not care to
give their best attention towards solving the problems that confront
the villagers. If there had been preponderance of the people
belonging to Kisans and Mazdoor classes in the Government
administration, the condition of the State would not have been
such as we witness to-day. There would have been kisan-mazdoor
praja raj which Mahatma Gandhi had longed for during his life
time. The people residing in rural areas and other backward
classes living in the cities also should be given due share in the
services under the State. It makes no difference if Giani Kartar
Singh or Captain Ranjit Singh or Shri Prithvi Singh Azad are
holding the office of Ministers, because the policy of the Govern-
ment has to be carried on by the officers of the Government.
The officers are the real administrators of the State. The Govern-
ment should, therefore, encourage these backward class of people in
the rural areas or even in cities in securing posts in the
Government administration instead of making the scope severely
restricted for them. I think there was need for such a resolution

[Ch. Sher Singh]

to uplift the backward classes residing especially in the rural areas. I know that some of my hon. Friends have come with a copy of Constitution of India and they would perhaps oppose this resolution from constitutional point of view.

Sir, I want to draw the attention of the House to the fact that Article 16 of the Constitution clearly lays down the right of every citizen to equality of opportunity in matters relating to educational and other facilities, or appointments and amenities. It is because the framers of the Constitution realized the fact that all citizens could not have equality of opportunity owing to their backwardness that they made provisions for the reservation of posts in favour of backward class of citizens under sub-article (4) of this Article. So long as they are not sufficiently advanced so as to be able to compete with the advanced sections of the people, it is very necessary and proper to reserve posts for them in all services; otherwise conditions for enjoying equality of opportunity will not be created for them and they will become all the more backward and depressed as a result of their failure to get their due share in services. Sir, my submission is that my hon. Friends who are anxious to oppose this resolution and make some provision of the Constitution as the basis of their arguments should first try to understand the true import and intention of Article 19(4) in the light of what I have just said. I would request them not to oppose this resolution because it pleads the cause of the poor rural folk. If they want to see a real people's raj, the rule of the peasants and labourers established in this country and thus to realize the dream of Rashtrapita Mahatma Gandhi, they should support this resolution with all their heart.

Mr. Speaker: Resolution under consideration, amendment moved—

- (i) That in lines four and five, for the words "agriculturists and other citizens residing in the rural areas of the State" the words "statutory agriculturists and other backward classes of the State" be substituted.
- (ii) That in lines five and six, for the words "as in the opinion of this House it is backward class of citizens and is not adequately represented in the services under the State" the words "which in the opinion of this House are not adequately represented in the services under the State" be substituted.

Shri Ram Sharma (Southern Towns, General, Urban) (*Hindustani*): Sir, so far as the spirit and the principle involved in this resolution are concerned, I am in complete agreement with its supporters. So they need not worry that I am opposed to it or that any one in this House would like to defeat its object. But I can't help making a few observations on some of the possible implications and consequences of this matter. This question of representation in services is a very old one. It is a legacy of the British rule. Even in the time of British rule, there used to be quarrels and disputes on the question of getting into services, despite the fact that the nationalists were against the idea of serving under an alien Government and thus helping to perpetuate its regime in other words helping to strengthen the chains of the country's slavery. The scramble for posts under the British Government looked almost a contest for having greater and greater share in the task of keeping the country in bondage. Well, things have changed. Government service is not to-day looked down upon. It is now realized that if one cannot serve his country in an honorary capacity, I mean as a public worker, he should serve it as a paid worker and thus do his duty towards his motherland. The importance of a Government servant in a free country is in no way less than that of the public worker. This is one thing—that Government service is today as respectable a profession as any other.

Secondly, we have to consider the fact that in the new Constitution of India, an attempt has been made to obliterate various sections, divisions, discriminations, classes and interests, into which our society had come to be split up as a result of the deliberate policy of 'divide and rule' followed by the British Government. The Constitution has not recognized any such artificial divisions of society, excepting, of course, those sections of population who are very backward and depressed and for whom the principle of reservation both in the matter of representation in Legislatures as well as in services has been accepted for a fixed period. I fully support the principle that the appointments in Government services should be a true reflection of the population of the country i. e., all the various elements of population should have their due share in them. But at the same time I cannot help pointing out the danger of an evil which results from thinking along these mental grooves. This tends to divide the society into various sections and interests and thus detract from national unity. Creation of artificial divisions and class mentality

[Shri Ram Sharma]

as a result of quarrels over representation in legislatures and services, can prove most harmful to the interests of a free country. So far as this resolution is concerned, there is nothing in it to which exception can be taken but there is a danger of a wrong kind of spirit being engendered in the minds of its supporters, especially because of their anxiety to achieve a certain thing which to some extent runs counter to the proper atmosphere of an independent country. So what I mean to say is that but for my apprehensions of the possible dangers of a certain kind of undesirable mental outlook being engendered, I have the fullest sympathy with the legitimate aspirations of the rural people. I would even say that even if we have to strain the phraseology of the Constitution to some extent, we must try to find some way to satisfy their just demand. Surely, our Government, which is never at a loss to find pretexts and justifications for its unworthy actions, can be expected to find a way out, even if this resolution goes counter to some provision of the Constitution. As for me, I am not one of those to whom Professor Sher Singh has just referred *i. e.* those who would open the book of Constitution and say "well, Sir, it is not provided herein". I also believe that since the Constitution provides for the special representation of backward classes and reservation of posts for them, there should be no objection taken to this resolution. But I do not in any case desire that after the attainment of independence we should do anything to perpetuate the old cursed principle which separated the town from the village, a religion or a community from another or even a group from another group for purposes of election to the Legislative Assembly and local bodies etc which existed in the days of the British. I am extremely sorry to say that this principle is still existing and the sooner we get rid of it the better it would be for us.

Chaudhri Krishna Gopal Dutt: I have also given notice of an amendment to the resolution and I hope you will allow me to move it before other speeches are made just as you have allowed Chaudhri Sher Singh to move his amendment.

Mr. Speaker: When the resolution is again taken up on the day fixed for resolutions, I shall see whether his amendment is in order and if it is in order, the hon. Member will have the right to move it. I have received certain amendments today, though I have again and

again pointed out to hon. Members that they should give at least two day's notice of their amendments, whether it be Government Members or others.

(At this stage Mr. Speaker vacated the Chair and it was occupied by Mr. Deputy Speaker)

EAST PUNJAB PREVENTION OF HINDU BIGAMOUS MARRIAGES BILL.

Shrimati Sita Devi (Ex-Member West Punjab Assembly representing Lahore City, General, Women, Urban) (*Hindi*): Sir, I beg to move—

That the East Punjab Prevention of Hindu Bigamous Marriages Bill as 2 p.m.—reported by the Select Committee be taken into consideration.

Sir, when this Bill was introduced it was decided that the Bill be circulated for eliciting public opinion. So it was circulated and public opinion obtained. Hon. Members know that a very large majority of our people were in favour of this measure. Later the House opined that it was necessary to send the Bill to the Select Committee as a very important law was to be passed. The Bill was reported on by the select Committee in March but as for some reasons the session ended sooner than expected, it could not be passed during the March session, though it was brought on the agenda. What I wish to emphasise is that unnecessary delay is being made in passing this very useful measure. We should shed off our old traits of slavery after the 15th of August 1947. Though in the old regime women always kept their morale so high, men got into some bad ways. They should get rid of them now. This Bill is intended to be of some help to them. It is a very simple and a solemn thing. I do not think that there is anything controversial about it as it is not calculated to harm any body. This Bill when passed will be a source of pride for our State.

To me, it appears that the hon. Members sitting opposite have conspired to prevent this Bill from making any progress. My hon. Brother Chaudhri Krishna Gopal Dutt could have settled his dispute regarding his amendment later but I am sorry that he wasted some of my valuable time. I have not introduced any new thing in this Bill and I feel that it should have been passed long ago. Similra

[Shrimati Sita Devi]

Bills have already been passed in the States of Bombay, Madras and Baroda. The same kind of men live in these States as those living here and they too have the same difficulties. The British rulers wished to keep the women uneducated and backward. The education which they imparted to the women was of the wrong type. It resulted in several evils and it is in order to remove one of those evils that I have brought forward this Bill. Nowadays, men do not find any bar to marrying a second time even when their first wives are alive. Monogamy is practised in all the civilised countries of the world. There, a man cannot marry during the life-time of his wife. I wish to bring about the same conditions of Ram Rajya in the Punjab. I want husband and wife to be as faithful to each other as Ram and Sita were. What is happening these days? Only two or three years after a man's marriage, he starts thinking of marrying again because he finds no legal bar to his doing so. It is very unfortunate that social bonds have become very weak these days. These have, in fact, completely disappeared in the cities. Formerly, a person could not think of second marriage during the life-time of his first wife, out of the fear of society. Most of my time is spent in dealing with such cases. We, the members of the All India Women's Conference, receive information about scores of such cases every day. Young men decide to marry second time soon after their first marriage, because they know that their first wives cannot get more than bare subsistence allowance. Very few persons go to courts of law in such cases. In cases which go to the courts, not more than ten rupees per mensem is sanctioned as maintenance allowance of the wife. All the hon. Members sitting here have their sisters, wives and mothers. They should not think that I am espousing the cause of my own sex only. I wish to eradicate an evil and those of my hon. Brothers who do not help me in this task are doing great injustice to the women.

Sardar Gurbachan Singh Bajwa: The hon. Sardar Narotam Singh and Shri Dev Raj Sethi have no wives.

Shrimati Sita Devi : Yes, I know that. In this Bill there is no conflict between man and women. I only wish to improve the condition of our society which has degenerated a great deal. I do not believe in the principle of 'Sunday marriage, Monday divorce.' Some Members of the Select Committee did not agree with my point of view and they pleaded that when I wished to prevent a man from having more than one wife, there should be provision for divorce also. I, however, beg to submit that I wish to raise the standard of our society by the

provisions of this Bill. The purpose of this Bill will be defeated if divorce is allowed. I have only demanded that a man should not be at liberty to marry during the life-time of his first wife. Just as a woman cannot marry during the life time of her husband, the same disability should apply to the man also. In this matter, I wish to place the man and woman at par.

A few days back I came to know that a Government servant employed in the Civil Secretariat, Punjab, wished to marry a second time. His first wife, who is only eighteen years old and whom he married five years back, is alive. He wishes to marry again because he feels that there is no law to prevent him from doing so. Those who work in the women's organisations know the difficulties very well. Sometimes middle-aged men also marry a second time in order to get young, educated and up-to-date wives. They put forth a very simple excuse for marrying again during the life time of their first wives. It is said that the first wife had not given birth to any child and that this would result in the end of the family. Has it ever been ascertained, in such cases, whether there is some defect in the man or the woman, which is responsible for no child being born? In many cases it so happens that the first wife gives birth to a child after her husband has married second wife.

Shri Bhim Sen Sacher : What should be done, if there is some defect in the woman ?

Shrimati Sita Devi: The women whose husbands have some physical defect responsible for not getting children, remain loyal to them and do not marry other men, throughout their lives. Then why can't men remain so when the defect lies in their wives? So the excuse of getting children by marrying for the second time is absolutely lame. If the getting of children were the motive for re-marriage, they can be got from elsewhere also. For instance, I know there are 250 to 300 children in the Vanita Ashram at Jullundur, who have come from Pakistan after the partition of the country. They are quite handsome; they can be taken by those people who marry for the sake of getting children. If they don't want to adopt the children of other people, they can adopt those of their own brothers and sisters. And then it is possible that the man who marries two or three times for the purpose of getting children may not get them even after that. The fact of the matter is that the desire of such men for getting more

(Shrimati Sita Devi)

wives is not satisfied even up to their last moment. I, therefore, submit that, if the reason for second marriage is the desire to get children, it should be allowed under certain conditions. For instance there is a section of people in the south, in which man can marry a second wife only after twelve years of first marriage. Even then, he has to produce a certificate from a medical man regarding the sterility of the woman and his own sound health. Besides, he has to give half of his property to the first wife. I am saying this on the authority of Dr. Ambedkar who referred to this fact in the Constituent Assembly.

The third point which I would like to place before the House and on which some of my hon. Brothers disagree with me, is *Karewa* marriage. Those brethren say that if I agree to exclude *Karewa* marriage from the scope of this Bill, it can be passed. But the thing is that if I agree to that there would be left no justification for the Bill. The system of *Karewa* marriage is current among the jats. It means that, when one brother dies, his wife is taken by the second brother. In this way, they actually marry two to four wives. I am not going to agree to this sort of *Karewa* marriage.

Dr. Sant Ram Seth : What about the *Karewa* marriages done in the past ?

Shrimati Sita Devi : They shall not be affected. The man who marries a second wife in the life time of his previous wife creates a hell for her. I do not intend to say anything more on this point because I know the hon. Members are learned persons and they do not need much canvassing to convince them of the desirability of passing this Bill. It has already passed through many stages. It is, therefore, but right that it should now be passed. After the last session, when we went down to the plains, people asked us as to why we had not passed this Bill. I told them that it would be passed in this Session. I, therefore, hope that the House would now pass it.

Mr. Deputy Speaker : Motion moved-

That the East Punjab Prevention of Hindu Bigamous Marriages Bill as reported by the Select Committee be taken into consideration.

Sardar Dalip Singh Kang (Ex-Member West Punjab Assembly representing Lyallpur East, Sikh, Rural) (*Punjabi*): Sir, the Bill

introduced by Shrimati Sita Devi is an old one and has passed through a number of stages. We have pointed out to the hon. Lady Member time and again that in view of the Hindu Code Bill introduced in the Central Assembly, there does not remain any justification for passing this Bill. Provisions for divorce and other things have already been made in the Hindu Code Bill. And then, even if it is passed, people of this State can marry in the adjoining States such as Patiala Union, Himachal Pradesh and Delhi.

Shrimati Sita Devi : There is no weight in the argument advanced by the hon. Member. People commit thefts in spite of the law to the contrary.

Sardar Dalip Singh Kang : Sir, if people knew that they could commit thefts in Himachal Pradesh, they would go there. So in view of the fact that the Central Government is already considering a Bill of this nature, there is no justification for passing this Bill.

Shrimati Sita Devi : I want that the hon. Member should not waste his time and energy by advancing such arguments. As regard the Hindu Code Bill, I may inform the hon. Members that at a stage we referred this matter to the hon. Dr. Ambedkar and he agreed to the passing of this Bill.

Sardar Dalip Singh Kang : The hon. Lady Member has referred to my time and energy. I may assure her that I am using the time of the House and as regards energy I don't waste any. An ideal society is that in which one man lives with one wife. I admit that some persons are bad. But according to this Bill if a woman deserts her husband, the poor fellow can neither leave her, nor remarry.

In addition to this, Punjab is a State of soldiers. Most of our young men are in the army. They mostly belong to rural areas. They fight battles in foreign lands. Many of them are killed in such battles. They have their wives and children behind them. They have landed property in their villages. On their death, a custom has established itself that their wives marry their brothers so that widows may not have to bear the burden of managing the estate and maintaining the family all alone. In this way the property and the children of the deceased are well looked after. If the proposals under consideration are given effect to, families of deceased military men will have to go about uncared for because the widows will not

(Sardar Dalip Singh Kang)

be able to marry the brothers of the deceased. The hon. Lady Member does not understand the conditions prevailing in the rural areas. She is only aware of the circumstances in the towns and cities of the State. What provision is being made in this Bill for that? Rural areas of Punjab which give best recruits to the army should not be neglected and such laws should not be passed which entail hardship to the families of the soldiers serving in the armed forces of India. My submission is that if this resolution is to be accepted, some provision must be made to safeguard the interests of the people coming from the rural areas. If no legal bar is to be placed on the *Karewa* form of marriages, I will have no objection to this Bill. *An hon. Member*: The hon. Lady Member will certainly accept this suggestion). I don't think so. I have given this suggestion to the hon. Lady Member privately. My submission is that there are numerous examples of *Karewa* in our State. I can quote many cases in this respect. If this Bill is passed, it will create much hardships for such persons. The result will be that either such legislation will become a dead letter or people of our State will defy it. If this Bill is passed the peasants of our State will find it difficult to marry their brother's widows. The result will be that the children born out of *Karewa* form of marriage will become illegitimate and they won't be able to inherit property. Hon. Members who come from urban areas do not realize this difficulty. They cannot understand what harm will come out of such a measure. The sting and effects of this Bill are beyond their comprehension of urban Members that is why they appear to be so keen on getting it adopted; by this Assembly.

Chaudhri Krishna Gopal Dutt (Ex-Member West Punjab Assembly representing North Eastern Towns, General, Urban): Sir, the Bill before the House is of the utmost social importance and eventually it has got its political implications also. It is, therefore, Sir, in the fitness of things that the House does not carry through this Bill in any fit of sentiment or emotion. This question is to be considered, Sir, from a statistical point of view, from a social point of view as well as from a political point of view. I can well understand and appreciate the enthusiasm of the hon. Lady Member to introduce social reforms in the society. But before we proceed with the measure of social reform, it is of the utmost importance to see whether the Bill which is calculated to effect social reform does actually do so or not. The question of various forms of society, for instance monogamous

society or bigamous society, is a very interesting subject and therefore, all those persons who are students of social behaviour and sociological questions, who have applied their minds to such fundamental and most important questions, look upon and consider such Bills dispassionately. We should not be taken away by false emotions of social reforms when we introduce certain pieces of legislation which are likely to produce social upheaval and lead to social disintegration. I don't mean that there should never be social upheavals, and social revolutions, but there are times when social upheavals and social revolutions lead to political disintegration and there is utter chaos in the society which ultimately does incalculable harm to all and does good to nobody. We have to see if the Bill which is now before us does not belong to the class that I have mentioned just now. The mover of the Bill thinks that the ideal form of society is a monogamous society, that is to say, one man and one woman. But we have to go into the history of institutions to find out as to whether on certain occasions in the past certain societies had accepted the monogamous form of society, and whether in the present form in which we are living this sort of arrangement will lead to a better relationship between man and woman and also in relationship to other men and women. This I think should be the primary consideration which should guide us in forming and expressing our opinions.

Sir, what is the guiding factor which should decide the relationship between a man and a woman? This is the question I put before this House and the Lady Member. If we go into the history of social institutions and particularly two forms of society, I mean patriarchal and matriarchal, which were present in the old times and which are present even to day, we will find that in ancient period and even in modern times in many countries of the world there are societies which are monogamous, there are societies which are bigamous and there are societies which are polygamous. In our country mostly patriarchal system is to be found but in the most advanced Dravidians of Southern India we find matriarchal system also prevalent. In the patriarchal society it is the father who is the head of the family and when a boy marries a girl it is the girl who comes to live in the house of the boy. In the matriarchal system of society, which is found mostly in the southern India it is the mother who is the head of the family and not the father. Under this system when marriage

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takes place between a girl and a boy, it is the boy who has to leave his parents and go to live with the people of the girl. By stating all these things I am trying to put a clear picture of the different forms of society in their various aspects so that we may be able to make up our mind as to which form of society we want to adopt. In choosing that, the most essential thing that we should keep in our mind is that it should be conducive to the happiness of man and woman and in relationship to other members of the society also. I am trying to establish that there are various forms of society, there are monogamous societies, polygamous societies and also bigamous societies. These forms existed in the old periods of history and they exist even in the present day. Now, Sir, what should be the guiding consideration from the point of view of modern sociologists who are interested in the relationship of man and woman? There are authorities of the science which is called psychology who believe that it is the structure of society which ultimately decides the form of society. That is to say, Sir, if the number of men in a society is predominantly greater in proportion to the number of women, then there would be cases of one woman having more than one husband. Similarly if in another society the case is just the reverse and the number of women is much larger than the number of men, the result would be that one man will keep more than one wife at a time. There is a third form of society where the number of men and women is equal approximately. (*Interruption*). I would request the hon. Member interrupting me to be more serious as this matter affects him, his wife and his children.

The hon. lady Member has sent me a chit. In addition to some-thing very indecent which I will not read to the House, she desires to know why I am opposing this measure.

Pandit Durga Chand Kausnish : On a point of order, Sir. The hon. Member has said that there is something very indecent written on the chit sent by Shrimati Sita Devi. I have read the chit myself and I can assure the House that there is absolutely nothing in that chit which can by any stretch of imagination be termed indecent. As it is a serious reflection on the hon. Lady Member, I would request you, Sir, to ask the hon. Member to withdraw his remark.

Chaudhri Krishna Gopal Dutt : I quite understand the exuberance of young men and young women who do not want this Bill to be looked at from a dispassionate point of view. I submit, Sir, that this Bill requires a very careful and dispassionate consideration as this Bill if passed into law is going to be the basis of the foundation of the future society and much deeper and wider implications are involved. *(Interruption).* I was saying, Sir, that there are three forms of society and I shall repeat it. One is where the number of men predominates, the other is where the number of women is greater than men and the third is where their number is almost equal. This is a fundamental thing which no student of social behaviour and no social reformer should ignore.

Shrimati Sita Devi : Is there any time limit fixed for the speeches on this Bill ?

Mr. Deputy Speaker : No time limit is fixed.

Chaudhri Krishna Gopal Dutt : The hon. Lady Member seems to be very reluctant to have the Bill considered dispassionately, I would like to sound a note of warning to the Government and to the hon. Members of this House that if this Bill is passed without taking into account its deeper implications, they will unconsciously be doing a great dis-service to the future society in the State. I have not said that I am opposed to the Bill. I am only trying to look at this Bill from a dispassionate angle of vision. If any social reformer comes to me and says that he is in favour of monogamy and that he wants to advocate a uniform system of marriage without taking into consideration the different forms of society that I have enumerated, I have no common point with him and I shall refuse to discuss the question with him. This question should be considered Sociology from the point of view of a student of scientifically who is a well wisher of the society and who has the good of the people at heart. We have in the first place to see whether in the society for whom we are going to legislate the number of men predominates or that of women or their number is equal. It is not a matter of ideology or statement or emotion, it is a question of hard facts based on statistics and I am sure even the hon. Lady Member will not ignore that point of view. If there is a form of society where the the number of women predominates to a greater degree, no woman will come forward and say that there should be monogamy in that society. There may be some

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stupid sociologists, un-informed and unintelligent workers, who might come forward and say that even in such a form of society, there should be monogamy, what will be the result? The result will be that by far a large number of women will remain unmarried and the inevitable consequence will be that the very object of monogamy will be defeated. (*Hear, hear*). The very moral foundation of the society will be toppled to the ground. We have in this country various forms of social and religious institutions. We have the all-India Women Conference; we have the Sanatan Dharm Sabhas, the Arya Samaj and so on; they are all extremists. On the other hand, we have got the reactionaries who draw their inspiration from the West. The religious-minded people simply follow the dogmas and the ideas which have been handed down to them, the spirit of which perhaps they do not understand. Those dogmas and those ideas were for the times which were different from the times in which we live today. Now these people come to know that there is a certain Bill sponsored by Shrimati Sita Devi. Directive goes to all the various Sabhas, I don't know whether any directive has gone in this particular case also, that all the Sabhas should support it. The reactionaries on the other hand are bent upon the disintegration of the society. We have to create a society, we have to build such a society wherein we should find a happy mixture of the great traditions of the East and the healthy broadmindedness of the West. (*Hear, hear*).

Now, Sir, there are very many good forms and good institutions in the West which we have to copy and there are certain very obnoxious systems which we have in our society which we must discard. As a matter of fact I believe in the happy combination of the East and the West. I am not one of those who are swayed by the views of these psychologists who talk in terms of rights of men and rights of women. I consider them both the wheels of the same carriage. As the wheels have no separate rights and obligations, similarly a man and a woman has no right or obligation separately. The question is how can the carriage go on smoothly? It is the question of the carriage and not of the wheels. This is how I look at the question. The question of rights for the women has come down to us from the West and it has caught the fancy of some people here and gained support because our people have kept their women-folk in bondage for centuries, who are as good as perhaps better than, the men in many respects. I always used to say that when God had nothing

else to do and was free from all encumbrances and engagements then he sat down and gave his best attention and brought out woman, a flower. Woman is the best creation of the God Almighty. Let us dis-abuse our minds of any crude sentiments and feelings. I am talking from a very high and aesthatic point of view and believe that woman is the better part of creation.

Sir, there are reformers in the country who want to go the way West has gone, the path which has been miserably and hopelessl trodden by the West. I warn them that there is utter dis-illusionment and destruction in store for them. There are differences in the life and customs of our people and those of the people of the west. Those reformers who want to transform the society wholly and radically are atheists and have vested interets outside their own country ; while considering the questions of social reforms they do not take into consideration the question of our social life. I believe they are doing the greatest harm not only to India but to civilization itself. Sir, I warn my women friends in general and particularly those sitting on the benches opposite that we have, while considering questions relating to reforms in our society, to keep in view the circumstances and conditions that are to be found in the West and the ways of life of our own people.

Sir, why did we want swaraj ? Why did Mahatma Gandhi, the Father of the Nation, want swaraj ? He wanted swaraj because he thought that India had a message to give to the whole world and not because he wanted India to follow blindly in the foot prints of the West. Mahatma Gandhi said, "I do not want swaraj because it is som thing political and it is the question of redemption of slavery in India. I want swaraj because India has a glorious message to give and it canno give that message unless India achieves independence." That is why we struggled for independence under the leadership of Mahatma Gandhi. Now is the time for India to give that glorious message to the whole world. I am myself a reformer but want to keep our own culture and our own way of living. By this I do not mean what the religious people say from their religious platforms. At the same time I am not a reformer of the kind who

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would accept everything that comes to us from the West. I have been abroad many a time and know the problems of the West,

(Voices: Is, there any time-limit, Sir?) Sir, I am yet in the initial stages of the discussion. I have given to the House a background against which we must see this Bill. I have stated the approach to the problem and have yet to discuss the Bill. (*Laughter and cheers*).

The Assembly then adjourned till 10 a m on Friday, 6th October 1950.

Punjab Legislative Assembly Debates

6th October 1950

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OFFICIAL REPORT



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PUNJAB LEGISLATIVE ASSEMBLY

2nd SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 6th October, 1950.

*The Assembly met in the Assembly Chamber at 10 a.m. of the clock.
Mr. Speaker (The hon. Sardar Kapoor Singh) in the Chair.*

PAPERS LAID ON THE TABLE.

APPOINTMENTS REMOVED FROM THE PURVIEW OF THE PUNJAB PUBLIC SERVICE COMMISSION.

Minister for Local Self Government and Labour (The hon. Shri Prithvi Singh Azad) : Sir, I beg to lay on the Table of the House, *as required by Clause (5) of Article 320 of the Constitution, the addition made by the Governor to Schedule "B" to Regulation 5 (G) of the late Punjab and N.-W.F.P. Joint Public Service Commission (Limitation of Functions) Regulations.

Mr. Speaker : Under the Constitution it is the duty of the Government to lay on the table a copy of the report as to the work done by the Public Service Commission together with a memorandum explaining as respects the cases, if any, where the advice of the Commission was not accepted, and the reasons for such non-acceptance.

RESOLUTION.

REPRESENTATION IN SERVICES.

Mr. Speaker : The Assembly will now resume discussion on the Resolution† moved by Sardar Piara Singh on 5th October, 1950.

Shri Ram Sharma (Southern Towns, General, Urban) (*Hindustani*): Sir, yesterday when I was still in possession of the House giving expression to my views on this resolution, the House adjourned. Besides, a suitable amendment to this resolution was also moved. Now, Sir, my submission is that the rural population, particularly those sections which are really backward, not in the sense in which the Constitution of India has accepted a certain class but backward as common sense accepts it, must find adequate representation in the services. We find that at present their share in the services, in proportion to their population, is almost negligible. So, the object of this resolution

*Kept in the Library.

†This Assembly recommends to the Government to make provision under Article 16(4) of the Constitution of India for the reservation of appointments or posts in favour of the Agriculturists and other citizens residing in the rural areas of the State as in the opinion of this House it is a backward class of citizens and is not adequately represented in the services under the State.

[Shri Ram Sharma]

that the cultivators and other working classes, and those sections of the people who are considered to be backward should be reflected in the services and that by reservations or by any other method, appointments be made from amongst them with a view to giving them their proper share. I am, therefore, quite in accord with the spirit of the resolution. (*Hear, hear*). But as I pointed out yesterday it will not be a smooth sailing for the Government to implement it after it has been assed by the Assembly. There is a constitutional bar to giving a practical shape to this resolution. The Constitution of India definitely declares the Scheduled Castes as backward and none else. So objection can be raised that this resolution goes counter to the provisions of the Indian Constitution and that no other class or section of people can be treated as backward and given a preferential treatment by reservation of posts and appointments in the services. I may point out in passing that this matter came under serious consideration of a Committee also which was constituted to tender advice to Government in respect of general administration. But I think it is no use discussing the matter as to who are the backward classes, so far as the Constitution of India is concerned. However, what I feel is that in the matter of services, our Government should see that any section of the population which on territorial basis or otherwise has not been adequately represented in the services, should be given its due share without adoption of unfair means by the Government. This is extremely necessary as otherwise, I am sure, resentment and discontentment in that section of the public is bound to prevail. I admit that under the Constitution, no distinction can be made among the citizens of the State in the matter of appointments to the services. This should be so particularly when our own Government is in power. During the British regime, this was a general complaint that since the rulers belonged to a different race, they did not realise the difficulties and requirements of the ruled, and, therefore, they could not be sympathetic towards the latter. Now we have various classes in our country. That time is yet very far off when we will have a classless society in India. Even in Russia this stage has not yet arrived. There, too, some distinction is being maintained among the citizens of the State. This element of class distinction exists in our own society which is more or less modelled on capitalistic lines. We cannot shut our eyes to the stern realities in this connection. I, therefore, think that this resolution is quite in keeping with the requirements of the times and that every section of the population in the State must be fully reflected in the services. It is obvious that rural people, who have in the true sense of the word a rural outlook and a natural interest in rural way of life, possess very little share in the services. In this sense, the people of the *ilaga* whom I represent are really backward and unless special effort is made by the Government they will remain backward. The district of Kangra, too, can be included in the category of the backward districts. The people of these districts have been backward in the matter of getting due share in the services from the very beginning. During the Unionist regime there was some move to give them some representation in the services. Although I did not see eye to eye with the ways of the Unionist Government, yet this much I liked that the people of these districts had begun to receive some share in the services. But now that enthusiasm is subsiding. *Chaudhri Sahib Ram* (Almost damped). Yes, if not altogether damped, it is going on that way. So keeping this fact in view that every citizen of the State should have equal opportunities to improve his lot, I would like to submit that no Government can run its administration successfully if

any of the sections of the population goes unreflected in the services. I fully support the spirit of the resolution but it would have been much better if the resolution had sought that every section of the population of the State should find adequate representation in the services so that their interests may not suffer. For instance, people constituting 70 or 80 percent of the population should not have only 15 percent share in the services. Justice demands that they should be properly reflected in the services.

As a matter of fact, there can be some justification in giving 40 or 50% posts to the citizens residing in the rural areas who constitute 70% of the total population of our State with a view to safeguarding their rights and interests. But the question arises that whether we belong to rural areas or towns, we are all citizens of the Indian Union. It is therefore, but natural that no discrimination whatsoever should have been made in the matter of reservation of appointments. But what we find these days is quite contrary to this basic fact. So far as the matters relating to recruitment to services are concerned, I can say to the best of my knowledge and also on the basis of my little experience that generally those high officials who are vested with the powers of making appointments in subordinate services pay no heed to the considerations of merit and other necessary requirements but resort to favouritism. In fact, people have been complaining against such malpractices resorted to by these officials. I cannot do without saying that most of these posts are essentially meant for those persons who happen to have either some relationship with the high officials or manage to influence them or succeed in bringing pressure upon them through their friends. It has been experienced that these high officials generally belong to one and the same class or in other words almost all of them happen to be non-agriculturists and they naturally prefer urbanites to ruralites. Since these officials who belong to urban areas do not know anything about how land is cultivated and how labourers work in the fields they naturally do not take any interest in helping the people residing in the rural areas. As a matter of fact, it can be said that the people residing in the rural areas after studying law and medicine live in towns with a view to, carrying on their practice. But they cannot be said to have cut off their connection with the rural areas where they continue to have their economic interests in some way or the other. Recruitment to high posts is said to be made on the basis of free competition. It is, no doubt quite a sound principle. There is one class of our society, namely, the people residing in the towns which has since the arrival of the British on the Indian shores, been taking to service. These people belonging to the urban areas started taking to Government service at a time when the East India Company established its footing in our country. On the one hand, we find these very people monopolizing the services in the State while on the other, the people belonging to the other class, namely, the agriculturists and other citizens residing in the rural areas are required to sit in the competitions and secure the required marks in the tests along with those who are educationally much advanced. It goes without saying that such conditions are very hard to fulfil. Here I am reminded of a Persian verse which runs as under:—

ਦਰਮਿਆਨੇ ਕੈਅਰੇ ਦਰਿਆ ਤਖ਼ਤਾ ਬੰਦਮ ਕਰਦਾ ਈ,
ਬਾਜ਼ਮੀਂ ਗੋਈ ਕਿ ਦਾਮਨ ਤਰ ਮਕੁਨ ਹੁਸ਼ਿਆਰ ਬਾਜ਼ ।

दरमियाने कैरे दरिया तख़ता बन्दम करदाई ।

बाज़ मी गोई कि दामन तर मकुन हुशयार बाज़ ॥

[Shri Ram Sharma]

In case they happen to put in their demand and ask for justice in the matter of recruitment to services they are told that they should not put any demand for appointments as they would be provided education and other facilities. I would like to point out that in addition to these facilities they are within their rights to claim their share in the services also.

There is a reference in the resolution itself to the existence of a backward class in towns too; they also should be given adequate share in services. As a matter of fact, Government should devise a scheme so that there may not be any dissimilarity in the matter of appointments. If this is not done, I am afraid, our State is not going to make any headway in the right direction.

Sir, I do not want to take much of your time. I support the Resolution with all the emphasis at my command and I would request my hon. Friends not to oppose it. But at the same time I must say that without going into the technical details of the matter Government should devise some sort of scheme by which those classes which are not duly represented in the services under the State are given their proper share. I hardly need stress the point that none of us present here in this House should have any objection to the spirit of the resolution now before the House.

Chaudhri Sundar Singh (Ex-Member, West Punjab Assembly representing Amritsar and Sialkot, General, Rural, (Reserved Seat) (*Hindustani*): Sir, I rise to support the spirit of the resolution as has already been referred to by the hon. Member who just preceded me. So far as the question of backward class of citizens is concerned, I wish to submit that in spite of the reservation of seats in the legislature and 15% reservation of appointments in services under the Constitution for Harijans of our country in general and of our State in particular, some of my hon. Friends make bold to claim that they also happen to be backward class of citizens. It goes without saying that they are adequately represented both in the Legislature and the Local Bodies. As a matter of fact they are more adequately represented in the services under the State than us. I make bold to submit that I grudge their claims as they intentionally avoid voicing the grievances of 20 1/2 lac Harijans with whom injustice is being done by the Government. It is really a matter of regret that in spite of reservation of appointments in favour of Harijans up to the limit of 15% only, 2% posts have so far been given to them. Those who claim to be in majority so far as backward class of citizens of our State is concerned, are sadly mistaken in making such unfounded and baseless statements. I do not find any reason why we should have any truck with them when they have not cared to move even their little finger for demanding the redress of our grievances. (*Interruptions*) My hon. Friends who also claim to represent backward class of citizens should bear this fact in mind that they have been instrumental in doing grave injustice to them not only in the matter of services but also in matters relating to the grant of loans, *taccavies* and other facilities in the rural areas. Under the circumstances, I am really surprised as to how my hon. Friends expect us to side with them, so far as the resolution, now before the House, is concerned. It will not be out of place to mention here that we have suffered a lot at the hands of the ruralites who were at the helm of affairs so far as the matters regarding rehabilitation of refugees are concerned.

Mr. Speaker : The hon. Member is not relevant.

Chaudhri Sundar Singh : Sir, what I wish to submit is this that special posts should be reserved for backward class of citizens in rural areas whether they be Harijans or persons belonging to any other class.

Sir, we have seen how much lack of co-operation and accommodating spirit people residing in rural areas have shown in the matter of allotment of houses to Harijans in villages. It can, therefore, be easily presumed that they would never accord better treatment to them in securing for them fixed percentage of services reserved for them in the Government administration. In the matter of allotment of houses, preference has been given to landlords and the houses that were not acceptable to anybody have come to the share of Harijans. When those Harijans who owned houses in Pakis'an have not been able to get houses for themselves in the villages, how can they expect to win their support in the implementation of the reservation of posts for them under the Constitution? If the rural class of people accepts our right of reservation of appointments and posts in the services under the State, then we are prepared to cooperate with them. So far as the question of allotment of houses to Harijans in villages is concerned, I would tell them that—

Mr. Speaker : Please leave the question of allotment of houses.

Chaudhri Sundar Singh : Very well, Sir. I leave aside that question and now advert to services. I admit that majority of the population in villages is steeped in ignorance and the Government must take steps to provide educational facilities in villages. A Punjabi poet has remarked:—

ਸ਼ਹਿਰੀਂ ਵਸਨ ਦੇਵਤੇ, ਨਗਰੀਂ ਵਸਨ ਮਲੂਕ ।

ਪਿੰਡੀਂ ਵਸਨ ਭੂਤਨੇ, ਪੁਟ ਪੁਟ ਸੁਟਦੇ ਰੁਖ ॥

शहरीं वसन देवते नगरीं वसन मलूक ।

पिंडीं वसन भूतने पुट २ पुटदे रुख ॥

It means that in villages people are in the grip of ignorance and they are not as civilised as the people living in the cities. But I would say that Harijans are more backward than the people residing in rural areas and nobody in the rural areas has helped to uplift them. If there had not been urban class of people or the Congressmen..... (Interruptions.)

Mr. Speaker : I would ask the hon. Members not to interrupt.

Chaudhri Sundar Singh : Sir, I would submit that urban class of people and Congressmen have helped us a lot but rural population has been quite indifferent to our welfare. They have not rendered any help to rehabilitate us. We are not prepared to join with them unless they sincerely help us in securing 15% of posts in the services of the State that have been reserved for us. People residing in the rural areas do not fully co-operate with us and accord that treatment which is offered to us by the urbanites. It is why Harijans have been put to great discomfort in the villages. The Government should, therefore, uplift the Harijans who are more backward than the people residing in the rural areas. When we have seen that rural class of

[Chaudhri Sundar Singh]

people have shown scant regard for the Harijans, how can they expect that we will support their demand for making a provision for the reservation of appointments or posts in favour of the agriculturists and other citizens residing in the rural areas? We have been shown injustice from every quarter. Even the hon. Speaker has not allotted us any time to speak since the commencement of the session.

Mr. Speaker : The hon. Member should address the Chair.

Chaudhri Sundar Singh : Sir, we fully understand the spirit of the resolution which is under discussion before the House. We should make reservation only if they are really backward class of citizens. But they are in fact big landlords. Their financial position is very sound as they have made huge profits on account of the rise in prices of all agricultural produce. They enjoy all comforts and luxuries of life. You would have noticed, Sir, that boys coming from the rural areas generally stand first in the University examinations. Under these circumstances, it would be a misnomer to call them a backward class. In the end, I would make it clear again to my hon. Friends belonging to rural areas that they should first show full measure of sympathy towards the Harijans, then we will whole-heartedly support their demand.

Chaudhri Lahri Singh (Rohtak North, General, Rural) (Hindustani) : Sir, this resolution is a very important one. The people who are residing in the cities may perhaps think that by passing such a resolution the Government is following the policy of the Unionist Government which was once in power in the United Punjab. But this is not so. Sir, the inhabitants of the cities cannot correctly form an impression of the difficulties which the rural people have to face to get education in villages. Towns afford in a large measure, facilities for education. In a town there are numerous schools and colleges; there are big libraries where anyone can go and read the current topics of the world. In the towns any person who has a real craving for knowledge and wishes to perfect himself in any branch of study will find some educational institution with its doors wide open to him. But the villages present a different picture. In big villages with a population of ten thousand, there are no schools, no libraries and no reading rooms. It is very difficult for the people to get any education which may broaden their outlook. After the attainment of independence, the Government should have devoted its attention for the uplift of people in the rural areas and should have made some provision for the reservation of appointments or posts in favour of these people. But the pity is that there is a general tendency on the part of hon. Members sitting on the Treasury Benches that if I ever raise a voice for the uplift of rural class of people, I am dubbed as a Communist or a Socialist. They even go to the length of saying that I am not a firm believer in secularism nor a Congress man but a Unionist following a technique of reviving the programme of the erstwhile Unionist Party. To say the least, I must say that I deplore such attitude of the Government. With all the disadvantages that villagers have to mutually suffer, they cannot develop themselves to an equal stature to that of the progressive people of the cities. It is often observed that a graduate in the rural area is often not so well-informed or smart as a matriculate in the city is found to be.

Then, Sir, rural people form a very large majority of the population of this country. They contribute most to the Government exchequer whether in the form of land revenue, abiana, court-fee or income from excise.

Shri Virendra: Are the ruralities responsible for income from Excise also?

Chaudhri Lahri Singh: Who else consumes most of the liquor? Surely not the 'Lalas' of towns who live on pulses. (*Laughter*).

Then, Sir, they say that a zamindara movement is again being started, that we want to follow the footprints of the Unionists, that we are being spoilt. What I ask is, is it not fair that the population which contributes most to the Government coffers should receive benefits in equal proportion? We have no quarrel with our Harijan brethren. We are pleading the cause of rural people, among whom there are Harijans also. As for those Jats or Zamindars who are living in Urban areas, we have no concern with them. My Friend Chaudhri Sundar Singh should not be under the false impression that we want to compete with Harijans or that we want to encroach upon their rights.

A certain percentage of seats in the legislature and posts in services has already been reserved for them. They need not worry. These advantages are to be shared alike by Harijans living in towns and villages but the latter deserve some more concession because as compared with the former, they are handicapped in a number of ways and have to spend more on the education of their children.

Then, Sir, just compare the respective strengths of the urbanites and ruralities in the defence forces and the police services which constitute the mainstay of our independence. Who is to-day defending the integrity of the country in the hills of Kashmir? Is it not a fact that it is the youngmen recruited from the rural areas who are staking their lives for the defence of the country? It will be said that youngmen from towns also come forward to join the forces but, Sir, my submission is that they do not accept anything less than a commission. Who forms the backbone of the rank and file of the forces? Surely not the townsmen, who prefer to be hawkers, selling edible odds and ends and comfortably earning rupees 60 to 70 p.m. instead of facing the hazards of military life. When it is a question of staking lives on the defence of the country, every body right up from the Prime Minister of India would be all praise for the valour and bravery of soldiers but when it is a question of giving a little concession in the matter of services to their children, everybody assumes a serious look as if it were too much to ask for. (*Laughter*). So is the case in the Police Department. While the ruralites constitute the bulk of the strength of the constables, the urbanites have monopolized the posts of officers, whether of Sub-Inspectors or Inspectors. Whenever it is a question of appointment of police officers, the urban people will somehow or the other manage to get in and deprive the rural people of their due share.

Again, Sir, if the Government builds any roads, it is for the benefit of the urban people; if it supplies electricity, it is to the urban areas; if it opens hospitals, it is in the towns. If vocational training centres are started, it is again in the towns. Are not lakhs of refugees rotting in rural areas? What has been done to put them on their feet? Can they eke out a living from ten odd acres of land? Don't they need to be imparted industrial training? If factories are set up, it is in Panipat, Sonapat or Hoshiarpur.

[Chaudhri Lahri Singh]

In short, Sir, every thing here is being done for the benefit of the urban population which forms a fraction of the total population.

Here is a very modest and ordinary demand, that a few posts should be reserved for rural people who labour and toil so much for the good of the country and it appears to me as though there is a feeling in certain quarters that this is too much to ask for. And, then, Sir, attempts are being made to instigate Harijains against us, to mislead them and to set them at loggerheads with us. Then, a cry is raised that Sikhs and Jats are getting out of control, that Master Tara Singh is off his head, that Giani Kartar Singh is communal. Why? Just because they want reservation in services? Sir, what I ask is when it is the time of fighting for the country, does the bearded Sikh fight or the urban 'Lala'? When the Sikhs and Jats ask for their share in services, it is said that they are off their head. If by mistake, a few ruralities happen to get into services, pretexts are searched to turn them out. A Jat has become Registrar of Co-operative Societies! What will happen now! Ah! but he is not an I. C. S. Such like talk is on the lips of everybody. Sir, my submission is that if nobody likes us, why are not we sent into exile on charge of betrayal of the country? And what sacrifices have these urban people made? If they went to jails, they lived as better class prisoners in comfort and luxury with a number of ordinary prisoners to attend on them, as a friend was telling me only yesterday.

I say, Sir, that it is the Hindu owners of news papers, 'Partap Walas' and 'Milap Walas' who are responsible for the sufferings of the Harijains. They pose as their friends but in fact are their foes. They want to set them against the Jats who have in fact many things in common with them and who being manual workers are really their comrades and brethren. We had supported the demand of the Harijains for proprietorship of land on which they have built their houses and the demand was duly accepted by this House but what has come out of it? Even this ordinary right has not been allowed to them, so far.

I would appeal to the rural representatives not to harbour any fears that they will not be able to get Congress ticket in the next elections or that Dr. Gopi Chand will not take them in his Ministry. These are all petty considerations and transitory things, knowing no permanence and stability. Have the courage to fight for the interests of your constituents and everything will be all right.

I would now refer to the Agriculture Department. If recruitment to posts in this department is made by competition, will the Government be able to get the right type of men having practical experience of agriculture? What can those who live in urban areas or who are not zamindars, know of the work of agriculture? If you recruit staff for this department by competition, what will be the result? 'Lala Pakori Mal' 'Lala Tota Ram' and the like will get in—people who know nothing about the sowing of crops, use of seeds and so on (*Laughter*).

Sir, these non-agriculturist officers do not know anything about cultivation or the sowing or harvesting of crops. Once such an officer when asked as to how much mustard seed was required for a *Bigha* of land answered that nothing short of one seer was wanted. The poor chap did not know that so

far as mustard was concerned even a chhatak or two would do for a *Bigha*. And when he was asked as to how much wheat seed was required for a *Bigha* of land the reply was again one seer. Here again the poor fellow was exhibiting ignorance as four or five seers of wheat are required for a *Bigha*. So this clearly shows that these non-agriculturists cannot make good agricultural officers. They cannot stand the stench that comes out of the manure, nor are they in a position to give any useful advice in matters concerning the plough. These sons of the '*Lalas*' may be very clever and may be able to top the lists in competitions but can never render that quantity and quality of service which can be expected from the sons of the farmers.

The next department for which I think the urbanites are almost totally unfit is that of Police. Suppose an urbanite is successful in a competition and as a result thereof is appointed a Police Sub-Inspector. I am sure, he is not a fit person for dealing with criminals and the offenders. If he is asked to deal with dacoits who may be hiding in some rural area, it will make him tremble in his shoes. He would certainly avoid risking his life by grappling with the dacoits and will have recourse to submitting false reports and instituting false cases. In these circumstances, I suggest that when recruitment is to be made to important police posts, for example, Superintendent of Police, D.S.P. or Sub-Inspector, etc., preference should be given to the sons of farmers and the Harijans as they are never afraid of danger. They are at times called upon to work in the jungles and forests during mid-night and where they have to give battles to wolves and tigers. They are brave men and deserve these posts. As for my urbanite friends, I have no doubt that even the picture of a deadly animal like a tiger would make them tremble.

The third department for which the ruralites are eminently fitted is that of Excise. Competitioners usually cannot render useful service in this department. They might be useful if stills were to be set up but not if they are to be raided and captured. The urbanite officers who are frightened with the howl of jackals after all cannot be expected to be raiding stills and fighting criminals at mid-night. I see that my hon. Friend Shri Dev Raj Sethi is frowning at me but I may tell him that if he considers this resolution dispassionately he will agree with me that in some departments the ruralites can be much more useful than the urbanites. So far as departments like the Police, Co-operative, or Irrigation, etc., are concerned, I suggest that the heads of these departments should invariably be ruralites. As for the establishments of these offices, there would be no harm if urbanites are employed. In the case of Secretariat etc., we shall have no objection even if the officers are also urbanites.

Sir, I honestly feel that if opportunities are given to the ruralites in the matter of services, we will be raising the standard of living of our people and adding to the intelligence of our country. When it is so, there appears to be no reason why any patriotic Indian should oppose any suggestion which is calculated to help them. With these words I take my seat.

Shri Virendra : How much time will be allowed for this resolution ?

Mr. Speaker : As long as the House wants to discuss it, provided that the closure is not moved earlier.

Chaudhri Krishna Gopal Dutt : Sir, yesterday I gave notice of an amendment to this resolution. I would request that I may be allowed to move that amendment so that the House may be able to discuss that too and any speeches made, may cover my amendment too. It is possible that my amendment may be universally acceptable to the House.

Mr. Speaker : Let the hon. Member, whom I have called upon now, have his say and after that I shall see.

Shri Dev Raj Sethi : (Ex-Member, West Punjab Assembly representing Lyallpur and Jhang, General, Rural) (*Hindustani*) : Sir, I wish to place before the House the practical and the constitutional aspect of the resolution which is under discussion. I would request my hon. Friends to give me a patient hearing for a few minutes and not to be led away by mere sentiment. I must, in the very beginning, point out that I am a ruralite myself and am second to none in wishing the ruralites well. What I wish to say is only this that there would be a constitutional obstacle if we desire to help them by passing this resolution. To my mind this resolution is *ultra-vires* of the Constitution. The resolution runs as follows :—

This Assembly recommends to the Government to make provision under Article 16(4) of the Constitution of India for the reservation of appointments or posts in favour of the Agriculturists and other citizens residing in the rural areas of the State as in the opinion of this House it is a backward class of citizens and is not adequately represented in the services under the State.

As this resolution aims at giving a special treatment to citizens residing in rural areas which means that preferential treatment is to be given for reasons of residence, it is *ultra-vires* of the Constitution. The Constitution lays down :—

16(2) No citizen shall, on grounds only of religion, caste, sex, descent, place of birth, residence or any of these be ineligible for, or discriminated against in respect of, any employment or office under the State.

(*Voices :* But there is an enabling provision as well). My hon. Friends are perhaps referring to Sub-Article (4). It runs as follows :—

16(4) Nothing in this Article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which in the opinion of the State is not adequately represented in the services under the State.

It is probably intended to have recourse to Sub-Clause (4) of Article 16 of the Constitution. If the amendments of which my hon. Friend Chaudhri Sher Singh has given notice are incorporated in the resolution, it will read thus :—

This Assembly recommends to the Government to make provision under Article 16(4) of the Constitution of India for the reservation of appointments or posts in favour of statutory agriculturists and other backward classes of the State which in the opinion of this House are not adequately represented in the services under the State.

I beg to submit, Sir, that 'statutory agriculturists' and 'backward classes' are not synonymous terms. My hon. Friend Chaudhri Lahri Singh may

be a statutory agriculturist, but he cannot be said to be backward. He earns a great deal by practising law and is more advanced than many other people in several respects.

Sardar Bachan Singh: He is a representative of the backward people.

Shri Dev Raj Sethi: I was submitting, Sir, that even if the amendments are incorporated in the resolution, it would still be *ultra-vires* of the Constitution of India. The words used in Article 16(4) are 'backward class' and not classes. There is a lot of difference between these two words. Scheduled castes and statutory agriculturists are so by birth. The son of a statutory agriculturist is also a statutory agriculturist.

Mehta Ranbir Singh: On a point of order, Sir. Is it open to an hon. Member to describe a resolution or an amendment as *ultra-vires*, after these have been admitted by you?

Mr. Speaker: These have not been carried so far.

Mehta Ranbir Singh: On a point of order, Sir. Was the amendment which is being referred to by the hon. Member admitted?

Mr. Speaker: I might inform the hon. Members that I carefully considered the matter before I admitted this resolution. I went through the proceedings of the Constituent Assembly when this particular Article was discussed to assure myself whether this particular resolution was *ultra-vires* of the Constitution. Both the resolution and the amendment have been admitted. Now if the hon. Member wants to throw light on the constitutional interpretation on the subject, he can do so.

Mehta Ranbir Singh: Since the hon. Member who is in possession of the House is questioning the admissibility of the resolution I wanted to bring this to your notice.

Mr. Speaker: He is not questioning the admissibility of the resolution. He is putting his own interpretation on the legal aspect of the question. After the resolution has been passed and the Government takes any action on it, it will be open to any person to put a petition before the High Court or the Supreme Court whether an order made or any action taken on this resolution is *ultra-vires* of the Constitution or not. Anyhow if the hon. Member can enlighten us on this aspect of the matter, there is no harm.

Shri Dev Raj Sethi: The words used in the proposed amendment are 'backward class'. In this connection, I wish to point out that a person is a statutory agriculturist, irrespective of the fact whether he lives in a city or in a village and whether he is educated or illiterate. In the same way, I feel that an attempt is being made to benefit certain people through the back-door by using the word 'backward'. This is opposed to the letter and spirit of the Constitution. The word 'backward' can denote three types of person. Firstly, it may mean illiterate persons. If it is used in that sense of the term, then the motion seeks reservation in services for eighty or eighty-five per cent people of the State. If the word 'backward' is intended to mean the poor persons who do not possess the ordinary amenities of life and whom the newspapers etc.,

[Shri Dev Raj Sethi]

can not reach, it should have been made clear in the resolution. I have not been able to understand the object of using the words 'statutory agriculturist' and 'backward' side by side and I shall request the movers of the resolution and the amendments to clarify this point.

Let us now examine the historical aspect of this problem. Nearly eighty percent. posts have been reserved for the statutory agriculturists since 1936, when new reforms were introduced. If persons of this class could not secure adequate representation in the services in the course of last ten or twelve years, for how long are we going to continue this system? We should examine the vertical as well as horizontal aspect of this question. If statutory agriculturists are under-represented in one department they are over represented in another. In principle, too, it is not proper to follow this system. We are governed by the new Constitution and India has become a Republic. Whatever defects are there in the State services, these are due to recruitment being made on wrong considerations.

Due to all these factors, there set in laxity, supersessions and inefficiency in the services of the State and consequently they could not serve the people in the real sense of the word. I, therefore, request the hon. Members not to revive the conditions obtaining here a hundred years back but to follow the high principles embodied in our Constitution and the examples set by other states and countries. They should be led by the fundamental principles embodied in our Constitution and not by any extraneous considerations. I would like to submit that it was the services who were mainly responsible for the creation of Pakistan. And now again if services are affected by any extraneous considerations, the consequences will be disastrous. This is a very important resolution and I request the hon. Members to reject it.

Chaudhri Krishna Gopal Dutt : (Ex-Member West Punjab Assembly representing North-eastern Towns, General, Urban) : Sir, I beg to move :—

That for the words "Agriculturists and others" occurring in line 4 the word "backward" be substituted.

Sir, the resolution before the House is of vital importance to the State and I regret the indecent haste and hurry with which the resolution is sought to be rushed through this august Assembly. I whole-heartedly associate myself with the spirit of the resolution but my apprehension is that the words in which the resolution is dressed will not make it acceptable to the constitutional authorities that be. My apprehension is augmented by the unfortunate speech which has been delivered by my honourable Friend on my right, Chaudhri Lahri Singh. The House knows Sir, that when this resolution goes to the Governor and eventually to the President of the Indian Republic, the discussion on the resolution will certainly be forwarded to the authorities along with the poisonous speech of Chaudhri Lahri Singh.

Chaudhri Lahri Singh : Sir, why does he use the word 'poisonous'?

Chaudhri Krishna Gopal Dutt : Sir, I call it poisonous because it creates hatred between two sections of the people living in the State. He has been addressing the non-agriculturists as *lalas* and *banias* with utter contempt and that is why I call his speech poisonous.

Chaudhri Lahri Singh : Sir, he is a Chaudhri why should he mind?

Chaudhri Krishna Gopal Dutt : Because I believe in a socialistic State and he does not. Sir, if we are anxious to see this resolution through, then let us be clear about it because ultimately and eventually it has to go to the highest authority in the country.

Voices : Some time limit should be fixed, Sir.

Mr. Speaker : Time limit has already been fixed. Please let him proceed.

Chaudhri Krishna Gopal Dutt : Sir, I am not going to speak if interruptions continue like this. After all this is the legislature of a State and not a fish market. Members of the House should have some regard for parliamentary decorum.

Mr. Speaker : I would ask the hon. Members not to interrupt.

Chaudhri Lahri Singh : Sir, ask him not to play upon words but proceed with his arguments.

Mr. Speaker : Order, please. It is for me to decide ; please resume your seat and don't try to assume my role.

Chaudhri Krishna Gopal Dutt : Sir, I am surprised at the mentality shown by my Friend on the right. I see a feeling in this House, in certain sections and certain biassed classes to rush through this resolution without giving due and proper consideration to it. Sir, at the very outset I want to make it absolutely clear that I want this kind of resolution to be passed by this House. The hon. Members here should trust my independence of judgment and allow me some time to develop my point which will, I honestly believe, be in the interest of the mover and the other sponsors of this resolution. This resolution is invoked under Article 16 (4) of the Constitution. It reads :—

Nothing in this Article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.

The real question before the House is as to what is the condition obtaining in the State with regard to the representation of various interests and classes and communities on the services panel of the Punjab Government? Which are the classes of people who are adversely affected by the present policy of the Government in regard to appointments to services? In fact the question before the House is; which are the classes which can be called backward classes? The House has to decide as to which are the classes in the State which are at a dis-advantage so far as the appointments in the Government services are concerned. The resolution states that the agriculturists and other citizens in the rural areas are the backward classes. Chaudhri Sher Singh has given notice of an amendment by which he wants to substitute the word statutory agriculturists, thereby restricting the definition of a wider word.

Sir, my contention is that all agriculturists cannot be called backward In every section of the society there are people who can be called backward

[Chaudhri Krishna Gopal Dutt]

and at the same time there are people who are as advanced as any one else. Similarly among the agriculturists all are not backward people. If the resolution were to clearly state that all backward people in the State are to be given representation then I would be completely with the mover and vote for the resolution but this resolution makes a distinction. When this resolution goes before the President of India, he might then take the view that this resolution is an indirect attempt to help the landlords and absentee landlords in the State (*Voices: No, no*) there is no sense in saying no, because my belief is, as I said before, that there are rich agriculturists also as there are backward classes among the urban people. We cannot say that all agriculturists are backward and all urban people are advanced. This resolution is intended to give representation to those people only who are agriculturists and live in rural areas only. It would be very wrong to say that backward classes exist in rural areas only and that too amongst the agriculturists. I will presently put certain facts before the House. I do not want to consider this question from a narrow communal point of view nor from a sectional point of view.

The report of the Fiscal Commission is now before the country. The Commission has taken note of the fact that much water has flown under the bridges since the time when a similar resolution was brought up by the Unionist Government. Belief at that time was that the agriculturists were a backward class. Now the Fiscal Commission has taken note of the fact that there has been a shifting in the national income of the country. That money has transferred its love and affection from the urban to the agriculturist classes.

Minister for Revenue : Who made this report?

Chaudhri Krishna Gopal Dutt : I am not prepared to hear such remarks. It is all the more regrettable that they should come from a Minister under the Congress Government.

Mr. Speaker : Two minutes more.

Chaudhri Krishna Gopal Dutt : Sir, I will not be able to finish my speech in two minutes. I am discussing a very important subject.

Mr. Speaker : Every subject is important from the point of view of the hon. Member,

Chaudhri Krishna Gopal Dutt : Unfortunately there have been too many interruptions in my speech.

Mr. Speaker : That is why I am giving you more time.

Chaudhri Krishna Gopal Dutt : Now, Sir, my point is that there has been a change in the financial condition of the urban and rural people. Money has transferred its love and affection from the urban to the rural classes and that is why the Government of India has decided that the savings scheme should be strengthened in the rural areas so that capital may be mobilised from this section. I quote another report of the Government of India. The Ministry of Commerce has issued a report on the national income in 1945-46 and 1946-47. From these two reports it is quite clear that money is now more in the hands of the agriculturists than in the hands of those who dwell in cities.

Chaudhri Suraj Mal : This is wrong.

Chaudhri Krishna Gopal Dutt : Sir, it is a pity that people who are un-informed and do not know the A. B. C. of finance and who do not care to study these reports should stand up and say that it is wrong.

I would request the hon. Members to study these reports and consider the question from a financial and statistical point of view. Further Sir, the hon. Minister for Finance of the Government of India has made suggestions and instructed the State Governments to mobilise and mop up the capital from the rural areas because capital has gone into the hands of the agriculturists.

Mr. Speaker : I cannot give the hon. Member more than two minutes from now. He should wind up.

Chaudhri Krishna Gopal Dutt : Sir, you are welcome to be as strict as possible. I will try to be brief.

A similar view was expressed by the hon. Shri Rajagopalachari than whom there can be no greater friend of the rural people. From all these you will find, Sir, that the money is now in the hands of the agriculturists. I do not know what is the pattern of distribution within the agriculturist classes themselves, but there is no denying the fact that the landlords have got money. To say that landlords and absentee landlords who are not backward in any sense of the term should also be given facilities as stipulated under this resolution, is most unjust. This cannot be justified under congress-socialism or communism or under any progressive opinion whatsoever. I believe that those people who live in rural areas and are really backward should be given facilities under this resolution. But those people who earn thousands and remain away from the lands and still seek protection under this resolution should not be given any facility. It would be against the very spirit of the Article of the Constitution under which this resolution is sought to be moved. I, therefore, commend my amendment to the House.

Mr. Speaker : Resolution under consideration, amendment moved :—

That for the words "Agriculturists and others" occurring in line 4, the word "backward" be substituted.

Minister for Revenue (The hon. Sardar Kartar Singh) (Punjabi) : Sir, the resolution now before the House is the best of all the resolutions which from time to time have come up for consideration before the hon. Members. I admit that so far there has been slackness on the part of our Government in taking practical steps for ameliorating the conditions of the peasantry. This slackness should go. (*Interruption*). Chaudhri Sahib Ram has given expression to his misgivings that even after this resolution is passed, no practical steps will be taken by the Government to implement it. I wish to assure the hon. Members that if this resolution is adopted by the House, early steps will be taken by the Government to put it into practice.

Chaudhri Lahri Singh : He has announced this decision without consulting the Chief Minister. I hope he will stick to it.

Minister for Revenue : My hon. Friend Chaudhri Lahri Singh has remarked that I am making these observations without consulting the hon. Chief Minister and my colleagues in the matter. I wish to assure the House, Sir, that it may have been the habit of my hon. Friend when he himself was a Minister but so far as I am concerned I have consulted the Chief Minister in this matter and I am saying these words with his consent.

Then, Sir, my hon. Friends, while discussing this resolution, talked of many things like the standard of ability, democracy, etc. They said that this was the age of democracy and that merit was the only test for appointments to the services. In this connection I would like to draw the attention of the hon. Members to a sentence from the report of the University Commission which consisted of most eminent and capable educationists, which has a bearing on the subject. It is laid down in that report as follows:—

We cannot banish social situations by democratic phrases. In the present conditions of our society the ends of justice to the members of the Scheduled Castes and the communities declared to be backward by the Governments of the Provinces or States, could be met by reserving a certain proportion of seats.

This extract, as the hon. Members will see, speaks volumes. Under the present circumstances, even-handed justice cannot be administered to all sections of the population by making competition the only criterion for appointment to services. I may point out that bookish knowledge is not the only standard for judging one's ability. (*An Hon. Member: Is there any other method of judging the ability?*) Why not? I think mere securing of high marks in a University examination does not make a person really able. I feel that a Government servant physically well-built, and five feet seven inches in height, will be able to serve the Government much better than a thin, lean and a sickly fellow who secured higher marks in a University examination than the former.

Sardar Bachan Singh: What will he think of a Minister, if he is not 5'-7" in stature? (*Laughter*).

Minister for Revenue: Ministers and statesmen are an exception. Short stature suits them best. (*Renewed laughter*). The hon. Member should know that Maharaja Ranjit Singh, Sivaji Marhatta and Napoleon Bonaparte were short statured personalities. Well, Sir, in this connection I would like to make a mention of the Diwakar Committee which was entrusted with the task of making suggestions for doing away with distinctions based on castes or religions, which had crept in the administration of the Government. I would just refer to a few of the recommendations made by this Committee for the information of the hon. Members. It has recommended that the column indicating castes should be eliminated from the Government papers; that elections to the District Boards or Legislatures should not be held on the basis of separate electorates; that on reservations be made in the services on the basis of religion etc., and last but not least it recommended that backward classes must be given their due share in the services by making reservation of posts and appointments. (*Hear, hear*). Now the question arises as to who should be declared as a backward class. In this connection my hon. Friends like Chaudhri Suraj Mal and Chaudhri Lahri Singh have claimed to be the representatives of backward people, while others have opposed their contention. I may point out that just as we cannot dub

the whole trading community as black-marketers on account of the presence of four or five black-marketers, similarly we cannot say that all the people whom Chaudhri Suraj Mal or Chaudhri Lahri Singh represent, are highly educated and advanced people and that they are, therefore, not backward. (*Hear, hear*). (*Sardar Shiv Saran Singh*: What about the Harijans?) Government has already made a reservation in services for them. Well, Sir, I was going to point out that this resolution should be passed by the House. The sympathy of the Government is manifest from the fact that it has allowed discussion of this resolution at a time which was meant for Government business. I am of the opinion that when this resolution is passed by the House and translated into action by the Government, it will bring peace and progress in the State. (*Hear, hear*). Then, Sir, my hon. Friend Shri Dev Raj Sethi remarked that 80 per cent. of the posts had been reserved for the zamindars during the previous regime. I think he is not well informed. So far as my knowledge goes, 60 per cent. posts were reserved for them in the services. But the pity of it is that despite these reservations they could not get their full share. So my contention is that if in spite of this express provision the share of these backward people in the services has been very small, what will happen if this provision is deleted? I think they can never get adequate representation in the services, unless some provision is made for reservation of posts in their favour.

Shri Bhim Sen Sachar: Sir, with your permission I would like to make just one suggestion for the consideration of the hon. Minister. There can be no two opinions about the fact that the State Government is empowered under the Constitution to help the backward people by making a provision to reserve posts in the services. But the question is, how to determine backward classes? In this connection I suggest that Government should set up a machinery which should determine as to who are to be declared as backward people, so that it may be able to take action as laid down in the Constitution.

Minister for Revenue: Sir, my hon. Friend has made a suggestion for the setting up of a machinery for determining which people should be declared as backward classes. I may point out that under the Constitution of India, this function has been entrusted to the State Government. I, however, assure the House that after the passage of this resolution, when Government will be giving effect to it, it will certainly bear this suggestion in mind. During the discussion of this resolution suggestions were made as to which class should be considered as backward. Government will also consider them at the proper time. Anyhow the final decision rests with this Government for determining the backward classes. At this stage Government cannot go beyond this assurance.

Well, Sir, I have already stated that 60 per cent. of the posts in services were reserved for the zamindars. This reservation was brought about in 1918 even before the Unionist Government came into power. The British Government had perpetrated many wrongs on this country, but one good it did to the zamindars was the fixation of percentage of posts in the services. The Unionist Ministry also continued to act upon this provision. But after the passage of the Constitution of India, doubts arose as to whether

[Minister for Revenue]

continuation of this provision was possible under it. It has been pointed out that this resolution becomes *ultra-vires* of the Constitution if the words 'rural areas' remain in it. I hope the mover of the resolution will accept the amendment which seeks to delete these words; then the resolution will no longer contravene the spirit of the Indian Constitution. When the resolution is accepted by the House in its amended form, then it becomes the imperative duty of the Government to give effect to it. (*Hear, hear*). Well, Sir, I would like to say one thing more in connection with the determination of backward classes. If we find that a certain class of people are not duly represented in the services, is it not sufficient to show that they are necessarily backward as otherwise they would certainly have got their due share? I think this is a clear indication of their being backward. I am, therefore, of the opinion that the main criterion for a people being backward is that they are not adequately represented in the services. So it behoves the Government to arrange things in such a manner that the people who are under-represented in services, are enabled to get their due share in them. It will not be out of place to mention here that with equality of opportunity, equality of facility should also be provided to the backward classes. (*Hear, hear*).

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural) (*Hindustani*): Mr. Speaker, I rise to congratulate my hon. Friend Sardar Piara Singh on moving this resolution. By moving this resolution he has let the cat out of the bag. Since the formation of the present Government it has been openly and in unequivocal terms complained by the people from time to time that it indulges in favouritism, nepotism and such other mal-practices which usually bring disrepute to a good Government. The main object of my hon. Friend Sardar Piara Singh in moving this resolution is to put an end to the system of monopoly of appointments in services already followed by some interested persons connected with the Government. For instance, if we take the Engineering Department, we will find that the appointments in it are the sole monopoly of a few interested persons. This is how the administration is run at present in our State. Here I cannot do without saying that the Government in our State is Congress Government only in name, but the administration is actually in the hands of some high officials. The hon. Ministers sitting on the treasury benches are mere figure-heads and it is not they who are at the helm of affairs, but the Chief Secretary, the Home Secretary, Labour Secretary and some Directors of certain Departments who have their stronghold on the administration of our State. The instructions of the hon. Ministers are not carried out and the above-mentioned officers are out to do quite the contrary of what the Ministers ask them to do. I am really constrained to remark that the Government is resorting to favouritism and nepotism in the matter of recruitment to services. It will not be out of place to mention here that the hon. Members who are at present occupying the Ministerial Benches used to decry the Unionist Government on the Opposition Benches in the United Punjab for its having miserably failed to lay down some definite policy in the matter of recruitment to services. It is surprising to note that these very hon. Members who are at present running the Congress Government, have not dared to issue any notification with a view to doing any justice to those people to whom injustice had been done by the Unionist Government in the matter of recruitment to services. In spite of the decision of the Government to reserve 15% posts in services, the Harijan Members complain that steps have not been

taken by the Government to implement this decision. It is really strange that Government are not in the possession of any facts or figures to show the present percentage of Harijans in services. Keeping all these facts in view one is apt to arrive at this conclusion that the minority is out to exploit the majority. In other States also we find that exploitation of the majority by the minority is the order of the day. The late Chaudhri Sir Chhotu Ram used to say that some people laboured while others enjoyed the fruits of their labour. It is this class of exploiters who have monopolized the services of the State and have thus brought disrepute to the Government and lowered the prestige of the Punjab in the eyes of the people.

It is proposed in the resolution to make reservation of posts in services for the backward class of citizens but it is not clear as to which group of people will come in the category of the backward classes. So far as the reservation of posts for the backward class of citizens is concerned, I am of the opinion that it is a welcome move. As a matter of fact I crave to see the day when the poor people will hold the reins of the Government and when they would no longer be exploited.

Minister for Revenue : That will again mean democracy as we have to-day.

Sardar Bachan Singh : If my hon. Friend Sardar Kartar Singh and his colleagues have not the courage to include the wage-earners of towns in the backward class of citizens, how are they in a position to claim to have established the Government of the poor people ?

Chaudhri Suraj Mal : The hon. Member, Sardar Kartar Singh, is after all a poor man.

Sardar Bachan Singh : May I know if the hon. Minister is prepared to include the labourers of towns in the backward class of citizens ? If he holds out this assurance, then I shall take it that he has taken a right step in this direction. The hon. Minister has in the course of his speech laid much stress on the point that the interests of the backward class of citizens should be safeguarded. But what we see at present is that the exploitation of the poor is rampant in the State and that the masses are dissatisfied with the method of recruitment to services as a result of which the Government has earned a bad name. I may say that merit is not at all taken into consideration. I would be the first person to congratulate the Government if it assures the inclusion of labourers in the backward class of citizens. But I am fully aware of the pressure under which the present Government is working and how there exist contradictions within the Government on various vital issues. My hon. Friends should not lose sight of the fact that it is the moneyed class or in other words the traders and the businessmen who actually run the present Government and that they bring undue pressure on the poor people and thus exploit them to their entire satisfaction. Unfortunately inefficiency in the services is the order of day and this has brought about corruption and given enough chances to the people to feel dissatisfied with the Government. The people have even gone to the extent of defaming the Congress Government. The present Government has been beautifully defined in one sentence by some one. He says, "The present Government is the same as the British Government *minus* efficiency *plus* corruption." Under the circumstances, I am of the opinion that the passage

[Sardar Bachan Singh]

of the proposed resolution will surely bring more disrepute to the present Government. It goes without saying that efficiency has to be maintained in the services at all costs. It is efficiency and good intellect alone which go to make a country prosperous. It has been experienced that since the intellectuals in the services of our State belong to a certain class, they naturally resort to favouritism and nepotism. In this connection I am reminded of an instance of the Patiala Cabinet during the British regime when Sir Jogindar Singh and Zulfiqar Ali worked as Ministers. One of them had made it a point to recruit his favourites and relations and those of his colleague as well, while the other had taken upon himself the honourable task of propaganda work in support of the stability of that Cabinet. (*Laughter*).

Sir, there are often to be found two groups in the Government. One is always busy distributing favours among its kith and kin and the second is ever trying for the stability of the Government. Today we find that the agriculturists and the labour class are in the grip of poverty and are suffering for no fault of theirs. There is need for a bold policy so that backward classes in the rural areas may have equal opportunity to enter into Government services and thus be able to make headway in life. Their difficulties will be solved to a considerable extent if the Government makes a provision for the reservation of appointments or posts in favour of these people residing in the rural areas of the State. This will be a fundamental step towards the attainment of welfare of the backward class of people. At the same time it is equally necessary that the Government should make recruitment to services of such persons who are really intelligent and competent to hold posts under it. Now-a-days merit is not recognised and recommendation is regarded as a potent weapon for securing a job in the Government administration. Many D. O. letters from the hon. Ministers are often received when recruitment of even chaprasis has to be made in any office. The Government should, therefore, declare that whereas provision for making reservation of appointments or posts in favour of backward classes in rural areas is to be made, recruitment to Government services will be made by the Public Service Commission. This system will prove good enough to stop day to day interference by Ministers in the administration, thereby improving the tone and standard of administration. While making a provision for the reservation of posts for the backward classes in the rural areas, the Government should give an assurance that merit will be the chief criterion for recruitment to Government services and that no persons shall be allowed to enter into Government service through the back door of recommendation. It is desirable that the interests of backward classes must be safeguarded in the services and at the same time efforts should be made to import efficiency by eradicating nepotism and favouritism from the administration. When the Government entrusts the work of recruitment to Government services to the Public Service Commission, then I will give due credit to the Government and unhesitatingly congratulate it on taking such a step. The last three years, I think, have been practically wasted and the Government must profit by the past experience and purge the administration of all evils. It must as well discharge its responsibilities towards the backward class of people residing in the rural areas and by doing so it will earn a good name for having made remarkable achievement in the field of economic development of people in the State.

Shri Bhim Sen Sachar (Ex-member West Punjab Assembly representing Lahore City, General, Urban) (*Hindustani*): Sir, this is a very important resolution and I would like to say a few words in this connection as I think that my silence may be misconstrued. As a matter of fact I think that under Article 16(4) of the Constitution of India, nothing will prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens who, in the opinion of the State, are not adequately represented in the services under the State. Sometime back when I had the good fortune of serving the State as Premier, I had set up an Advisory Committee to help the Government in the general administration. I am not aware whether that Advisory Committee is still functioning or not or it has been substituted by another committee, but I must say that it helped me very much by its useful suggestions on different important matters. The Government must bear in mind that there should be harmonious development of all sections of the people in the State and that one class of people should not be allowed to make headway to the detriment of the other class of people. For example, when the question of representation in Government services is taken up for discussion, it only means that the Government has to make arrangements for the employment of the unemployed, or in other words, the problem of present-day unemployment has to be solved. Sometimes it is observed that there is a bias for one class of people against the other and such a bias may help some people and may also do harm to others. Such sectional bias, in fact, hampers the economic development of the State as a whole and cuts at the root of democracy. To remove such a bias would not require any sermon or speech but a desire from within. There should be such atmosphere in the State that every person should feel it incumbent upon himself to regard himself as a Punjabi and should make his greatest contribution to the progress and prosperity of the State. It is only then that we shall be able to play our rightful part in the affairs of the State. I would say to the mover of this resolution that I would not have any objection if provision is made for the reservation of appointments or posts for the backward class of people in the rural areas so that they may not remain backward. But I would say that there are people in the State some of whom are physically backward, some are socially backward while others are educationally backward. But unfortunately the resolution under discussion only seeks to protect "agriculturists and other citizens in the rural areas of the State as in the opinion of the House it is a backward class of citizens and is not adequately represented in the services under the State". I do not say that there are no backward classes in the rural areas but such backward classes are to be found in the whole of the State which are socially and educationally backward. In my opinion if the scope of the resolution is enlarged so as to include all backward classes in the State, then I think there would have been no objection to anybody. We have to uplift all the backward classes in the State. If our brethren in the rural areas are backward, we must uplift them. But this artificial distinction of "statutory agriculturists" and other "martial races" on the basis of religion or caste was only an ingenious move of the Britishers. It is no sound argument to say that martial class of people only reside in villages but there may be many persons in the cities who may show superb gallantry and offer themselves to face bullets on their chests if need be. Anyhow, I would not like to enter into this controversy.

[Shri Bhim Sen Sachar]

Sir, I want to tell my hon. Friend Giani Kartar Singh that any talk of or thought of 'rural *versus* urban' interests is quite irrelevant in the context of present-day conditions. We are not out on an electioneering campaign that we should raise vote-catching slogans. And now that the provision has been made for joint electorates and there are to be no separate electorates, the question of 'ruralites *versus* urbanites' sounds unreal. I would, therefore, request him to agree to the acceptance of such an amendment as may enable us to support the resolution whole-heartedly. I am making this appeal to him, because I know he is in fact the moving spirit behind such resolutions and proposals. His advice to the mover will certainly be accepted. (*Laughter*).

Hon. Members : The question be now put, Sir.

Mr. Speaker : Question is—

That the question be now put.

The motion was carried.

Mr. Speaker : Question is—

That for the words "Agriculturists and others" occurring in line 4, the word "backward" be substituted.

The motion was lost.

Mr. Speaker : Question is—

That in lines four and five, for the words "agriculturists and other citizens residing in the rural areas of the State," the words "statutory agriculturists and other backward classes of the State" be substituted.

That in lines five and six, for the words "as in the opinion of this House it is a backward class of citizens and is not adequately represented in the services under the State", the words "which in the opinion of this House are not adequately represented in the services under the State" be substituted.

The motion was carried.

Mr. Speaker : Question is—

This Assembly recommends to the Government to make provision under Article 16 (4) of the Constitution of India for the reservation of appointments or posts in favour of the statutory agriculturists and other backward classes of the State which in the opinion of this House are not adequately represented in the services under the State.

The motion was carried.

TENANTS (SECURITY OF TENURE) BILL.

Minister for Revenue (The hon. Sardar Kartar Singh) : Sir, I introduce the Punjab Tenants (Security of Tenure) Bill.

Minister for Revenue (Punjabi) : I beg to move—

- (a) That the Punjab Tenants (Security of Tenure) Bill be referred to a Select Committee consisting of :---

The hon. Dr. Gopi Chand Bhargava
 The hon. Captain Ranjit Singh
 Sardar Partap Singh
 Chaudhri Matu Ram
 Chaudhri Kartar Singh
 Sardar Jagjit Singh Mann
 Sardar Gurbachan Singh (Ferozepore)
 Pandit Durga Chand Kaushish
 Sardar Bachan Singh
 Chaudhri Sahib Ram
 Chaudhri Jagdish Chander
 Sardar Kabul Singh

- (b) That the quorum of the Select Committee shall be five, with instructions that the Select Committee may report by the 10th October, 1950.

Sir, an Ordinance was promulgated by the Punjab Government to check the mounting tension created by conflicts between the landlords and the tenants. It is with a view to replace this Ordinance by a regular Act of this legislature that this Bill has been brought before this House. As the hon. Members are aware, there was considerable difference of opinion on the matters that were sought to be tackled by the said Ordinance, both in this House as well as outside. The Ordinance was, therefore, framed so as to embody the greatest common measure of the different points of view. Even now different sections of people hold diametrically opposite views about the solution of the problem made by the Government. There is a section of people who are not at all satisfied with it. On the other hand there are people who consider even this measure very stringent. Now this Ordinance is before the House in the form of a Bill. If it is not passed, the Ordinance will lapse very soon. In that case, it is feared that the tenancy problem will once again tend to assume a serious shape. Keeping this in view, I would request the House to consider the idea of passing this Bill in this very session, because it aims at ameliorating the condition of the tenants. If, however, any alterations are considered desirable, they should be made in a spirit of 'give and take' because it is only by means of compromise between the sympathizers of the tenants and those who profess to be guardians of the interests of landlords, that an abiding solution of this problem can be found. With these words I move this motion.

Mr. Speaker : Motion moved—

- (a) that the Punjab Tenants (Security of Tenure) Bill be referred to a Select Committee consisting of:--

The hon. Dr. Gopi Chand Bhargava
 The hon. Captain Ranjit Singh
 Sardar Partap Singh
 Chaudhri Matu Ram
 Chaudhri Kartar Singh
 Sardar Jagjit Singh Mann

[Mr. Speaker]

Sardar Gurbachan Singh (Ferozepore)

Pandit Durga Chand Kaushish

Sardar Bachan Singh

Chaudhri Sahib Ram

Chaudhri Jagdish Chander

Sardar Kabul Singh

- (b) That the quorum of the Select Committee shall be five, with instruction that the Select Committee may report by the 10th October, 1950.

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural) (*Hindustani*):

Sir, I move—

That the Punjab Tenants (Security of Tenure) Bill be circulated for eliciting public opinion thereon by 28th February, 1951.

Sir, I wish to submit that this Bill is a slice of that Ordinance about which Mr. Hoover said that there was a great difference of opinion. To-day I stand not only convinced of the controversial nature of this measure but am also afraid that the scales may be heavily weighed against the poor tenants. The list of members of the Select Committee which has been presented to the House by the Minister-in-charge contains the names of representatives of the landholders' constituencies namely, Sardar Jagjit Singh Mann and Shri Durga Chand Kaushish as also of Sardar Gurbachan Singh (Ferozepore) and Minister for Public Works who are all big zamindars but the name of any representative of the tenants appears to be conspicuous by its very absence. This clearly shows that this Government has a soft corner only for the big zamindars and cares a fig for the down-trodden tenants. (*Voices*: There are other members also than those whom the hon. Member has named). They are also their yes-men. Sir, I wish to say that there is a member of the Cabinet or the Council of Ministers, I mean the Labour Minister, who should be regarded as a representative of the tenants. The name of this hon. Minister at any rate should have been included. I wonder why the hon. Minister has not asserted for his name being included. If he could take up cudgels for giving representation to the officers in the Municipal and Small Town Committees, why should he be silent when time comes for helping the poor tenants? I believe he should have been on the Select Committee as a matter of right which he should not have been prepared to forgo at any cost. He should have given a regular fight to the landlords. He should have seen that the Minister-in-charge was out to shower all favours on men like Sardar Jagjit Singh Mann and Pandit Durga Chand Kaushish who are representatives of the landholders' constituencies. To me it appears as if this Bill instead of being named the Punjab Tenants (Security of Tenure) Bill should have been called the Punjab Landholders (Security of Tenure) Bill.

Sir, I said that we had in the Cabinet a representative of tenants in the person of Labour Minister and that he should have been included in the list of members of the Select Committee. But if for some reason or other he was not to be had, opportunity could have been given to those who claimed that they were representatives of the tenants. It will be recalled that when last year the Socialist Party resorted to satyagrah to advance the cause of the tenants my hon. Friends Shri Bhim Sen Sachar and Chaudhri Lahri Singh rushed to Hissar and Sirsa and delivered thundering speeches in favour of the tenants. These gentlemen claimed to be the leaders of the tenants and they should have been afforded an opportunity to have their say in this matter.

Chaudhri Lahri Singh : We did not have time.

Sardar Bachan Singh : Yes, grapes are sour.

An hon. Member : They were self-styled leaders and perhaps you are also one.

Sardar Bachan Singh : I do admit that I do not belong to the tenant class. Anyhow, what I was driving at was that if the hon. Minister for Labour could not represent the tenants on the Select Committee, opportunity should have been given to those who claimed to be the representatives of the tenants. If things stand as they are, I have no doubt in my mind that the Government wishes to favour the landlords.

Sir, here I wish to refer to a book named "Our Immediate Programme," which has been published by the All-India Congress Committee and which was distributed in this House. According to this book the Chief Ministers and the Presidents of the various Provincial Congress Committee assembled together to chalk out a programme for their various Provinces. Here I read out an extract from this book which can be found on page 37. "Agriculture will remain in a state of flux so long as the structure and pattern of rural economy does not become clear and definite. It is, therefore, necessary to shorten the period of transition by expediting the abolition of Zamindari and Malguzari by paying compensation, if necessary, in bonds. Provision should be made for fixity of tenure to the tiller."

It has been clearly stated in it that there should be fixity of land tenure. At page 62 it is stated—'During the period of transition, protection should be given to the tenants-at-will in the matter of tenure and the level of rents. So the two things which were decided at that conference in the month of May were that firstly there should be fixity of land-tenure and secondly the rents should be decided before-hand. It was also decided that the Government of India would appoint a Commission which would recommend the new pattern of agriculture to be adopted in India and the reforms which are to be introduced. At page 11 of 'Our Immediate Programme' it is stated—

The recommendations of the Commission will have to be implemented by the Centre as well as the States. Perhaps herein lies the weakness of the organisation. The Centre has appointed the Planning Commission. The States have to implement their recommendations. One can readily see that such a dyarchic process requires the fullest measure of harmony and co-operation between the Centre and the States. The Centre may easily hope to command the moral influence required for the purpose and the States may equally readily be expected to offer the necessary response in a spirit of co-operation and fellowship. Like all programmes in life, State Planning will unfold itself to the Committee as the road reveals itself to the motor driver in the thick of a fog. Let us not be baffled by the magnitude of the task but straightaway take the wheel with the feet on the chitch and accelerator.'

It is clearly stated that the State Governments would take action on the basis of recommendation made by the Commission. Mark the word 'therein lies the weakness of the plan.' It lies in the fact that the Centre has to plan and the State Governments have to carry out those decisions. Whether this weakness is actually there in the case of other State Governments or not, there is no doubt about its existence in our Government.

Now, Sir, there is another document in my hand, which has been circulated by the Advisory Board of the Planning Commission under the orders of the hon. Chief Minister. In this document figures are given to show that in this country in majority of cases, the tillers have very small holdings of land. The figures given in paragraph 3 of this document show that the percentage of families which have less than two acres of land in different States is as under—

(1) Assam	...	38·9	(4) Madhya Pradesh	...	49·0
(2) Bombay—	...		(5) Orissa	...	50·0
(Gujerat Distts.)	...	27·5	(6) Madras	...	51·0
(Deccan)	..	19·8	(7) Uttar Pradesh	...	55·8
(Karnatak)	...	12·2			
(3) West Bengal	...	24·7			

While going through this chart, I tried to find out if these figures were available in respect of the Punjab also, but these were not there. At this, I was reminded of the days of Sir Chhotu Ram and Sir Fazl-i-Hussain, when there was diarchy in the Punjab. Their reign is condemned by most of us but it should not be forgotten that they got the economic survey of the province done. Eminent persons like Darling and Calvert, who were connected with the Co-operative Movement in the Punjab, did that commendable work. In the Survey Report prepared by these gentlemen, it is stated as to how many persons in this State owned less than one acre of land, what was the number of those owning more than two acres, how many persons owned more than two acres but less than five acres and so on. What has our Congress Government done since it came into power? Whenever the Central Government asks it to undertake some reforms, it puts forth the excuse that it is too busy with rehabilitation work to attend to any other work. I wish to know if West Bengal is not faced with the same problem. Are they not faced with the task of rehabilitation and evacuation? Is that State faced with lesser difficulties? On the contrary, if there is any State about which the Central Government has great concern these days, it is West Bengal. That State could collect these figures, but our State could not. Our Government does not know the exact number of those tenants in the State, who have either no land or have very small holdings. What can we expect from a Government which is so indifferent in such important matters? I expect nothing from it.

Sardar Partap Singh : Is there any time-limit for speeches made on this motion?

Mr. Speaker : Not so far, but that will be done if need be.

Sardar Bachan Singh : I am sorry that the hon. Ex-Minister has become impatient. I feel that our Government does not wish to do anything which might in any way injure the interests of landlords. There appears to be a deep conspiracy in this State. Big landlords have started selling their lands at very high prices. I can prove it by citing instances. A Sodhi landlord of Guru Har Sahai in Ferozapore district owned about 30,000 or 40,000 acres of land. He has been disposing of his land for sometime past. I do

not know if he wishes to transfer his capital to some foreign country. In my own ilaqa, a Sardar of Ledna, who owned large areas of land, has mortgaged them. He has done so in order to overcome the restriction on sale, and has in this manner obtained a huge sum of money. Then, Sir, everybody must have heard the name of Sir Chaju Ram of Hissar, who was a great philanthropist. His sons caused great hardship to the tenants and the matter went to Courts of Law. They have now sold 2,700 bighas of land to 42 Jats of Rohtak. In my own district, a number of persons are selling their lands at rapid speed. The brother of our hon. Chief Minister is also trying to dispose of his lands.

I, therefore, submit, Sir, that the object of this Bill is to benefit the landlords and not the poor peasants. I may again point out that the object of the Socialists is not to oppose every measure for the sake of opposition. This fact is borne out by the fact that even the brother of Chaudhri Sahib Ram, whose name is Chaudhri Devi Lal and who is a member of the State Congress or in other words a delegate to the All-India Congress, was arrested by the Government simply for the reason that he was trying to help the tenants. This servant of the tenants was not only arrested and kept in Dharmsala Jail and other Camps but was not allowed even to come in contact with anybody.

Mr. Speaker : I find that most of the material which has been produced by the hon. Member is not relevant to the question under discussion. The question is, why does the hon. Member want the Bill to be circulated and not referred to a Select Committee? The hon. Member has not said a word about that.

Shri Ram Sharma : May I know, Sir, whether there is any time-limit on such a motion and whether any limitation can be put on the hon. Member while discussing it?

Mr. Speaker : Under the rules there is no time-limit but if the House so desires that can be done. However, before that course is adopted, I would ask the hon. Members not to be persistently irrelevant. They must realise that obstructive methods should not be used because in that case the business of the House cannot be finished. The hon. Member has been on his legs for the last 45 minutes and most of the arguments that he has advanced are irrelevant.

Pandit Durga Chand Kaushish : You have been pleased to point out, Sir, that most of the material produced by the hon. Member is irrelevant. As it is likely to prejudice the public mind, will you give us a chance to reply to those irrelevant points?

Mr. Speaker : One irrelevancy must not be followed by another irrelevancy.

Pandit Durga Chand Kaushish : That irrelevant material is likely to create mischief?

Mr. Speaker : 'Mischief' is rather a strong word.

Pandit Durga Chand Kaushish : I would use the word 'prejudice' and to remove that, counter-irrelevance should be allowed.

Chaudhri Krishna Gopal Dutt: I would like to have your ruling on this point, Sir, as to whether a time-limit can be fixed on the discussion of such a motion as the one now before the House, and, if so, whether the rule requires that it can only be done by a *unanimous* verdict of the House and even if a single voice is against it, it cannot be done?

Mr. Speaker: The hon. Member is mixing up two things. One rule that relates to the withdrawal of a motion lays down that the wish of the House should be unanimous, but in motions where it is laid down 'unless the Assembly otherwise directs', it is not necessary that the decision of the House should be unanimous. It is the sense of the House that is taken.

Shri Ram Sharma: May I know, Sir, whether the 'sense of the House, means the sense of the majority? You should not be guided by the letter of the rules but by the spirit, and not allow the minority to be a victim of the majority.

Mr. Speaker: I have already stated that in the case of withdrawals of motions, the *unanimous* wish of the House is necessary but in other cases it is the majority view that prevails.

Shri Ram Sharma: May I know, Sir, if have you come to the conclusion that the hon. Member was obstructing the business of the House?

Mr. Speaker: I would ask the hon. Member to be reasonable when he raises such a point. The hon. Member knows, the House knows and everybody knows, that Sardar Bachan Singh has been speaking for the last 45 minutes on his amendment that the Bill be circulated—the main motion being that the Bill be referred to a Select Committee. He has neither touched upon his amendment nor referred to the main motion, but has been talking of things which have no bearing on the subject. If this is not obstruction, what else is it?

Sardar Bachan Singh: Sir, the hon. Minister-in-charge has pointed out that since the Ordinance on this subject was very controversial, this Bill has been introduced. But I can say without fear of contradiction that this Bill has been drafted on those very lines on which the Ordinance was drafted. Against the Ordinance, *Satyagraha* was carried on not only by the Socialists but also by some Congressmen out of whom about 300 men were arrested by the Government.

Mr. Speaker: Are you opposing the Bill?

Sardar Bachan Singh: I am submitting, Sir, that this Bill is controversial and effort is being made to import an element in the Select Committee which is in favour of this Bill.

Sir, I was saying that these days a big plot is afoot against the interests of the tenants. The landlords are up against them and they desire to rob them by whatever means they can. Although in Section 10 of this Bill it is laid down that every transfer or other disposition of land, unless duly completed before the 1st of May, 1950, shall be void and unenforceable, yet this is subject to the provisions of Sections 11 and 12 also. It has been stated that if the sale is *bona fide*, it won't be void. It means that the poor tenants will have to prove that the sale is *mala fide*. If he is unable to prove it then he

cannot be entitled to set it aside. It will be a difficult task for him to do so. As a matter of fact, an attempt has been made to protect the landlords by means of the provisions of this Bill. The question of 'standard acre' is a baffling one. It has been utilized for bestowing benefits upon the landlords in an indirect manner. The officers hope to deceive the Central Government in this way. They think that because there is no knowledge of the standard acre in the whole of India, they might be in a position to favour the big landlords by this device. 'Standard acre' is a very vague and indefinite concept depending upon the yield of a certain type of land and I think only Sardar Trlok Singh might be sure of what it actually means. By the help of this idea of 'standard acre,' it is possible to convert one hundred acres into about two hundred acres. But this depends upon the quality and quantity of the yield. So it is a controversial question and will give rise to many a dispute. So far as this Bill is concerned, it gives very little relief to the tenants. Under the term 'reservation of land', it is possible for a landlord to keep two hundred acres of land for himself. Besides, he can somehow manage to get two hundred for his wife and two hundred for each of his children. So if the landlord is clever he will get two hundred acres for each of his five family members, thus reserving an area of about one thousand acres. Such an area will come under the term 'permissible' limit.

Pandit Durga Chand Kaushish : Which Bill is the hon. Member referring to? Will he read the Section?

Sardar Bachan Singh : I have read the Bill carefully and I can also read between the lines. My submission is that a landlord is allowed to reserve one hundred acres of land which when converted by standard acre scheme would come to two hundred acres and in reality if the landlord is clever he will manage to have about one thousand acres. I can quote instances of this nature. Some of the landlords have successfully tried to get as much land reserved as they could. Under these circumstances, it is not wrong to say that the present legislation fails to provide any relief to the tenants. If the Government so desires, it may have the opinion of the tenants ascertained. This Bill should be referred to the people for eliciting public opinion. Government should not take hasty steps in this direction; otherwise it will not remove the prevailing unrest among the tenants. Another thing which I wish to bring to the notice of this House is that whatever little relief has been provided to the tenants over and above two hundred acres of such reserved land, it is hedged in with certain conditions and inconveniences. For the time being let us suppose that the landlords are not quite as clever as I have stated above and that they do not misuse the provisions of this Bill. Section 12 of this Bill gives every person a right to sell his land by merely intimating to the Revenue Officer that he intends to sell the land which he has in excess of the two hundred (or as a matter of fact one thousand) acres. Indeed what we find is that the landlords have been given a free hand to sell their lands and to realize as much money from it as they like. In the first place a landlord can eject the tenants from two hundred acres of his reserved land which come under the category of the 'permissible limit'. From this land ejection can be effected by merely intimating the Patwari of the place. This means that he has been allowed to eject any tenants against whom he may have any grudge and he can threaten any tenant with ejection. So, a free hand has been given to the landlord to compel any tenant to agree to his conditions and the poor tenants cannot refuse to submit to these conditions because of the threat of

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ejection that hangs over them. The landlord can reserve two hundred acres for his use and then he can transfer by sale fifty acres to each of his relatives. Such sale if it has already been carried out is also protected provided it is *bona fide*. This means that the burden of proving the intention of the sale rests upon the person challenging it. In other words, the tenant will have to go to a court to establish that the sale is *mala fide*. Sir, has the poor tenant money and means to go to a court of law? I don't think poor tenants can do so. Therefore, they have no means of challenging these transfers at all. Thus we find that where a landlord has one thousand acres of land, he can reserve two hundred acres for himself. To the remaining eight hundred there is no condition attached. He can sell fifty acres to a person who has less than fifty acres with him. Thus the landlord can sell his entire eight hundred acres to different persons. The only condition attached to such a sale is that the vendee should not have more than fifty acres including the land he had prior to such sale. Moreover this sale can be effected simply by intimating the Revenue Officer. On the other side, the tenants have not the means of challenging this sale except proving in a proper suit before a court of law that the sale is *mala fide*. So what we find is that, in fact, the landlords are being given protection by means of this Bill. Poor tenants have nothing to gain from it.

Well, Sir, it has been said that this measure has been brought forward with a view to putting a stop to all the disputes that take place very often in the State of Punjab between the tenants and the landlords. It seeks to provide for the security of the tenure of tenants. But I think it goes counter to the interest of the tenants. In this connection, I am reminded of an adage which aptly applies to the situation :

न रहेगा बांस न बजेगी बांसरी

ਨ ਰਹੇਗਾ ਬਾਂਸ ਨ ਬਜੇਗੀ ਬਾਂਸਰੀ ।

That is, if the element of tenants is altogether eliminated or obliterated, then naturally no disputes will ever arise. I feel that this Bill sounds the death-knell of the tenants. It is a disgrace to call it a legislative measure seeking to make the tenure of tenants secure. To call it so, is nothing short of making a mockery of not only this legislature but also the public. The real object of this Bill is not what it professes to provide.

Mr. Speaker: May I just remind the hon. Member that if he wants to circulate this Bill for eliciting public opinion by the 23rd February, 1951, then the Ordinance which this Bill seeks to convert into law, will cease to operate by that time? In that case would he like the Bill to be passed into law or not?

Sardar Bachan Singh: Strictly speaking, Sir, I do want that a Bill of this nature, in the truest sense of word, be brought on the Statute Book. But the difficulty is that if I ask for Nectar, I am offered, poison instead, and naturally I would refuse to accept it. I am certainly in favour of securing the tenure of the tenants, but I don't want a measure which should

strengthen the hands of the landlords and strike at the very interests of the tenants under the cloak of offering security of tenure to them. As a matter of fact, Sir, I am attacking the general principal underlying this Bill. It may be a well-intentioned measure but in fact it is a camouflage. Overtly the Government seem to render a signal service to the tenants but covertly they are out to strengthen the hands of the landlords more fully than before. I want that just as in the towns the urban tenants renting houses or shops, cannot be ejected, if they continue to pay their dues regularly, except of course in a case when the house or shop is actually required by the owner for his personal use, similarly the tenants in the rural areas, should not be ejected from their lands at the sweet will and pleasure of the landlords and the Bill under consideration totally fails to do justice to the tenants, in this respect.

Then, Sir, I fail to understand the necessity of giving the facility of reservation of lands to the landlords. If it had been provided that in view of the possibility of the abolition of landlordism at some distant date, the land is being reserved for the sake of cultivation with his own hands by the owner himself, I would have appreciated the intentions of the Government in bringing forward this measure. But that is not the case here. The landlord can make reservations as he likes and can bring about the ejection of the tenants whenever he likes. Then may I ask what security does the Bill offer to the tenants? Besides, the provision regarding the payment of rent by the tenants is very defective. It is laid down that the rent payable will be one which is settled between the tenant and the landlord or is a customary rent prevalent in respect of a certain land held by the tenant. If the rent was to be settled through some Governmental Agency, then things would have been different. Now the landlord will dictate his terms but in the case of an official agency, if the rent had been exorbitant, pressure of public opinion could be brought to bear upon the Government to bring it to a reasonable level. But now the landlord will have the upper hand and the poor tenant must submit and suffer quietly. The sword of Democles regarding ejection continues to hang over the head of the tenant and this is very painful. Besides, there is no denying the fact that the rent realised from the tenants in the State of Punjab is probably the highest of all that is being charged in other States.

Sardar Ajit Singh : This is so because the land in this State is very productive.

Sardar Bachan Singh : I know the condition of the lands in the Punjab particularly Ludhiana District better than the hon. Member. He perhaps thinks that Ludhiana is outside the Punjab. (*Laughter*). He should also remember that no land in any other State is inferior to the land which is so often inundated or eroded by the Nasrala Cho in the Hoshiarpur District. Well, Sir, I was going to submit that the landlords have been afforded several facilities under the Bill, to eject the tenant.

Sardar Ajit Singh : On a point of order, Sir. Is there no time-limit for the hon. Member as he has been on his legs for a pretty long time ?

Mr. Speaker : This point of order has been raised several times but my reply has been and now is in the negative.

Pandit Durga Chand Kaushish : On a point of order, Sir. I shall feel very grateful if you will kindly just let us know what is the scope of discussion of the motion for circulation of the Bill.

Mr. Speaker : Since the hon. Member started his speech the hon. Member has been quite relevant to the motion. He is to discuss the general principle underlying the Bill and he is doing the same except for a short while when he went off the rails and referred to Bihar, Orissa etc. (*Laughter*).

Sardar Bachan Singh : Well, Sir, I was submitting that the landlords stood to gain and enjoyed several facilities under this Bill. It is provided that the tenant will be liable to ejection if he fails to pay his rent, whether in cash or kind, under certain conditions. The conditions may not be favourable to him. For instance in the case of payment of rent in kind, which is to be paid on the threshing floor, difficulties are likely to arise. Supposing a landlord and a tenant fall out at the time of the distribution of produce. The tenant asks the landlord to remove the share of his produce from the threshing floor and that he is not prepared to carry the same to his (landlord's) house. But the landlord persists that since the rent is payable to him in kind at his house the tenant must carry the produce to his house. The tenant is also adamant and refuses to comply with this demand. The result is that the landlord will knock the door of the court praying for the ejection of the tenant since the latter failed to pay the rent. Now nobody will realise the difficulties of the tenant, nor will anybody believe that he offered the rent in kind at the threshing floor. Just imagine the hardship of the tenant if on the one hand he is to run to the court on receipt of summons and on the other the danger of his corn being damaged on account of threatening rains, is staring him in the face. Should he go to the court or collect the produce to a place of safety? If he fails to attend the court, he runs the risk of ejection orders being passed against him; and if he does not collect his produce, it will be damaged to his detriment.

(At this stage Mr. Speaker left the Chair and it was occupied by Mr. Deputy Speaker).

Sir, I was submitting that the poor tenants are always at the mercy of their landlords. Even if a tenant is required to pay his rent in kind to his landlord at the threshing floor, the latter finds out a nice pretext to eject the former by refusing or delaying the taking of delivery of the rent in kind. In the meantime, if it rains, it may spoil the harvest in the fields and the landlord, not accepting the rotten stuff, files a suit against the poor tenant for no fault of his. In this way the landlords can very easily eject their tenants according to their sweet will. I am sorry to say that the landlords exact 'begar' forced labour from their tenants and still they employ unfair means to eject them at their own sweet will. Slavery and corvee (begar) can no longer be tolerated in our State. The word "regularly" provided in the proposed Bill has been added intentionally as in the absence of any other pretext this word is sufficient ground to defend a landlord against ejecting his tenant. The landlords are very influential and they can very easily succeed in getting things done as they want them to be. For instance it is very difficult rather impossible for a poor tenant to defend himself against the tyrannies of his landlord owning thousands of Bighas of land who is rich and is therefore in a position to win the favour and friendship of Deputy Commissioners, Commissioners, other High Officials and the Ministers by inviting them to various parties.

An instance has already been quoted by an hon. Member about the promulgation of an Ordinance by the Patiala and East Punjab States Union (*Interruptions*). Sir, what I wish to point out is this that the Pepsu Government have promulgated an Ordinance to restore occupancy rights to those occupancy tenants who were ejected 7 years before 15th March, 1947 for non-payment of rent, etc. Under the provisions of this Ordinance the occupancy tenants thus restored would continue to enjoy the same rights which were enjoyed by those tenants who were not ejected and were in possession of their land at that time. It is clear from this that all those tenants who have been ejected since March 15, 1940 would be restored their occupancy rights. If the Government which claims to be the well wisher of the tenants has not so far done anything substantial to improve their hard lot, it could at least enact the same legislation as has been in force in the Pepsu with a view to restoring the occupancy rights to the tenants ejected so far by the landlords. If the Government had taken such a step, I would have admitted that it has after all succeeded in doing something substantial for improving the lot of poor tenants. After taking such a step there could have been some justification on the part of the Government to bring in some other legislation for the tenants.

Sardar Ajit Singh : Perhaps the hon. Member wants to recall the Muslims from Pakistan.

Chaudhri Lahri Singh : That is not the point.

Sardar Bachan Singh : It is really a pity that my hon. Friend Sardar Ajit Singh does not know as to who are the citizens of India and who are not.

Sardar Ajit Singh : But the hon. Member always speaks for the Muslims.

Sardar Bachan Singh : There are some hon. Members in this House who label themselves as Congressmen and yet do not know what happened at Nasik recently. The hon. Member who has just interrupted me seems to have no idea about the privileges of citizens in a secular State, as has already been reiterated during the Congress Session at Nasik. The question arises as to who has given us independence. Through whose sufferings and sacrifices have we been able to achieve independence and declare in unequivocal terms on 15th August 1947, about our country being a free nation? Who have shed their blood in the struggle of our country's freedom? It is these peasants and labourers who have suffered troubles and tribulations and have gone even to the extent of shedding their last drops of blood only to free their country from the foreign yoke. During the British regime the poor tenants fought for the restoration of their occupancy rights but no heed was paid to their agitation and their genuine demands. Top ranking Congress leaders held out promises to them that landlordism should be abolished as soon as they came into power. But I am constrained to remark that no such steps have so far been taken by the Congress Government of our country in general and the Government of our State in particular. I have already referred to certain important features of the Congress programme, for the information of the hon. Members. Here I cannot do without saying that the Chief Ministers of the States and the Provincial Congress Chiefs met in a conference and passed a resolution unanimously to the effect that zamindari and rent systems should be abolished. (*Interruptions*).

Sardar Ajit Singh : Let them take birth again.

Sardar Bachan Singh : To-day there are such people in the Congress who act quite contrary to what they preach to the masses. On the one hand the Congress is declaring in unequivocal terms that feudalism would be abolished, while on the other hand an hon. Member belonging to the same party makes bold to say on the floor of this House that this system will be resurrected. This is how things are happening within the four walls of the Congress. The Congressmen preach one thing and act upon a different one. Their actions belie their sayings. So far as the Congress Government of our State is concerned, I wish to point out that it deceives the masses by saying that it has brought in the proposed legislative measure with a view to securing the tenure of the tenants. It will not be out of place to mention here that it would not be unimaginable to know what the position of our State would be if the hon. Chief Minister's policy regarding the grant of gallantry awards is quite contrary to the one he followed two years ago.

Sardar Jagjit Singh Mann : On a point of Order, Sir. How is the hon. Member relevant? Is he discussing the principles of the Bill?

Shri Bhagat Ram Chodha : On a point of Order, Sir. May I know if the hon. Member is speaking in a public meeting or on the floor of the House?

Mr. Deputy Speaker : This is no point of order.

Sardar Bachan Singh : Sir, I am discussing the principles of the Bill. What I wish to point out is that it is given out by the Government that the Bill has been brought in for the security of the tenure of the tenants. As a matter of fact I am of the opinion that it is outwardly that they express sympathy with the poor tenants while in their heart of their hearts they mean to crush and annihilate them. All this is being done to secure the roots of landlordism in the State. Sir, I want to lay stress on the point with all the emphasis at my command that by intentionally making provisions for certain clauses detrimental to the interests of the tenants and omitting certain others, the Government is bent upon strengthening the foothold of age-old landlordism in our State. I would like to bring this point home to my hon. Friends who want that zamindari system should continue in future as well that the proposed Bill does not in any case seek to put an end to their landlordism but it aims at establishing their proprietary rights instead. It is clear from the provisions of the Bill now before the House that such efforts have been made in this direction as are detrimental to the interests of the poor tenants. However I would like to bring this point home to them that the general feelings of the masses is to do away with the present zamindari system and the coming general elections will prove the truth of my statement.

Sardar Ajit Singh : On a point of Order, Sir. There is no zamindari system in Punjab,

Sardar Bachan Singh : I regret to say that some of my hon. Friends do not know what zamindari system is. I would like to tell the hon. Member that one who does not cultivate land himself and owns thousands of bighas of land is called zamindar and in other words he may be called "absentee landlord."

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Sardar Ajit Singh : But is there any such landlord in Ludhiana district ?

Sardar Bachan Singh : Sir, I would like to submit that there are some persons who keep themselves well informed of the conditions prevailing in Asia. There are some who would like to know what is happening in the Punjab but I regret to say that there are certain hon. Members who cannot look beyond their cot. I may inform the hon. Member that though I was returned from the constituency in Ludhiana district, it does not mean that I should not criticise any measure which is to affect the people of the State, although it may not have any effect on the people of my own constituency. This Bill, I know, would mainly affect the people of Hissar and Ferozepore districts and also the district to which my hon. Friend belongs. I can also tell the hon. Member in which districts zamindaris exist. But it would serve no useful purpose to go into such details. Anyhow, I could well understand if the possession of land was restored to the tenants who were ejected after the 15th August. But what I find is that all those irregularities that have been committed under the provisions of this Ordinance cannot be questioned in any court of law or before any officer or authority. I would say that the Ordinance is defective and controversial and it gave rise to many disputes which fact the hon. Minister in charge has himself admitted. But it is strange that its legality cannot be questioned as if it is a gospel truth. But the main object of the Government was to safeguard the interests of the landowners and it is why it has made a provision that no case can be instituted against them. If we go through the sections of the Bill we will find that the Government proposes to enforce this measure from the 15th of October. I fail to understand how this will be done when the Bill has not yet been passed by the Assembly. Such strange things can only be expected of this Government. When the Bill has not been passed the question of its enforcement from the 15th of October does not arise. It has also been stated that provisions contained in some of the sections in the Bill will be enforced with effect from the 15th June. It is reasonable if it were enforced from the 15th June of next year but it passes my comprehension as to what useful purpose it will serve to enforce it with retrospective effect. But the Government proposes to enforce with retrospective effect such sections of the Bill which promote the interests of the landowners. If the Government had done so to benefit the tenant class, people would have known that it has sympathy with the tenants. But there is not a single clause in the Bill which goes in favour of the tenants; on the other hand all the clauses are in favour of the landowners. Besides this, the drafting of the Bill is very defective. It appears that the officers have only blindly copied out the Ordinance without caring to know its implications. They do not know that ejection will cause great hardship to the tenant class. It would have been better if munshis were employed to do this job instead of big officers who have given a very poor account of themselves. We have seen that day before yesterday when clause 3 of the Punjab Municipal (Amendment) Bill was under discussion.....

Paadit Durga Chand Kaushish : Sir, may I know if the hon. Member is relevant or not ?

Sardar Bachan Singh : Sir, I was submitting that the drafting of the Bill is very defective. The hon. Minister in charge has also not taken

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notice of it. I would again submit that the Bill is very defective and does not contain any clause which may go in favour of the tenants.

Then, Sir, Clause 10 of the Bill lays down :—

Subject to the provisions of Sections 11 and 12 and save in the case of lands acquired under any law for the time being in force, every transfer or other disposition of land, whether by act of parties or by operation of law or by or in execution of a decree, unless duly completed or deemed to have been completed before the 1st May, 1950, shall be void and unenforceable in so far as it tends to reduce or has the effect of reducing the minimum period of tenancy herein before specified.

This means, Sir, that if any landlord has sold his land even after 1st May, 1950 or shall sell it at any time in future, the tenants concerned will be liable to ejection by the new owner. Clauses 11 and 12 give a free right to the purchaser in this behalf. So these exceptions provided here definitely go in favour of the landlords and are detrimental to the interests of the tenants. Will this not result in attempts on the part of landlords to reduce the aggregate area and thus claim exemption from the provisions of law?

Then, Sir, there is a provision that a tenant who was ejected between the 1st and 13th of May, 1950, shall be restored to the land occupied by him, only if he had applied within 30 days of the 'last date aforesaid' i.e. 13th May, to the Court or officer passing the order of ejection. This means that all those tenants who could not apply within a month after 13th May, would have to put up with their ejection, there being no remedy open to them to get back the land from which they have been ejected. On the other hand, landlords were left quite free during this period to sell away any part of their land so as to reduce the aggregate area to less than the 'permissible limit'. And then is it presumed that all the tenants ejected during this period are graduates, well-read and well-informed people, since the Government expects them to have filed their applications within 30 days of the promulgation of the Ordinance! What else can Section 14 mean, except that the Government wants to punish those who failed to file applications within the specified period, due to their ignorance or want of information? Doesn't the mover of the Bill know that the tenants are illiterate backward people and the fixation of one month's time limit in their case is nothing short of playing a cruel joke on them? On the one hand it is urged that rural people are a backward class and that provision for reservation of posts in Government services should be made for them and on the other hand, just one month is allowed to them to file an application against the ejection orders. I really can't understand this logic. Where has my Friend's sympathy for the rural classes gone now? What will become of those illiterate tenants who were ejected between the 1st and the 13th of May, 1950, and who could not apply against the ejection order within the specified time limit? And it is being conveniently forgotten that most of the cases of ejection occurred during this period. These were the days when the problem was most acute and feelings were running high and the Ordinance promulgated by the Government was rejected by the tenants as a solution of their difficulties. Who had at that time thought of filing applications against the ejection orders, taking advantage of the provisions of the Ordinance, when the persons concerned were firmly resolved to resist ejection even at the cost of their lives and were engaged in a life and death struggle to defend their rights?

Sir, I have come to know that the President of the State Congress who is also an hon. Member of this House has assured Mr. Devi Lal, who was arrested and detained in connection with Kisan Satyagrah, that he is making efforts for getting the condition of tenants improved.

Pandit Durga Chand Kaushish : Sir, are we concerned with party politics of a particular party, be it congress, or socialist party or any other party ?

Mr. Deputy Speaker : I request the hon. Member to speak on the principle of the Bill and not to be irrelevant.

Pandit Durga Chand Kaushish : The hon. Member is unduly obstructing the passage of the Bill.

Sardar Bachan Singh : Sir, it is not I who is causing obstruction. If the hon. Member continues to interrupt me like this, he would surely succeed in not letting even this measure be passed. Then, Sir, there is clause 13 which reads as follows :—

No decree passed in favour, or Notice of ejection issued, at the instance of a landlord and owner, which remains unexecuted or uncomplied with before the commencement of this Act, shall be executed or complied with save to the extent to which such execution or compliance is not inconsistent with or is in furtherance of the provisions of this Act."

This means that all those decrees which remain unexecuted for one reason or the other, shall be allowed to be executed, in so far as they are not inconsistent with the provisions of this Act. This will result in a great hardship for the tenants. Whatever the land-lord has already done, will not be undone and action on the ejection suit will continue.

Minister for Revenue : But action will be taken in accordance with law.

Sardar Bachan Singh : The hon. Minister says that in the matter of ejection of tenants, law will certainly be allowed to take its course. He forgets that many good laws were passed in this House and they have not been put into effect so far. In this case, of course, they will enforce the law with a vengeance, because it relates to the ejection of tenants.

An hon. Member : Does my hon. Friend want to help the landlords by obstructing the passage of this Bill ?

Shri Amar Nath Vidyalkar : It appears as if the hon. Member does not favour the idea of passing an enactment for the tenants. He is doing more harm than good to them :

Sardar Bachan Singh : My learned Friend has suggested that I am using dilatory tactics and that I wish to benefit the landlords and not the tenants. He is completely wrong. I may tell him that if I have something to do with the Government, that is if I can defeat this Government by way of no-confidence motion or otherwise and am placed in power, I would get a measure prepared for the benefit of the tenants over-night. In order to enable me to defeat this Government I request him that he should give me whatever help he can.

Shri Amar Nath Vidyalkar : That is a pious wish.

Sardar Bachan Singh : Sir, I was saying that I was not using any dilatory tactics. (*Interruptions*) (*Voices* : What else is the hon. Member doing ?) Some hon. Members are playing the part of a witness who is more active than the complainant himself. (*Some hon. Members* : The hon. Member himself is perhaps the over-active witness). (*Voices*).

Dr. Sant Ram Seth : Is the hon. Member himself an owner of land ?

Sardar Bachan Singh : Sir, my hon. Friend Dr. Sant Ram Seth has asked me whether I possess any land or not. It would have been better if he had got this information from some hon. Members sitting near him. Anyhow I may tell him that I am not proud of the lands that I may own. I am proud that I have spent the best part of my life in the service of my country. I shall be glad if every marla of my land is used for my poor brethren.

Dr. Sant Ram Seth : The same is true of the hon. Minister in charge.

Pandit Durga Chand Kaushish : How are these things relevant to the Bill under consideration ? (*Voices*).

Shri Ram Sharma : On a point of order, Mr. Deputy Speaker—May I ask if the interruptions and the way in which points of order are being raised add to the dignity of the House or of the Chair?

Mr. Deputy Speaker : Hon. Members should keep the dignity of the House.

Sardar Bachan Singh : I may inform my hon. Friend Dr. Sant Ram Seth that I am an owner of land and belong to such a family of my ilaqa which comparatively owns more than many. Sir, I have moved that the Bill be circulated for eliciting public opinion. In this connection I wish to say that we should in no case lose sight of the circumstances through which we are passing. I would invite the attention of hon. Members to the speech which was delivered yesterday by our most respected Congress leader and our beloved Premier, I mean Pandit Jawahar Lal Nehru, at Lucknow. In his Lucknow speech he clearly said that if the Congress wanted to have a long lease of life, it should do everything it can to create confidence in the people. It should not, he said, fritter away its energies on triflings as there were very big issues before it which it had to tackle. But what do we actually find ? Nero appears to be fiddling when Rome is burning. Vital problems are being ignored and attention is being concentrated on foolish things for small games.

An hon. Member : What has this to do with the Bill ?

Sardar Bachan Singh : I am creating a background in which I shall be explaining my view point. Sir, it has been said in the Bill that security of tenure will be given for three years. In my opinion it would have been better if it were given for 5 years in place of three years. What will a tenant after all achieve in three years ? This reminds me of the story o

some Nihangs who forced a fellow to mount up a tree and run there if he liked.

Then, Sir, no attempt is made to pass the Bills which are introduced in this House with any appreciable speed. Only false promises as those of 'Lapaur Sankhs' are given which are never fulfilled. If we ask the ministry to pass a Bill to-morrow, they promise to pass it to-day but that promise is never put into practice. Here I would cite the example of the Anti-Black Marketing Bill. According to promises this Bill should have been passed long ago but nothing of this kind has happened. Perhaps the reason for not passing this Bill is that hon. Ministers are in a position to favour their friends.

Pandit Durga Chand Kaushish : I might inform the hon. Member that the Anti-Black Marketing Bill has been returned by the Centre as it is *ultra vires* of the Constitution of India.

Sardar Bachan Singh : Sir, I would read out clause 5, sub-clause 2.

Such period in the case of a tenant already in possession and not liable to ejection or to whom possession is restored under section 14, shall, in the first instance, commence from the 16th June, 1950.

Sardar Jagjit Singh Mann : On a point of order, Sir. Is the hon. Member in order in discussing the Bill clause by clause ?

Mr. Deputy Speaker : I would ask the hon. Member not to refer to the Bill in the way he is doing.

Sardar Bachan Singh : Sir, this Bill gives security of tenure only for three years. The Government says that it has provided security of tenure for three years. This term of tenancy will commence from the 16th June, 1950. This Bill will not become an Act before January or February next, but the period of tenancy secured under this Bill will be reckoned from 16th June. In this connection, I am reminded of a story which was published in a journal. According to that story a person owed some money to a Seth. He went to that Seth to settle his account. He used the formula $3 \times 1 \frac{1}{2}$ is equal to $7 \frac{1}{2}$ and if $\frac{1}{2}$ is subtracted from it, it becomes eight. This is how the money-lenders calculate. In the same way, it has been proved in the Bill that the period of security of tenure will be reckoned from the 16th June, 1950.

(At this stage Mr. Speaker resumed the chair).

Minister for Local Self Government and Labour : The hon. Member appears to have forgotten the saying that even if you educate a Jat, he merely ditto's what others say.

Sardar Bachan Singh : I would rather say that the Jats are always the losers. I was submitting, Sir, that the period of security of tenure would be counted from the 16th June, 1950. If this was the date stated in the ordinance, is it essential that it should remain unchanged even in the Bill ? If the hon. Minister-in-charge had examined this point, he would have rectified this mistake. If a Bill is based on an ordinance and it has to be passed by the House because the ordinance would lapse on the expiry of six weeks after the commencement of the session, it does not mean that every word

[Sardar Bachan Singh.]

of the ordinance should be reproduced verbatim in the Bill. The object of referring a Bill to a Select Committee is to ensure its detailed consideration so that the necessary alterations might be made in it. There was in fact no need of referring this to a Select Committee because the Government has already promulgated an ordinance. There is no harm if the dispute between the land lords and tenants goes on for a little while more.

Mr. Speaker : The hon. Member will have the right to move his amendments at the proper time when the Bill is taken up clause by clause.

Sardar Bachan Singh : When the hon. Minister-in-charge of this Bill moved the Bill for Consolidation of Holdings, he gave proof of his spirit of accommodation. I wish him to realise the needs of the people and to act in the same spirit now. The Government can conveniently do so, if it does not lose sight of the fact that it is to serve the people and not to dominate them. If the Minister-in-charge does not agree to accept my motion, he should at least see that some Harijan Member is included in the Select Committee, to which this Bill is referred. The proper course, however, was to circulate it for eliciting public opinion. The Government should have known the views of the public before passing this Bill. Tenants have been subjected to various hardships. In order to know their views it is essential to have a sufficient number of their representatives in the Select Committee. With these words, I commend my motion to the House.

Mr. Speaker : Motion under consideration, amendment moved—

That the Punjab Tenants (Security of Tenure) Bill be circulated for the purpose of eliciting opinion thereon by 28th February, 1951.

Sardar Jagjit Singh Mann (Jullundur Division, Land-holders) : Sir I had no intention of taking part in the discussion but certain remarks made by Sardar Bachan Singh have prompted me to intervene in the debate. I should not have opposed the amendment since it goes to my benefit and the benefit of the land-holders, but I do not want to be selfish. I have to look to the interest and convenience of the people at large and therefore, I oppose it. (*Hear, hear*).

Sir, this piece of legislation is very important. The mere fact that the Government had to promulgate an Ordinance on the subject proves so. In the last Budget session during the course of debates many hon. Members of this House demanded that such an ordinance should be promulgated and if I am not mistaken the hon. mover of this amendment was also one of them. I would like to submit to the House some background of this Bill. Some months back there was an agitation of the tenants and what was being fanned by the interested parties and the agitation became so tense that it was feared that it might prove a menace to the law and order in the State. It was at this stage that the hon. Chief Minister gauging the gravity of the situation, called a meeting at Ambala of some members of this Assembly to represent the view points of both the sides and earnestly wanted to end the controversy and arrive at an unanimous decision. Keeping in view the interest of the State we agreed to the issue of an ordinance which is placed before the House in the form of a Bill even though it goes against the interest of the land-holders. This ordinance has been in force for the last two months and the result has been very satisfactory — there is no agitation now and the relations between the landlords and the tenants are very cordial. My

fear is that if this amendment is carried and the Bill is sent out for eliciting public opinion, the situation might again be exploited by the interested parties. My submission, therefore, is that this amendment should be rejected and the main motion moved by the hon. Minister carried.

I am just reminded of one or two remarks made by the hon. mover of this amendment. He mentioned about my name being included in this select committee. I would like to remind my hon. Friend that by nominating me on the select committee, the Government has not done any special favour to me. After all I represent the landholders. constituency and somebody to represent the view of the landholders has got to be on the select committee. If, however, my Friend is not happy to my being on the committee, I am prepared to withdraw. Let there be some one else but there must be somebody to represent the view point of the landholders as well (interruption). He said that landholders — as a matter of fact there are no landholders in this State, there are only peasant proprietors—were selling their lands and he does not like that. I fail to understand why he should object to that. It is their own property and if they like they can sell it. Everybody has got a right on his own property. It is very strange that anybody should object to his doing so. It is the age of independence and everybody is free to do what he likes with his property. With these few remarks, Sir, I oppose the amendment.

Shri Ram Sharma (Southern Towns, General, Urban) (*Hindustani*): Sir, I do not agree with the amendment moved by my hon. Friend Sardar Bachan Singh for the circulation of the Bill for eliciting public opinion thereon by February 1951. It is evident that the ordinance on which this Bill is based would lapse after 6 weeks. Under these circumstances, if this Bill is not passed now, I am afraid we would not be benefitting those whom Sardar Bachan Singh wants to help. It is possible that their interests in that case, may suffer. But as regards the speech delivered by Sardar Bachan Singh and the views expressed by him I agree with him. The spirit that he has demonstrated is really commendable and in spite of my being a member of the Congress party, I congratulate him for that. There is more of Congress spirit in the views expressed by him than in the words of this Bill moved by our Congress Minister. This problem of tenants, Sir, is not an ordinary problem. The hon. Pandit Jawahar Lal Nehru, when he was touring Punjab, said in a meeting of the Members of Assembly at Ambala that the problem of land reforms was a problem not only of India but the whole of Asia. It is so important that no amount of effort on it can be too much. After all what is the harm if this Bill is passed just now. Superficially this Bill looks quite ordinary. It has only eighteen clauses spread over three, or four pages. But its effect and consequences would be very far-reaching and significant. The facts responsible for the enactment of such laws have been the causes of making and unmaking of the Governments in the world. If we do not benefit from the example of our neighbouring country, the same inexorable law of nature will apply to us. I, therefore, submit that there is absolutely no need to ascertain public opinion on this point. Who does not know the feelings of the poor people in this matter? I say the Government which does not know that is not worth its name. Who does not know what the tenants want? The pity, however, is that the views of the public are very much watered down by the time they actually reach the Government. The feelings of this House and those of the public on this point are far stronger than those of the Government. It is these things on the basis of which people are preparing for revolutions. If these evils are not put an end to, the Government will be overthrown as has been done in other countries.

[Shri Ram Sharma.]

Sir, my submission is that the Government should read the writing on the wall. It should not close its eyes upon it. Just after the partition of the country there was an opportunity laid before the Government to meet the requirements of the landless tenants and other poor peasants. At that time a legislation could be brought forward for their benefit. But it is a matter of regret that our Government failed to take advantage of that occasion. The result of this failure is that there is at present a good deal of unrest and agitation among the people. There is discontent among the nationalists as well as the socialists. The Congress itself is not immune from this. There is a large body of Congressmen who feel that all is not well in the State of Punjab. Sir, my submission is that under these circumstances Congressmen should come forward and compel their Government to open its eyes to the real needs of the masses and to think in terms of their benefit. The Bill under consideration is based on the earlier ordinance issued on 13th May 1950 which has failed to satisfy the tenants. The hon. Chief Minister is not in his seat but other hon. Ministers are present and I hope in his absence they can speak for him in this matter. May I ask these hon. Ministers whether any party whatsoever, has derived any satisfaction from this Bill? Neither the tenants, nor the landlords nor any of the political parties in the State have considered this Bill to be satisfactory in any manner. It does not meet the requirements of the case and there is no satisfaction among the general public at all.

Sardar Jagjit Singh Mann : But the agitation carried on by the tenants has stopped. Does it not show that they feel at least some satisfaction?

Shri Ram Sharma : Those people who consider the present apparent calm on the surface are living in a fool's paradise. They don't know that as a matter of fact, they are sitting at the top of a volcano. A revolution may break out if matters are not set right. There is enough of discontent prevailing in the State. But unfortunately some of us who consider only the shedding of blood as a sign of revolution, shut their eyes upon the prevailing unrest and attach no importance to it. In my opinion this state of mind is dangerous. History is a witness to the fact that great revolutions came in the wake of such unrest among the people. When our Government issued the present ordinance it did not satisfy the people for months. Satyagraha continued and the tenants remained discontented. Some of the hon. Members have remarked that now because satyagraha is no more the tenants are satisfied and the agitation is at an end. This is not so. Even our own experience of the Congress organisation tells us that many a time we had to suspend our movements against the British rule. We had to change our course of action. This did not mean that our agitation stopped and that we became contented. So in this case also it is a mistake to think that this ordinance has given satisfaction to the tenants. What to say of the poor tenants, it has not even satisfied the landlords themselves. I can say of Hissar landlords that they also do not feel satisfied to give one instance only, land revenue has been realised both from landlords of Hissar and from the allottees. For the last 2 years and a half landlords as well as the tenants are in a strange predicament. No relief has been provided by our Government to any of the parties to this dispute. Poor tenants have been put to a great hardship and this Bill does not satisfy them at all. In this respect I wish to throw challenge to the hon. Ministers that.....

Mr. Speaker : Challenges are not allowed in this House. (*Laughter*).

Shri Ram Sharma : This is not a challenge for duel, it is only given in order to ascertain whether the persons concerned are satisfied with this Bill or not. My submission is that about ninety or ninety-five per cent of the tenants do not like the steps proposed to be taken by the Government to meet their demands and solve the tenancy problem in the State. I challenge the Government to test it and to find out the opinion of the tenants with regard to this matter. Some time back when a Ministry was changed 'The Tribune' carried out a counting of the votes in order to find out the trend of public opinion in the State. I would suggest to the Government to adopt the same procedure or to resort to some other method so as to find out the real feelings of the tenants in this matter. Votes may be taken in some districts, in some villages or in some parts of the villages. I am sure that the Government won't be able to secure even one-fourth votes of the persons concerned. If the Government gets one-fourth votes, I will admit my defeat and say that this legislation satisfies the poor.

Minister for Revenue : Question may now be put, Sir.

Mr. Speaker : Question is—

That the question be now put.

The motion was carried.

Minister for Revenue : (The hon. Sardar Kartar Singh) (*Punjabi*) : Sir, the proper time for making observations on the details of this Bill is when it is considered clause by clause. So it would have been better if the criticism which some of the hon. Members have levelled had come at that stage. As regards the general principles of the Bill I find that no criticism has been made by any of the hon. Members. Therefore it is meet and proper that this Bill should be referred to the Select Committee without any delay and it need not be circulated for eliciting public opinion.

Mr. Speaker : Question is—

That the Punjab Tenants (Security of Tenure) Bill be circulated for the purpose of eliciting opinion thereon by 28th February, 1951.

The motion was lost.

Mr. Speaker : Question is—

1. That the Punjab Tenants (Security of Tenure) Bill be referred to a Select Committee consisting of :—

1. The hon. Dr. Gopi Chand Bhargava.
2. The hon. Captain Ranjit Singh.
3. Sardar Partap Singh.
4. Chaudhri Sher Singh.
5. Chaudhri Kartar Singh.
6. Sardar Jagjit Singh Mann.
7. Sardar Gurbachan Singh (Ferozepore).
8. Pundit Durga Chand Kaushish.
9. Sardar Bachan Singh.
10. Chaudhri Sahib Ram.
11. Chaudhri Jagdish Chander.
12. Sardar Kabul Singh.

[Mr. Speaker].

2. That the quorum of the Select Committee shall be 5 ; and

3. That the Select Committee be directed to submit its report by the 10th October, 1950.

Pundit Durga Chand Kaushish : I want to speak on this motion.

Mr. Speaker : The hon. Member should read the rules. Nobody can speak on this motion at this stage.

Pundit Durga Chand Kaushish : Sir, I am entitled to speak on this motion since the question was put and carried on the motion for circulation and not on this motion.

Mr. Speaker : Closure motion was moved and carried. After that I put the amendment to the House which was lost and then I have to put the main motion to the House and there can be no speech on it.

Pundit Durga Chand Kaushish : Now that you have put the original motion to the House, we have a right to discuss it.

Mr. Speaker : The hon. Member seems to forget that there are two distinct stages of a motion. The first is when a Member moves a motion and the second is after he has spoken on it, when I say "motion moved". That is the stage when hon. Members can speak on it. Then I say "Question is——". At that stage the motion is simply put to the vote of the House and no discussion is allowed.

Pundit Durga Chand Kaushish : The House discussed the amendment and that amendment has been lost. Now we want to discuss this main motion.

Mehta Ranbir Singh : On a point of order, Sir. The motion that you have now been pleased to put before the House is different from the one which was originally before us, for the name of a certain hon. Member has been substituted for that of another hon. Member.

Mr. Speaker : If that is the only objection, I will put that particular question to the House. Question is—

That the name of Chaudhri Matu Ram be substituted for that of Chaudhri Sher Singh.

Pundit Durga Chand Kaushish : I want to speak on this motion.

Mr. Speaker : No I cannot allow that. It is against the rules since the closure has been moved and carried.

Pundit Durga Chand Kaushish : Sir, closure was moved and carried in regard to another motion and not on this motion. Now you want to remove one name from the select committee and put another and we are perfectly within our rights to express our views on this question.

Mr. Speaker : I have ruled that once a closure has been carried no speeches can be made. Question is—

That the name of Chaudhri Matu Ram be substituted for that of Chaudhri Sher Singh.

The motion was carried.

Pundit Durga Chand Kaushish : Sir we have been deprived of our right to speak on this motion. My contention is.....

Mehta Ranbir Singh : On a point of order, Sir.....

Mr. Speaker : Since the matter is getting more and more complicated, I adjourn the House.

The Assembly then adjourned till 2 p. m. on Monday, 9th October 1950.

Punjab Legislative Assembly Debates

9th October 1950

Vol II—No. 7

OFFICIAL REPORT.



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PUNJAB LEGISLATIVE ASSEMBLY

SECOND SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY.

MONDAY, 9TH OCTOBER 1950.

The Assembly met in the Assembly Chamber, Simla, at 2 P.M. of the clock.

Secretary : I have to inform the House that the hon. Speaker will be late by a few minutes and Mr. Deputy Speaker will therefore occupy the chair.

Mr. Deputy Speaker (Thakur Pancham Chand) occupied the chair amidst cheers.

STARRED QUESTIONS AND ANSWERS

COMMUNIST DETENUS.

* 2211. **Shri Bhagat Ram Chodha :** Will the hon. Chief Minister be pleased to state :—

(a) whether the Government intends to keep in detention even those Communist detenus who have discarded the Communist Party policy ;

(b) the number of detenus who are believed by the Government to be in favour of violence ?

The hon. Dr. Gopi Chand Bhargava :

(a) The Government have no intention of keeping in detention any person who has given up the violent policy of the Communist Party.

(b) The number of persons in detention is 112 and the Government have reasons to believe that they are all in favour of violence. The number has gone down since.

Shri Dev Raj Sethi : May I know the number of those Communist detenus who have so far given in writing about their having discarded the Communist Party ?

Chief Minister : I require notice for this question.

Shri Prabodh Chandra : Is the hon. Chief Minister aware of the fact that some of the Communist detenus have submitted representations to the effect that they have discarded the Communist Party and that they should be released ? Has the Government considered their representations ; if so, is the Government prepared to release them ?

Chief Minister : I require fresh notice for this question.

Shri Virendra : May I know from the hon. Chief Minister if it is obligatory on the part of every such Communist detenu to express verbally or give in writing about his having discarded the Communist Party ?

Chief Minister : Such decisions are made by the Government as and when their cases are considered by the Government.

Shri Prabodh Chandra : May I know if any Communist detenus detained at present in Yole Camp and Ambala Jail have expressed their intentions to leave the Communist Party ? Is it also a fact that in spite of their having done so, they have not been released ?

Chief Minister : I require fresh notice for this question.

Shri Prabodh Chandra : May I know if the Government is prepared to release any such Communist detenu who makes such a representation to it ?

Shri Ram Sharma : In view of the fact that the Supreme Court has very recently delivered its judgement on certain matters relating to the detention of some Communist detenus and ordered their release on the ground that it was not legal and based on reasons, may I know if the Government is reconsidering the cases of the Communist detenus on the basis of that decision ?

Chief Minister : Government is always reviewing the cases of these detenus.

Mehta Ranbir Singh : May I know the conditions which such Communist detenus are required to satisfy ?

Chief Minister : Such decisions are made by the Government as and when their cases are reviewed ?

Mehta Ranbir Singh : What are the grounds on the basis of which such cases are decided by the Government ?

Chief Minister : The grounds on the basis of which they were detained are also reconsidered before taking such decisions.

Shri Amar Nath Vidyalankar : May I know if the Government has gone through the Judgment of the Supreme Court delivered on the detention of Sardar Sohan Singh Josh and other Communist detenus in which the system of reviewing their cases by the Government has been strongly condemned ?

Chief Minister : Such judgments do come to the notice of the Government.

CURTAILMENT IN RATIONS OF COMMUNIST DETENUS.

* 2212. **Shri Bhagat Ram Chodha :** Will the hon. Chief Minister be pleased to state whether it is a fact that the food rations of those communist detenues who resorted to hunger strike recently were curtailed; if so, the reasons therefor ?

The hon. Dr. Gopi Chand Bhargava :

No. The enhanced diet allowance of Rs. 2/8/- per day usually granted to communist detenues has been withdrawn from those who committed jail offences, and they are given diet allowance of Rs. 2/4/- per day in case of A class detenues and Rs. 1/12/- in case of B class detenues

CLASH BETWEEN THE COMMUNIST DETENUS AND JAIL AUTHORITIES,
FEROZEPORE.

* 2213. **Shri Bhagat Ram Chodha :** Will the hon. Chief Minister be pleased to state :

(a) the weight of Comrade Sardar Singh of Sakiadar Pur, District Jullundur and Comrade Sohan Singh Josh Ex-Member, Punjab Legislative Assembly at the time of their arrest and at present separately;

(b) whether any clash between the Communist detenues and Ferozepore jail authorities occurred recently; if so, the reasons therefor;

(c) whether any official or non-official enquiry committee was constituted to investigate this matter; if so, whether any enquiry was held and the result thereof ?

The hon. Dr. Gopi Chand Bhargava :

(a)	Weight on admission in jail	Weight on release from jail.
-----	--------------------------------	---------------------------------

Sardar Singh	125 lbs	142 lbs.
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Sohan Singh Josh	175 lbs	166 lbs.
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(b) No. If the hon. Member refers to the incident of 6th February, 1950, his attention is drawn to the reply given to Assembly Question No. 1655 in the last session of the Assembly.

(c) No, as Government did not consider it necessary.

Shri Prabodh Chandra : May I know if any person was appointed or any committee set up to judge whether or not it was necessary to hold any enquiry ?

Chief Minister : This is a hypothetical question.

Shri Prabodh Chandra : May I know if the Government held the enquiry on the report of the Superintendent and the Deputy Superintendent of the jail who were responsible for the lathi charge ?

SPEECHES DELIVERED AT ROHTAK ZAMINDARA LEAGUE.

* 2271. **Shri Dev Raj Sethi :** Will the hon. Chief Minister be pleased to state :-

(a) whether speeches delivered in a public meeting on 15th August, 1950, under the auspices of the Rohtak Zamindara Party at Rohtak were reported by the Police;

(b) whether any of the speeches were considered by the Government to have offended against the law; if so, the action taken or proposed to be taken by the Government in the matter ?

The hon. Dr. Gopi Chand Bhargava :

(a) Yes

(b) First part, No ;
Second part, does not arise.

Shri Dev Raj Sethi : May I know if the Government considered those speeches in which baseless allegations were made against the Government ? Is it also a fact that provocative speeches were made against the Government ?

COMMUNIST DETENUS.

Shri Dev Raj Sethi : Will the hon. Chief Minister be pleased to state :-

(a) the total number of communists under detention on 31.8. 1950;

(b) the total number of communist detenues released during the first eight months of 1950;

(c) the date of next review of their cases ;

(d) the total number of such communists against whom warrants of arrest have been issued but who are evading their arrest ;

(e) the total number of such communists who have been intereued
in their villages ?

The Hon. Dr. Gopi Chand :

- (a) 131
- (b) 120
- (c) the case of every person detained under a detention order is reviewed under Sec. 12(2) of the Preventive Detention Act, IV of 1950, within a period of six months from the date of his detention.
- (d) 38
- (e) 104.

Shri Prabodh Chandra : Are the cases of these detenus decided on the recommendation of the Advisory Committee ?

Chief Minister : I would request the hon. Member to wait till the reply to a similar question is given.

Shri Dev Raj Sethi : In reply to part (d) of this question, the hon. Chief Minister has stated that so far 38 such Communists against whom warrants of arrest have been issued but who are evading their arrest remain to be arrested. May I know if the Government has taken any steps to bring some pressure upon them ?

Chief Minister : Government is employing all the methods within its power to arrest them.

Shrimati Sita Devi : May I know if the Government has received any representations from those communists who have been interned in their villages to the effect that they should be provided with adequate facilities with a view to earning their livelihood ? If so; what steps has the Government taken or does it intend to take in this connection ?

Chief Minister : I require notice for this question.

Shrimati Sita Devi : May I know the general policy of the Government about the detenus interned in their villages ?

Chief Minister : What reply shall I make when no specific case has been brought to the notice of the Government ?

shri Ram Sharma : Does the Government know as to how and to what extent the cases of evasion of arrests on the part of the communist detenus is decreasing ? Is the progress satisfactory ?

Chief Minister : All possible efforts are made by the Government to apprehend those who evade arrests and even if by employing all the methods within its power it has not been possible for it to arrest them, it is helpless.

Shri Virendra : Is it the intention of the Government to withdraw restrictions from those detenus against whom there would be no complaints ? Is the Government going to fix any period for that ?

Chief Minister : Government is reviewing their cases from time to time.

Shri Ram Sharma : May I know if the Government is taking any steps to arrest those communists against whom warrants of arrest have been issued but who are evading their arrest. In view of the fact that 38 such communists have not so far been arrested, may I know if any other steps are intended to be taken by the Government in this connection ?

Chief Minister : Government is employing all possible methods within its power to arrest them.

Shri Ram Sharma : Is it a fact that in spite of its best efforts, the Government has failed to arrest 38 communists who have gone under ground ?

Chief Minister : Efforts are being made by the Government to arrest them.

Shri Ram Sharma : If the cases of communist detenus are reviewed after every six months, may I know whether a detenu is afforded an opportunity to submit his representation after the review of his case periodically or final decision is made on his first representation ?

Chief Minister : If any of the detenus submits any representation, his case is again reviewed.

RECRUITMENT TO PROVINCIAL CIVIL SERVICE

* 2274. **Shri Dev Raj Sethi :** Will the hon. Chief Minister be pleased to state :—

(a) the total number of posts in the Punjab Civil Service filled by the Government since August, 1947 by (i) nomination, (ii) by promotions from various departments (iii) by competition ;

(b) the number of posts in the P.C.S. which are likely to fall vacant during the year 1951-52 and the way in which the Government intend to fill them ;

(c) whether in filling the vacant posts in the P.C.S. during 1950, the Government paid any consideration to the communal proportion between the communities ;

(d) whether the Government intends to give up entirely the system of nominations for filling up such posts; if so, from what date; if not, the reasons therefor ?

The hon. Dr. Gopi Chand Bhargava :

- (a) (i) nomination.....6 (from among lawyer magistrates only)
- (ii) by promotion from various departments. 18 (12 from among tehsildars and 6 from among ministerial Government servants)
- (iii) Competition.....21(9 in 1949 and 12 in 1950)
16 vacancies for the year 1950 are still to be filled up on the following basis :-
- (i) From among officers of the Civil Supplies and Rehabilitation Departments.....6
- (ii) From among Ministerial Government servants.....2
- (iii) Tahsildars.....7

(b) The number of vacancies to the Punjab Civil Service (Executive Branch) for the year 1951-52 has not so far been worked out. This will be done after recruitment on various Registers for the year 1950 is completed.

(c) No.

(d) After the partition, Government have decided to do away with direct nominations to the Punjab Civil Service (Executive Branch).

Shri Dev Raj Sethi : May I know whether this procedure relates to the Judicial branch of the P.C.S. or the Executive Branch ?

Chief Minister : If the hon. Member wants to get information relating to the Judicial Branch, he should give fresh notice of the question and the necessary information will then be supplied to him.

SUSPENSION OF SHRI RAM NIWAS, ACCOUNTANT, MUNICIPAL COMMITTEE
REWARI.

*** 2030. Shri Ram Sharma :** Will the hon. Minister for Local Self Government and Labour be pleased to state :—

(a) whether it is a fact that Shri Ram Niwas, Accountant, Municipal Committee, Rewari was suspended in an adjourned meeting of the Committee held on 2-11-1949 without previous notice in this respect having been issued to the members; if so, the action taken by the Government in the matter ;

(b) whether the Government required the Accountant named above to be suspended as a result of the recommendation of the officer-in-charge, Local Bodies, who inspected the Rewari Municipal Committee office during March, 1949;

(Shri Ram Sharma :)

(c) whether it is a fact that the officer-in-charge, Local Bodies referred to in part (b) above, conducted the enquiry against the Accountant referred to in part (a) above; if so, whether the said Accountant made a representation against the enquiry being conducted by the officer on whose recommendation he was suspended ;

(d) whether it is a fact that before the proceedings of the enquiry began Shri Ram Niwas applied that it was unfair that the same officer on whose report the enquiry was being started should conduct the departmental enquiry and some other officer might be deputed for that purpose ;

(e) if the answer to part (d) be in the affirmative, the action which the Government proposes to take in the matter ?

The hon. Shri Prithvi Singh Azad :

(a) No. He was suspended by the Municipal Committee, Rewari in its adjourned meeting held on 4-11-1949 and a previous notice of this meeting was issued to the members of the Committee.

(b) The officer-in-charge Local Bodies inspected the accounts of the Rewari Municipal Committee under orders of the Commissioner. Government suspended the Accountant on the recommendation of the Commissioner.

(c) The enquiry was conducted by an officer appointed for this purpose. The Accountant made a representation to the Deputy Commissioner against the inquiry being conducted by this officer.

(d) Yes. But the request of the Accountant was not acceded to by the Deputy Commissioner.

(e) Since the inquiry was completed in July 1950, a report of the inquiry will be awaited before any action is taken. I may add that I received this report yesterday.

Shri Ram Sharma : Is it a fact that the Government issued orders to the Deputy Commissioner, Gurgaon to make a departmental enquiry himself against the Accountant, Municipal Committee, Rewari, instead of the Additional District Magistrate ?

Minister : This is not to my knowledge and I do not know how the hon. Member has come in possession of this information.

Shri Ram Sharma : Is it a fact that in spite of the receipt of order by the Government, the Deputy Commissioner made wrong reference to the Government about the non-receipt of such orders ?

Minister : I cannot say definitely. Such letters are ordinarily sent under confidential covers.

Shri Ram Sharma : Is it a fact that on the representation of the Accountant the Government had issued orders that the enquiry may be made by the Deputy Commissioner himself instead of the A.D.M. who had originally reported against the Accountant ?

Minister : A reply to this has been given in part (d) of the answer. The Accountant had submitted a representation and that was rejected.

Shri Ram Sharma : Is it not a fact that the Accountant had made a representation that the same officer on whose report the enquiry was started should not be deputed to conduct enquiry against him and on that representation the Government had issued orders to the Deputy commissioner to hold the departmental enquiry himself ? May I know whether the Government had issued such orders or not ?

Chief Minister : I thank the hon. Member for giving the information.

Shri Ram Sharma : Is it a fact that the Government had issued this order on the 29th December 1949 and this letter of the Government was duly entered in the receipt register at Gurgaon and in spite of this the department had written to say that no such letter of the Government had been received ? I really wonder why the Government is giving such an evasive reply.

Minister for Labour : Government has no knowledge of this. I wonder how the hon. Member has got this wrong information.

Shri Ram Sharma : Is it not a fact that this letter was issued by the Government which was duly entered in the receipt register and in spite of this the Deputy Commissioner, Gurgaon, has made wrong reference to the Government about the non-receipt of such orders ?

Chief Minister : This question has already been replied to.

Shri Ram Sharma : If the representation of the Accountant was rejected, may I know why the Government issued orders to the Deputy Commissioner the receipt of which is on record and the Deputy Commissioner made subsequently wrong reference to the Government about the non-receipt of the order ?

Chief Minister : This is information and not a question.

Shri Prabodh Chandra : Is it not contrary to the Government Servants Conduct Rules that the same officer on whose report the enquiry may start, should conduct the enquiry ?

Chief Minister : I refer the hon. Member to the Rules.

Shri Prabodh Chandra : Is it not a fact that the same officer on whose report the enquiry was started against the Accountant, has been deputed to conduct the enquiry ? Is it in accordance with the Rules ?

Chief Minister : It is not a fact that the same officer has been deputed for enquiry.

Shri Ram Sharma : Is the Government prepared to consider the question whether the enquiry which was conducted by the A.D.M. is in accordance with the rules and not against the instructions of the Government ?

Chief Minister : The Government is prepared to consider all requests that are made.

MUNICIPAL COMMITTEE, KALKA.

* 2096. **Shrimati Sita Devi :** Will the hon. Minister for Local Self Government and Labour be pleased to state :—

(a) the total number of members nominated to the Municipal Committee, Kalka in the years 1948, 1949 and 1950 ;

(b) the number of refugees among them ?

The hon. Shri Prithvi Singh Azad :

(a)	1948	...	...	...	...	2
	1949	...	...	...	...	1
	1950	...	...	...	...	None

(b) None.

Shrimati Sita Devi : Has the Government not considered it necessary to nominate some refugees to this Municipal Committee ?

Shrimati Sita Devi : Is it not the policy of Government to appoint refugees for filling up vacancies caused by the migration of Muslims ?

Minister : No such restriction can now be imposed after the enforcement of the new Constitution. In the case of old seats, however, the claims of refugees are given due consideration.

Shrimati Sita Devi : What I want to know is why a non-refugee has been appointed on this Committee ? Is this not against the declared policy of the Government ?

SCARCITY AND IRREGULAR SUPPLY OF WATER AT KALKA.

* **2097. Shrimati Sita Devi :** Will the hon. Minister for Local Self Government and Labour be pleased to state :—

(a) whether he has received any representation from the citizens of Ambala regarding the scarcity and irregular supply of water ;

(b) the action which the Government intend to take to remove the said grievances ?

The hon. Shri Prithvi Singh Azad :

(a) No such representation was received from the citizens of Ambala.

(b) Does not arise.

Shrimati Sita Devi : Now that the hon. Minister has come to know that there is a printing mistake and the question is intended to refer to Kalka and not Ambala, will he please give a reply ?

Shri Dev Raj Sethi : Is it not a fact that the residents of Kalka made a representation to the deputy commissioner of Ambala, about scarcity of water and he promised to make some arrangement to remove this difficulty ?

Minister : It is a new question and, therefore, notice is required for this.

Mehta Ranbir Singh : Is it not a fact that the Minister-in-Charge wrote to the Government about this matter ?

Minister : What is the idea of my writing to myself ?

Mehta Ranbir Singh : What I mean to ask is this. Did the Minister-in-Charge write to some other department, for instance, the Public Health Department, about the scarcity of water at Kalka ?

Minister : No such question ever arose.

Mehta Ranbir Singh : Is it not a fact that the Sanitary Board has also been addressed on this matter ?

Minister : The hon. Member is a member of that Board also and so it must be in his knowledge.

REFUGEE MEMBERS IN THE DISTRICT URBAN RESETTLEMENT
COMMITTEE KALKA.

* **2095. Shrimati Sita Devi :** Will the hon. Minister for Rehabilitation be pleased to state :—

(a) the total number of members appointed to the District Urban Resettlement Committee, Kalka, in the years 1948, 1949 and 1950;

(Shrimati Sita Devi :)

(b) The number of refugees among them ?

The hon. Dr. Lehna Singh Sethi :

(a) There is no District Urban Resettlement Committee, Kalka. There is, however, a Town Allotment Committee in which there were five members in 1948. Since 19.12.48 there are four members, excluding the naib tehsildar who is its president.

(b) In 1948 out of the five members one was displaced person. Of the present four members, two are displaced persons.

REALIZATION OF STREET LIGHTING CHARGES ETC. FROM THE INHABITANTS
OF REFUGEE COLONIES.

*** 2125. Mehta Ranbir Singh :** Will the hon. Minister for Rehabilitation be pleased to state :—

(a) the amount realised from the inhabitants in different Model Towns of the State for street lighting and charges for watering gardens ;

(b) the number of defaulters in the different Model Towns ;

(c) whether the Government intends to reduce the rates for street lighting and watering gardens; if so, to what extent ?

The hon. Dr. Lehna Singh Sethi :

(a) The levy of fees for permanent water supply and street lighting in the new townships under the Punjab New Townships (Street Lighting and Water Supply) Fees Act No. IX of 1950 and the Rules framed thereunder, has not yet been enforced as the question of reduction of fees for these amenities is under consideration of the State Government. As such no such fees have yet been realised from the inhabitants of the New Townships. Permanent water supply will take about a year more for its completion and the question of realization of fee on this account will then be taken up. Electric street lighting in most of the townships has been provided. Realization of fees from the date of provision of this amenity will be made when the rate of the fee is revised;

(b) Does not arise.

(c) Yes; the matter is under consideration.

Mehta Ranbir Singh : Has any committee of the representatives of these townships been constituted to advise the Government in the matter of reduction of charges for street lighting and water supply ?

Minister : It is proposed to constitute such a committee.

Menta Ranbir Singh : When ?

Minister : Very soon.

Mehta Ranbir Singh : If it is decided to reduce the rates, will it be allowed to have retrospective effect ?

Minister : Yes.

Mehta Ranbir Singh : What data has the Government so far collected to decide the question of reduction in rates ?

Minister : I cannot tell this off hand.

CENSUS OF DISPLACED MUSLIMS.

* 2130. : Will the hon. Minister for Rehabilitation be pleased to state :—

(a) whether census of the displaced Muslims residing in the different districts of the State other than the Gurgaon district was recorded in 1948; if so, the number of such Muslims in each district; if not, the reasons therefor ;

(b) (i) the number of the displaced Muslims who have so far been restored their properties in each district of the State ;

(ii) the number of the displaced Muslims in each district of the State who have not been restored their properties so far and the reasons therefor, together with the area of land they are entitled to ;

(c) whether such Muslims who returned from Pakistan have also been restored their properties including lands; if so (i) their number in each district and (ii) the areas of land restored to them up till now in each district of the State separately ;

(d) whether any date was fixed and if so, what, for the Muslims referred to in part (c) above for their return to India to enable them to get their properties back ;

(e) whether those returning from Pakistan were required to report their arrival to their respective police stations in Gurgaon District ;

(f) whether any cases were brought to the notice of the Government or the district authorities of Gurgaon in which those returning from Pakistan were not recorded in the census but their names were entered in the Police records in Gurgaon district; if so, the number of such cases ;

(g) whether the persons mentioned in part (f) above will be entitled to get their properties back on the authority of the police records; if not, the reasons therefor ;

(**Sardar Sajjan Singh**)

(h) whether any applications from the persons mentioned in part (g) above have been received so far by the Government or the district authorities of Gurgaon for the restoration to them of their properties; if so, the number of such applications and the decision taken thereon ?

The hon. Dr. Lehna Singh Sethi :

(a) No census of Muslims in the different districts of the State other than the Gurgaon district was recorded in 1948. The State Government is not aware of the circumstances under which the Government of India did not contemplate similar census in other districts.

(b) (i) See column No. 2 of the attached statement. *

(ii) See column No. 4 to 6 of the attached statement. *

(c) See column No. 7 to 9 of the attached statement. *

(d) Restoration to such Muslims is governed by the provisions of Section 16 of the Administration of Evacuee Property Act XXXI (Central) 1950.

(e) No.

(f) There may be a few cases who may not have been recorded in the census, but such information is not readily available.

(g) Yes. Provided they are found entitled by virtue of the provisions contained in Section 16 of the Administration of Evacuee Property Act XXXI (Central) 1950.

(h) Yes. 574 claimants. Such cases are being looked into in the light of the answer given at (g) above.

Shri Prabodh Chandra : Is it not a fact that many Meos who did not leave India have not been given their properties so far in accordance with the Inter Dominion Agreement despite the fact that they have made many representations to this effect ?

Minister : The cases of all those Muslims who have represented that after partition they did not go to Pakistan and resided in India are under the consideration of the Government.

Shri Prabodh Chandra : How is it that decision has not been taken by the Government on representations which were made about two years ago ?

* Kept in the Library.

Minister : Those Muslims who had returned by the time when census was taken in 1948 have been given back their properties. So far as the disputed cases are concerned, i. e., people about whom it cannot positively be said that they kept on living in India after partition, are being examined by the Government.

Sardar Sajjan Singh : What procedure is to be adopted for returning property to the non-Meos ? Why has not a census been held in the case of non-Meos ?

Minister : I would draw the attention of the hon. Member to the reply given to the next question.

Sardar Sajjan Singh : May I request the hon. Minister to give a reply to my question just now ?

Minister : We took the census in accordance with the instructions received from the Government of India.

Sardar Sajjan Singh : I ask as to what procedure does the Government propose to adopt for the enumeration of Non-Meos ?

Minister : I have stated that for Meos we had instructions from the Government of India to hold a census and we carried out those instructions. As for the Non-Meos, their cases are being examined by the Government and properties will be returned to those who did not leave our country after partition.

Sardar Sajjan Singh : Has the Government asked for any instructions from the Government of India in regard to non-Meo cases ?

Minister : There was no necessity for writing to the Government of India as after examination of claims property will be returned to all those Muslims, whether Meos or non-Meos, who did not leave India.

Sardar Sajjan Singh : May I ask as to what is the exact procedure which the Muslims, who did not go to Pakistan should adopt for the restoration of their properties ?

Minister : They have to satisfy the district authorities that they continued to live in India.

Sardar Sajjan Singh : Have any regulations been made in this connection for the guidance of the District authorities ?

Minister : There was no necessity for making any regulations. It is not difficult for the district authorities to ascertain whether anyone continued to live in India or at some time he left for Pakistan.

Shri Ram Sharma : Will every Muslim whether a Meo or a Non-Meo have to prove to the Deputy Commissioner that he did not go to Pakistan ?

Minister : Yes, we have to examine every case as almost all Muslims went away from the East Punjab during the disturbances.

Shri Ram Sharma : Were not the Meos of Gurgaon to be given a special concession ?

Minister : They were the people who continued to live in the East Punjab after partition.

Shri Ram Sharma : Till what time could a Muslim prove that he did not leave India ?

Minister : A Muslim who did not go to Pakistan may prove this fact at any time. No date has been fixed.

Sardar Bachan Singh : How many applications were made by the Meos of Gurgaon from August 1947 to October 1950 and how many of these have been considered and disposed of ?

Minister : The hon. Member should give a notice for this question.

Sardar Bachan Singh : Is it not a fact that some applications of the non-Meos have not been considered ?

Minister : They are being considered and if there is a special case it will certainly be considered if the hon. Member brings it to my notice.

Sardar Bachan Singh : How many non-Meos have got their properties back ?

Minister : Notice should be given for this question.

Shri Ram Sharma : Is it a fact that decisions had to be delayed in many cases owing to communalism prevalent in the services ?

Minister : Though such a thing has been pointed out to me at times by some friends but I cannot say positively that it is so as no regular inquiry has been held in this matter.

Shri Ram Sharma : Was not this thing brought to the notice of the hon. Minister by the villagers of districts Karnal and Rohtak ?

Minister : I have already stated that such a thing has been brought to my notice but no enquiry has so far been held in this connection ?

Shri Ram Sharma : Is it not a fact that the hon. Minister has been himself dealing with the written complaints of some people who had been victims of communalism ? If it is so may I know in how many cases justice had been denied owing to communalism ?

Minister : I cannot remember all the cases I may have dealt with on files. Further so far as communalism in services is concerned I am not in a position to say anything unless an enquiry is held.

Shri Ram Sharma : Is there any rule which debars a Muslim from claiming property if some members of his family have gone to Pakistan ?

Minister : There is no such rule but it cannot be disputed that if one of the two brothers constituting a joint family has gone to Pakistan, the other cannot claim the entire property.

Shri Ram Sharma : Does the Government follow the same policy whether the person in whose name the property stands, has gone to Pakistan leaving his family here or is himself here but has sent his family to Pakistan ?

Minister : I have noticed that in some cases, some members of a Muslim family have gone to Pakistan while others are here. Such cases are being examined to find out if they are taking advantage in both the countries.

Shri Amar Nath Vidyalankar : Has it not come to the notice of the Government that, in some cases, property has not been returned even to those Muslims who only went to some other province within India ?

Minister : If it is proved that the Muslim concerned remained in India, his property is restored to him.

Shri Amar Nath Vidyalankar : How is it that the Government has not been able to decide finally such cases during the last three years ?

Minister : Most of the cases have been decided. If the hon. Member brings some particular case to my notice, I shall look into it.

Shri Amar Nath Vidyalankar : Is it not a fact that some Muslims applied for restoration of their properties about a year back but the Government has taken no action so far ?

Minister : There is no such case to my knowledge, in which the application might have been received a year ago and it has not been decided as yet.

Sardar Sajjan Singh : In the statement, it is stated with respect to Hoshiarpur District that 'none has produced certificate from the Government of India.' Has some agency been set up before which the Muslims might prove their claims ?

Minister : No such agency has been set up.

Chief Minister : As stated in the case of Gurgaon, property is restored on the basis of census. The officer who conducted the census was the Administrator of the States of Bharatpur and Alwar. The Deputy Commissioner (Rehabilitation) also went to those places and examined the situation.

Sardar Sajjan Singh : The hon. Minister has stated that 945 Muslims in Gurgaon have not been restored their properties so far. Has the Government made some arrangement to enable these Muslims to establish their claims ?

Minister : I have submitted that properties have been restored to 3680 Muslims. The cases of 945 Muslims are being examined. As I told the hon. Member, when he met me, the Deputy Commissioner is overworked and the Government is considering the step which it might take to expedite decision of such cases.

Sardar Sajjan Singh : In the case of Ludhiana, the hon. Minister has been pleased to state that 25 Muslims have not been restored their property, as they have not applied. Did the Government issue some communique or notification inviting applications in this connection ?

Minister : The Government has been telling the hon. Members during every session of the Assembly that Muslims can apply for restoration of property in certain cases. If the inhabitants of Sardar Bachan Singh's ilaqa have not come to know about this decision, it is possible that he might have been absent from this House, when such announcements were made.

Shri Bhagat Ram Chodha : Is it not a fact that Dr. Mohd Ali who became a Hindu before 1947 and adopted the name of Dr. Satya Prakash, has not been restored his property in Adampur, so far ?

Minister : The doctor in question met me and I remember having ordered for examination of his case. I shall look into this matter after the termination of this Session. If my hon. Friend Shri Bhagat Ram Chodha is satisfied about this case, the property will surely be returned.

Shrimati Sita Devi : If in some cases, one member of a family has remained here while others have gone to Pakistan, will the property of other members also be restored to that person ?

Chief Minister : The cases will be treated according to the law of the land.

Mehta Ranbir Singh : Is it a fact that in Ludhiana several applications for restoration of property were rejected on the ground that they did not bear the court fees of ten rupees ? Has the Government prescribed some court fees for such applications ?

Minister : In the matter of court fees, Ludhiana as well as other districts are governed by the same rules.

Sardar Sajjan Singh : In the case of Ferozepore, the hon. Minister has stated that information is not available regarding the number of cases in which property has not been restored. May I know the reason why the Deputy Commissioner or other officers concerned have not supplied this information.

Minister : The information could not be collected by now. If it is received, I shall pass it on to the hon. Member.

RELEASE OF MOSQUES ETC. TO MUSLIMS IN GURGAON DISTRICT

* 2131. **Sardar Sajjan Singh :** Will the Hon Minister for Rehabilitation be pleased to state whether any representations were received by the Deputy Commissioner, Gurgaon on or about 14. 7. 50 from Muslims of that district for the release of the mosques and religious institutions of Faridabad, Balbgarh, Nuh, Palwal, villages Gaunchhi and Ferozpur Jhirka forwarded with my letter No. 910, dated 12th July, 1950, if so the action taken by the Government thereon ?

The hon. Dr. Lehna Singh Sethi :

Yes such representations were received; mosques at Faridabad, Ballabgarh, Nuh and Ferozpur Jhirka are lying vacant as also the main mosque at village Gaunchi. Steps are being taken to have the mosque at Palwal and the remaining small ones at Gaunchi also vacated.

Sardar Sajjan Singh : Is the Government aware of the fact that in some towns and villages, some mosques are still occupied by Non-Muslims ?

Minister : It is the policy of the Government to get all the mosques vacated as early as possible. It has already been done in most of the cases. At those places where some mosques are still occupied by the refugees, Muslims have got one mosque or another for their use.

Sardar Sajjan Singh : Is it not a fact that in some cases representations in this connection are pending with the Government for the last six months ?

Minister : As already stated by me, all the mosques will be got vacated. In some cases alternative accommodation could not be provided to the refugees living in certain mosques and therefore there has been delay in getting those vacated. There is no place where some mosque is not available for the use of Muslims.

Sardar Sajjan Singh : There is only one mosque in Ballabgarh and it is still in the possession of refugees. What does the Government propose to do in this matter ?

Minister : I do not say that the hon. Member's statement is incorrect but according to my information Muslims of Ballabgarh have got a mosque for their use. I shall again make enquiries and if the information supplied to me proves to be incorrect, I shall take action against those officers who supplied the same to me.

Sardar Bachan Singh : May I know if it is the policy of the Government to release the mosques at places where Muslims are still residing ?

Minister : Our policy is to release the mosques even at those places where there are no Muslims at present.

Sardar Bachan Singh : Is it a fact that in Gurgaon District where about 1½ lakh Muslims are still living, the mosques have not been released so far ?

Minister : There is no such place where at least one mosque may not have been released. Not only that, we are getting the mosques vacated even at places where no Muslims are living.

Sardar Bachan Singh : Is the Government aware of the fact that, when some people occupy the places of worship of other people living in the State, the religious sentiments of the latter are hurt ?

Minister : We don't want to hurt the feelings of even those who are living in Pakistan.

Sardar Bachan Singh : May I know as to how many mosques have been released in districts other than Gurgaon district.

Minister : My learned friend should know that such questions cannot be replied to without proper notice.

Shri Ram Sharma : Will the hon. Minister please state if the Government has been influenced in its policy regarding this matter, by conditions obtaining in Pakistan ?

Minister : No we don't follow Pakistan. We do what is right and is in the interest of all those who are living here. It does not matter to what community they belong.

Shri Amar Nath Vidyalankar : Is it a fact that the biggest mosque of Simla, situated in the heart of the city, has not yet been released and a school is being run in it ?

Minister : The biggest mosque here is lying vacant. Only the other day, the hon. Minister for Labour addressed a meeting of the Muslims in that mosque and they expressed their gratitude to him for placing the mosque at their disposal.

ENTERTAINMENT OF TRANSFER OF PROPERTY DEEDS PUT UP BY MUSLIMS.

***2131. Sardar Sajjan Singh :** will the hon. Minister for Rehabilitation be pleased to state :—

(a) whether any instructions were issued by the Government to the Registrars and the Sub-Registrars in all the districts of the State that no transfer of property documents or deeds put up by the Muslims for registration be entertained until and unless the vendors produced certificates from the Custodian of the District concerned to the effect that their cases were genuine; if so, (i) the date when these instructions were issued;

(ii) the reasons for doing so and the law under which these were issued;

(iii) whether these instructions still hold good or have been withdrawn ;

(b) the number of cases in which deeds of transfer to properties, including mortgages and leases were produced by the Muslims in the District of Gurgaon for registration between 15.12.49 and 15.8.50 before the Sub-Registrars of Balabgarh, Palwal, Nuh and Ferozepur-Jhirka tehsils respectively;

(c) (i) the number of the cases in which deeds mentioned in part (b) above were entertained and registered without any certificates from the custodian of the Districts concerned during the period mentioned in part (b) above;

(ii) the number of cases in which the deeds in question were entertained and registered after the production of the required certificate from the District Custodian;

(iii) the number of the cases in which deeds were refused to be entertained without the previous sanction of the District Custodian ?

The hon. Dr. Lehna Singh Sethi :

(a) No instructions were issued prohibiting registration of documents of transfer of property by Muslims as such but instructions were issued by the Custodian to Registrars and Sub.Registrars in all the Districts of the State that no document of transfer of property be admitted to Registration which appears to the Registering Officer to be in contravention of the provisions of Sections 20 or 38 of the Evacuee Administration of Property Ordinance No. XXVII of 1949 (corresponding to section 22 or 40) unless certificate is produced from the Custodian to the effect that the property is not belonging to any intending evacuee or that it is not evacuee property or that the transaction has been confirmed or that the Custodian has given his previous approval to the transfer.

- (i) The instructions were issued on 4.4.50
- (ii) The instructions were issued in pursuance of the provisions of Section 39 of the above Ordinance ,
- (iii) The instructions were later withdrawn in view of directions received from the Custodian General.

(b) The Sub.Registrars of Balab Garh, Palwal and Ferozepur Jhirka have intimated that no document relating to transfer of property was presented for registration by any Muslim between 15.12.49 and 15.8.50. Three such documents were presented at Nuh.

- (c) (i) All the three documents were admitted to registration.
- (ii) Does not arise.
- (iii) Does not arise.

KOTHI OF QAZI MAHBUB ALAM AT JULLUNDUR

*** 2133. Sardar Sajjan Singh :** Will the hon. Minister for Rehabilitation be pleased to state:—

(a) whether the Kothi of Qazi Mahbub Alam at Jullundur City referred to in starred question No. 1158 put on 10th October, 1949 and No. 1536 put on 17th March, 1950 has been vacated by the occupant and placed at the disposal of the Custodian of Evacuee Property: if not the reasons therefor ;

(b) whether garden and the culturable lands attached to this Kothi were leased out or allotted during the year 1949; if so; the names of the lessees or allottees and the amount of rent for the garden and the lands fixed respectively for the year 1949-50;

(Sardar Sajjan Singh)

- (c) (i) whether the lessees were put into possession of the garden lands after their bids were approved; if so; when, if not, the reasons therefor;
- (ii) the name of the lessee in possession of garden and the lands at present;
- (d) (i) whether the garden and the lands were allotted or leased out to any person after Rabi, 1950; if so, the names of the lessees and the amount fixed for rent for the garden and the lands respectively;
- (ii) whether the lessees have been put into possession; if so, when; if not, the reasons therefor;
- (e) (i) whether the garden and the lands were leased by bids for the year 1949-50 and 1950-51 respectively; if so, the names of the highest bidders and the amount advanced for each year and names of the 2nd and 3rd highest bidders and the amount offered by each of them for the garden and the lands respectively;
- (ii) the dates when the bids were called;
- (iii) the dates when the bids were approved;
- (iv) the dates when the bidders were put into possession ?

The hon. Dr. Lehna Singh Setih :

(a) Kothi of Qazi Mahbub Alam is still under the occupation of Master Kabul Singh, and has not been placed at the disposal of the Custodian, Evacuee Property.

(b) According to the Excise and Taxation Record the garden measuring 6 Ghumaons attached to the Kothi is assessed at Rs. 420/- per annum. Master Kabul Singh, M.L.A., the occupant of the Kothi and the said garden is paying the rent regularly since 1947. The culturable land excluding garden was leased out to Amar Singh and Kartar Singh displaced persons. The lease money for the land for Kharif 1949 was Rs. 364/13/6; for Rabi 1950, the culturable land was leased to Bhan Singh and the lease money recovered was Rs. 125/13/6.

- (c) (i) The garden land was not leased out by bids and is in possession of the occupant, since 1947.
- (ii) Garden is in possession of Master Kabul Singh, while the land is in possession of Bhan Singh lessee.

(Minister for Rehabilitation)

- (d) (i) No. Garden is still with Master Kabul Singh, M. L. A. and the lease of Agricultural land only for Kharif 1950 has been renewed in favour of Bhan Singh the old lessee at Rs. 112/8/6.
- (ii) Both the lessees are in possession.
- (e) (i) The garden and Agricultural lands were not leased out by bids. The Agricultural land was leased out according to the Government instruction till Kharif 1950 on rent.
- (ii) Does not arise.
- (iii) Does not arise.
- (iv) Does not arise.

Sardar Sajjan Singh : During the last Session it was stated by the hon. Minister for Rehabilitation that he had sent a demi official letter to Master Kabul Singh vacating the bungalow. He further said that efforts were being made to find some other house for Master Kabul Singh and that as soon as it was got, the bungalow would be placed at the disposal of the custodian. May I know what has been the outcome of all these efforts ?

Minister : When I made that statement I was not in possession of all the facts. Later on I came to know that Master Kabul Singh was called to Jullundur at a very critical time and he was given that bungalow after requisitioning it. It is difficult to onst the gentleman who helped us at a critical time ?

Sardar Sajjan Singh : The Government has given a bungalow to the man who helped it just for fifteen to twenty days. May I know what has been done for those who were hanged for the cause of the people ?

UNSTARRED QUESTIONS AND ANSWERS

ALLEGED SUPERSESSION OF PATWARIS IN KARNAL DISTRICT.

604. Chaudhri Samar Singh : Will the hon. Minister for Education be pleased to state :—

(a) the number of candidates registered for patwarship in the Karnal District from 1946 to 1949 and the number of those who have been appointed so far as patwaris;

(b) whether it is a fact that the persons who were junior on the register have been employed while those who were senior are still unemployed; if so, the reasons therefor, and the action, if any, Government propose to take in the matter ?

The hon. Sardar Kartar Singh :

- | | |
|--------------|-----------------|
| (a) Ist Part | 159 |
| 2nd Part | 53 |
| (b) Ist part | no. |
| 2nd part | Does not arise. |
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DIET ALLOWANCE TO POLICE CONSTABLES

605. Chaudhri Samar Singh : Will the hon. Chief Minister be pleased to state the allowance by way of diet money given to a police constable while on tour ?

The hon. Dr. Gopi Chand Bhargava :

The information is being collected and will be supplied to the hon. Member when ready.

DAMAGE BY GANDA NULLAH IN DISTRICT KARNAL

606. Chaudhri Samar Singh: Will the hon. Chief Minister be pleased to state—

(a) whether Government is aware of the fact that a rainy nullah called Ganda Nullah, which starts from a place near the Canal Rest House, Munik, and flows through the villages Raja Kheri and Babail, tehsil Panipat, district Karnal, is reinforced by the rainy water of several villages on its way taking on the shape of a big canal; if so, whether Government is further aware of the fact that both the banks of this nullah were damaged by the floods in Jamna in 1947 ;

(b) the steps which the Government have so far taken to repair the banks of this nullah;

(c) the number of villages that have suffered from this nullah during the recent rains;

(d) the extent of damage that has been caused by this nullah to the crops, wells and houses in villages Raja Kheri Babail, Kotali, Ugra Kheri, Rasalu, Sehwa, Bhainswal, Kurar, and Dhansauli, etc., in Panipat tehsil;

(e) the steps taken by the Government to check further damage to the above referred to villages ?

The hon. Dr. Gopi Chand Bhargava :

The information is being collected and will be supplied to the hon. Member when ready.

DAMAGE CAUSED BY CANALS IN KARNAL DISTRICT

607. Chaudhri Samar Singh : Will the hon. Chief Minister be pleased to state :—

(a) whether he is aware of the fact that there are three canals flowing near Seenk and Urlana villages (Tehsil Panipat, District Karnal) which cause much loss to large cultivated areas ;

(b) whether he is further aware of the fact that a number of representations were made during the last three years, to the higher canal authorities to take steps to check damage to the crops ; if so, the action taken thereon and the steps Government propose to take to check any further damage to the above mentioned villages in future ?

The hon. Dr Gopi Chand Bhargava :

(a) Yes there are 3 channels, (1) Butana Branch, (2) Sunder Sub Branch and (3) Siwana Minor, running in the boundary of Urlana and Sink villages but not too near the village abadies. No damage is done to the village abadies either of Sink or Urlana nor is any damage done to the crops in Urlana village while in Sink village due to land being low, rain water collects in depressions during monsoon. This trouble is aggravated due to frequent breaches in Hath minor of Jind No. 3 which is under control of PEPSU Government.

(b) No application has been received from zamindars of Urlana. From Sink village a postal telegram addressed to the Executive Engineer Rohtak Division was received on 16.9.48 from Shri Data Ram, President, Congress Committee Sink, which reads as under :

“Jind State Distributary and Hath Minor Causing damage to crops and houses. Instruct State authority to close breach immediately as water has spread for miles away”.

As a result of investigation it is proposed to dig a drain to drain off monsoon rain water of Sink village in existing Pathra Drain. Rs. 12000/- have been sanctioned during 1950-51 for this work. No work is contemplated in Urlana village.

SPECIAL SITTINGS OF THE ASSEMBLY

Chief Minister (The hon. Dr. Gopi Chand Bhargava) Sir,
I move—

That on Tuesday, the 10th October and wednesday, the 11th October 1950, in addition to the ordinary sittings of the Assembly, special sittings be held on both these days from 10-30 a m to 12-30 p m.

I am putting this proposal to the House in accordance with my promise which I held out the other day, that time would be allotted for the purpose of discussing the question of relief to the sufferers of the recent floods and rains in the districts of Jullundur, Ferozepore, Amritsar, Gurdaspur and Ludhiana.

Mr. Speaker : There might be other districts also where damage has been done on account of rains and floods.

Chief Minister : The hon. Members would be free to discuss those districts also.

Mr. Speaker : Question is—

That on Tuesday, the 10th October and Wednesday, the 11th October, 1950, in addition to the ordinary sittings of the Assembly Special sittings be held on both these days from 10-30 a. m. to 12-30 p. m.

The motion was carried.

SUPPLEMENTARY DEMANDS

LAND REVENUE.

Chief Minister (The hon. Dr. Gopi Chand Bhargava) I move

That a supplementary sum not exceeding Rs. 15,440 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1951 in respect of land Revenue.

Mr. Speaker : Demand moved —

That a supplementary sum not exceeding Rs. 15,440 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1951 in respect of Land Revenue.

Sardar Bachan Singh (Ludhiana, Central, Sikh, Rural) : I move

That the item of Rs. 12,000/- on account of expenditure in connection with the Punjab Land Reforms Committee be reduced by Rs. 100/-

Mr. Speaker : It would be better, if the House agrees to fix a time limit on the duration of speeches today. I would fix fifteen minutes for the mover of a motion and 10 minutes for others.

Honourable Members : Yes.

Sardar Bachan Singh : (Ludhiana, Central Sikh, Rural) (Hindustani) Sir, the demand for Rs 12000/- an account of expenditure in connection with the Punjab Land Reforms committee, seems to be quite unnecessary and in my opinion, no other demand upon the revenues

(Sardar Bachan Singh)

of our State could be more unjust than this. The fact is that in March 1949, when Sardar Swaran Singh was the Revenue Minister, this Land Revenue Committee was brought into existence. Then Sardar Swaran Singh ceased to be a Minister and subsequently many other changes took place in the Ministry one after the other, but as ill luck would have it these rapid changes in the Ministry resulted in the Land Revenue Committee having been kept in the cold storage. Till October 1950 nobody knew what became of it. I am constrained to remark that the work in our Government departments is done so inefficiently, that one shudders to think as to what will become of the administration. Only the other day I went to the library and asked the librarian to supply me with a copy of the announcement made by Sardar Swaran Singh in this connection and also a copy of the proceedings of this Committee. I was told that they have not yet been published. It is really pitiable that the copy of the said announcement and the proceedings of the Committee should still be not available. This state of affairs should be improved. Then, Sir, we find that while in some other States of India Zamindari System has been abolished or is going to be done away with very soon, in our State when the Central Government asked for such measures to be taken the excuse of our Government was that until the refugee problem had been satisfactorily solved it had no time to take steps in this direction. The same excuse may be put forth in the case of Land Revenue Committee also. This committee was constituted in July 1949. Two of its members are *talhetu*. One of them has left even the Assembly itself in disgust. The President of the committee is not very keen about its working. I fail to understand as to what has been achieved by this Committee.

Sardar Dalip Singh Kang : Is the word *talhetu* parliamentary ?

Mr. Speaker : It is undesirable to use such expressions in the House and I hope the hon. Member will avoid them.

Shri Virendra : I think it is an unparliamentary expression.

Mr. Speaker : It is for me to decide and not for the hon. Member whether a particular word is unparliamentary or not. All the same I would request the hon. Members not to use undesirable words even though they are not unparliamentary.

Shri Virendra : What is your ruling, Sir, whether this word is unparliamentary or not ?

Mr. Speaker : It is undesirable. The hon. Member may draw his own conclusion whether it is unparliamentary or not.

Sardar Bachan Singh : Well, sir, I may point out that till July 1949, this Committee continued to tour the State of Punjab and realised their allowances regularly but afterwards it went into inaction. Nothing was known about its activities. The present hon. Minister in charge of the Revenue Department only recently took charge of it and has come forward with a demand for rupees twelve thousand to be spent in connection with the Land Reforms Committee. Now, Sir, the present Ministry came into existence only in April, 1950 and the new elections are expected in 1951. I fail to understand why this Government have decided to squander away money on this Committee when it is obvious that after a few months the new Government is to formulate major policies regarding land reforms. Then, Sir, I think that so far as the general question of land reforms is concerned, our Government should at least have kept in view the fact that the Prime Minister of India had already appointed a Planning Commission to go into the matters like this as well. This Commission had made certain suggestions in August and the same were communicated to the State Governments. Only three or four days back the hon. Chief Minister got a report of the Agricultural Commission distributed among the members of Assembly. This report contained certain recommendations, the adoption of which would lead to the improvement of agriculture in the States.

Sardar Jagjit Singh Mann : On a point of order, Sir. Is the hon. Member aware that different conditions prevail in different States ?

Mr. Speaker : This is no point of order.

Sardar Bachan Singh : Sir, what I was going to drive at was that the provisions of the item of expenditure of Rs. 12000 was a sheer wastage of public money. The provision has been made to create and offer a few appointments to their own men. This is unadulterated nepotism or favouritism. I am, therefore, of the opinion that if the Government had been sincere in their intentions to bring about land reforms, they would have seen that the Land Reforms Committee submitted a report during the period from March, 1949 to October, 1950. But what is the state of affairs in this regard ? The Committee has been in existence for the last 19 months and it has not been able to produce even one report not even an interim report. I still maintain that if the Government had been serious in the matter, there was no reason why this Committee had not put forward certain proposals regarding land reforms. The fact of the matter is that at the time of appointment of this Committee, I had serious doubts about the good intentions of the Government and I still stick to that belief. Even now an attempt is

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being made to play a fraud on the people by putting forward this demand. At the time of announcing the constitution and function of the Land Reforms Committee, Government endeavoured to please the people by saying that they were serious in bringing about land reforms in the State of Punjab. But the pity of it is that all the labours of this Committee have gone waste as nothing tangible has emanated from it. We were told that the Committee had been touring the State with a view to collecting the necessary data but we know nothing what has become of that. Now a large sum of Rs. 12000/- is being asked for making some changes in the personnel of the Committee which is expected to start functioning shortly. I think that by putting forward this demand the Government could not play a greater hoax on the people than this. What a strange thing? The Committee has not been functioning for the last 19 months and now this House is being asked to vote money for the appointment of a certain staff to enable the Committee to commence its activities.

Then, Sir, I have come to know of certain things which I want to bring to the notice of the House. I cannot vouch for their correctness as the report is not before me. However, I understand that this Committee submitted an interim report and one of its recommendations was to the effect that the system of occupancy tenants should be abolished.

Mr. Speaker : Even if that is so, I would ask the hon. Member not to bring it into discussion, since it must be a confidential document.

Sardar Bachan Singh : Well, Sir, it has come to my knowledge that the Land Reforms Committee did submit a report which has been kept strictly confidential by the Government. The necessity of putting it in cold storage arose, because the Government has adopted a policy which is elucidated by the adage. ਜ਼ਮੀਨ ਜੰਮਬਦ ਨ ਜੁੰਮਦ ਗੁਲ ਮੁੰਮਦ
जमीन जुम्बद न जुम्बद गुल मुहमद । It needs no mention that many a Government has taken steps to bring about land reforms but our Government has remained inertia-stricken.

Chief Minister : But the hon. Member should know that here no 'Gul Mohammad' is left. (*Laughter*).

Sardar Bachan Singh : Very good, the cat has been let out of the bag. I have always been of the view that this Government consists of communalists and this is true as is clear from the remarks of the hon. Chief Minister. Well, Sir, I was submitting that this Government did not move in the matter, despite the fact that other State Governments had adopted measures to bring about land reforms. The failure of the

Government can be attributed to certain reasons one of which is this. A year and a half ago, when the Ministry headed by the present Chief Minister was overthrown, he entered into a pact with the landlords that if they would help him to come into power again, he would see that the rights of the landlords were in no way affected by any legislation.

Minister for Public Works : Wrong.

Sardar Jagjit Singh Mann : Question. Will the hon. Member tell us with whom this pact was made ?

Sardar Bachan Singh : The hon. Member need not be restive. Such pacts cannot remain a secret for long. So the pact was that the landlords would continue to enjoy their privileges undisturbed as a reward for their cooperation, and that Government would make every endeavour to throw dust into the eyes of the public and defraud them in any tenancy legislation that may be brought before the House. The proof is not far to seek. The Punjab Tenants (Security of Tenure) Bill is a glaring example wherein the landlords have been provided great facilities to the detriment of the tenants. Well, Sir, what I want to submit is that the demand for the money asked for tantamounts to playing a huge fraud on the public by the Government. It is intended to show that the Government are deeply interested in introducing land reforms in the State while the fact is that it is nothing but a camouflage. The present and past record of the Government makes it abundantly clear that they have been guilty of 'ghadari (treachery)' to the kisans and poor people of the Punjab. The object of this demand is to provide a cloak to cover their treasonable actions. I may point out that such actions of the Government do not find favour with the people and they are not such as can be a matter of pride to any Government worth the name. If the Government had put forward a report as a result of the fruits of the labours of the Land Reforms Committee, containing certain useful suggestions or recommendations in connection with land reforms, we would certainly have voted even more money than what has been asked for under the demand. I therefore request the House to accept my amendment with a view to censure the Government for their remissness in the matter.

Mr. Speaker : The hon. Member during the course of discussion has used the word 'ghadari (treachery)' which is unparliamentary. He should withdraw it.

Sardar Bachan Singh : I still stick to that remark.

Mr. Speaker : It is not the question of the hon. Member's sticking to the word. The question is that the hon. Member has used a word which is unparliamentary.

Sardar Bachan Singh : No, Sir, it is not unparliamentary.

Mr. Speaker : It is not for the hon. Member to decide that. I say it is unparliamentary. Moreover, it is not strong words that carry conviction; it is the dignified language that would appeal to the House. Even the word 'dhoka' is unparliamentary. I would ask the hon. Members that they should use only dignified and parliamentary language because that raises the level of debate.

Demand under consideration amendment moved—

That the item of Rs. 12,000 on account of expenditure in connection with the Punjab Land Reforms Committee be reduced by Rs. 100/-.

Thakur Dalip Singh : (Kangra South, General, Rural) : Sir, I rise to support the cut motion moved by my hon. Friend Sardar Bachan Singh with all the emphasis at my command. (*Hear, hear*)

Sir, my hon. Friends know it full well that the Land Reforms Committee was set up by the Government with the main object of providing manifold facilities to the tenants and the Harijans. But I am really constrained to remark that this Committee which was set up about 1½ year ago has not submitted any report so far. My hon. Friends also know it full well that a resolution was passed in this House to the effect that the abadi sites on which the Harijans had constructed their houses should be declared as the property of the Harijans and that the Harijan tenants should no longer be ejected from their houses. In spite of the two relevant resolutions duly passed in this House, our Government which claims to be the wellwisher of the tenants and the Scheduled Castes, has not done anything substantial in this direction. In reply to various questions about improving their conditions Government has often declared it in unequivocal terms that the Land Reforms Committee which was set up for this purpose would soon be submitting its report recommending various facilities to be afforded to them. Here I am reminded of an Urdu verse which runs as under :—

ਮਰਜ਼ ਬੜਤਾ ਗਿਆ ਜੂੰ ਜੂੰ ਦਵਾ ਕੀ
ਸਰਜ਼ ਬਫ਼ਤਾ ਗਯਾ ਜੂੰ ਜੂੰ ਦਵਾ ਕੀ ।

A long time has passed and we have not heard anything about the recommendations of this Committee. But the landlords continue to eject the tenants by force and the same kind of fate is being meted out to the Harijans in the matter of ejection from their houses. I am of the opinion that what to speak of the Supplementary Demand amounting

to Rs. 12000 the expenditure already incurred by the Government on the Land Reforms Committee has simply resulted in an unnecessary burden upon the State Exchequer. It would rather be in the fitness of things if the members of this Committee were to forego their travelling allowances. I go further still and say that it would be only fair if they voluntarily refunded the T. A. already drawn by them as it is quite incommensurate with the labour they put in as members of this Committee. I am of the opinion that the sum of Rs. 12,000 for which a supplementary demand has been presented, seems to be an unnecessary burden and this item should, therefore, be omitted. As a matter of fact if this amount had been spent on the rehabilitation of our displaced brethren or for improving the hard lot of the Scheduled Castes or even for providing shelter to the flood-stricken people, then I would surely have felt that our Government was in full sympathy with the poor people of this State. But I cannot do without saying this that the Punjab Land Reforms Committee, about which I do not exactly know whether it has been set up or is now going to be set up, will in no case do any good to the people of the State. It would rather prove detrimental to their interests. Our Government would be committing a blunder in wasting huge amount on this Committee. In this connection I am reminded of a story. One evening a poor woman, when approached by her children to give them something to eat, devised a plan to avoid them with some pretext as she had nothing to give them. She put some pebbles in a kettle full of water and allowed it to boil on the fire. Seeing the kettle boiling the children again encircled her and cried for something to eat. Their mother told them to wait for sometime more till the contents in the kettle became fit for consumption. After a weary waiting they went to sleep and in this way their poor mother succeeded in avoiding them. In the same way our Government, by giving false hopes, has also administered a dose of opium to the tenants and the Scheduled Castes and has thus lulled them to sleep. With these words, Sir, I strongly support the Cut Motion, now before the House.

Chaudhri Sundar Singh : (Ex-Member, West Punjab Assembly representing Amritsar and Sialkot, General Rural, Reserved Seat) (*Punjabi*) :—Sir, I rise to support the Cut Motion moved by my hon. Friend Sardar Bachan Singh. I fully subscribe to the views expressed by the mover and my hon. Friend Thakur Dalip Singh who has just preceded me, so far as the Land Reforms Committee is concerned. It pains me to say that while the tenants are day in and day out being ejected, no steps whatsoever have so far been taken by the Government to safeguard their interests. The Land Reforms Committee will in no case be instru-

(Chaudhri Sundar Singh)

mental in doing anything for the poor tenants. However, I am not in a position to say whether this Committee is going to do any good to the landlords or not. But the fact remains that the Government has really failed to take any steps to safeguard the interests of the tenants. I take this opportunity to inform my hon. Friends that the old and new tenants of Gurdaspur district have been anxiously awaiting the recommendations of this Committee. They are under the impression that this Committee would devise ways and means to give them security of tenure and a relief from the rack-renting policy of the landlords. They have been convinced that this Committee would surely do something to improve their hard lot. But what we find here is quite contrary to their expectations. However, I have no hesitation in saying this that no useful purpose would be served by the appointment of this Committee and that the amount spent on it would be a sheer waste and a burden on the State Exchequer. Then it may be mentioned here that most of the Muslim tenants have already migrated to Pakistan and the number of Muslim tenants in my district particularly is less than the Harijan tenants. The latter have suffered most so far as the ejection of the tenants is concerned. This is not all. Harijans are being ejected from their houses too. The displaced Harijans have no place to live in. The recent floods have worsened their condition and they are at a loss to know what to do and where to go. Government had held out promises to the effect that some legislative measure would be brought in before this House for stopping the illegal ejection of the tenants by the landlords but no such step has so far been taken by it.

Mr. Speaker : The question of legislation cannot be discussed when discussing the Budget.

Chaudhri Sundar Singh : Sir, what I wish to say is this that the Government has not so far taken any steps to safeguard the interests of the poor tenants. With these words, Sir, I strongly oppose the demand under consideration.

Shri Prabodh Chandra : (Gurdaspur, General, Rural) (*Hindustani*) Sir, I rise to say a few things only. As a matter of fact this item is not such on which lengthy speeches should have been made. On the basis of my little experience about the working of the Rehabilitation Department I would like to make a few submissions. Once the ex-Chief Minister of our State paid a visit to the Rehabilitation Secretariat at Jullundur. Certain questions were put to him on the working of this department. A certain respectable person who was present there suggested to him to wind up the department if he was really anxious to rehabilitate our displaced brethren from Pakistan. He contended that instead of

rehabilitating the displaced people in the true sense of the word this department was responsible for creating manifold difficulties for them, So it is feared that just as the Rehabilitation Department does not make serious efforts to rehabilitate the refugees thinking that if refugees are soon rehabilitated, the department will cease to exist and hence it always functions slowly to make justification for its longest lease of life. Similarly, the Land Reforms Committee will also be anxious to make ground for its continuance and will prove a burden to the State Exchequer, as will be clear from a single item like the pay of the Secretary, Land Reforms Committee, which has been fixed at Rs. 700/- per mensem. This munificence which the Government has displayed in setting up the Committee can well be described in the following couplet :-

ਦੇਨ ਵਾਲੇ ਕਿਆ ਦਿਆ ਤੁਨੇ ਮੁਝੇ ਮੁਫਤਸੀ, ਮੁਫਤਸੀ, ਮੇਰ ਸਾਹਨਾ ਵਿਲ

ਦੇने वाले क्या दिया तूने मुझे मुफतसी अकलास और शाहाना दिल ।

This Government has always attached undue importance to trifling matters. For example, it would direct that the Mall Road be named as Lajpat Rai Road or that flash light be fixed near Lajpat Rai Statue but it has failed to do anything substantial for the good of the people. I know of so many committees which consisted of Members of this House. but none of them made any useful suggestions to the Government. If in any case any proposals were made by any Committee, these were put in the cold storage and the Government did not care to implement them. It would be better if the Government were to impress upon the Committee to make constructive suggestions regarding land Reforms. In this connection I may point out that the Assembly had referred the Tenancy Bill to the Select Committee but the Government, however, managed to get it entrusted to a special committee known as Land Reforms Committee as if it were through a back-door. Now, Sir, when there is hardly any need for this Committee, the appointment of a Secretary is also wholly unjustified. Out of the provision of Rs. 7,260 as establishment charges for six months, Rs. 6,000 count as pay of the Secretary. The sum of Rs. 2,000 has been earmarked as travelling allowance of members and the Secretary. It seems that the Government has paid scant attention towards the welfare of the low-paid Government servants who find it difficult to have two square meals a day. If at all voice is raised for affording relief to them it falls flat upon their ears. The Government feels that it would be able to get votes of the members on any supplementary demand as they are bound by the party discipline. So if the Government is bent upon passing this supplementary demand, I think it will do well to reduce the pay of Secretary from Rs. 760/- to Rs. 250/- per mensem, and the saving thus made may be utilised towards increasing the salaries of subordinate staff. I would say that Government servants are in fact the backbone of any Government. If their

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salaries are not increased, I may warn the Government that the time may come, and it will come soon, that there might be a bloody revolution in the State resulting in the overthrow of the present Government. I would, therefore, suggest that the salaries of highly placed officers may be scaled down and the salaries of the low-paid employees be raised to a reasonable level. When the Government is approached to revise the grades of peons, it often takes shelter behind the oft-quoted plea of inadequacy of funds, I frankly say without, of course, any motive of criticising the Government, that there is absolutely no necessity for such a Committee. Now the time has come that we should try to solve such problems ourselves. I think that Government should withdraw this supplementary demand because this expenditure which is to be incurred in this connection could well be utilised for the betterment of low-paid employees.

Master Gurbanta Singh : (Jullundur, General, Rural Reserved Seat) (*Punjabi*) : Sir, the expenditure in connection with the Punjab Land Reforms Committee amounting to Rs. 12,000 for which a supplementary demand has been made before the House is quite unjustifiable. I fully understand for which purpose this huge expenditure is being incurred by the Government. A Punjabi poet has remarked that

ਰੋੜੀ ਯਾਰਾਂ ਨੂੰ ਨਾਂ ਲੈ ਲੈ ਭਰਾਵਾਂ ਦਾ
ਰੌਂਦ ਯਾਰਾਂ ਨੂੰ ਨਾਂ ਲੈ ਲੈ ਭਰਾਵਾਂ ਦਾ ।

Mr. Speaker : Please do not make such remarks.

Master Gurbanta Singh : Sir, I have not said anything un-parliamentary. I received a letter about 1½ years ago from the Secretary, Land Reforms Committee, that I was appointed as a member of this committee. But it is strange that I did not receive any programme of this Committee afterwards. The Committee has not been able to do any useful work during this period of about two years. Out of the total provision of Rs. 12,000, the sum of Rs. 6,000 will be expended on the salary of the Secretary of this Committee. I would submit that this amount could well be utilised for revising the grades of low-paid chaprasis. It would have been much better if the Government had instead of setting up this Committee, constructed houses for the tenants. The houses of tenants in villages have been completely destroyed as a result of excessive rains. When the houses in different towns collapsed the Government supplied tents for the sufferers and the Deputy Commissioners in every district remained busy in providing all sorts of facilities to the victims of this calamity. But when the houses of tenants have been turned into heaps of debris on account of these floods the

Government has not made a fitting response to the appeal of suffering tenants. In my opinion if this amount of Rs. 12,000 were distributed in the twelve districts for the benefit of the tenants class, it would have certainly backed their efforts to construct houses for themselves. This is a sheer wasteful expenditure and would constitute as an unnecessary burden on the State exchequer. The Government should have spent this amount on any other item so that people may have derived real advantage of the amount spent.

Shri Buja Ram Bhagat : (Loharu, Dujana and Pataudi States) (*Hindustani*) : Sir, this Committee has not done any useful work during the last 1½ year but has rather wasted the funds that were placed at its disposal. If the hon. Ministers make a tour in the rural areas, they will find that thousands of persons have been rendered homeless on account of the recent floods. The Prime Minister of India had once remarked that the peasant class was in the grip of poverty and ignorance in the country. In fact great injustice is being shown to this class of people. The Government should earnestly try to ameliorate the condition of the rural people in order to reconstruct rural economy on sound lines.

Sir, it pains me a great deal to describe the woeful condition of the rural folk, who are being completely neglected by their Government. They no longer regard it as a government of the people, because its actions belie this description. It is not truly representative of the wishes of the people. What is the use of continuing these committees, when the peasants have no clothes to cover their bodies, when their children are dying of under-nourishment and starvation, when ordinary necessities of life are not available to the villagers. Our Ministers should move about in rural areas and see things for themselves. Only then, they will come to know how pitiable is the condition of peasants and how much cultivable land owing to non-availability of water for irrigation purposes is lying fallow.

What greater injustice can there be than that one man should not be able to get two square meals and another should be drawing rupees three thousand as his monthly salary? Where are those principles, which the congressmen used to profess and proclaim during the British rule with so much force and vehemence? If we shall not act up to our professions, God will not forgive us. Nemesis will overtake us and this Government shall not be able to rule in peace. Similarly, Nature will not keep looking on, the misdeeds of people. Lastly, I would urge the Government to find a satisfactory solution of the problem that has been created due to the mutual conflict of landlords and tenants.

Chaudhri Matu Ram : (Ludhiana and Ferozepore General, Rural, Reserved Seat) (*Hindustani*) : Sir, I feel that this money that

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is being spent in connection with the Land Reforms Committee is going waste, since to our knowledge, this Committee has done nothing useful up till this time. We know only this that the resolution, recommending to the Government for taking necessary step to confer proprietary rights on Harijans who have built houses in their 'abadis' in villages, was passed during the last session and then referred to the Committee. But it has not seen the light of day since then. We had hoped that it would come before the House in the form of a Bill but God knows in what pigeon-hole has it been thrown by the said Committee. It appears to me that secretly this Committee is in league with the landlords and supplies them information in advance so that they may be able to present the Government with a *fait accompli* in every matter. It is perhaps at its instance that the village common land is being attached by the landlords whose land is adjacent to it, with the result that no space is left in the village for us to ease ourselves. If we dare to ease ourselves in somebody's fields, we are summoned before the Panchayat and are made to pay fines. I, therefore, feel, Sir, that this money should have been spent on some better purpose.

Sardar Ajit Singh : (Ex-Member West Punjab Assembly representing South West Punjab, Sikh, Rural) (*Punjabi*) : Sir, After listening carefully to the views expressed by a number of hon. Friends about the Land Reforms Committee, I can draw only this conclusion that in fact they know nothing about it. For instance, Master Gurbanta Singh, has averred that during the last one year, not a single meeting of this Committee has been held. This is wrong. So far as my knowledge goes, five to seven meetings were held during this period. And then my hon. Friends do not seem to know that this Committee has appointed a sub-committee, which does most of the work for it. Sardar Nawab Singh, Commissioner, Ambala Division, is the Chairman of this Committee and he has written a report of about 150 to 200 pages on the working of this Committee. It is really surprising that although this report has been received by the hon. Members of this House, yet some of them are showing complete ignorance about the working of the Committee. Sir, out of the resolutions passed by this Committee, four are of very great importance. One of these relates to occupancy tenancy.

Sardar Bachan Singh : Sir, can the hon. Member disclose the contents of a report which is yet a confidential document ?

Mr. Speaker : Yes, it is still a confidential report.

Sardar Ajit Singh : All right, Sir, what I mean to say is that this Committee has done well the work that was entrusted to it. It has been mainly functioning through its various sub-committees. It was on

the basis of its proposals that an ordinance was issued to solve the problem created by the mutual conflicts of landlords and tenants, and to improve their relations with one another which some friends wanted to make all the more strained. In spite of it, there are some friends who are not satisfied with this measure which will now come before the House in the form of a Bill, and want the position to deteriorate so that even an honest and well-behaved tenant may not be able to get land and a zamindar who is really anxious to find a good tenant for his land, should not be able to trust anyone. Sir, the fact of the matter is that there is no 'Zamindari' problem in this province. There is not much of landlordism here. It is mainly a province of peasant proprietors. It is only persons like my hon. Friend Sardar Bachan Singh, who cannot till the land themselves and want that others should also not be able to till it. It is people of his ilk who are responsible for creating this fuss about 'landlordism'. They are creating conditions which tend to shatter the social and economic order of this province. I would appeal to them to reserve their tactics of setting and inciting one section of the people against another for the electioneering campaign, because our present need is how to increase production and make the grow-more-food campaign a success. We can succeed in this object only if our friends stop making attempts at disrupting the economic set-up of the province by promoting disputes and creating bad blood between the landlords and the tenants. Instead, they should help the Government in improving their mutual relations.

Mr. Speaker : I have to remind hon. Members that guillotine has to be applied to-day and that if only one demand is discussed throughout, other demands may not be reached at all.

Chaudhri Badlu Ram : (Rohtak, Central General, Rural) (*Hindustani*) : Sir, ever since this Committee has been constituted the number of disputes has increased. Whenever the Members of the Committee go on tours in the villages they instead of resolving disputes create them. So they are doing more harm than good. I would in these circumstances suggest that this Committee should be abolished and the demand for expenditure in this connection should be refused.

Chief Minister : (The hon. Dr. Gopi Chand Bhargava) (*Hindustani*) : Sir, the main objection raised against the Land Reforms Committee by my hon. Friends is this, that the Committee was constituted about a year ago but it has failed to submit its report. My hon. Friends appear to be overlooking the rules which govern the procedure of these committees. A report can only be submitted by the Committees and

(Chief Minister)

published when it has been finalised. Of course, interim reports are submitted to the Government and the Government considers them. But so far as regular reports are concerned, they can only come up before this House for consideration when they have taken a final shape and not before. When a complete report has been submitted, the Government places it before the House for its opinion and it is then that the House can suggest as to what is to be adopted in the report and what is to be rejected. But what surprises me most is the fact that my hon. Friend Sardar Bachan Singh went on blowing hot and cold in the same breath. On the one hand he said the that Committee had done precious little work while, on the other, he thundered that it had taken wrong decisions. I cannot reconcile the two positions taken up by him. If the Committee had done no work, how could it take decisions. So the hon. Sardar Sahib has been contradicting himself.

I may here, for the information of my hon. Friends, point out that this Committee was at the outset constituted to affect tenancy reforms. It was later that the work of land reforms was also entrusted to it. Not any land reforms but so many other items were also added to the terms of reference e. g. land for Harijans, reasonable level of rents and its effect on the displaced brethren, question of occupancy tenants, etc, etc. This Committee has done considerable work and has been submitting a number of reports prepared by its sub-committees. The Government after considering the reports consulted hon. Members of this House and got an ordinance promulgated in connection with the tenancy problem. We had a mind to introduce a Bill in the House during the last session but as no decision could be arrived at non-officially, it was not done. Now a Bill will have to be brought as and when the life of the ordinance expires. I may further bring to the notice of the House that not content with tenancy reform we wanted to turn this Committee into a Land Reforms Committee and we asked the advice of our Secretary about it who is not an outsider and fully understands our revenue problems. He advised that :—

In order to ameliorate conditions of the peasant proprietor and the landless labour, the aims in view of the Land Reforms Committee will have to be;

1. To provide opportunities for the development of farmer's personality;
2. To guard against any exploitation of one class by another ;
3. To ensure maximum efficiency of production ;
4. To suggest reforms which are practicable ;
5. To eliminate unequal distribution of wealth and income between agricultural and non-agricultural interests; and

party, during the last Session, that it was for them to decide the policy in this connection, and I would follow their decision. I am not a zamindar and have nothing to do with land in any other capacity. I wish to bring about such conditions under which all those who have something to do with the land may have cordial relations with each other. I certainly do not like to see a landlord exploiting his tenants or a big landlord exploiting small landlords. I might add that harsh words do not make good argument.

Then, Sir, it was said that nothing has been done for the Harijans. It was stated that the Committee had been asked to transfer the proprietary rights in the site of the houses of Harijans to the house owners but that it had done nothing. This argument may be enough for the sake of raising an objection. I, however, do not consider this to be sufficient. In order to do them real good, the Government has declared them statutory agriculturists, so that they might have full interest in land. The Government contemplates bringing forward a measure, by which rights in shamilat land may also be passed on to the Harijans, who live in the villages. We have asked our Financial Commissioner to suggest the changes which might be necessary to achieve this purpose and I assure the Harijans that they will get their due share in shamilat lands.

Then, Sir, it was said that there was a great disparity between the salaries of the Secretary and the peon of the Committee. Such objections are always raised at the time of discussion of the Budget and the Government explains its position. It is true that the Secretary would get Rs 750 per mensem as his salary and also the allowances attached to that post. We have not yet reached that stage, where perfect equality might exist between the salaries of different persons. May I know from my hon. Friends, who raised such objections, whether they paid as much amount to their workers as they themselves earned.

It was said that the appointment of the Land Reforms Committee was tantamount to administering a dose of opium to the public, so that they might forget the real problems. I do not think that the hon. Member who used those words is addicted to taking opium.

Shri Prabodh Chandra : Is he relevant ?

Mr. Speaker : Irrelevancy has to be replied by irrelevancy. This is the reason why I ask the hon. Members to be relevant and not to impute motives or make insinuations against each other. When Members indulge in irrelevancy, the debate is thrown to the background and they begin to be personal.

Chief Minister : I was saying, Sir, that the measure that we have undertaken is not a dose of opium, as said by the hon. Member. If we had not proposed to effect reforms in the system of land tenure, it could be called a dose of opium. In this connection, I may inform the House that I sent a circular letter to all the hon. Members of this House, inviting their suggestions on my scheme. The pity of it is that, with the exception of two or three hon. Members, no one cared to study the scheme and to make any suggestions. This shows that the hon. Members who are now opposing the measure that we have undertaken, speak here simply for the sake of speaking in the Assembly and are not serious about this matter of land reforms.

Shhri Prabod Chandra : On a point of order, Sir, the hon. Member is imputing motives.

Mr. Speaker : I wish that this rule should be followed very strictly by both the sides.

Chief Minister : Sir I was saying that, if the hon. Members had cared to go through my scheme and had offered suggestions thereon, they would have done something really constructive. But the fact is that they are now criticising and opposing the step that has been taken in the matter of land reforms. The Government considered it necessary to appoint a Committee to study the whole question of land reforms and we want to incur the minimum expenditure on it. With this purpose in view, we arranged that its meetings should be held during the days of sessions of the Assembly. I, therefore, submit that this provision for Rs. 12,000/- is not too much. If, however, the actual expenditure on this Committee is less than this sum, the saving would be surrendered at the time of excesses and surrenders.

Mr. Speaker : Question is

That the item of Rs. 12,000/- on account of expenditure in connection with the Punjab Land Reforms Committee be reduced by Rs. 100/-.

The Assembly divided : Ayes, 6 -- Noes, 56.

A Y E S .

Bachan Singh, Sardar.

Rattan Singh Sardar.

Jaswant Singh Duggal, Sardar.

Sajjan Singh, Sardar.

Ranbir Singh, Mehta.

Suraj Mal, Chaudhri.

N O E S .

Ajit Singh, Sardar.

Ganga Saran, Seth.

- 6 To respect the peasant's existing right of property and cultivation in the land which he holds.
- In view of this advice the terms of reference were changed and the new terms of reference were as follows :
1. Consolidation of holdings. The matter is already receiving attention but if considered feasible the scheme may be discussed in the Committee to enable members to make suitable suggestions if needed.
 2. To check fragmentation of holdings by legislation ;
 3. To check acquisition of land by purchase by a landowner beyond a certain limit ;
 - 4 To afford relief to owners of un-economic holdings by the introduction of :—
 - (a) Cottage industries, such as Dairying, Poultry Farming, Piggery, Fruit preservation etc.
 - (b) Co-operative farming on restricted scale by pooling together all un-economic holdings on voluntary basis and giving State help to such societies, if possible.
 - 5 Individual farming assisted by Co-operative Better Farming Societies.
 6. Constitution of village boards to act as basis for an organization to give effect to the recommendations of the Land Reforms Committee.
 7. Compulsory scaling down and adjustment of debts of agricultural producer and regulation of the activities of money lenders.
 8. Organisation of institutional credit from where even the non-credit-worthy farmer should be able to satisfy his needs by taking loans on low rate of interest.
 9. Organization of the marketing of agricultural produce on non-exploitation basis with the provision of weighing bridges at every market.
 10. Provision of granting fair price for agricultural produce and to establish a reasonable parity between the agricultural and industrial commodities.
 11. Provision of house-waring facilities for cash crops and cold storage depots for perishables.
 12. Crop insurance.
 13. To consider the effect of the Forest and Chos Acts on the economy of peasant proprietor,
 14. To suggest practicable changes in farming to step up production.
 15. To examine the desirability of granting exemption and relief from assessment to owners of uneconomic holdings.
 16. To examine the existing rules for granting of remissions of land revenues and to suggest their further liberalisation.
 17. To examine the possibility of basing assessment on the actual yields every year and thus ensure automatic remissions for loss of crops or low yield due to adverse seasonal conditions.

(Chief Minister)

18. To examine the possibility of assessment on sliding scale.
19. To examine the possibility of collective farming on reclaimed lands where surplus landless labour can be settled
20. To examine the possibility of transferring some of the agricultural labour to industrial concerns such as Sugar Factories, Cotton Factories etc., in areas where such crops are grown in abundance.
21. To examine the possibility of providing more motorable roads for light motor transport which can be plied by power alcohol, affording quick marketing facilities so essential for perishable commodities,
22. To examine the question of electric connections for electric energy for agricultural purposes.
23. To examine the question to raise the level of literacy among farmers and to provide means for dissemination of ideas about progressive farming through literature.

These 23 items were to be the terms of reference of the Committee regarding which a data was to be collected and examined.

This Committee has been asked to collect the necessary data and to make its recommendations on the basis of that data, so that this House might decide about the steps to be taken for their implementation. Whenever some reform has to be introduced, it is necessary to collect the relevant data, otherwise there is always a likelihood of wrong decisions being taken. Reference was made to the land reforms introduced in the Utter Pradesh. There, too, a Committee was set up, which held its deliberations for about two years. After that, it submitted its report to the Government, but so far no action has been taken on those recommendations. The same procedure has been followed in Bihar and some other States. No Government can take any action without having the necessary data before it. How can we introduce any change in our land tenure system without having all the relevant statistics before us ?

Then, Sir, one of the hon. Members used such words which I do not wish to repeat. It would not be in keeping with the dignity of the House if I were to repeat those words. However, I shall confine myself to saying only this that those words revealed the hon. Member's own mentality.

It was also said that in order to continue as Chief Minister of this State, I had entered into a pact with the land-lords. The hon. Members who make such statements wish to mislead the public. I can assure the House that I have never thought in that way and as all the hon. Members are aware even the Ordinance in connection with land tenure was promulgated after consulting thirty members, I told the members of the

Amar Nath Pandit, Vidyalkankar,	Gopi Chand Bhargava, The honourable Dr,
Badlu Ram, Chaudhri.	Gurbachan Singh Bajwa, The honourable Sardar.
Behari Lal Chanana. Shri	Gurbachan Singh, Sardar.
Beli Ram Thakur,	Ishar Singh, Mujhail Sardar.
Bhagat Ram Chodha, Shri	Jagdish Chander, Chaudhri.
Bhagat Ram Sharma, Pandit	Jagjit Singh Mann, Sardar
Bhim Sen Sachar, Shri.	Jiwan Lal, Pandit.
Dalip Singh Kang, Sardar.	Kabul Singh, Sardar.
Dalip Singh, Thakur.	Kartar Singh, Chaudhri.
Dev Raj Sethi, Shri.	Kehr Singh, Sardar.
Durga Chand Kaushish, Pandit	Kartar Singh, The Hon. Sardar.
Faqir Chand, Pandit.	Lahri Singh, Chaudhri.
Lehna, Singh Sethi, The honourable Dr..	Rattan Singh Gill, Sardar.
Man Singh Jathedar, Sardar.	Sahib Ram, Chaudhri.
Matu Ram, Chaudhri.	Samar Singh, Chaudhri.
Mehr Chand, Chaudhri.	Sant Ram Seth, Dr.
Mohar Singh, Rao.	Sarmukh Singh, Sardar.
Narinder Singh, Sant.	Sher Singh, Chaudhri.
Narotam Singh, The honour- able Sardar.	Shiv Saran Singh, Sardar.
Pancham Chand, Thakur.	Shiv Singh, Sardar.
Parkash Kaur Shrimati Dr.,	Shri Ram Sharma, Pandit.
Partap Singh, Sardar.	Sita Devi, Shrimati.
Piara Singh, Sardar.	Sudershan, Seth.
Prem Singh, Chaudhri.	Sunder Lal, Chaudhri.
Prithvi Singh Azad, The Hon- ourable Shri.	Sundar Singh, Chaudhri.
Ranjit Singh, The honourable Captain.	Virendra, Shri.
Rattan Singh Tabib, Shri.	Waryam Singh, Sardar.

Shri Prabodh Chandra : On a point of order, Sir. Can the Members who are present in the House vote by proxy. There are certain Members who did not go to the lobby for recording their votes and yet their names have been marked on the voting sheet. I ask your ruling whether this is in order ?

Mr. Speaker : A Member who is ill and is present in the House need not go to the lobby for recording his vote.

Shri Prabodh Chandra : The hon. Chief Minister, the hon. Dr. Lehna Singh, Sardar Shiv Saran Singh and Sardar Shiv Singh did not move out of the House but their votes have been recorded.

Sardar Shiv Saran Singh : Sir, I went to the lobby for recording my vote.

Sardar Shiv Singh : I, too, Sir, went into the lobby for the purpose of recording my vote.

Mr. Speaker : Sardar Shiv Singh and Sardar Shiv Saran Singh say that they went to the lobby while the hon. Premier and the hon. Minister of Rehabilitation are ill, therefore, there is no ground for any objection.

Mr. Speaker : Question is—

That a supplementary sum not exceeding Rs. 15,440 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1951, in respect of "Land Revenue"

The motion was carried

Shri Prabodh Chandra : On a point of order, Sir. I submit that the voting on the motion, held just now, is wrong. The total number of Members present in the House is not 60, while according to your announcement their number should be 62 that is 56 plus 6. Most of the voting has been by proxy. I brought it to the notice of the person who was recording the votes.

Mr. Speaker : If there is any specific case it should be brought to my notice and I will make enquiries into the matter. As regards the hon. Member's point that the number of Members present in the House is not 60, it may be that some of the Members, after recording their votes, may have gone into the lobbies and the others may have gone out of the Chamber.

STATE EXCISE DUTIES.

Chief Minister : Sir, I move

That a supplementary sum not exceeding Rs 1,10,000/- be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "State Excise Duties".

Chaudhri Sundar Singh : (Ex-Member, West Punjab Assembly representing Amritsar and Sialkot, General, Rural, Reserved Seat) (*Hindi*) : Sir, I move :

That the Demand be reduced by Rs. 100/-

Sir, the money provided under the item for purchase of Land-Rovers is, in my opinion, quite unnecessary. It is my firm belief that if our police officials make honest endeavours to catch those persons who indulge in illicit distillation of liquor in the villages, they can put an end to this evil. What is needed, is that efforts should be made sincerely and honestly. But what we find is that such honesty of purpose is lacking among the officials of the department. Instead of catching the culprits the officials themselves indulge in drinking and getting bribes. Such reports have reached us from all quarters. My suggestion is that the Land-Rovers, if they are to be purchased at all, should be placed in such hands who may use them for the purpose for which they are provided and not for their private affairs. I think that they should be placed at the disposal of honest and hardworking non-officials. But unfortunately this is not being done. At present, Land-Rovers are provided to those who instead of checking the evil practice indulge in it and catch those persons who are quite innocent. Real offenders are often left out and they are not touched at all, with the result that the evil instead of being rooted out increases day in and day out. In my opinion if instead of buying Land-Rovers and spending huge amounts on them, efforts are made through some other agency, the evil practice can be checked in no time. I oppose the idea of buying Land-Rovers. In most of the cases police itself is responsible for the extraction of illicit liquor. Honest persons should be appointed and dishonest persons should be shunted out. I request that the Government should appoint honest persons for the accomplishment of this task if they wish to achieve any success. There are honest persons in the villages. Their services should be utilized. I again say that the purchase of Land-Rovers is only a waste of public finances. With these words I move this cut motion.

Mr. Speaker : Demand under consideration, amendment moved—
That the demand be reduced by Rs. 100/-.

Chaudhri Suraj Mal : (Hansi, General, Rural) (*Hindustani*) :

Sir, I rise to make a few observations on this demand in all seriousness and with a keen desire to save public money from being wasted. I feel that this disease of purchasing rovers and jeeps by various departments is ever on the increase. We find that every department is coming with a request to be provided with some sort of speedy means of transportation for the discharge of its duties. At first the Rehabilitation Department put forward a demand for the supply of jeeps as it thought that the disposal of rehabilitation work by the officers would be facilitated by means of a fast conveyance. Then came similar requests from the Civil Supplies and the Police Departments for the purchase of rovers. Afterwards when the 'Grow More Food' campaign was started by the Government, the department concerned was provided with as many as three jeeps. Now the demand under consideration indicates that the Excise Department is in the run to obtain no less than seven rovers. I fail to understand why no objection is taken by Government to such demands. They must exercise some sort of check over this and discourage any such wasteful expenditure of public funds. They should carefully consider whether the need for the purchase of rovers really exists in that department. The demand for the provision of rovers or jeeps should be conceded by Government only if they are satisfied that the need of the department is genuine. I have taken exception to this item of expenditure on the ground that when we ask the Government to open a school in a certain rural area to liquidate illiteracy of the villagers or establish some hospital for alleviating the distress of the suffering people who cannot afford to procure medical aid or construct some essential road for want of which the rural people of that ilaqa are put to great inconvenience in bringing their produce to the market, the Government invariably express their inability to comply with the request for lack of funds. But when a department wants motor vehicles, the Government are ever generous and readily provide the same so that the officers may use them for excursion trips at the cost of public funds. I may point out that the purchase of rovers for which money has been asked for, will serve no useful purpose as the evil of illicit distillation will not be suppressed easily. Government are labouring under an erroneous impression that the provision of speedy transport to the Excise Department would help safeguarding the finances of the province. I am, therefore, strongly of the opinion that this is a wasteful expenditure and Government should avoid it. It is a thousand pities that on the one hand Government are levying tax after tax to make up their deficiency in finances and balance the Budget and on the other they squander money on the purchase of rovers. May I know

whether the efficiency of work in the departments is now greater than what it used to be during the previous regimes when the officers worked without the use of jeeps etc, ? Do I take it that the advent of Independence has sapped the energy of the officers and they cannot move about to perform their duties in the villages on foot ? In this connection I am reminded of the reactions of a Zamindar who paid his first visit to Lahore. He was much impressed rather struck dumb with the grandeur of palatial buildings of the Veterinary Hospital. He exclaimed that now he understood why the Tehsildar always coerced the poor zamindars to pay land revenue and water rates. He thought that all that money, realised from the tillers of the soil, was being spent by Government on the construction of large and costly buildings for the sake of animals, (*Laughter*). Similarly, we find that the present Government are liberally spending money on the purchase of rovers etc., without caring to provide for other pressing needs of the public. I may sound a note of warning to the Government that now the people are wide awake politically and they cannot hoodwink them any longer, They would be well advised to be economical in such matters and try to win the goodwill of the people at large by making a judicious use of the public funds. I think that the money asked for under the demand is a sheer wastage and this expenditure is not likely to produce good results. It should, therefore, be avoided.

Shri Ram Sharma : (Southern Towns, General, Rural) (*Hindustani*) : Sir, I would take a few minutes to give expression to my views on the motion under consideration,

Minister for Labour : Why does the hon. Member feel the necessity of making a speech when prohibition has been introduced in his district ?

Shri Ram Sharma : Well, Sir, the Government have asked for a sum of Rs. 84000/- for the purchase of seven rovers and Rs 26000/- for keeping them in a running condition.

We are told that each of the districts of Karnal, Ambala, Jullundur Ludhiana, Amritsar, Ferozepur and Gurdaspur are to be provided with a motor vehicle for purposes of excise work, The idea is that in the opinion of the Government, the evil of illicit distillation of liquor has increased in these districts immensely and it is intended to suppress it by enabling the police to haul up the offenders at the spot by utilising the speedy means of transport. Strictly speaking, Sir, I feel doubtful whether Government will succeed in achieving their object by spending a huge sum exceeding a lakh of rupees. As a matter of fact we would

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have raised no objection to the grant of even two lakhs of rupees provided past experience had shown that the Government had ever achieved any appreciable success in any direction by purchasing speedy means of transportation for certain departments for the discharge of their duties. We had several occasions to grant money for the purchase of land rovers and even aeroplanes, but we are not aware whether any useful purpose was served by securing them except that we feel that Government had failed to make a judicious use of the public funds. I would request the hon. Minister to tell, during the course of his reply, as to what benefit had accrued to the State by purchasing these rovers. Have they proved deterrent to the people indulging in illicit distillation of liquor in view of the fact that now the police could reach the spot in no time? I want to know this so that we may feel encouraged that public money spent on rovers has not gone waste. But I cannot help saying that I have serious doubts that the evil of illicit distillation of liquor will not be curbed and it would be no wonder if officials going in the rovers to haul up the offenders themselves begin to indulge in drinking while sitting in the rovers. I feel that the apprehensions expressed by the hon. Member Ch. Sundar Singh on this account are not entirely unfounded.

The hon. Minister put a question to me in the beginning of my speech as to why I felt the necessity of making a speech on this demand when prohibition had already been introduced in my district. I may submit that this is the very reason which has prompted me to speak on this motion. Undoubtedly prohibition exists there but another evil has raised its head there and I think Government should adopt effective measures to put a stop to it. The people who want to wreak vengeance against certain persons surreptitiously place liquor in their houses and then inform the police who recover it and prosecute the persons concerned for keeping prohibited liquor. Thus a good many innocent people are being put to a great trouble. The police know that mischief has been played upon them and yet they start proceedings against them. I hope Government will see that people indulging in this new evil are discouraged. So far as the object of purchasing the rovers is concerned, I still feel it will not be achieved and the evil of illicit distillation will increase still more with the increase in the number of rovers purchased by the Government.

Then, Sir, jeeps have been provided to Tehsildars and Naib Tehsildars under the 'Grow More Food' scheme. Our Government is under the impression that by providing jeeps and other transport facilities they would be in a position to step up food production in the State. But I am of the opinion that jeeps would not serve any useful purpose whether

these are employed for increased food production or for checking illicit distillation of liquor, This is surely not the best way of suppressing the evil of illicit distillation. May I know if it is not possible for the Government to check this evil and also make good the loss in revenue thereof without the help of these rovers? The best way of checking this evil is to see that strict honesty is observed by the services and that the process of control by the Government is stifened and tightened. This and this alone is the need of the hour. If the Britishers had really felt that it was not possible for them to work here without transport in the shape of motors, buses and railways, I am sure, they would have spent much more than what our Government are spending these days.

There is no doubt that the item of grant, now before the House, would be passed but I cannot do without saying that Government should be in a position to say after some time as to what extent it has been benefited and thus justify the expenditure of the proposed item of grant.

Pandit Jiwan Lal : (South-West Gurgaon, General, Rural) (*Hindustani*): Sir, the evil of drinking is known to one and all. The sooner efforts are made to do away with this evil the better it would be for both the Government and the the people of the State. As a matter of fact it does not matter if huge amounts are spent to put an end to this evil of drinkiag in our State, This evil of drinking has been the cause of thousands of accidents in every corner of our State. In short this is the worst enemy of the society. It goes without saying that those who indulge in drinks cannot maintain their character. In fact such people always lack character. Under the circumstances, it is but meet and proper on our part to rise to the occasion and bring in some legislation with a view to eradicating this evil. Then those who indulge in these drinks do not remember that it is a sin against God and a crime against the State. By eradicating this evil from our society our Government would really be saving the people of our State from a catastrophe.

Further I wish to point out that the evil of drinking has crept into the services too. People in services from highest to the lowest ranks indulge in this evil, and the sooner steps are taken to check it the better it would be at least in the interests of the morale and the administration of the State. Government should not hesitate to give severe punishments to those officers high or low who are found including in this eveil. It is really a matter of regret that high officials should indulge in liquors. If they resort to this evil practice, it is but natural that others also will

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follow them. Government should, therefore, take stringent measures to check this evil not only in services but also among all the people in every nook and corner of the State. It is said that this House is the cream of this State of Punjab. But I am constrained to remark that in this very House there are some hon. Members who are not free from this evil of drinking. They indulge in this evil regularly. (*Laughter*) Sir, we should not laugh at it but we should be ashamed of it instead. I, therefore, strongly appeal to the hon. Members that an all-out effort should be made to eradicate this evil habit of drinking which is eating into the very vitals of our society.

I do not think there is any necessity to pass the item of the Demand now before the House.

Mr. Speaker : The hon. Member has been discussing the excise policy of the Government. I would ask him to restrict himself to the particular item underlying this Demand.

Pandit Jiwan Lall : Sir, as I have already stated there seems to be no justification on the part of the Government to spend any amount in this direction.

Shri Amar Nath Vidyalankar : (Non-Union Labour) (*Hindi*) : Sir, I do not want to take much of the time of the House. I have to say a few things only so far as the main item of the Supplementary Demand is concerned.

The first thing that I wish to point out is that after studying the item of Demand now before the House, and also the other Demands proposed in the Supplementary Estimates one is apt to come to this conclusion that the accounting system of the Government is very weak, defective and replete with mistakes. It is stated in the note under this item that a grant for the cost and maintenance charges of 7 rovers was sanctioned in the Supplementary Estimates for the year 1949-50. It is also stated that these rovers could not be purchased as they were not available before the middle of April 1950 and that accordingly the entire amount provided for the purpose in the estimates for 1949-50 was surrendered. It is also stated in the note that these land rovers arrived in May 1950. I am really constrained to remark that the accounting system of all the departments is very defective. As a matter of fact, accounts are being maintained very carelessly. It really looks very strange that at the time of preparing the Budget, the department concerned did not anticipate that so much amount would be required for purchasing these rovers etc. Similar is the case with the other items of Demands which are proposed in the Supplementary Estimates and which are not going to be

brought under discussion on the floor of this House, and which are replete with mistakes from accounts' point of view. Then, Sir, I am strongly opposed to the system of putting up of Supplementary Demands. Except some of the most extraordinary and unforeseen demands, all other demands should come in the main Budget, so that the House may have an over-all picture of the state of accounts in view. I submit, Sir, almost all the items except a very few included in the Supplementary Demands could be very well anticipated and included in the main Budget.

If all the demands for grants for the whole year are put together in the main Budget. I am sure, accounts can be maintained correctly and in a much better way. The present accounting in the various Government departments, as I have already stated, is very defective and this will also be clear from the Report of the Public Accounts Committee which is going to be discussed tomorrow. So far as the question of biddings as referred to in the note under the proposed item of the Demand is concerned, it is stated therein that the announcement of the provision of separate transport for this work at the excise auction had a buoyant effect on biddings as a result of which there was an increase of several lakhs of rupees in the excise revenue.

It is the intention of the Government to check the evil of illicit distillation of liquor as this is undesirable both morally and legally. If it is with this object that it is intended to eradicate this evil, then the Government is amply justified to take adequate steps in this direction. But the object of the Government seems to be something else. There is no doubt that the evil of illicit distillation of liquor is increasing with consequential loss of revenue, but at the same time I cannot do without saying that if complete eradication of this evil of drinking is the ultimate goal of the Government, then the monetary considerations should not weigh with it. The introduction of complete prohibition is the policy of the Congress and also it was this ideal that was kept before us by the Father of the Nation. The intentions of the Government are crystal clear from the note under the proposed item of the Demand. It seems that Government want that the Excise Department should make an all-out effort to earn as much money as possible with a view to justifying its existence. What I want to submit is that Government should direct its attention towards suppressing the illicit distillation rather than be influenced by any monetary considerations. If this is not done, I am sure, people who will go through this note and other similar notes us, will carry a very bad impression about the policy regarding prohibition of our Government.

Mehta Ranbir Singh (Ludhiana and Ferozepore General, Rural,) (Hindi) : Sir, the Government has detailed the expenditure which is likely to be incurred in this connection during the current year as follows:—

Cost of 7 land rovers at Rs. 12,000 each	...	Rs. 84,000
Cost of petrol, mobil oil, etc.,	...	Rs. 21,000
Cost of repairs etc.,	...	Rs. 1,400
Pay etc., of drivers and cleaners.	...	Rs. 1,500

Sir, from the above figures, I would like to know how the Government propose to engage seven drivers and seven cleaners with Rs. 1,500/- for ten months. I have not been able to understand this. I hope the Government will throw light upon this.

Mr. Speaker : It is just possible that the Government might be employing some constables.

Minister for Local Self-Government (The hon. Shri Prithvi Singh Azad (Hindustani) : Sir, some of my hon. Friends have raised objection on this supplementary demand. They have directed their criticism on the incurring of expenditure for the purchase of land rovers. In their opinion, such an expenditure is unnecessary and that the Government could have easily avoided this. During the last session also, a good deal of discussion took place on this very question and the Government had made the position clear. It was stated on behalf of the Government that the excise crimes were on the increase and if illicit distillation of liquor was allowed to be carried on unchecked in the State the result would be that the number of people consuming inferior quality of liquor containing 90 or 95 per cent alcohol would increase with the consequential decrease in the State revenue. So if the Government do not take necessary measures to stop illicit distillation, it would mean that a large number of people will be addicted to the use of highly-injurious liquor. Besides this, the revenue of the State will be reduced to an appreciable extent. One of my hon. Friends has remarked that the Government wants to raise its revenue through excise. But I would like to inform him that the policy of the Government has been maximum excise revenue with minimum consumption of liquor. If the Government had not followed this principle and had withdrawn the excise duty then, I am sure, there would have been considerable increase in the Government revenue but at the same time the liquor-consuming population would have in that case also increased. It would, therefore, be amply clear that the charge levelled by my hon. Friend is entirely unfounded. I repeat that the policy of the Government has always been to reduce the consumption of liquor as much as possible. If we adhere to this principle, I think, the time will come when there would hardly be any need for getting

the quota of liquor that has been fixed for our State and the people will not have the same temptation for liquor as is noticeable at present. The provision for the purchase of land rovers has also been made with a view to checking the illicit distillation of liquor. These land rovers provide means for speedy transport for the special police staff that has been detailed for making raids in villages. One of my hon. Friends had made a suggestion that the Government should ask the respectable citizens of the ilaqa to help the Government in suppressing the illicit distillation of liquor in the State. I think the suggestion of the hon. Member is a sound one, and I may inform him that Government is already getting the help in this direction from persons of the ilaqa in every district. Parties of social workers have already been organised. They give clue to the officers for making raids in the villages to arrest persons responsible for illicit distillation of liquor. Another charge that has been levelled against the Government is that officers are often found drunk while making raids in the villages. I may inform the hon. Member that Government is prepared to take suitable action against such officers if he or any hon. Member brings such cases to the notice of the Government. It is very difficult for the Government to take any action against any officer unless any complaint is before it. Besides this, I may inform the hon. Members that the Excise Department is taking special measures to stop illicit distillation of liquor in the State. Whereas it is anxious to stop the illicit distillation of liquor by all measures it is also keen to raise revenue for the Department. The announcement of the proposals made on page 3 of the Supplementary Estimates at the excise auctions had a buoyant effect on the bidding with the result that there was increase of several lakhs of rupees in the excise revenue. The police staff that has been detailed for this work has created much confidence in the public that the Government is fully determined to suppress illicit distillation of liquor in the State. Such measures have reduced the incidence of excise crimes to some extent. If these activities continue, I am sure we shall be able to stop the distillation of illicit liquor after some time. The Government instead of being prompted by the motive of increasing its revenue through excise is making earnest efforts that rural population in the State should get rid of this evil of liquor-consuming. If full cooperation of the people is forthcoming, I hope the Government will succeed in its efforts to stop illicit distillation of liquor in the State in course of time.

Another Friend has raised the objection as to why no provision was made for land rovers in the Budget Estimates placed before the House in March, 1950. My submission is that these vehicles could not be purchased even during the last year, as they were not available, and at

[Minister for Local Self Government & Labour]

the time of presentation of Budget for 1950-51, there was no certainty as to when they would be available and so no provision was made for them. On the other hand, the amount provided in the supplementary estimates for 1949-50 was also surrendered. But as soon as the firm with which order had been placed informed us that they were available, they were purchased. It was in the middle of April that we were informed of their availability. They were received in May. The Government had to purchase them in view of the promises that it had held out at the excise auctions of making every possible arrangement to checkmate illicit distillation of liquor.

Another hon. Minister has called in question the statement that the use of land rovers by the excise staff has resulted in considerable increase in the excise income. For his information I may quote figures for the previous years. In the year 1947-48, revenue from excise amounted to Rs. 1,01,63,528, in 1948-49 it rose to 2,38,20,136 and despite the policy of the Government to minimize consumption and to maximize duty on liquor, I am in a position to say that the income from excise during the year 1949-50 was Rs. 2,21,24,300 and we hope to have this much income even in the current year with the help of these measures that we have adopted. So the objections that have been made by my hon. Friends are not based on facts and their apprehensions are without any foundation. With these words, I request the House to accept this Demand.

Mr. Speaker : Question is

That the Demand be reduced by Rs 100/-

The motion was lost.

Mr. Speaker : Question is

That a supplementary sum not exceeding Rs 1,10,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1950, in respect of State Excise Duties.

he motion was carried

FORESTS

Chief Minister (The hon. Dr. Gopi Chand Bhargava) : I move—

That a supplementary sum not exceeding Rs. 26, 190 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951, in respect of Forests.

The motion was carried

REGISTRATION

Chief Minister : I move—

That a supplementary sum not exceeding Rs. 3,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1951, in respect of Registration.

The motion was carried.

CHARGES ON ACCOUNT OF MOTOR VEHICLES ACTS

Chief Minister : I move—

That a supplementary sum not exceeding Rs. 26,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951, in respect of Charges on Account of Motor Vehicles Acts.

The motion was carried.

IRRIGATION (WORKS)

Chief Minister : I move—

That a supplementary sum not exceeding Rs. 4,01,070 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1951, in respect of Irrigation (Works).

The motion was carried.

IRRIGATION - ESTABLISHMENT CHARGES

Chief Minister : I move —

That a supplementary sum not exceeding Rs 1,57,850 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Irrigation— Establishment Charges".

The motion was carried.

GENERAL ADMINISTRATION

Chief Minister : I move —

That a supplementary sum not exceeding Rs. 23,93,420 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of General Administration.

Mr. Speaker : Demand moved—

That a supplementary sum not exceeding Rs 26,93,420 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of General Administration.

Shrimati Sita Devi (Ex-Member West Punjab Assembly, representing Lahore City, General, Women, Urban) (*Hindi*): Sir, I wish to say something about the very first item on page 29 of the Supplementary Estimates which relates to expenditure on aeroplanes. Here it is stated that "in view of the heavy expenditure on the maintenance, repairs, certificates of insurance and air worthiness in respect of Government air crafts it was decided by the Government that the air crafts should be sold". As a matter of fact, I do not understand, as to what was the necessity of purchasing the planes. When it was possible to transact all work by means of motor cars and the railway trains in the United Punjab, which had an area of one lakh square miles and comprised of twenty nine districts, why cannot the same be done in this small province which contains only 13 districts and has comparatively a much smaller area? It is a wonder that neither the motor cars, nor railway trains; nor rail motors can serve the purpose of our Government and it requires aeroplanes for journeys to be undertaken by its Ministers. I have every doubt that as the Ministers have always used the motor cars for private affairs and charged travelling allowance from the Government they must have purchased the planes also for serving their personal ends. The Ministers in my opinion have never employed these planes for the service of the public or the business of Government. They may have been using them either for personal affairs or ministry making purposes etc. It is something very reprehensible. The futility of these purchases has been many times pointed out, but unfortunately all such suggestions fell on deaf ears of the Government. To me it appears as if the proverb : अंधो पोसे कुता खये अनी पहे उ बॅडा चढे exactly fits here. *Some Hon. Members.* (The proverb is uncalled for and unparliamentary.) I only wish to say that the hard-earned money of our people is being un-necessarily squandered and wasted by our Government. This money instead of being ill-spent should be used for the welfare of the tax payer. I do not mean any insult to anybody and I should not be misconstrued.

Mr. Speaker : The Government wishes to sell these planes and it is on this fact that the hon. Lady Member is expected to speak.

Shrimati Sita Devi : I mean to speak in that connection and point out that more is usually spent by our Government for smaller gains. Nobody should waste petrol worth five rupees for buying carrots worth an anna or two. It will surely be the height of stupidity to do so. However, if our Government can dispose of these planes by

spending a sum of Rs 15,000 on them for repairs etc., we will be satisfied and shall not complain. But what is to be done if the matter hangs fire even after this expenditure? The hon. Members may ask as to why I should entertain such fears. I would humbly say that my doubts and fears are based on the inefficiency shown by this Government in connection with the purchase of trucks which are lying at Jullundur in a damaged condition despite the fact that large amounts were spent on the construction of sheds etc. So if we can get rid of the planes and have good price for them by spending Rs. 15,000 on them, it is advisable to do so otherwise I think such an expenditure should not be incurred.

Shri Bhagat Ram Chodha : (Jullundur, General, Rural) (*Punjabi*) :

Sir, perhaps the hon. Lady Member does not know that all expenditure which is to be incurred by the Government is thoroughly discussed and scrutinised in a committee known as the Estimates Committee. Being a member of this committee, I am in a position to inform my sister that this expenditure was absolutely necessary. To me it appears that she does not understand much of business. She should know that a conveyance, may be a tonga, a motor car, or an aeroplane, cannot fetch any price unless it is put in proper order. If the conveyance is out of order, and not in a serviceable condition, the only customer for it is a 'Kabarria'. So in order that the planes could bring good price it was necessary to spend something on them by way of repairs. If we do not spend anything, I am sure, the Government will have to lose a good deal. We should, therefore, in these circumstances, not grudge this expenditure of Rs. 15,000 for repairing the aeroplanes.

Shri Bhim Sen Sachar : (Ex-Member West Punjab Assembly representing Lahore City, General, Urban) (*Hindi*) : Sir, I wish to draw the attention of the hon. Members to item 2 of Demand No. 8, which is now under discussion. This relates to the commission for the trial of election petitions. In this connection, I wish to put a very important question to the hon. Chief Minister and I hope that he will be pleased to answer this query. This is important from the point of view of administration also. During the time I had the privilege of serving the Province as the Premier, it was decided that the regular Election Petition Commission should be discontinued and its members should perform those duties as a part-time job and for that purpose the Government selected an experienced lawyer. Sardar Hanumant Singh Chhachhi who was appointed for this job was a Barristar, who had been practising law since 1912. When my Government went out of office, the incoming Government removed that person and appointed another person in his place, who is a personal friend of the hon. Chief Minister.

Shri Kedar Ntah Saigal : One must help one's companions.

Shri Bhim Sen Sachar : I wish to place these facts before the House so that the hon. Members might know how the administration in this State is being carried on.

Shri Behari Lal Chanana : Will the hon. Member disclose the name of the person who has been appointed now ?

Shri Bhim Sen Sachar : Formerly, Sardar Hanumant Singh Chhachhi Barrister-at-law, was appointed a member of the Election Tribunal but when this Government came into power, Shri Avtar Narain Gujral who belonged to Jhelum before partition was appointed in his place. The Government has set a very bad precedent by this act, and I shall request the hon. Chief Minister to enlighten the House about the causes which led to the removal of an experienced Barrister in whose place he has appointed a person who has perhaps given up practising law

Sardar Sajjan Singh : (Patti, Sikh, Rural)(*Punjabi*) : Sir, I wish to draw the attention of the hon. Members of this House to item No. 6 of this Demand relating to the purchase of a new jeep for use of hon. Chief Minister and his personal staff. Unfortunately, in several matters, we cannot feel proud of the actions of our Government. It was in this State alone that the hon. Chief Minister decided to fix his salary at an amount which was Rs 500/- higher than that of other Ministers. It took him one and a half years to realise the necessity of bringing it at par with them when Shri Bhim Sen Sachar after his election as Premier had decided to draw salary at par with his other Cabinet colleagues. Now, a similar step is being taken with regard to the personal staff of the hon. Chief Minister. If other Ministers and their staff can do without jeeps, why should the hon. Chief Minister need one ? He probably wishes to place himself in a position superior to that of other hon. Ministers. Just as he decided to get more salary than that of other Ministers, now he wants a jeep costing Rs 12,500. In the United Punjab, when Sir Sikandar Hyat Khan was the Premier, our Chief Minister, who was then the leader of the Opposition said in criticism of the Budget that it was not fair for the Premier to ask for any privileges over and above those to which other Ministers were entitled. Elections will take place in this country after about six months. We have recently been faced with a serious situation resulting from destruction wrought by floods. In these circumstances, it would not be wise to spend Rs 12,500 on the purchase of a new jeep. The Government would be doing so at the cost of the poor and the sufferers. Since its very inception, the Congress has been preaching the gospel of simple-living. It appears that the

resolutions passed at the Karachi Session of the Congress were consigned to the sea there and then. All those ideals which the Congress used to preach have suddenly disappeared on its coming into power. Now the Congress Ministers think that they should live in grandeur. In the prevailing conditions, there is no justification for getting this Demand passed. As already submitted by me, it was after one and a half years, that our Chief Minister realised the advisability of getting as much pay as other Ministers got. This Demand is another specimen of the superiority complex under which the hon. Chief Minister appears to be labouring.

Mr. Speaker : The hon. Member should use polished language.

Sardar Sajjan Singh : I do not intend to insinuate against anybody. I, therefore, submit, Sir, that this Demand is quite unreasonable and wrong. If the hon. Members of this House who have been the members of the Congress Party remember the promises held out by them on the Congress platforms and also in this House, then certainly they shall have to give up this superiority complex and such aristocratic habits. There are two categories of people. The first comprises those who think six months before the actual happening of events and the second comprises those who think at the time of actual happening. We cautioned the Government before-hand that we would not need the aeroplanes and that has come out to be true. We purchased them so that they would carry us; but now we have to carry them.

Mr. Speaker : This is repetition.

Sardar Sajjan Singh : What I want to say, Sir, is that the Government should act with far-sightedness and vision and not in a haphazard manner.

Again, Sir, it is explained in item (3) that "Assistant Elections Commissioner has been granted a special pay of Rs 100/- per mensem from the 1st. June 1950. For the period from the 1st March 1950, to the 31st May 1950, he was granted a special pay of Rs 50/-". May I know from the Government whether this special pay was increased from Rs 50/- to Rs 100/-, because the price of wheat rose in June? It is high time that these special pays of big officers were done away with. Similarly, a special pay of Rs 125/- per mensem has been provided for another big officer. I would like to point out to the hon. Members that if they wish to save the State, they should put an end to such special pays.

Mr. Speaker : One minute more.

Sardar Sajjan Singh : Again, Sir, I invite your attention to the item in which provision has been made for 5½ Patwaries. (*Laughter*) How does the Government propose to divide a Patwari into two?

Mr. Speaker : That Demand has already been passed.

Sardar Sajjan Singh : Next, Sir, I invite your attention to item No. (3).

Mr. Speaker : You have already spoken about item No. (3).

Sardar Sajjan Singh : Next, Sir, I would like to draw the attention of the House to the scales of pay of 22 Patwaries. If, however, you think my time is over, I would resume my seat.

Shri Dev Raj Sethi : (Ex-Member West Punjab Assembly representing Lyallpur and Jhang, General, Rural) (*Hindi*) : Sir, the ex-Premier, Shri Bhim Sen Sachar has objected to the appointment of one member of Election Petition Commission in item (2) of the Demand. While doing so, he has put forward two golden principles for the guidance of the Government. One of them is that appointments made by the previous Government should not be cancelled by the succeeding Government. Previously, Mr. Chhachhi was appointed a member of this Commission. Later on, Lala Avtar Narain was appointed to that post. The Election Petition Commission was constituted to dispose of the petition of Rai Sahib Ram Jawaya Kapur against Shri Ganga Saran. The previous Government had appointed Mr. Chhachhi on Rs 2505/-per mensem. But now the same vacancy has been filled in by Lala Avtar Narain who has been paid only Rs 100/-per diem, and then he has worked only for five days. It is in these circumstances that his appointment was made.

Again, Sir, Shri Bhim Sen Sachar has appealed for appointment of honest hands in the working of administration. Where was that purity when Shri Shambhu Nath, son of Lala Brij Lal, was appointed to the Election Petition Commission before the partition in spite of the fact that he was only a junior lawyer. The pity is that people do not see their own big vices but are careful to see the minute defects of others. (*Interruptions*)

Mr. Speaker : The hon. Member should leave this and speak on the motion under discussion.

Shri Dev Raj Sethi : You should stop the hon. Members when they first make such charges and not at the time when one has to give a rebuttal to that. You should give some sort of injections to the hon. Members who make such allegations so that they may refrain from doing so. Lala Avtar Narian is a member of the Bar Association and is a practising lawyer.

Shri Ram Sharma : On a point of order, Sir. May I know if the hon. Member has suggested injections for you so that you may give your ruling at the proper time (*Laughter*).

Shri Dev Raj Sethi : Sir, my submission is that all this has happened in the same manner in which it happened in the days of my hon. Friend Shri Bhim Sen Sachar. Other hon. Members and the public have a doubt in their minds that political considerations play an important part in such matters. My contention is that such principles and rules of action are good provided those who lay them down for the guidance of others themselves act upon them.

Shri Bhim Sen Sachar : On a point of personal explanation, Sir; I wish to contradict the misstatements made by my hon. Friend. As regards the term of the Election Petition Tribunal, as a matter of fact, the credit should go to those who put an end to it. It is wrong that the present Government has abolished the Tribunal. The fact is that when I was the Chief Minister, the term of the Election Tribunal came to an end in the normal course and I refused to continue it and give any extension to it. I hope the hon. Chief Minister will throw some light on the fact that it was in my regime that the Election Tribunal which was paid Rs 2500/- per month was put an end to. As regards Mr. Shambhoo Lal Puri, I do not know what the hon. Member wishes to hint at.

Shri Ram Sharma (Southern Towns, General, Urban) (*Hindi*) : Sir, I wish to say only one or two things in a very short time. First of all, there is the question of aircrafts. I think every time this matter came up for discussion, it was made clear to the Government that the purchase and the maintenance of aeroplanes for the hon. Ministers was an expensive and an unnecessary affair. Time and again, severe criticism has been made in this connection and it must have become quite clear to the hon. Ministers that this is only a waste of public money. So, I am unable to understand why any delay is made in effecting a saving in this unnecessary expenditure. Now, another sum of rupees fifteen thousand is demanded by the Government. Rupees Two thousand are being paid to the Northern India Club as maintenance and repair charges. Does the Government not realise that this is a sheer waste of public funds? The Public Accounts Committee, the Estimates Committee and in fact no other organ of our Government has ever given an opinion that such an expenditure is in any way necessary. Moreover, the danger with which air travelling is fraught during these days makes it all the more urgent to stop this burden on the State

[**Shri Ram Sharma**]

Exchequer. I cannot understand why any delay is made in this matter when the Government itself has stated that the question is now being examined whether their sale after repairs would be more profitable or not.. It is said that the Commissioner, Jullundur Division has been consulted in this matter. May I know whether the purchase itself was effected with his consent? My submission is that no more delay should be made in their disposal. Then may I know who is responsible for such a delay? Another thing which I wish to say is with regard to Election Petitions Tribunal. I am at a loss to understand as to why so much heat has been generated in the House on this simple matter. This is perhaps due to the fact that the time for selection of Parliamentary Secretaries is ripe.

Mr. Speaker : No motives may be attributed, please.

Shri Ram Sharma : Well, Sir, I was going to say that there is a general complaint regarding the preparation of electoral rolls. It has been rumoured that there is a black-market in the matter of inviting tenders for the printing of the electoral rolls. Offers are sometimes made to such persons who have no printing presses of their own. They go to other presses and get the work done there. I don't know whether there is any truth in such rumours, but I am sure that such remarks must have reached the ears of our Government. It is said that this favouritism has become a scandal. The Government should make the position clear in this matter. Another thing to which the Government should pay attention is the matter of Grow More Food campaign. In this matter also there appears to be some corruption going on at various places. In Karnal and Ambala, Deputy Commissioners have been given funds for the purpose of Grow More Food campaign. Thousands of rupees meant for the construction of bunds and drains etc., are lying unspent. I cannot understand why the Deputy Commissioners and not the Irrigation Department has been given the charge of these funds. Complaints have been received that the money which was to be spent on bunds and drains is being mis-spent. There is loose control over it. This corruption should be put an end to, if the campaign for Grow-More Food is to make any headway.

Chief Minister : May I enquire which item the hon. Member was discussing under demand number 8, when he was referring to supply of water etc.,

Shri Ram Sharma : Page 33 of Supplementary Estimates, items 10 and 11.

Chief Minister : (The hon. Dr. Gopi Chand Bhargava) (*Hinaustani*) :- Sir, as a number of objections have been raised on this Demand by the hon. Members, I feel called upon to make a reply to them. The first objection has been made with regard to the aeroplanes kept by the Government. You will perhaps remember, Sir, that I made the position clear with regard to this matter during the last Budget session. I told the hon. Members that Government had decided to dispose of these aircrafts, but in view of Emergent conditions prevailing then, it was decided later on to retain them for another two or three months. Then, as my hon. Friend Shri Bhagat Ram Chodha informed the House, the matter went before the Estimates Committee and it, too, decided in favour of their disposal. The question was now being examined whether their sale before or after repairs would be more profitable. The Director General, Civil Aviation was consulted in the matter and he advised that the aircrafts be well serviced and kept in a good running condition so that the disposal could be made at an opportune moment when they would fetch good price. Hence we have to carry out the necessary repairs to them and maintain them well till they are disposed of. I may point out in passing that they proved immensely useful for dropping food supplies to the people marooned in flood-stricken areas.

Then, Sir, objection has been taken to the appointment of a Lawyer to the Election Petitions Commission in place of another Member who was appointed under orders of the Ex-premier. Well, Sir, I have not the slightest intention to criticise the actions of the previous Government much less the personalities involved in it. But I have been goaded into giving an explanation of the matter. An Election Petitions Commission is constituted for a fixed period within which it has to finish its work. Had its life been extended by another 15 days, it would have accomplished the whole work. But that was not the case. The two contending parties in the election petition could demand *do novo* consideration of the petition. This means that we would have been forced to appoint Election Petitions Commission for another three or even four months. It is obvious that this would have been a very costly affair. So the wholetime Election Petitions Commission was dissolved and a part time Commission with the Sessions Judge, Amritsar, as its President, and the additional Sessions Judge and a Lawyer, as its members, was constituted. The parties agreed to proceed from where the previous Commission had stopped. Now objection has been taken to my having appointed Shri Avtar Narain in place of Mr. Chhachhi as a non-official member of the Commission. Well, Sir, comparisons are always odious and I do not know what relations Mr. Chhachhi had with Shri Sachar, but I can say this much that Shri Avtar Narain was considered able and fit to hold the charge,

[Chief Minister]

and he was a member of the previous Commission and had thus heard the case. He was therefore appointed as a member of the Commission. Besides, he was appointed on a remuneration on daily basis. That is he will be paid for as many days as the work would last. So this is the cheapest arrangement that could be made for the disposal of the pending election petition.

Shri Bhim Sen Sachar : May I know whether the remark made by the hon. Member Shri Dev Raj Sethi that Mr. Chhachhi was appointed by me on a salary of Rs. 2500/-per mensem, is correct ?

Chief Minister : He should better address this question to the hon. Member concerned. What reply can I give ? He probably said that the Advocate General was given a salary of Rs. 2500 - p.m. Well, Sir, I do not think it advisable to criticise the actions of the previous Government, so I need not go further in the matter. Then, sir, the grant of special pay to the Assistant Elections Commissioner came in for criticism. Objection has been taken as to why his special pay was raised from Rs. 50/-p.m. to Rs. 100/- p.m. The reason for this is not far to seek. When he was appointed, the work was not heavy and hence his special pay was put at Rs. 50/- p.m. But when the volume of work increased considerably, his special pay was enhanced to Rs. 100/- p.m. Then some hon. Members took objection to the charges paid for the printing of electoral rolls. I fail to understand the soundness of the objection in this respect. Government have been charged for getting the electoral rolls printed at higher rates while, it was contended, that the work could be got done at cheaper rates. I may tell my hon. Friends that they are labouring under some wrong impression. Tenders are invited and the printing work is entrusted to those who quote the lowest rates, and that work is given according to the capacity of the printing presses as Government want the electoral rolls printed as quickly as possible. Besides, we have fixed the printing charges in consultation with other States and the condition has been laid down that the Printing Presses will arrange for the board and lodging of our men who would go to check the proofs. I think this is the cheapest arrangement and if anybody can offer still more cheap terms, we are prepared to get the printing of electoral rolls done through him.

Then, sir, there is an item of grant for the construction of bunds and drains in Ambala and Karnal to which objection has been taken. This item has been placed under this Demand of General Administration, because it is connected with the Grow More Food campaign. Ordinarily this work, namely, the construction of drains and bunds etc., comes under the purview of the Irrigation Department and in fact the work is

carried out by it but the money is disbursed from the grant or subsidy made for the Grow More Food work. In this connection I cannot help saying that it is a matter of pride that Punjab had done commendable work in growing more food in the State. As a result of this the State has been converted from deficit into a surplus food-grain area. I think on this subject this Government deserved a good word from the hon. Members rather than the criticism they have offered.

Then, sir, the purchase of a jeep for use came in for scathing criticism. I may tell the House that such a jeep was in my possession even before but nobody thought of criticising it. But when this matter came before the Estimates Committee, it was discussed threadbare and the Chief Secretary was called by the Committee to explain the necessity for this jeep. The Committee was fully satisfied that the purchase of this jeep was justified, as Government's expenditure on my travelling allowance was to be considerably decreased. I cannot say anything more as the matter concerns me personally. Then I have been accused of suffering from superiority complex. I wonder how this impression has been carried away by the hon. Members. There is no denying the fact that after all I am the Chief Minister and I have to select my colleagues. This is my duty and I have to perform it and I do discharge it. My colleagues know full well how far I am suffering from superiority complex. Then, sir, another taunt was hurled at me. It was stated that I must draw higher pay because I have to incur heavy expenditure, on my own establishment. I admit it, Sir, I have no other source of income. Shri Bhim Sen Sachar could afford to draw less salary because he possessed ample sources of income. With these words, sir, I appeal to the House to pass the Demand under consideration.

Mr. Speaker : Question is—

That a supplementary sum not exceeding Rs. 26,93,420/- be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1951 in respect of "General Administration".

The motion was carried.

The following demands were then put from the Chair and carried :—

POLICE

That a supplementary sum not exceeding Rs 5,23,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Police".

MISCELLANEOUS DEPARTMENTS

That a supplementary sum not exceeding Rs 42,490 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Miscellaneous Departments".

EDUCATION

That a supplementary sum not exceeding Rs 8,47,570 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Education".

MEDICAL AND PUBLIC HEALTH

That a supplementary sum not exceeding Rs 94,300 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Medical and Public Health".

AGRICULTURE

That a supplementary sum not exceeding Rs 26,49,380 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Agriculture".

VETERINARY

That a supplementary sum not exceeding Rs 25,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Veterinary".

CO-OPERATION

That a supplementary sum not exceeding Rs 20,340 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Co-operation".

INDUSTRIES

That a supplementary sum not exceeding Rs 1,37,250 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Industries".

CIVIL WORKS

That a supplementary sum not exceeding Rs 13,22,800 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Civil Works".

CHARGES ON BUILDINGS AND ROADS ESTABLISHMENT

That a supplementary sum not exceeding Rs 73,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Charges on Building and Roads Establishment".

ELECTRICITY SCHEMES-WORKING EXPENSES

That a supplementary sum not exceeding Rs 73,360 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Electricity Schemes-Working Expenses".

F A M I N E

That a supplementary sum not exceeding Rs 2,50,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Famine".

STATIONERY AND PRINTING

That a supplementary sum not exceeding Rs 1,12,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Stationery and Printing".

MISCELLANEOUS

That a supplementary sum not exceeding Rs 1,25,330 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Miscellaneous".

EXTRAORDINARY CHARGES

That a supplementary sum not exceeding Rs 2,22,840 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Extraordinary Charges."

PREPARTITION PAYMENTS

That a supplementary sum not exceeding Rs 10,00,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Prepartition Payments."

CAPITAL OUTLAY ON FORESTS

That a supplementary sum not exceeding Rs 86,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Capital Outlay on Forests."

CONSTRUCTION OF IRRIGATION WORKS (CAPITAL

That a supplementary sum not exceeding Rs 14,15,710 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Construction of Irrigation Works (Capital)".

CHARGES ON IRRIGATION ESTABLISHMENT (CAPITAL)

That a supplementary sum not exceeding Rs. 2,23,330 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Charges on Irrigation Establishment (Capital)".

CAPITAL OUTLAY ON SCHEMES OF AGRICULTURAL IMPROVEMENTS AND RESEARCH

That a supplementary sum not exceeding Rs. 19,05,260 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Capital Outlay on Schemes of Agricultural Improvements and Research.

CAPITAL OUTLAY ON INDUSTRIAL DEVELOPMENT

That a supplementary sum not exceeding Rs. 9,00,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Capital Outlay on Industrial Development."

CIVIL WORKS OUTSIDE THE REVENUE ACCOUNT

That a supplementary sum not exceeding Rs. 20,26,850 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Civil Works Outside the Revenue Account".

CAPITAL OUTLAY ON ELECTRICITY SCHEMES

That a supplementary sum not exceeding Rs 40,37,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Capital Outlay on Electricity Schemes."

TRANSFER TO THE CONTINGENCIES FUND OF PUNJAB STATE.

That a supplementary sum not exceeding Rs. 50,00,000 be granted to Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Transfer to the Contingencies Fund of Punjab State".

LOANS AND ADVANCES BY PROVINCIAL GOVERNMENTS.

That a supplementary sum not exceeding Rs. 9,09,370 be granted to Governor to defray the charges that will come in course of payment the year ending 31st March 1951 in respect of "Loans and Advances Provincial Governments".

CAPITAL ACCOUNT OF OTHER PROVINCIAL WORKS
OUTSIDE THE REVENUE ACCOUNT

That a token sum not exceeding Rs 10 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1951 in respect of "Capital Account of other Provincial Works outside the Revenue Account."

*The Assembly then adjourned till 10-30 A. M. on Tuesday,
10th October 1950.*

Punjab Legislative Assembly Debates

10th October 1950

Vol II—No. 8

OFFICIAL REPORT.



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PUNJAB LEGISLATIVE ASSEMBLY

SECOND SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 10th October 1950.

—o—

The Assembly met in the Assembly Chamber, Simla, at 10-30 a.m. of the clock Mr. Speaker (The hon. Sardar Kapoor Singh) in the Chair.

DAMAGE CAUSED BY FLOODS AND RAINS

Mr. Speaker : The House will now start discussing the situation created by the recent floods and rains. As a large number of hon. Members would like to take part in the debate, it would be better if time-limit is fixed. Out of the four hours that we have got, one hour will be taken by the Government so that three hours are left for the hon. Members. I fix 15 minutes for each hon. Member.

An honourable Member : Ten minutes.

Mr. Speaker : I shall allow 15 minutes to one hon. Member from each district and 10 minutes to others.

Shri Bhim Sen Sachar : I want to make a suggestion. I don't know whether it would find favour with the Government. It would be better if you kindly ask some Member from the Government to speak first so that we may know the official version of the extent of damage and the measures that the Government have taken so far. On the basis of that information, other hon. Members would have their say.

Mr. Speaker : Ordinarily, a Government Member always gives the reply but as in this particular case there is no information before the House, it would be better if a Government Member gives some information as to the damage done by the floods and the relief that has been given so far by the Government.

Shri Bhim Sen Sachar : Thank you for accepting my suggestion.

Chief Minister [The hon. Dr. Gopi Chand Bhargava]

The measures that the Government wanted to adopt were outlined in my speech on the Governor's Address. The Government did whatever was possible and I shall give that information presently. When notices of three adjournment motions were given, I requested the hon. Members to send in their suggestions about the relief measures. I have got certain data before me as to the extent of damage done and the relief measures adopted and I shall lay that information before the House. The districts most affected are, Amritsar, Gurdaspur, Jullundur, Hoshiarpur, Ferozepore and Ludhiana.

[Chief Minister]

In Amritsar there are 1276 villages and out of these 384 villages were affected; that means that approximately one third of the district was affected.

In Gurdaspur 300 villages—approximately one-fifth of the total area of the district have been affected. The total number of villages in that district is 1613.

In Jullundur district two-third of the area has been affected. The number of affected villages being 935-431 in Jullundur tahsil, 354 in Nakodar tahsil and 150 in Phillaur tahsil.

In Hoshiarpur district approximately one-fourth of the area has been affected. Out of 2179 villages, 502 have been affected.

In Ferozepore district 795 villages have been affected out of 1596 villages thus affecting nearly one-half of the total area.

In Ludhiana district approximately 250 villages are affected, i.e., one-fourth of the total area of the district, comprising 900 villages.

The total area affected comes to 17,37,816 acres out of the cultivated area of 79,16,878 acres.

Out of the population of 64,61,621 of these districts, as many as 18,49,062 persons have been affected by this calamity.

The number of houses affected in the rural area comes to about 60 houses per village.

In Amritsar district as many as 54,997 houses were affected.

In Gurdaspur district 29,000 houses were damaged in the rural areas and 3,459 in the urban areas.

In Jullundur district 57,379 houses, in Hoshiarpur 32,120 in Ferozepore 53,000 and in Ludhiana 15,793 houses have been damaged; so that the total number of houses damaged partially or wholly comes to 2,13,828.

Now I come to the figures relating to damage done to crops. It is estimated that the figure is as high as 8,47,501 acres in regard to four districts only as information about other districts has not been received so far.

The land revenue affected comes to Rs. 12,58,885 out of the total of Rs. 96,70,871.

The figures relating to foodgrains stocks of Government destroyed in four districts (figures of the other two districts have not been received so far) are: 32099 bags, 86,000 maunds and 600 to 650 tons.

Excepting Ludhiana the total number of persons killed is 69 and the number of cattle heads lost is 741.

Excepting Hoshiarpur and Ludhiana, the local officers have demanded a sum of Rs. 12,13,000 for gratuitous relief and excepting Hoshiarpur the demand for taccavi comes to Rs. 71,26,600.

In addition to these, Sir, the Chief Engineer, Buildings & Roads has demanded a sum of Rs. 11 lakhs for the construction of roads and repairs to Government buildings. Our Madhopur Headworks have been damaged and it is estimated that it will require at least Rs. 5 lakhs to repair it.

To repair the damage to another canal, they will require another lakh of rupees. Reports about other canals have not yet been received.

Besides this, all the P.A.P. buildings at Jullundur have fallen down and the estimated cost of repairs comes to about Rs. 2 lakhs.

A sum of Rs. 2 lakhs is required by the Health Department for providing relief through medicines and anti-malarial measures.

A sum of Rs. 10,000 has been received from the hon. Prime Minister's Fund and Rs. 20,000 have been granted to us out of the Indian People's Famine Trust Fund. This amount of Rs. 30,000 has been placed at the disposal of the Deputy Commissioners of the affected districts for the supply of quilts (*razais*) and clothes to the sufferers. The Ministry of Defence of the Government of India are supplying clothes from Army stocks for distribution to the flood-stricken people. The Red Cross authorities have given us Vitamin tablets and one lakh pounds of powdered milk for free distribution.

The Deputy Commissioners approached the officers of the Irrigation Department of their respective districts and secured their help. Help also came from non-official sources-societies and organisations.

This is the information, Sir, that I have to place before the House.

Shri Prabodh Chandra : (Gurdaspur, General Rural) (Hindustani) : Sir, I am deeply grateful to you and the hon. Chief Minister for giving us additional time of four hours to discuss the flood situation and ventilate our grievances. In my opinion, there are three or four important reasons which have mainly contributed to the havoc wrought by the floods. Firstly, the rains were so heavy and unprecedented that the people could not have taken any anticipatory measures. Secondly, the residents of those villages which are situated on the banks of rivers had for the last two or three years been requesting the Government to erect new bunds and repair the old ones. Unfortunately, their requests have been falling on deaf ears and the result is that some of the villages in my district have suffered incalculable damage. Owing to want of bunds, Qasba Jaimal Singh has been almost destroyed. Sometime back it had a population of about twenty thousand but now it is only five or six thousand. The ten-mile long bund near Dera Baba Nanak having been damaged has been a source of great distress and

[ShriPrabodh Chandra]

suffering to the people of this place. The residents of this village had been crying themselves hoarse for the last five years or so that something should be done to repair this important bund. Another village which has been a victim of the cruel floods is Thana Kalanaur in my district. The reason for floods in this village was that the 'nullah' that passed by this village had been blocked by bushes and dirt and no steps were taken to clean it.

The third reason for the losses due to floods is the fact that ever since lands have been allotted to the displaced people, the evacuee houses in the villages have not been allotted to them. Many of these houses collapsed and fell because there was nobody to look after them. Had those houses been allotted, the allottees would certainly have done all they could to save them from destruction. In these circumstances I am led to assign the loss of all these houses to the negligence on the part of Government in allotting them. There is a fourth reason as well and it is this. The refugees have been asking the Government for loans to repair the houses occupied by them but the Government in its wisdom has always rejected their demands. If Government had been good enough to render timely help to the people by advancing them thousands these huge losses which now amount to lakhs could probably have been avoided.

Sir, there is no doubt that nature has been very unkind this year and has inflicted floods on my district as also on some other districts. But I am sure that the suffering caused by the floods and the consequential losses could have been to an extent mitigated if the officers of Government had been prompt in rendering help to the helpless and the starving people who along with their families had climbed up the trees to save their lives. I am very sorry to tell the hon. Members that Neros were fiddling when Rome was burning. When the rains started on the 1st of September, the Deputy Commissioner of my district was to be found at Dalhousie on that day. On the 2nd, the rains began to pour in their severest form and the floods started their gruesome task. The Deputy Commissioner of my district was apprised of all this by the Magistrate on duty. But he cared a big for this tale of woe and suffering. He returned from his pleasure trip on the 6th and set out towards the flood-stricken areas on the 8th. He had not gone very far when he thought of returning. He perhaps felt that by walking on the wet ground he might be put to serious discomfort. Fortunately where we had such useless officers we also had those who in spite of their own ailments came out to do anything that they could for the sufferers. Here I must show my gratitude to the Sessions Judge of my district who despite the fact that he was carrying his broken arm in a sling was under going every discomfort for the sake of suffers. When asked by a lawyer not to exert as he was not well himself, he replied that service of the people was his duty and there was no reason why he should shirk it when they needed it most. Here a word of praise should also be given to the Civil Supplies Department. The Officers of this department rendered a yeoman's service. How

I wish that other Ministers of the Government like hon. Minister of Civil Supplies had also gone to the affected areas and seen and done things for themselves. They could all afford to go to Dera Baba Nank in connection with Provincial Elections but only God knows why they did not think it fit to visit this place during the floods when their help was badly needed.

Sir, according to Government report about 2, 13, 228 houses have been damaged and that the Government has advanced a sum of Rs. 45,00,000 by way of *taccavi* loans and Rs. two lakhs have been distributed as grants. If we assure that the report of Government in regard to the damaged houses is correct, it means that only a sum of Rs 22 is given for repairing a house. I think that the sum of Rs 22 is very insufficient for purposes of repairs and whatever the Government has done so far in this connection is very inadequate. The Government should reconsider this question. Then the hon. Chief Minister has informed the house that about 17 lakh acres of land have been affected and that a sum of Rs. 28,50,000 has been sanctioned for giving *taccavi* loans. Obviously, this money will not go any long way in helping the sufferers when about 30 seers of wheat seed is required for an acre of land and the seed is being sold at the rate of Rs 16 a maund by the Government. In my opinion, wheat seed can be provided for about 10% of the affected land with this amount.

If the next Rabi Crop is also lean, we shall be faced with a serious situation six months hence. People may be able to carry on for three or four months but the position will become very difficult after about six months. In this connection, I am reminded of the words used by His Excellency the Governor in his Address, when he said that he was sorry for the losses caused by heavy rains and floods but the redeeming feature of the situation was this that there were better prospects of good Rabi harvest. During the last elections, when I was a candidate from a rural constituency, the supporter of my rival candidate put me two questions. I was asked as to when the wheat crop took the form of ears and when were the potatoes sown. I knew the reply to the first question but did not know the time of sowing potatoes. The same kind of ignorance was displayed by the Governor. He does not know when the crops are sown. I would like to tell the hon. Members that twenty per cent of the lands are not yet fit for tillage. It is not known whether these will become fit for cultivation after one month or two months. It is, therefore, not correct to say that Rabi harvest would be better.

The hon. Chief Minister said that the people of my district would be given Rs. 2,50,000 for fodder and Rs. 8,00,000 as *taccavi* loans for seeds. I shall request him to ensure that this work is done honestly and to prevent twenty or thirty per cent of this amount from going into the pockets of officers. Moreover, this amount is insufficient. Each person will get from Rs. 25 to Rs. 50 for fodder. At the prevailing rates, four animals can be fed with this amount

[Shri Prabodh Chandra]

for not more than a week. I shall request the Government to pay larger amounts so that the public might realise that it was proposed to give them effective help.

Another thing to which I wish to draw the attention of the Government is with regard to health centres opened by the Health Department, for which purpose a sum of rupees two lakhs is going to be spent. Before proceeding with this matter, I might relate an interesting incident, which has come to my memory just now. I went to my constituency the day before yesterday. The people there represented to me that when Government officers went to the villages for the professed purpose of giving them help, it was announced that such and such Tehsildar would visit a certain place on such and such date and that its inhabitants should arrange to supply him fish and poultry. I shall request the Government to order the stoppage of these practices, which were proving a great burden for the poor people. Only a few days back, Sardar Mohinder Singh, Naib Tehsildar, paid a visit to Fatehpur Churian. Prior to his arrival in that village, it was announced with the beat of drum that if the people did not arrange to supply him fish, they would not be given taccavi loans.

As regards the health centres opened by the Government, I beg to submit that quinine is not available at most of these. I visited a health centre situated between Dera Baba Nanak and Batala on the 30th September. The doctor was sitting there but he had no quinine. When I visited that health centre day before yesterday, I was told that the supply of quinine reached there only on the 4th instant.

In Dera Baba Nanak I was told that Rs. 3000 had been distributed as taccavi loan but the remaining Rs. 7000 could not be distributed for want of prescribed forms. As Dr. Sir Radhakrishnan said 'Justice delayed is justice denied' so if the people are not given aid in time, it will be of no avail to them.

If the Government wishes to save them from ruin, I shall request the Government to concede these demands of the people of my district. In order to protect the people of village Jaimel Singh, a bund should be constructed on the outskirts of the village in order to save it from future floods. Dhusi bund has not been repaired for sometime past. It should be got repaired without delay in order to protect Dera Baba Nanak. The bed of Bacha Nangal stream should be got cleared of mud and silt so that water might easily flow in it. The people in the villages are permitted to draw weekly ration of foodgrains. Sometimes, they have to walk long distances to get their rations and waste a good deal of time on this work. They should be permitted to draw their ration on monthly basis. Then owners of lands affected by heavy rains should be treated at par with those whose lands are situated in areas declared to be flood-stricken, in the matter of grant of taccavi loans. The persons have suffered a great loss and they are as much in need of

taccavi loans for purchasing fodder as those whose lands have been affected by floods. Moreover, the peasants should be granted taccavi loans without their being asked to get their applications recommended by the landlords. To obtain the recommendations of the landlords, they have to pay them a part of the amount to be obtained. Instead of supplying seed of '51 quality', the cultivators in my ilaqa desire to be supplied white 'desi' seed of wheat. I would also suggest that the refugees should be given proprietary rights in the houses allotted to them, so that their repairs might be properly attended to. The debris of houses which have collapsed should be immediately removed to prevent the spreading of diseases.

Chief Minister ; I shall request the hon. Member to give me these things in writing.

Shri Prabodh Chandra : Last of all, I shall request the Government to punish those officers whose negligence or indifference was responsible for losses and damage. Those who helped the public should be rewarded.

Sardar Udham Singh : (Amritsar Central Sikh, Rural)(*Punjabi*)
Sir, I don't think much remains to be said regarding the loss of property in the rural areas on account of floods, after the speech made by the hon. Chief Minister. There might be a little difference in the figures quoted by him and the figures of actual loss of villages. But that is not much. I would however, like to make one observation. It is this that, if the authorities had toured the flood-stricken areas at the actual time of floods instead of doing so now when the floods are subsiding, their estimate of loss of property and suffering of the people would have been materially different. They would have seen the terrible havoc caused by the floods and the deep misery of the people. When first we came to know of the floods in Ajnala Tehsil, for full four days we knew nothing about 175 villages which had been cut off from the outside world. We had no idea about the safety of any of those villages. That was a scene of deepest tragedy. Only a visit to that area at that time could have adequately given the authorities concerned any real idea about the suffering and misery of the people of all those villages. They would have then, judged the huge magnitude of the calamity that has befallen those people. I think, the present floods in Amritsar District have been the severest floods ever in the history of the district. Out of 175 villages affected by them, 32 have been completely washed away. Not a trace has now been left of those 32 villages. When the attention of the officials and the public workers was focussed on the flooded areas of Ajnala Tehsil, all of a sudden news came that Tarn Taran was also in danger, on account of the Hansli stream that flowed near it. This stream comes from Batala side and goes towards Patti. This stream got flooded and thus caused a great havoc to the houses and crops of the villages of that area. If the authorities concerned had visited the area during those floods they would have recommended to the Govern-

(Sardar Udham Singh)

ment four times the aid that is actually proposed to be given. I don't say that sympathy has not been shown. Whatever has been done is commendable and I thank the Government for it. But all has not been done to alleviate the suffering of those people who are actually the back bone of the State and who pay the greater part of the taxes. The actual expenditure incurred by the Government in this connection, no doubt, runs into lakhs. But if the number of the people affected by the floods had also been mentioned, this aid would not have looked much

As regards medicines, I would like to point out that enough has not been done, for instance, there is a village called Qazi Kot whose 500 inhabitants out of the total of 700, are ill. The diseases will be wide-spread in the villages in which the flood water has entered even the wells. In such villages, there will be diseases of human beings as well as of cattle, because there will be no drinking water. I, therefore, submit that whatever help has been rendered and the steps taken, they are quite inadequate to check the spread of epidemics. The greatest difficulty in this matter is the fact that the areas worst-affected by the floods are those where refugees have settled down. For them, floods have brought a new calamity. For instance, in Ajnala Tehsil most of the population is that of refugees. Similar is the case with regard to Zira, Jagraon and Nakodar Tehsils, in which the population was mostly Mushm. The people who had now settled in these Tehsils did not know exactly as to what houses, fields and wells had been allotted to them. They were thus taken by the floods when they were least prepared for them. In this way, they have been uprooted from their homes for the second time. Under these circumstances, it cannot be reasonably expected of those people to pay back the taccavi loans that are now being given to them. It is not possible for them to do so. Some of the officers have even now the same old mentality that, if they show less expenditure, they would be pleasing the Government, led by such motives they have not sent correct proposals to the Government. I know that there are some honest and hard-working officers also. They have worked day and night, helping the people in their distress. They went from place to place on boats, jeeps and wooden planks, wading through water. We commend their work. But all the same, there are officers who could not even come out of their houses at night, to listen to the complaints of the distressed people. If at all they listened to them, they advised them to stand on their own feet. It is not proper on the part of the officers to behave so curtly with the public and to give such unsympathetic replies. I myself could not get any satisfactory reply from the Deputy Commissioner of Gurdaspur when I called on him to get information about the flooded areas. He told me that he had sent a report to the Government. If he could give this reply to me, his reply to a poor villager can be very well imagined. It should be the duty of the officers to satisfy the public workers when they approach them. As a matter of fact the greatest need of the hour is the

(Sardar Udham Singh)

proper and sympathetic behaviour of the officers towards the public. If this is not done, it can land the Government in great difficulties. It should, therefore, give the maximum help to the people in the form of money and material.

As regards Amritsar District, I want to say this much that 60,000 houses have been damaged in this district alone. The Government proposes to give Rs. 400/- to a Zamindar for building his house, Rs 200/- to a Kamin and Rs. 100/- for the repair of a single house. In this way, a sum of Rs. 1,40,00,000/- is required for Amritsar District alone. If this much is needed for one district surely much more is needed for the whole of the Punjab. And then it is not possible for a Zamindar or a Kamin to construct his house with Rs. 400/- or Rs. 200/-. It may be possible for a Zamindar to construct some sort of hutment with the timber that he may have already got. But for a Harijan, conditions are still more difficult. He has not only no house to live in, but also no means of earning his livelihood for the next eight months. Such people will have to be provided with not only houses, but also with material help for their keep up for the next eight months. If this fact is overlooked, they cannot be rehabilitated.

Sir, when the flood water entered Ajnala Tehsil with a terrific speed and force, it flooded the entire area, Tarn Taran, Amritsar and Patti tehsils were affected by it. Rivulet Hansli was in spate and it began to flow over a vast area. Sub-soil water mingled with it and even at the present time width of Hansli is about two furlongs. There is no way for this stream of water to get out. The old bed has been stopped by the deposit of mud in it. No new way has yet been found by the water for getting out speedily. So thousands of acres of cultivable land cannot be sown in the near future. There is every likelihood of much damage to the next crop because water of Hansli is still standing over the area and it won't dry up till the sowing season is over. The water of Hansli has done incalculable damage to the area around it. It is still flowing in the fields and over the wells also. At present we cannot say for how long it will continue running. As regards Tarn Taran proper, there has been much loss and damage to the factories. In the rural areas, the conditions are much worse. All crops have been ruined; no fodder is left; extensive loss of cattle is reported. The villagers have been put to great hardships. Many of them have sent their cattle to their relatives but what can the poor refugees do. They have no relatives who can keep their animals and so with the loss of fodder they are finding it, hard to maintain their cattle. Sir, I don't wish to take more time of the House because other hon. Members are also anxious to speak. But still I should make some suggestions. In this connection, first of all, I would like to make mention of the services rendered by Sardar Mohinder Singh of

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Sidwan by way of providing relief to the flood-affected people in Jagraon. He has taken photographs of the damaged houses and ruined crops in the flood-ravaged area, thus creating a sense of urgency of the problem that faces this State to-day. Immediate steps should be taken to provide relief to the flood sufferers because they are totally ruined. What to say of the standing crops, even in some areas Rabi crop cannot be sown in time. Half of the flood affected area is such as will not get dry in time and the next crop cannot be sown. I wish to give some suggestions to the Government in this matter.

Mr. Speaker : You should make only important suggestions. The rest you can give to the Government in writing.

Sardar Udham Singh : Yes, I will send them in writing also. But still I would like to say that funds should be made available for the work of providing relief to the sufferers. In my opinion funds can be provided, from certain deposits which are lying with the Local Bodies such as District Boards, Market Committees and Co-operative Banks in those districts. Help can also be given from the funds of such institutions of other districts as well. At this time of emergency, all the people of the Punjab should contribute whatever they can. Another thing which I wish to bring to the notice of the Government is that it should pay immediate attention towards the repair of the dam between Galab and Ambh. So far no scheme has been undertaken by our Government to construct this dam. If immediate attention is not paid towards it, it is feared that about thirty villages will go to Pakistan side of the river. Already we have lost about twenty-one or twenty two villages in the same manner. If this dam is not constructed, immediately we will lose thirty more villages. Another suggestion that I can give is that immediately a survey of the drains in the flood affected area should be undertaken so that before the next rains some arrangements are made for proper drainage in those areas.

Chaudhri Kartar Singh : (Hoshiarpur West, General Kural) (Hindi) Sir, some of the hon. Members have given us an idea of the destruction that has been wrought by the recent floods in the various districts of our State. I wish to bring it to the notice of the hon. Members that for the last fifty years or so small streams and rivulets have been doing considerable damage to the district of Hoshiarpur.

Mr Speaker : To avoid repetition, I would suggest that the hon. Members from the same district should consult each other and put their facts together. If there is no repetition, the purpose of the debate would be better served.

Chaudhri Kartar Singh : Sir, in my District, in Una Tehsil and also in the area of Dasuya Tehsil between the Railway Line and the river, crops have been damaged this year due to heavy rains. The District Board of Hoshiarpur has unanimously passed

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a resolution and sent it to the Government through the Deputy Commissioner that land revenue should not be charged from those who have suffered on account of rains and floods. So far as Hoshiarpur district is concerned, crops are damaged every year by the streams and rivulets, which flow at a high speed and erode land. It is a standing complaint of our district. In the last Ministry, when Giani Kartar Singh was the Development Minister, a committee was formed to go into the question of these 'Chos' and make recommendations in this matter. Nearly eighty years ago, when the British Government carried out a settlement, it was found that the length of all these 'Chos' was about fifty miles but now the length is about seven hundred miles. It is a very disappointing fact that in a district where the average holding of the peasant varies from one to five acres, three and a half lakhs of acres of land should be under the streams and 'Chos'. When other districts are going to get relief for the damage they have suffered on account of floods, there is no reason why Hoshiarpur district should be neglected. Our lands are perpetually being spoiled by the 'Chos'. During the British regime, we were neglected because our district took part in many Anti-British agitations but why should we suffer even when India has achieved its freedom ?

Well, Sir, I would request the Government to include those villages of Hoshiarpur district, which have been damaged or washed away by the floods, in their programme which they have formulated for affording relief to the flood-stricken areas. It needs no mention that the inhabitants of those villages have been totally ruined. They have nothing to fall back upon nor have they any money to repair or reconstruct their houses. Then, as I have already stated, Government should arrange to provide us with Bull Dozers so that the rivulets which cause devastation to the Hoshiarpur District may be trained and canalised. I may point out that unless the courses of these 'chos' and rivulets are changed, Hoshiarpur district will ever remain a victim of the ravages of the floods and there will be no end to the miseries of the people of this district. It will not be out of place to mention here that, in the opinion of experts, the rains in future will become still more active and there is no hope of any abatement in their fury for years to come. This means that we are going to have more floods in future. I submit that Government should take stock of this warning and adopt measures to save the people from the coming misery.

Then there is another point which I want to bring to the notice of the Government. With the migration of Muslims from the areas in the Shivalik Hills, jungles have arisen there. You will be surprised to hear, Sir, that the work of afforestation which the British

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Government could not accomplish within 50 years. Nature has completed within three years. There is no doubt that the growth of jungle will to some extent be helpful in checking the erosion of land, but there is no check to the floods which come as a result of torrential rains. These floods cause considerable damage to the low-lying tehsils and this time fifty per cent of the maize crop in these tehsils was destroyed to the great detriment of the zamindars. I have already given a short notice question on this subject and I am waiting for the reply. But.....

Mr. Speaker : The hon. Member should not anticipate the reply.

Chaudhri Kartar Singh : Well, Sir, what I now want to submit is this. I feel strongly that barring the Deputy Commissioner of Amritsar, the district authorities in other districts made merry and sat cosily in their bungalows at the time when floods were working havoc in their districts. They did not evince the least interest in the relief measures to be adopted for affording help to the flood-stricken people. I think that they remained inertia-stricken because they felt that they were not accountable to anybody. I would request the Government, particularly the hon. Minister for Revenue, that vigorous enquiries should be made to find out the tour programmes of the responsible district officers during the period of floods. It should be found out whether they were at their Headquarters or were out on tours to see the extent of devastation caused by the floods. Full details should be obtained so that it may be possible to assess as to which officers were negligent in the performance of their duties and who among them discharged their duties conscientiously to alleviate the distress of the people who suffered from the ravages of floods. I sound a note of warning to the Government that if the Government fails to take proper action against the delinquent officers, then this will cause a great resentment in the public whose minds are already agitated.

Sardar Jagjit Singh Mann : On a point of order. Sir, May I know whether the hon. Member is speaking in the capacity of Chief Whip or in his personal capacity.

Mr. Speaker : He is speaking in both the capacities.

Chaudhri Kartar Singh : I may tell my hon. Friend that when the province, particularly my own district, is face to face with a calamity and when it is menaced by rivulets and 'chos' in spate, resulting in great damage to the lands of the people, then it becomes my duty to bring all these facts to the notice of the Government. Well, Sir, I was going to submit to the hon. Minister for Revenue that since he is now in charge of the Revenue portfolio,

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he should tour the district of Hoshiarpur. When he will come to Dasuya tehsil, he will find that almost all the standing crops of maize have been severely damaged and he will hardly find a zamindar who possesses maize more than four maunds in quantity. He will realise that the floods in the Hoshiarpur district have done inestimable loss to the people. In the end, I would again request the Government to adopt effective measures to save forty or fifty villages in Dasuya tehsil which are generally affected by the floods. They should also make arrangements for the reclamation of three and a half lakhs of acres of land which has been submerged under or eroded by the action of the 'chos' and rivulets in the district. In this connection, I would like to make a suggestion and that is this. Government should take over a portion of land so reclaimed and sell it out to meet the expenditure that will be involved in reclaiming the lands. Thus the Government will not be burdened with any extra expenditure and the people will receive the necessary relief, in the form of land which will be distributed among them.

Shri Bhagat Ram Chodha : (Jullundur, General, Rural) (Punjabi): Sir, it is an open secret that the floods caused great havoc in the district of Jullundur. Now the difficulty with my district is that it is menaced by the 'chos' and rivulets which flow in the Hoshiarpur district. They also pass through the Jullundur district and cause immense damage to the lands of the zamindars. When even a small rain can cause inundation in these 'chos' it can well be imagined than described, what mischief can torrential rains play in this regard. Those persons who have to cross Nasrala Cho while going to Hoshiarpur know it well how troublesome it is even during normal times. When it is flooded, it causes devastation right and left and the people are put to a great hardship. Sometimes back, a dam of about half a mile was constructed by the Government to check the inundation of this Cho, but that has not proved of any avail. I think if this dam is extended to Vains, then it will certainly check the floods and save the villages from the misery that is often caused by the action of this Cho. Then, Sir, I quite agree with the suggestion made by my hon. Friend Chaudhri Kartar Singh that the Government should adopt measures to reclaim the land that has come under the Chos. The land thus reclaimed be distributed among the people whose lands were washed away.

Then, sir, I may point out that officers have been guilty of oppressing the people. We have already suffered a lot as a result of the partition of the Punjab and I think it was a severe punishment for our misdeeds. I submit that those officers who have committed wrongs on the public cannot escape retribution. You will perhaps, remember, Sir, that last time I advised the Government to perform some 'Yag' or make some sacrifice to express their penitence for the wrong doings of their officers. It needs no

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mention that the Patwaris, who draw a salary of Rs. 60/- p. m. make thousands by sucking the blood of the poor zamindars. I would ask the Government to adopt adequate measures to suppress corruption that is rampant in the administration. The Government should realise that the Nature takes its revenge sometimes through earthquakes, sometimes through floods and sometimes through upheavals. So if the present sorry state of affairs continues in the State, retribution is bound to come. I cannot say in what form it will come.

Sardar Swaran Singh : Sacrifice of some eminent persons is needed at present. (*Laughter*)

Shri Bhagat Ram Chodha : Why not ? We have known sacrifices made by great men. The sacrifices made by the great Sikh Gurus and other martyrs have not gone unrewarded. Even this independence which we are now enjoying is the reward of sacrifices made by the great patriots. However, what I wanted to drive at was that the people should be saved from the oppression and corruption of the officers. I would ask the hon. Minister to institute enquiries to find out how much bribe has been taken by the Additional Deputy Commissioners, what to talk of small fry. I enquired of an allottee of a certain village whether he had received his allotment order without any difficulty. He said he had to get it on payment of Rs. 100. Another allottee standing near by remarked that he had to pay Rs. five hundred for the allotment order.

The public in general and my hon. Friends in particular know it full well how officers who advance loans and grants to poor zamindars take good amount of these payments back from them in the form of bribes etc., so much so that they are left with a meagre amount to spend on their rehabilitation. These poor zamindars are being exploited by the officers concerned of the State. Now that they have suffered a heavy loss due to the recent floods and they have nothing to fall back upon, it is in the fitness of things that the Government should make it a point to see that they are not exploited by the officers in future. Government should put an effective check upon the officers who are out to put these poor people to a lot of inconveniences by demanding bribes from them. The officials who have to deal with these poor zamindars have become very arrogant and they do not leave any stone unturned in harassing the poor zamindars. They are under the impression that there is no body to take action against them and that since the elections are fast approaching and Ministers are busy with their own affairs they are therefore free to act according to their own sweet will. The same is the case with the I.C.S. officers. The rumours about the change of the Ministry has really a very unhealthy effect

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on these officials. They are under the impression that there is nobody to take them to task for their mal-practices.

I do not want to take much of your time. I have to make only one point and I have done. The recent floods have reduced the poor zamindars to poverty and misery. If adequate and timely relief is afforded to them they would be in a position to improve their condition. I would request the Government to afford adequate relief to them, as soon as possible. Government should also make it a point to see that they are not deprived of the things which they receive from the Government by those callous officers who force them to reserve some share for them.

Sardar Bachan Singh : (Ludhiana Central, Sikh, Rural)
Sir, If we dispassionately study the figures regarding the extent of damage done by the recent flood and the damage done by the partition, we will find that the damage caused by the former is much greater than the latter. The extent of damage done by the recent floods lasting for a few days only is far far greater than the damage done by partition. By saying all this, it is not my intention to create more difficult problems for the Government which is already faced with many such problems. At a time when a great calamity has befallen us, it is but meet and proper for all of us here to sit together and devise ways and means as to how best to save our flood-stricken people in distress. Now I would like to say a few words about the colossal damage to land and property done by the recent floods in my district. It would not be out of place to mention here that the Bait ilaqa which was previously occupied by the Muslims is now being occupied by our displaced brethren. Out of 144 villages of Jagraon Tehsil, about 112 villages have been destroyed by the recent floods. It has also been estimated that in the adjoining areas surrounding this district, where people lived on their land only, about 75% houses have been washed away by the recent floods. In the Jagraon town itself, which is situated at a higher level than the bait ilaqa, about 10% houses have been rased to the ground and washed away by the floods. In the villages of 'Malla Ilaqa', there have been torrential rains and the beams of the houses washed away by the floods have caused further damage by colliding with the houses in villages situated in an area of about 100 miles near Bathinda. There has been a heavy loss of cattle also and the extent of damage caused by the washing away of the beams of houses is not known yet. In Jagraon Tehsil and the adjoining areas, rain measuring about 24" fell within a very few hours. It has caused colossal damage to land and property so much so that the people have lost all hopes of their safety. On the one hand, the Deputy Commissioner of Ludhiana gives out that out of 900 houses 250 houses were affected while on the other it is maintained that the

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loss of life is not yet known. The extent of the loss and the carelessness and the negligence of the officers concerned can be very well imagined and estimated from this. Here I cannot do without saying this that the people of the Jagroan Tehsil and Bait Ilaqa have been the worst sufferers in the recent floods. Their lands have been damaged and their houses washed away by the floods. The condition of the 'bet ilaqa' is worst. It will not be out of place to mention here that only last year about $1\frac{1}{4}$ lakh acres of land in this 'bet ilaqa' was laid waste as a result of which it could not be brought under cultivation. This year, the people of this ilaqa had hoped that they would be in a position to cultivate it and that there was every possibility of improving their condition. The hopes of the people of this ilaqa to cultivate their lands have been dashed to the ground on account of the overall destruction of this area by the floods. The extent of the damage caused by the recent floods in my district has been so great that such devastation was not witnessed in our life-time before nor even during the lifetime of our elders. What I wish to point out is this that whereas the local population who have suffered heavy losses can somehow or the other manage to make good their losses, the psychological condition of our displaced brethren is such that they do not want to repair the damaged houses they are at present occupying because they feel that these houses do not belong to them. Displaced persons living in the houses in the 'Bait Ilaqa' do not feel like repairing the damaged evacuee houses as these do not belong to them. In spite of the Taccavi loans and other such loans and grants sanctioned by the Government, they are not prepared to improve the condition of these houses so long as they do not own them. They will take interest in this work as and when they own them. Government should make it a point to take some adequate steps in this direction. Government should carry out census operations to determine the exact number of the evacuee and non-evacuee damaged houses. If this is done, I am sure they will find that out of the total number of the damaged houses, majority is that of evacuee houses which were previously being occupied by the Muslims. Our displaced brethren at present occupying these damaged evacuee houses do not want to make any repairs so long as they do not own them.

The conditions in the 'Bet Ilaqa' are very dangerous. The sooner the grievances of the flood-stricken people are redressed the better would it be in the interests of both the people and the State.

The work in connection with the distribution of the gram seed is the need of the hour. The officials of the Agriculture Department of my district say that they have only $5\frac{1}{2}$ thousand maunds of gram seed in their stock.

I am not much concerned about the wheat as the Government has enough stock but so far as gram crop is concerned there are serious apprehensions that if this is not sown in the month of October, it may then be too late. Then, Sir, I may submit that the Government should not merely depend upon its officers in the task of providing relief to the sufferers but there is need for realization that this work should be placed on a war footing. Government will not be able to accomplish this huge task without putting it on war footing. When the partition took place and there was a mass migration from the West Punjab, the Government had ordered all schools and colleges to remain closed in order to provide accommodation to refugees. In the same way if the Government wants to alleviate the sufferings of these people, it would not be able to do so by an ordinary way of giving taccavi loans to them. We find that winter has set in earlier this time and particularly on account of excessive rains it is abnormally cold these days. If winter becomes severe, it is feared that people in large numbers may suffer from fever with the result that they will not be able to devote their attention towards their crops and also towards the construction of their houses. It is, therefore, very essential to place this work on war footing. The professors, teachers and other officers of the Government should be asked to volunteer themselves for about fifteen days for the collection of funds towards the cause of flood-sufferers. Colossal effort is needed to help the people out of this Calamity which has suddenly overtaken them. But at the same time we should not be oblivious of the future and should adopt adequate measures to prevent recurrence of such a catastrophe. There has been water-logging in Amritsar, Gurgaon and Ludhiana districts on account of the rise in the level of subsoil water and due to the fact that the rain water could not get absorbed in the soil. If the Government does not take suitable measures to remove water logging, rainfall in future will again cause great loss to the people. In these circumstances, I will suggest to the Government that survey of the entire land in the State should be made to undo the harm done by the rise in the sub-soil level of water during the recent floods. Where the sub-soil level of water goes up to 15 feet high, it should be considered that that particular area shows signs of alarm. In such cases water should be pumped out by means of electric tube wells. Besides this, all resources of the Government should be employed towards collecting funds for the sufferers as has been done in the case of people affected by Assam Earthquake. As has been remarked by my hon. Friend Sardar Udham Singh, the Government should also obtain financial assistance from all cooperative societies and district boards in the State. The Government should set up machinery to collect funds for the flood-stricken people as was done sometime back in the case of Gandhi National Memorial Fund. The officers of the Government should help in the collection of funds. If we adopt such measures, I hope that with common effort we may be able to overcome this present calamity.

Sardar Udham Singh : On a point of order, Sir. I would like to submit in this connection that the officers deputed to make collection of funds may coerce the peasants to give funds out of taccavi loans that may be granted to them.

Sardar Bachan Singh : I would never favour the idea of collecting funds from flood-stricken people but the officers so deputed should make collections only from those towns where the loss has been comparatively less. The Government should also organise a body on the pattern of National Volunteer Corps or Home Guards which should make extensive tour in the villages to create enthusiasm among the people and encourage them for self-help. The officers of the Government should also be included as members of that body. If the Government allowed the matters to drift on as they are, it would not be possible to render any effective help to the sufferer. Without making any political capital out of this issue, I may humbly submit that the Government should give top priority to this stupendous task which confronts the Government. People are very much depressed and down-hearted on account of the calamity that has suddenly befallen them. The Government should depute officers for providing immediate relief to the distressed people so that they may be able to muster spirits to overcome the effects of this catastrophe.

Chief Minister : (The hon. Dr. Gopi Chand Bhargava) (Hindustani) : Sir, I would submit that the hon. Members who have expressed their views on the flood situation may kindly hand over to me the brief notes containing their suggestions so that I may be in a position tomorrow to supply the House with full information and also the measures which the Government intend to adopt to meet the situation.

Sant Narinder Singh : (Ex - Member West Punjab Assembly representing Montgomery East, Sikh, Rural) (*Punjabi*) : It is a popular belief that our happiness and suffering in this world is the result of our previous 'karmas'. In this calamity that faces us today we should not, therefore, allow ourselves to find fault with anybody. These floods and torrential rains have caused severe loss in my district. I could never imagine such a volume of water in Thana Moga. All the crops have been destroyed. Talwandi is completely submerged in water. Some of the houses have been seriously damaged. The flood water in thanas Jalalabad, Chak Saidu and Bhamniwala joined with the water of overflowing wells and it directed its course towards Laduka Mandi. The Deputy Commissioner and the Revenue Assistant were busy making tours on trolley in order to strengthen the bunds of canal. The devastation has been intense and wide-spread in as much as the crops which the refugee cultivators had sown have been greatly damaged.

Water continued to come and the result was that mauza 'Bahak Khas' was turned into an island. Sensing the danger to

our hearths and homes, we approached the S.D.O. of Fazilka and requested him to save our villages by breaking the embankment of the canal. But he did not agree to this suggestion. Then we approached the Executive Engineer, Ferozepore Division and told him that if one distributory was allowed to be broken, the villages which would otherwise be washed away could be saved. But it is with great regret that I have to point out that for the sake of a rich man who according to some people is alleged to have paid Rs. ten thousand as a bribe to the Executive Engineer, Ferozepur Division, water of the distributory was not allowed to be diverted with the result that all the villages in the 'mauza' were submerged under water and the ilaqa became an island. I had afterwards taken the Tehsildar round the affected area and shown him the damage caused to the crops. All the houses had fallen and many cattle heads lost. The water was like some acid, containing God knows what substances. I had caught cold and it was with great difficulty that I saved my life, thanks to the use of tea. But the people in general are not accustomed to taking tea and unless medicines are rushed to the ilaqa, many will fall a victim to some disease or the other. And the tragedy is that it is the refugees who have suffered most. If the police had not been posted on the distributory and its water had been allowed to be diverted, we would not have been uprooted once again. To save one rich man, the interests of a large number of our brethren were sacrificed.

We had previously drawn the attention of the local officers to construct some drains for clearing away water, in view of the danger of floods. They replied that they could not undertake this work until the Chief Minister's sanction was received. The result was that nothing was done to avert the calamity when there was time to take some precautionary measures. They wanted us to obtain the sanction of the Chief Minister.

Now a few words about the relief measures. The Government will no doubt remit 'abiana' and land revenue but how will the poor peasant, whose crops have been completely washed away, feed himself and his children? Something must be done to help such unfortunate victims of floods. The Government should also see to it that the money it sanctions by way of help to the peasants, is actually received by them and is not partially or wholly misappropriated by the distributing officers. I would also urge that some special quota out of the relief money be set apart for Rai Sikhs and others who live in the border areas, because otherwise it is feared that they will not get their due share. Moreover, these people deserve special consideration because by offering to live in the border areas, they have done and are doing a service to the country. Their lives and properties are constantly exposed to danger. They have to remain vigilant at all hours, keeping their rifles loaded even at night. So

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they must be given some compensation for the losses they have suffered owing to floods. Harijans should also be considered for special treatment in this matter because otherwise they would be ignored as ever. People living near the border have already suffered losses due to border raids. So, if the Government wants them to keep up their morale, it must encourage them by giving them some compensation for their losses. Lastly, I would suggest that services of college students should be utilized for relief work.

Sardar Gurbachan Singh Bajwa : (Ex-member, West Punjab Assembly representing Sialkot, Sikh Rural) (*Punjabi*): Sir, the same causes which were responsible for doing so much damage in our district, viz., Gurdaspur, were also responsible for the troubles of Amritsar district. The factors which were operating in the former had also their effect on Amritsar district. There can be no doubt that rains are beyond human control. But we have to see whether other causes which were responsible for making the situation worse, could not have been forestalled and prevented from doing harm, or whether their potentialities of doing harm could not have been reduced by taking timely precautions.

There are four 'nullahs' which were responsible for doing so much damage in Gurdaspur district. Out of these, the names of Hansli, Kiran and Naumani are well-known. No doubt, floods used to come even before but this time they wrought greater havoc because the canals viz. the Jandiala Branch and Kadianwala Branch also overflowed and their water joined with the water from 'nullahs' submerging mile after mile of land. If the canal officers had stopped water-supply to these canals, keeping in view the heavy rains and consequent rise in the level of water, there would not have been so much loss due to floods. As it was, water from Kadianwala canal overflowed and passing through the bed of Hansli, it was responsible for inundating Taran Taran tehsil. The canal Department people should have stopped the water in the canals. It continued to rain for full three days but nobody cared to do so. Such a thing never happened during the British regime. But now that we are independent folk, we may do anything we like. I am sure that if water were stopped in the canal the 'Hansli Nala' could not have wrought the havoc it has done. As for the damage done by the 'Kiran Nala' it may be stated that there was a well known bund near it called the 'Dhusi Bund'. Breaches having been caused in this bund, Dera Baba, Nank was at the mercy of 'Kiran Nala'. In the British days the sufedposhes, zaildars and the patwaries etc., were duty-bound to look after the bunds and report to the Government if and when anything went wrong with them. But with the advent of freedom the sufedposhes and the zaildars have ceased to exist and the patwaries are engrossed in the work of rehabilitation. It appears as if the keeping

of a watch over the bunds is nobody's business. But I here warn the Government that if this bund is not kept in proper order the whole river Ravi may begin to flow in the 'Kiran Nala' and the whole of Ajnala Tehsil and Dera Baba Nanak may be under water at any time. The third dangerous 'nala' is the 'Naumani Nala'. In connection with this 'Nala' I am to say that a bund should be built near the Ghunawala village. In addition to all I have said about the 'nalas', I suggest that the direction of the river Ravi may be slightly changed so that all the 'nalas' which pass by it are made to coincide with it. Such a thing is possible and no time should be lost in putting it into effect.

Now I must say something about the help which is said to have been rendered by the Government to the sufferers. I regret to say that whatever help was given perhaps given was not for the sake of help but for the sake of show and exhibition. Hon. Members know that cooked 'chapatis' were thrown from the aeroplanes. I do not know as to what was the sense behind it. If the people for whom the chapatis were meant were only surrounded by water but were living on dry land, they could cook food for themselves and to those who were in water the chapatis could not reach in any satisfactory condition as they invariably fell in water. It was absolutely no use throwing 'chapatis' from the air. Even the chapatis which were picked up by the people were not used for human consumption. Our people, unlike people of some other provinces, still have some human dignity about themselves and they fed their cattle on them. So the throwing of the chapatis was a mere show and not a genuine help. All this could be understood in the bygone days when the Government had to make a propaganda for the consumption of the other countries. But in the changed circumstances such things are out of place. We should not try to deceive ourselves at any rate. If the Government wanted to render genuine help there was no necessity of using aeroplanes as food could be easily sent by improvised boats or planks. Nothing useful was done and on the other hand everything was done by the officers to get cheap notoriety I should say. It is learnt that some officers got themselves photographed with baskets of food articles on their heads. What was all this, was it not a mere show?

There is one thing which I consider to be very important and I think I should place it before the House. I think that when the owners of land have every right to cut trees on their land why should the allottees be banned from cutting trees on their lands? Unless and until we permit them to cut trees they will not be able to build houses for themselves. I would request the Government that it should consider this question rather sympathetically.

Coming to the Taccavi loans and the land revenue remissions, I am to submit that money will of course go out of the coffers of the State but it is not likely to reach intact the persons concerned.

[Sardar Gurbachan Singh Bajwa]

A lion's share will be devoured by the patwaries, the Kanungos and the Naib Tehsildars. I am sure that half the amount of the taccavi will go in the form of bribes or contributions to funds. Here I should not forget to voice the grievances of the villagers who do not own any land. The non-landholders are not entitled to get any 'taccavi' loans according to rules. This is something very unfair and steps should be taken by which they are also enabled to get 'taccavi'. These unfortunate people should not suffer because they do not happen to own land.

A word about the officers. No doubt if the officers are helpless and are not in a position to render any substantial help, they should at least be sympathetic. I cannot say anything about the Deputy Commissioner of the Gurdaspur District as he was away on tour when I went to see him and may be he had gone to visit the affected areas. I saw the Deputy Commissioner, Amritsar District. He was very sympathetic and was prepared to accept all useful suggestions. I admire his attitude and I think other officers should emulate such examples.

Before I sit down, I would again request the Government that whenever it rains, steps should be taken to stop water in the canals. However, at present a regular inquiry should be instituted against persons who did not do their duty and did not stop water in the canal.

Chaudhri Sundar Singh (Ex-Member, west Punjab Assembly representing Amritsar and Sialkot, General, Rural Reserved Seat) (*Hindi*) : Sir, my hon Friends have placed some very useful suggestions before the Government for meeting the situation created by recent floods and the immense damage caused by them. The hon. Chief Minister said that we should send him our suggestions in writing. I have also to make a suggestion which might perhaps appear novel to some of the hon. Members. I, However, must say frankly what I feel. Mahatma Gandhi used to say that it was one's duty to express one's views frankly. One who did not do so failed in his duty. My hon. Friend Sardar Gurbachan Singh Bajwa said that even if Harijans did not own lands, they should be given 'taccavi' loans. Hon. Sant Narindar Singh also pleaded for help being given to them. I am obliged to these gentlemen for the suggestions made by them. Whereas several useful suggestions have been made by the hon. Members, I can not help remarking that great injustice has been done to the Harijans in the matter of allotment of houses. In countries, where the backward people are not treated properly the wrath of Nature is sure to manifest itself in one form or another. Landless tenants, who were most Harijans were accorded step-motherly treatment in the matter of allotment of houses. They have been undergoing great hardships for the last

three years and I am happy that the recent floods have made other also homeless like the Harijans. Mahatma Gandhi used to say—....

Mr. Speaker : The hon. Member should not bring in the name of Mahatma Gandhi repeatedly.

Chaudhri Sundar Singh : I was going to say that it was my duty to express my views frankly. It has been suggested that Rs 200 should be given to each Harijan family in Amritsar district. Why should there be discrimination between Harijans and others? If other persons need more money for repairing their damaged houses, the same help should be extended to the Harijans. So long as Harijans are not treated fairly, we can not prosper and one calamity or another is sure to visit us every now and then. As long as we do not act according to the teachings of Mahatma Gandhi, we can make no progress.

Then, Sir, I wish to say a few words about our officers. When I went to Gurdaspur last time, I happened to visit Dinanagar also. There I came to know that the District Publicity Officer had intimated the inhabitants of that village that he would come to them at 2 P.M. on a certain day for collecting 'chapatis'. The villagers prepared forty maunds of 'chapatis' and awaited the arrival of the District Publicity Officer for several hours. When that officer arrived at 7 P. M. he expressed his desire for being photographed first. He wanted to show to the people that he had done that work. The 'chapatis' had been brought there from Behrampur and several other villages. These were then taken away and dropped from the air at those places where these were not required. Unless we discharge our duties properly, natural calamities are sure to befall us. I have given the instance of one Government officer to show the manner in which duties are being discharged. All of us are to blame for this state of affairs.

If the allottees had been given proprietary rights in the houses allotted to them, they would have attended to their repairs and the damage would have been much less. We have not yet developed such a mentality as that we should consider it our duty to get even our neighbour's house repaired, because some persons were living in it. When our Prime Minister visited Har Gobindpur last time, he saw some damaged un-inhabited houses. He asked the people there to attend to the repairs of those houses because some people had to live in them. When a person notices some defect in anything, it is his duty to attend to it. In the same way, it is the duty of all the M.L.A's to do their duty towards the public. So long as Harijans are not treated properly, there is a likelihood of calamities befalling us.

(The Assembly then adjourned till 2 P.M.)

Shrimati Sita Devi : On a point of order, Sir. The question that was before the House yesterday when the question hour was over was not done away with. May I know if no more supplementary questions can be asked? I would request the hon. Speaker to permit us to ask a few more supplementary questions. The main object of calling a session of the Assembly is, after all, to afford the Members an opportunity to seek information.

Mr Speaker : But there is some such thing as parliamentary etiquette. I admit that the Members are within their rights to ask more supplementary questions. But it was a very lengthy reply that the hon. Minister gave and so it would be better to proceed with other questions.

ALLOTMENT OF EVACUEE OCCUPANCY LANDS

*** 2184 Sardar Bachan Singh :** Will the hon. Minister for Rehabilitation be pleased to state :-

- (a) Whether the evacuee occupancy lands have been allotted in a certain fixed ratio between the landlords and the occupancy tenants; if so, the authority of law under which this action has been taken;
- (b) The decision, if any, arrived at by the Government regarding the allotment of lands to occupancy tenants who were holding lands of shamilat patti and shamilat deh in Pakistan;
- (c) Whether the displaced occupancy tenants who were holding land under individual or groups of individuals have been allotted lands under the quasi-permanent scheme of resettlement; if so, the reasons for treating these persons differently from others referred to in para (a) above;
- (d) whether any representations vide letters No. 744, dated 24.5.50 and No.1012, dated 31.7.50 were received by the hon. Minister of Rehabilitation from S. Sajjan Singh, M.L.A., regarding certain orders passed by the Rehabilitation Department for allotting the evacuee lands in a certain ratio to the allottees and the landlords; if so, the action taken by the Government in the matter?

The hon. Dr Lehna Singh Sethi :

- (a) In order to draw up an equitable scheme for allotment of evacuee land it was necessary to standardize the value of different kinds of rights under which land was held by displaced persons in West Pakistan or by evacuees in the Punjab and Pepsu. The rights of occupancy abandoned on both sides of Indo-Pakistan border have been valued under the provisions of the East Punjab Evacuees (Administration of Property) Act 1947 in accordance with the Schedule placed on the Table of the House *on the basis of the actual rent paid by the occupancy tenants.

* Kept in the Library

- (b) As necessary details for calculating the shares in shamilat of displaced persons were not given in jamabandis received from West Pakistan, and some of the displaced occupancy tenants in shamilat were also share-holders therein, it was decided that shares in shamilat need not be valued for allotment. Later on, however, it was decided that rights of occupancy in shamilat should be valued for allotment. By the time the chhant jamabandis of these rights could be prepared and valued, resettlement operations in execution of the original scheme for quasi-permanent allotment had advanced to such a stage that this area could not be consolidated with the original parcha claims. Very complicated calculations were involved; hence it was decided that the area held by displaced persons under occupancy right in shamilat should be taken into account after the execution of the original scheme for quasi-permanent allotment.
- (c) Yes, the reasons have been given in (b) above.
- (d) Yes, but number of the first letter is 743 instead of 744. Land held by evacuees under rights of occupancy has been valued and allotted in accordance with the scale referred to in para (a) above. In case of any variations, the persons concerned can lodge applications for review of allotments. Instructions have already been published in this behalf.

Sardar Sajjan Singh : Why has the Government allotted evacuee occupancy land in a certain fixed ratio between the displaced landlords and the occupancy tenants, when no such ratio is recognized in the case of other occupancy lands in the province and both are regulated by the Land Occupancy Act. ?

Minister : It is not considered necessary to evaluate the respective rights of landlords and occupancy tenants in respect of lands other than evacuee. As regards the rest, the hon. Member should refer to the reply.

Sardar Sajjan Singh: What steps have the Government taken to give possession of evacuee occupancy land to the displaced tenants to whom it has been allotted ?

Minister : Arrangements are soon going to be made in this connection.

Sardar Sajjan Singh : Has the Government given consideration to the question of allotting land to those displaced occupancy tenants who held lands in shamilat patti and shamilat deh in Pakistan ? Will they be able to get any land after all ?

Minister : We have not yet allotted evacuee land of shamilat. This will be done when we are free from allotment of other lands. While allotting this land, their claims will receive full consideration.

Sardar Sajjan Singh : The Government has allotted land to displaced tenants holding occupancy rights as individuals or groups of individuals. Supposing, there were fifty shareholders in the shamilat; why should their rights be ignored when those who held occupancy lands under the groups of twenty or more land-owners have been allotted land ?

Minister : If the hon. Member brings any particular case of hardship to my notice, it will be reviewed.

Shrimati Sita Devi : How long will the Government take to dispose of the appeals ?

Minister : The Director General, the Deputy Commissioner and the Revenue Assistants will be instructed to dispose of the appeals as soon as possible.

Shrimati Sita Devi : What period of time is signified by the phrase "as soon as possible" ?

Minister : Unless and until the applications have been received it is not possible for the Government to say as to what period of time will be required. If the applications run into lakhs, of course a long time will be required and if the number is, say about 5,000, we will be able to deal with them in a short time.

Shrimati Sita Devi : About how many applications should be received according to Government estimates ?

Minister : Government does not make such estimates like private individuals.

Shri Dev Raj Sethi : Will the period of one month for appeals run from to-day ?

Minister : This period of one month's extension will begin from the date of announcement.

Sardar Sajjan Singh : Is the extension subject to any conditions ?

Minister : No new conditions have been imposed. Applications have to be submitted during the extended period according to old conditions.

Shri Ram Sharma : How much land of the occupancy tenants, who have left, has been allotted ?

Minister : Notice should be given for such a question.

LOSS OF CERTAIN DOCUMENTS PERTAINING TO
ALLOTMENT OF LANDS.

***2186 Sardar Bachan Singh :** Will the hon. Minister for Rehabilitation be pleased to state :-

- (a) Whether it is a fact that certain documents pertaining to the allotment of lands to certain displaced persons residing at village Toor, Tehsil Ferozepur sent by S. Sajjan Singh Margindpuri, M.L.A., vide his letter No. 809 dated the 29th May, 1950 (Registered A.D.) to the Registrar Land Claims, Rehabilitation Department, Jullundur, were delivered to him vide postal acknowledgment on the 10th June, 1950 but that he informed S. Sajjan Singh that the letter in question had not been received in his office.
- (b) Whether S. Sajjan Singh M.L.A., personally handed over a letter No. 1045 dated the 11th August, 1950 with the postal acknowledgment referred to in part (a) above and requested the said Registrar, Land Claims, to make an enquiry into the case; if so, (i) whether any enquiry was made by the Government; (ii) the result of this enquiry; (iii) the action, if any taken by the Government against the persons responsible for the loss of the letter and the documents referred to in part (a) above.

The hon. Dr. Lehna Singh Sethi : Letter No. 809 alleged to enclose the affidavits by one Chanda Singh and others of village Toor tehsil Ferozepur pertaining to allotment of land was received on the 15th June, 1950 by a clerk of the office of Registrar Land Claims, namely Shri Surindar Kumar. On receipt of a reminder from S. Sajjan Singh Margindpuri, the office reported that the letter in question had not been received. He was informed accordingly and a request was made to him that the persons concerned might please be directed to put in applications for review of allotment supported by any documentary evidence in their possession in accordance with the instructions issued in this behalf.

- (i) Yes.
- (ii) From a perusal of the signatures on the postal acknowledgment it was brought to light that the clerk named in para (a) Shri Suriinder Kumar, received the letter in question, but he misplaced it.
- (iii) The services of Shri Suriinder Kumar have been dispensed with. According to the subsequent letter No. 860 dated the 21st June, 1950 from S. Sajjan Singh Margindpuri, the enclosures of the letter were only affidavits from the applicants themselves.

Sardar Bachan Singh : Have the Government as a result of this finding issued any general instruction to the staff of the Department ?

Minister : It is hoped that the exemplary punishment awarded in this case will serve as an instruction to other officials of the department.

Sardar Bachan Singh : Is it not a fact that lakhs of letters meet the fate of hon. Sardar Sajjan Singh's letters ?

Minister : Not lakhs, but you can say hundreds.

Sardar Bachan Singh : Why are not general instructions issued when the hon. Minister knows that hundreds of letters are misplaced ?

Minister : There is no need for general instructions as the exemplary punishment is likely to serve the purpose.

Sardar Sajjan Singh : What action does the Government propose to take in the case of hundreds of letters which are lost ?

Minister : Appropriate action can be taken if the senders give a regular notice. This Government is very strict and always takes the appropriate action.

Sardar Sajjan Singh : Is the Government strict only in case of clerks or for big people as well ?

Minister : This Government spares no one who is at fault.

Sardar Ajit Singh : Is it not a fact that complaints of loss of letters are due to want of sufficient staff ?

Minister : It is not so. If and when there is rush of work we employ more staff.

Sardar Ajit Singh : Is it not a fact that about 11,000 land claims cases could not be disposed of for want of staff ?

Minister : There was rush of work sometime back but there is no such thing now.

Shrimati Sita Devi : Was any strong action ever taken by the department in the past before the complaint of Sardar Sajjan Singh ?

Minister : This was the first complaint of its kind.

Shrimati Sita Devi : Is action taken on complaints of members of the public also as has been done in the case of complaint of an M.L.A ?

Minister : Action is taken on the complaint of a person even if his clothes are horribly smelling.

Master Gurbanta Singh : The hon. Minister has stated that action would be taken on the complaint of even the poor and humble person. May I know if there is any difference between the vote of a rich person and that of a poor person ?

Minister : There is no distinction between these two.

CASES OF INFECTIOUS DISEASES IN THE STATE

***2253 Dr. Sant Ram Seth :** Will the hon. Minister for Rehabilitation be pleased to state :—

(a) the total number of (i) Plague cases, (ii) Cholera cases and (iii) Small-pox cases which took place in the State during the last six months from 1st March, 1950 to 31st August, 1950, district wise;

(b) the number of cases which proved fatal;

(c) the precautions that are being taken by the Government to combat these diseases ?

Cases. Deaths.

The hon. Dr. Lehna Singh Sethi (a) and (b)

(i) Plague	Nil	Nil
(ii) Cholera	234	131
(iii) Small-pox	1631	352

Districtwise statement of cases and deaths is laid on the Table.*

(A) *Plague* :—

- (1) The Epidemic Diseases Act, 1897 in respect of plague was applied to the districts of Karnal, Ambala, Rohtak Ludhiana and Hoshiarpur.
- (2) Destruction of rat fleas by spraying with pyrethrum and D.D.T. insecticides.
- (3) Prohibition of fairs.
- (4) Destruction of rats by baiting, trapping and cyanog-asing the rat holes.
- (5) Destruction of rat-burrows with 10% D.D.T. or Gammexane D.O. 25.
- (6) A sum of Rs. 2,16,00/- and Rs. 41,610/- was given as grant-in-aid during the year 1949-50 to the districts of Ambala and Karnal respectively, for carrying out anti-plague measures.

* Kept in the Library

[Minister for Rehabilitation]*Cholera.*

The provisions of the Epidemic Diseases Act, 1897 were extended in respect of Cholera to all the districts of the State. Simultaneously steps were taken to disinfect public water supplies and infected houses, improve environmental hygiene, institute anti-fly measures and offer mass inoculations to the inhabitants of the infected localities. Altogether 64,201 anti-cholera inoculations were performed in the infected localities.

Small-Pox

Anti Small pox measures were undertaken throughout the State. Epidemic Diseases Act, 1897 was applied to all the districts in the State. Isolation of the cases was done as far as possible. Every effort was made to vaccinate the entire population of the infected and surrounding localities to prevent the spread of the disease. 32,838 Primary and 2,51,156 revaccinations were performed during the period under report.

CONSTRUCTION OF A BRIDGE ON HOSHIARPUR DASUYA ROAD.

***2169 Sardar Shiv Saran Singh :** Will the hon. Minister for Public Works be pleased to state :—

- (a) whether he is aware of the fact that a bridge on the 12th mile (near village Dallewal) on Hoshiarpur Dasuya Road was washed away by Cho about 4 years back; if so, the reasons for not constructing it for such a long time;
- (b) whether it is also a fact that proposal for its construction was made sometime back but then it was dropped if so, the reasons thereof;
- (c) whether the Government propose to build this bridge; if so, when ?

The hon. Captain Ranjit Singh : (a) The bridge was washed in the abnormal floods of 1947.

- (b) The work of reconstructing it was not undertaken earlier due to financial stringency and post-partition conditions
- (c) No proposal for its construction was made sometime back.
- (d) Preparation of plan and estimate for rebuilding the bridge are in hand now and it is proposed to build this bridge as soon as funds are available,

Sardar Shiv Saran Singh : As the hon. Minister is aware this bridge is not more than 15 or 20 feet in length and the water at that place is very deep why has the Government taken no action to rebuild, it when the people have been experiencing difficulty for the last four years ?

Minister : Some work is done first and some is done afterwards. Moreover, small items of expenditure collectively make a huge sum and the completion of a particular work depends on the extent of funds available.

Sardar Shiv Saran Singh ; This bridge is situated on the provincial road and it is about twenty feet in length. When do the Government propose to undertake the work of reconstructing it ?

Minister : As submitted by me, estimates for the work have been got prepared and the plan is being get ready.

Sardar Ajit Singh : Is it not a fact that this bridge has not been constructed so far, because of its being situated in Hoshiarpur District, to which Government has always accorded step-motherly treatment.

Minister : That impression is not correct.

Shri Bhagat Ram Chodha : Does the hon. Minister think of welfare of Hariana Prant alone or has he ever cared to pay attention to the difficulties of Doaba people too ?

Mr. Speaker : Order, Order.

Shri Prabodh Chandra : I just wanted to draw your attention to the phrase, used by the hon. Minister in the main reply, namely, "as soon as funds are available". I want to know what exactly he meant by these words ?

Minister : The hon. Member should consult the dictionary for this purpose.

Shri Prabodh Chandra ; Is it not a fact that the people have been repeatedly representing to the Government for the construction of this bridge during the last four years ? How long will it take the Government to prepare estimates and then actually undertake the work of re-building it ?

Minister : If roads could be constructed on the receipt of representations, all the roads in this State would have been constructed several times. Money is needed to do this work and the roads are constructed as and when funds are available.

Shri Prabodh Chandra : Does the hon. Minister consider it advisable to construct this bridge or not ?

Minister : If it was not considered advisable to construct this bridge, the Government would not have got estimates prepared.

Sardar Shiv Saran Singh : The hon. Minister has stated that estimates have been got prepared. Can it be hoped that this bridge would be constructed during the current financial year ending the 31st March, 1951.

Minister : The Public Works Department can only prepare estimates and then ask for funds. The completion or execution of a work depends on the availability of funds.

Sardar Shiv Saran Singh : May I know the amount of expenditure estimated to be involved in the construction of this bridge?

Minister : I require notice for that question. More over, the information asked for will be of no use to the hon. Member.

Sardar Sajjan Singh : The hon. Minister has stated that these works are undertaken turn by turn. May I know the method adopted for determining the relative priority of different works?

Minister : It depends on the amount of funds available and of those placed at the disposal of the Buildings and Roads Branch of the Public Works Department.

Sardar Sajjan Singh : Is the order of priority of works to be completed in different districts determined on the basis of representation received or is it done on alphabetical basis?

Minister : Perchance, the maximum number of roads which have been constructed are situated in Amritsar district, which happens to be first in the alphabetical order.

NON-PAYMENT OF INCREMENT ETC. TO A TEHSILDAR.

***2061 Shri Ram Sharma :** Will the hon. Minister for Education be pleased to state :—

- (a) whether it is a fact that the annual increment, T. A. bill and leave salary due to Shri Bhagwan Sahai, officiating Tahsildar who served in the Gurgaon district for some time has not so far been paid up;
- (b) whether it is also a fact that these amounts spread over the period from 1-9-47 to 31-8-49 and total Rs. 1894/8/-;
- (c) whether he is aware of the fact that nearly 50 letters and reminders in this connection have been received by the Deputy Commissioner, Gurgaon, the Accountant General, Punjab, the Commissioner, Ambala Division, and the Financial Commissioner, Punjab; If so, the action taken by the Government in the matter?

The hon. Sardar Kartar Singh :

- (a) Yes.
- (b) The amounts spread over the period from 1-9-47 to 2-3-50, and total Rs. 1,960/-
- (c) No. Steps are being taken to make the payment as soon as possible.

Shri Ram Sharma : The hon. Minister has admitted that the salary and other dues payable to the Naib Tehsildar which come to about Rs. 2,000/- have not been paid so far and that these dues pertain to the period from 1st September, 1947 to 31st August 1949. May I know if it is a case of normal routine or only a special case in which dues have not been paid for even two years ?

Minister : Sometimes, such things take place.

Shri Ram Sharma : Will the hon. Minister please state if he is in possession of the various items comprising this total sum of Rs. 1894/- ?

Minister : I cannot reply to this question at this time.

Mr. Speaker : I must tell the hon. Members that it is not a reading room for reading news-papers.

Shri Ram Sharma : May I know what were the conditions under which this payment was not made for such a long time ?

Minister : I am not in a position to reply to this question at this time ?

Shri Ram Sharma : May I know as to when he would be in a position to do so ?

Minister : I would expedite the payment of the dues.

Shri Ram Sharma : What is the meaning of 'expediting' in the case of the Government which does not pay salaries and travelling allowances for as long as two years ?

Chief Minister : The regulation regarding the payment of bills is as follows :-First of all the bill is prepared and submitted. Then it goes to the Accountant General who raises objections, if any. Then it is sent for enquiry which sometimes takes time.

Shri Ram Sharma : The hon. Chief Minister has told us the procedure regarding the payment of bills. I want to know whether this case of delay in payment is a general case with the Government or is it only a special case? If it is a special case, what were the circumstances which led to this delay and who was responsible for it ?

Chief Minister : The hon. Member has stated in his main question that he wrote a number of letters to the Government and the Accountant General regarding this matter. The Government referred all these complaints to the Accountant General. He raised certain objections and then the matter was referred to the Financial Commissioner for inquiry. The Accountant General is in a position to reply only after the enquiry is made.

Shri Ram Sharma : May I know if the Accountant General or somebody else is to blame in this particular case ?

Chief Minister : I can only reply in a general way. Certain conditions have got to be satisfied before making the payments of bills.

Shri Ram Sharma : I want to know who is responsible for this mistake ?

Sardar Sajjan Singh : May I know if the hon. Chief Minister in view of the facts now come to light, will order an enquiry into the circumstances leading to this delay in payment ?

Chief Minister : Sir, it is a request which will be considered if made in writing.

Shri Ram Sharma : Is the hon. Chief Minister or the Minister concerned aware of the fact that the Financial Commissioner wrote on the 22nd September that the matter would be expedited after going into the causes of the delay ? Why wasn't this done before that date ?

Chief Minister : He must have written in reply to the letter of the hon. Member.

Shri Ram Sharma : May I know if the letters only of the hon. Members are replied to while those of the general public are not ?

Chief Minister : Whenever a letter is received, it is replied to.

Sardar Swaran Singh : May I know if the Government has no control over the Accountant General, in case there occurs delay in his office ?

Chief Minister : The Accountant General is under the Auditor General.

Sardar Swaran Singh : Can the Government take any steps to avoid delays in the office of the Accountant General even if he is under the Auditor General ?

Chief Minister : The Government requests the Accountant General not to cause delays.

Sardar Swaran Singh : May I know if the Government has satisfied itself that the mistake was committed by the Accountant General or by somebody else ?

Chief Minister : This question has already been replied to.

Mr. Speaker : Next question.

Shri Prabodh Chandra : On a point of order, Sir; when a question is on the order paper, is it open to a member not to put it ?

Mr. Speaker : If he does not want to ask it, it is open to him not to put it.

Shri Prabodh Chandra : Can any other Member put that question ?

Mr. Speaker : Unless the Member who has given notice of that question authorises any other hon. Member to put it on his behalf, the question cannot be put.

Shri Prabodh Chandra : It is at the connivance of the hon. Minister that this question is not being put.

BRAYNE MEO HIGH SCHOOL, NUH DISTRICT GURGAON.

***2187. Sardar Bachan Singh :** Will the hon. Minister for Education be pleased to state—

- (a) whether the vacancies caused by the migration to Pakistan of certain members of the Managing Committee of Brayne Meo High School, Nuh, District Gurgaon, were ordered to be filled up by the Deputy Commissioner, Gurgaon, during the year 1949; if so, the date on which this order was issued ;
- (b) the dates on which the meetings of the aforesaid committee were held to nominate the members to fill the vacancies so caused ;
- (c) whether the Deputy Commissioner, Gurgaon, approved the nominated members and submitted a list of the nominated members to the Inspector of Schools, Ambala Division, and to the President of the Managing Committee of the School for information ; if so, when ;
- (d) whether the aforesaid school was paid any grant-in-aid by the Government after the filling up of the vacancies referred to above for the years 1947-48, 1948-49 and 1949-50 ; if so,—
 - (i) the amount paid for each of these years to the school by Government and the District Board, respectively if not, the reasons therefor ;

[Sardar Bachan Singh]

- (ii) the total amount paid as grant-in-aid to this school during the year 1945-46 and 1946-47, by the Government and the District Board Gurgaon, respectively
- (e) the period after which an election of the Managing Committee of this school is held ;
- (f) the date when the last election of this committee was held;
- (g) whether S. Sajjan Singh, M.L.A. after visiting the said school sent a letter No. 896, dated 2nd July, 1950, to the hon. Minister for Education and No. 897, dated 2nd July, 1950, to the Director, Public Instructions, Punjab, under registered covers, stating therein that owing to lack of funds, salaries for several months had not been paid to the school teachers; if so, whether any enquiry was made by the Government on this complaint; if so, the result of this enquiry; if not, the action taken by the Government in the matter; if no action has been taken, the reasons therefor ?

The hon. Sardar Kartar Singh :

- (a) Yes. The order was issued on 28-1-1949.
- (b) The meetings of the aforesaid Committee were held on the 5th and 6th March, 1949.
- (c) The election of members was approved by the Deputy Commissioner, Gurgaon, and a list was sent to the Inspector and the President on 28-3-1949.
- (d) Yes. A sum of Rs. 1896/- was paid to the school during 1947-48. No grant was paid during the year 1948-49 and 1949-50 as on the basis of reports received, the department did not approve the reconstituted Committee.
- (ii) Grant-in-aid paid to the school by Government and District Board respectively was :—

Year	Government	District Board
1945-46	4284	3600
1946-47	3792	3600

- (e) One third of the members except the President are to retire by rotation each year.
- (f) Last election of the Committee was held on the 10th and the 11th August, 1950, and that of the office bearers on 17-9-1950.
- (g) Yes, but no inquiry was considered necessary as Government was aware of the position and action in regard to the reconstitution and approval of the Committee was being taken.

Sardar Sajjan Singh : The hon. Minister has stated in his reply that the Government will give moral support to keep this school running. Will the hon. Minister be pleased to state whether any financial support will also be forth-coming ?

Minister : Yes, it will be given.

Sardar Swaran Singh : Could the hon. Member not ask this question from the member sitting next to him instead of asking it from the Government ?

Shri Prabodh Chandra : May I ask the hon. Minister to explain what he means by 'moral support' ?

Sardar Swaran Singh : Moral means immoral. (Laughter)

SPREAD OF SOCIAL EDUCATION BY STUDENTS.

***2272 Shri Dev Raj Sethi :** Will the hon. Minister for Education be pleased to state whether any organised attempt was made by the Education Department to persuade college students in the Punjab to spend part of their time during the summer vacation of 1950 for the spread of social education among the masses; if so, will he place on the Table the details thereof ?

The hon. Sardar Kartar Singh : The work of imparting literacy during the summer vacation was organised from the vacation of 1949. The results achieved are as under :-

<i>Name of College</i>	<i>Adults made literate.</i>
1. Government Training College, Jullundur	Nil
2. Government College, Rohtak.	23
3. Government College, Hoshiarpur.	18
4. Government College, Rupar.	37
5. Government College, Ludhiana.	212
6. Government College, Dharamsala.	1066

As regards the information for this year, it may be observed that the colleges are closed up to 3.10.1950 and the information will only be available by the end of October, 1950.

FILLING OF SEATS IN TECHNICAL AND VOCATIONAL INSTITUTIONS.

***2291. Shri Amar Nath Vidyalankar :** Will the hon Minister. for Public works be pleased to state :—

- (a) whether it is a fact that certain seats in the technical and vocational institutions of the State are filled in by nomination ;

[**Shri Amar Nath Vidyalankar**]

- (b) whether the Government is aware of the fact that this procedure is resented by the student community;
- (c) whether it is a fact that the Government recently filled certain seats by nomination in the Engineering College, Roorkee;
- (d) the names and addresses of the students so nominated together with their qualifications;
- (e) whether the Government intends to do away with nomination altogether in future; if not, the reasons therefor ?

The hon. Captain Ranjit Singh :

- (a) Yes.
- (b) Yes, by some students.
- (c) No.
- (d) Does not arise.
- (e) Not yet. The question is usually considered before each year's admission.

Shri Amar Nath Vidyalankar : Will the hon. Minister be pleased to state whether they have any criterion before them when they make such recommendations ?

Minister : Yes.

Shri Amar Nath Vidyalankar : What is that ?

Minister : There are different criteria and they depend upon the circumstances of the case.

Shri Amar Nath Vidyalankar : Has the Government received any representation from the students that merits are not considered ?

Minister : A reply to this has already been given.

Shri Ram Sharma : How is it that sometime our Government decides to make admissions by nominations and at another time it decides to give up the practice of nominations ?

Chief Minister : It is wrong to say that we have decided to give up nominations.

Shri Prabodh Chandra : On a point of order, Sir. This question does not relate to the department of the hon. Chief Minister.

Mr. Speaker : Any Minister can reply. It is joint responsibility.

Shri Ram Sharma : Is it a fact that the Government has decided to make admissions without any nomination ?

Chief Minister : This has been replied to.

Shri Dev Raj Sethi : Is it a fact that last year admissions to the Engineering College and to Amritsar Medical College were not made by nomination ?

Chief Minister : There were nominations.

Shrimati Sita Devi : This year no nominations were made in admissions to Medical College Amritsar. In a private talk hon. Dr. Lehna Singh told me that the Government has decided to stop nominations and to make selections on merit alone. Is it a fact ?

Chief Minister : There appears to be some misunderstanding about the position. About eighty students are admitted to the Medical College at Amritsar. Out of this number, fifty five belong to the State of Punjab which include some girl students also. The rest come from Jammu and Kashmir and Pepsu whose Governments are responsible for paying their dues. This year also eighty students have been admitted and some of them are by nomination.

Shrimati Sita Devi : My question has not been replied to. I have been told by hon. Dr. Lehna Singh in a private talk that Government has decided to stop nominations. Is it a fact ?

Shri Virendra : On a point of order, Sir. Can an hon. Member refer to private talks in the House ?

Mr. Speaker : Hon. Members should not refer to any private talks that they might have with the hon. Ministers.

Sardar Swaran Singh : Not even to private affairs ? (*Laughter*)

Mr. Speaker : No interruptions please.

Sardar Ajit Singh : Sir, I would request you to speak slowly because the hon. Minister's heart is weak.

Mr. Speaker : If the hon. Members learn the etiquette there will be no need for me to speak at all. But I am sorry that I have to speak because there are Members who begin to interrupt.

Sardar Swaran Singh : Are the hon. Ministers aware of the fact that a great volume of opinion in the State considers the present examinations to be not a sure test of ability ? Is the Government prepared to revise rules in order to include physical fitness also in the tests ?

Chief Minister : That is why we have decided to have selection as well as nomination ?

Shri Bhagat Ram Chodha : Will the Chief Minister kindly let us know whether it is the intention of the Government to encourage the sons of doctors and engineers to take to the professions of Medicine and engineering, just as encouragement is offered to the sons of zamindars to adopt agriculture as their profession ?

Shri Bhim Sen Sachar : May I know from the hon. Chief Minister what difficulty will be experienced by the Government if the necessary qualifications are laid down and then the task of selection is entrusted to the Public Service Commission ?

Chief Minister : This is not a question of recruitment to services but that of admission to a professional institution. This matter is to be decided by the Principal of the Institution and the Government.

Shri Bhim Sen Sachar : May I know if it is the intention of the Government to appoint an independent committee to make selection of the students to be admitted to the Engineering College and that the matter will not be decided solely by the Cabinet ?

Chief Minister : No, Sir.

Shri Amar Nath Vidyalankar : Will the hon. Chief Minister please let us know whether 'sifarish' is one of the factors which are taken into consideration at the time of nomination ?

Shri Ram Sharma : The hon. Chief Minister has told us that nine seats will be reserved for nomination. May I know how many nominations were made last year ?

Chief Minister : I require notice for this.

Shri Ram Sharma : May I know what necessity has been felt by the Government to introduce the system of nomination in the matter of admission to the Engineering Institution when last year no such nominations were made ?

Chief Minister : The necessity was felt when the Government found that those students who should be admitted failed to secure admission there.

Shri Ram Sharma : May I know what criterion of merit is kept in view at the time of admitting the students and also whether at the time of nomination, 'sifarish' is also considered along with the merit ?

Chief Minister : Merit and academic qualifications of students are duly taken into consideration at the time of nomination for admission into the Engineering College. I may, however, tell the hon. Members that ordinarily the standard of qualification required for admission to the Engineering College has been laid down as F.Sc (Non-Medical). But it is found very often that sons of affluent people who fail to obtain high positions in the F. Sc.

Examination, join B.Sc. and after passing it secure admission to the Engineering College with the result that F.Sc. students who are sons of poor people do not get admission, despite the fact that they secure good positions in the F.Sc examination. Besides physical ability, aptitude of the candidate should also be taken into consideration since engineering is a subject which requires lot of stamina in practical work. Government have arrived at the conclusion that mere academic qualifications should not be made the basis for selection and so 9 seats have been reserved for enabling F.Sc candidates to secure admission to the Engineering College.

Shri Bhim Sen Sachar : May I know how many qualified engineers are there among the Ministers who judge the fitness of the candidates seeking admission to the Engineering College ?

Chief Minister : There is no need of an engineering qualification for a Minister. He only sees whether a candidate is suitable for admission and that he possesses sufficient general knowledge. Sanction for admission is accorded after the selection has been made.

Shri Bhim Sen Sachar : May I know whether it is the intention of the Government to lay on the Table of the House all the difficulties which the Government had to experience on account of recruitment on the basis of merit ?

Chief Minister : Well, Sir, it is a request for action. Government will see if action can be taken on it.

Chaudhri Suraj Mal : The hon. Chief Minister has told us that the system of nomination has been introduced to enable deserving candidates to secure admission to the Engineering College. May I know whether it is the intention of the Government to enforce this principle in the matter of admission to other technical institutions ?

Chief Minister : Government will be pleased to consider this request favourably.

Sardar Partap Singh : Is the hon. Chief Minister aware of that section of the Indian Constitution which lays down that every citizen will enjoy equality of opportunity. If so, how does he reconcile his selection of candidates on nomination basis ?

Mr. Speaker : I think the hon. Member is seeking legal opinion on the point.

Chief Minister : This decision was adopted after due consideration and consultation.

Shri Amar Nath Vidyalankar : Since the hon. Chief Minister has remarked that recourse has been taken to the system of nomination to enable the poor candidates to be admitted to the Engineering College, may I ask how many such candidates have so far been nominated ?

Chief Minister : No candidates have been nominated so far.

Shri Ram Sharma : May I know what considerations will be kept in view at the time of making nominations for admission of candidates ?

Chief Minister : It will be seen when the time for nomination for admission to the Engineering College comes.

Shri Ram Sharma : But at least there will be some principles which will be made the basis for admission by nomination. Will he be pleased to state them ?

Chief Minister : There are many but I cannot tell just now.

Chaudhri Sundar Singh : May I know whether during the coming nominations for admission, any Harijan will also be considered ?

Chief Minister : Two seats have already been reserved for Harijans. (*Cheers*).

Shri Bhim Sen Sachar : Will the hon. Chief Minister please tell us whether a 'sifarish' made by a member of this House in this regard will be considered in order or not ?

Mr. Speaker : Disallowed.

Sardar Bachan Singh : Will the hon. Chief Minister recall that while he was the Leader of Opposition during the regime of the Unionist Ministry, he vehemently used to oppose the system of admission by nomination ?

Chief Minister : I never sent any question regarding this matter nor did I ever oppose it.

Sardar Partap Singh : Will the hon. Chief Minister please state whether he is prepared to take into consideration the aptitude of the candidate along with his academic qualifications ?

Minister for Public Works : Of course, that will be considered.

Chief Minister : Ordinarily, in Engineering Colleges, admission test is conducted but in the Punjab Medical College and the Roorkee Engineering College no admission test is held. In the Medical College they admit first class B. Sc. students also but the Government are considering to discontinue this practice and admit only F. Sc. students.

SHORT NOTICE QUESTION AND ANSWER

'DISTRIBUTION OF THE COPIES OF 'OUR IMMEDIATE PROGRAMME'
FREE OF COST.

***2603. Mehta Ranbir Singh :** Will the hon Chief Minister be pleased to state whether it is a fact that the Government has purchased a number of copies of 'Our Immediate Programme' published by All-India Congress Committee for free distribution; if so, the number of copies so purchased together with the total amount spent by the Government and the persons among whom it has been distributed free of cost?

The hon. Dr. Gopi Chand Bhargava :

Yes. Two hundred copies were purchased at a cost of Rs. 400/-. The copies have been distributed free of cost as under :—

- (i) All hon. Ministers.
- (ii) All Administrative Secretaries, Heads of Departments.
- (iii) Administrator, Simla.
- (iv) All members of the Punjab Legislative Assembly.
- (v) Secretary, Shri Gandhi Sewa Ashram, Oel.

Mehta Ranbir Singh : May I know as to who has taken the initiative recommending to the Government to purchase these copies ?

Chief Minister : These copies were purchased on the recommendation of the Chief Minister.

Mehta Ranbir Singh : Did he go through this copy before making such recommendation ?

Chief Minister : Yes.

Mehta Ranbir Singh : Is it a fact that the publicity of such programme includes the activities of this political party, namely, the All India Congress Committee ?

Chief Minister : May be.

ADJOURNMENT MOTION

ORDER OF GOVERNMENT RE-PUBLIC MEETINGS IN THE STATE

Mehta Ranbir Singh : Sir, what about my adjournment motion ?

Mr. Speaker : The adjournment motion is out of order.

Mehta Ranbir Singh : May I know the grounds on which you have held it out of order ?

Mr. Speaker : If Government takes any action under the ordinary law of the State and some one feels aggrieved because of that action of the Government and other remedies are open to the person aggrieved, then that action of the Government cannot be discussed by an adjournment motion. The person or persons who feel aggrieved can seek redress in a court of Law. I, therefore, rule this motion out of order. On this point there is not one ruling but a large number of rulings.

Chaudhri Suraj Mal : Sir, we do not know what is under discussion? Nothing has been circulated to us.

Mr. Speaker : A notice of an adjournment motion has been given by Mehta Ranbir Singh. It relates to some order of the Government regarding holding of public meetings in the State. The motion is very indefinite and the date of the order is not given. Hon. Members must know that an adjournment motion must relate to a definite matter.

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**REPORT OF THE PUBLIC ACCOUNTS COMMITTEE FOR
THE PERIOD 15th AUGUST 1947 TO 31st MARCH 1948.**

Chief Minister (The hon. Dr. Gopi Chand Bhargava) : Sir, I move:

That the report of the Public Accounts Committee of the Punjab Legislative Assembly on the Appropriation Accounts of the Punjab Government for the period 15th August, 1947 to 31st March, 1948, be taken into consideration and adopted.

While moving this Motion, I would like to submit that the hon. Members must have gone through the report of the Public Accounts Committee, copies of which have already been supplied to them. This committee held 14 meetings in all. Here I cannot do without saying this that all the members of this committee have put in very hard work in examining the various items of accounts. As the accounts were not ready, there was some delay on the part of the members of this Committee in scrutinizing these.

I take this opportunity of thanking the Accountant General, Punjab, who, as already stated in the report, has rendered valuable assistance, by his commendable work. With these words, Sir, I commend this Report for the adoption of this House.

Shri Virendra : Sir, certain recommendations have been made in this report. I would like to know what action has been taken by the Government, with regard to those. This information will help the House in the discussion that is going to take place.

Mr. Speaker ; This information will, I think, be given by the Minister who replies to the debate.

Motion moved-

That the report of the Public Account Committee of the Punjab Legislative Assembly on the Appropriation accounts of the Punjab Government for the period 15th August, 1947 to 31st March, 1948, be taken into consideration and adopted.

Shri Bhim Sen Sachar (Ex-Member, West Punjab Assembly representing Lahore City, General, Urban) (*Hindi*) : Sir, the Public Accounts Committee Report has already been in possession of the hon Members for the last so many days and I hope they must have gone through it by now. Before I deal with this report, I take this opportunity of voicing the feelings of this House in paying our thanks to the members of this Committee for the hard work they have put in in the preparation of accounts and also in bringing certain important matters to the notice of this House. I want that the report of the Public Accounts Committee should create a lively interest in this House. My hon. Friends know it full well that the accounts are being scrutinized and examined by officials who are experts in this line. It is an open secret that since the public accounts constitute the very foundation on which stands the edifice of the Government machinery, much importance is, as a matter of fact, attached to the criticisms of those who scrutinise and audit these. It is my keen desire to see that due importance is attached to their remarks and criticisms. Here I cannot do without saying this that by bringing various important matters from accounts point of view to the notice of the House, the members of this Committee have really done a commendable work.

Sir, if we go through this report, first of all we will find some disproportionate items. For instance, we find a net saving of rupees seven crores and ninety lakhs out of the final grants which amount to rupees twenty crores and 70 lakhs. It is stated in the Report that the circumstances under which the Budget was prepared were abnormal. It is also stated that some of the offices were not properly set up in East Punjab at the time the Budget was prepared while others which were established had no past record on which they could base their estimates. Further it is given out in the Report that even the revised estimates prepared 2 months later could not bring forth any substantial improvement in the previous estimates as the abnormal conditions continued to persist. I cannot do without saying that this saving is abnormally very high. In fact, large variations exist between the grants and the actual expenditure. No efforts whatsoever have been made to remove these variations.

I would now quote paragraph 5 at page 3 of the Public Accounts Committee Report to give an instance of defective control over expenditure.

In paragraph 12 of the Audit Report important instances of defective control over expenditure are mentioned by the Accountant General. These cases relate to unnecessary supplementary grants, re-appropriations obtained unnecessarily or in excess of requirements, injudicious

[Shri Bhim Sen Sachar]

re-appropriations and surrenders causing excess over allotments, non-surrenders of savings, unremedied or uncovered excesses, defective budgeting and authorisation of unnecessary expenditure in anticipation of sanction. We have gone into these cases and also, where necessary, called for further explanations from Heads of Departments.

In fact, defective control over expenditure is a serious thing and the House should take this fact into consideration. There might have been other irregularities the mention of which may not have been made in the Audit Report. The Heads of Departments did not take any interest in the preparation of their departmental estimates. In this connection, I would quote from the very report of the Public Accounts Committee. It is stated at page 8 of the report that :—

While examining certain Heads of Departments we noticed that explanations and statements included in the Appropriation Accounts were not personally seen by them. In certain cases the Heads of Departments frankly admitted that they did not personally take any part in the framing of their departmental estimates, or in the examination of the causes of variations from the final grants.

After going through this, I can say that there can be no greater condemnation of the Heads of Departments than this. We must see that the officers in whom we repose full confidence must exercise stricter control over the expenditure and also vigilant care in framing their departmental estimates. This report of the Public Accounts Committee has been finalised under the chairmanship of the hon. Chief Minister. Being a responsible Head of the Government, he has not been able to impress upon the Heads of Departments the necessity of framing accurate estimates of their budgets. Sir, should I take it that this Government is in the hands of clerks and assistants? This is such a matter on which we must be very cautious. This is a very serious matter that the Heads of Departments should not exercise due care and prudence in the incurring of expenditure which aggregates to crores of rupees. I do not know what action has been taken by the Finance Department against such Heads of Departments who have committed financial irregularities. The House would like to know the action taken or proposed to be taken by the Government against the delinquent officers. It does not look proper that they should play with the public finance and should discharge their duties in a light-hearted manner. It is a serious irregularity that they should exercise their own authority in incurring some expenditures in which the sanction of Finance Department is necessary. Such state of affairs in the Government departments is highly unsatisfactory. The Heads of Departments should not have the feeling which exists at present with them that they have unfettered powers in dealing with financial matters. They are under the

impression that they can do anything they like without any fear of action being taken by the Government. The Public Accounts Committee has also drawn the attention of the House to the fact that the action against such officers should be much stricter. In paragraph (b) of page 8 of the report it says :—

We also feel strongly that disciplinary action in respect of individual cases of financial irregularities should, speaking generally, be much stricter than appears to have been the case.

It will, therefore, be manifestly clear what kind of financial watch and economy of expenditure of which the Government often takes so much credit is being observed by the Government. On page 3 of the report under Grant No. 4-Forests, it is said that :—

We have examined the Chief Conservator of Forests and feel that his office should not only have a better control over the progress of expenditure but should also give a lead to his subordinate offices by curtailing grants where there had been any excess provision in the first instance or if the need for economy warrants a reduction in the provision already made in the budget.

In face of these facts, I would like to know what punishment has been awarded to those officers against whom punishment was recommended by the Public Accounts Committee. It has made this recommendation in the report which reads :—

We desire that the officials at fault should be punished.

Sir, I have my own views with regard to services. I have great regard for those officers who work honestly but at the same time I would never like that leniency should be shown to such officers who do not discharge their duties efficiently. Good officers must be protected but not bad ones. If any officer shows wilful neglect in the discharge of his responsibilities, we should not hesitate to punish him. I would now draw the attention of hon. Members to paragraph 3 at page 4 of the report which says :—

We feel that considerable portion of the saving under "expenditure on Stores" should have been anticipated to a considerable extent at the time of the preparation of the statement of Excesses and Surrenders and that efforts should have been made to finalise the payment of the bills more expeditiously.

It is a matter of common knowledge that payment of the bills in the Government departments is very much delayed and people are put to great trouble. Unless the persons concerned have some approach in the department, the bills continue to remain undisposed of. In connection with the Central Workshop Amritsar, the following audit comments have been made :—

We have noted with deep concern the fact that in 1947-48 the Workshop Accounts showed a loss of over Rs 2,87,000. We were informed that the very high overhead charges arising primarily out

[Shri Bhu Sen Sachar]

of a very large capacity of the workshop having perforce, remained idle during this period, had since been consistently and steadily reduced to a much more reasonable percentage, and that certain decisions had very recently been taken to step up production. We are not fully convinced why these decisions should not be taken earlier.

The Government should have taken steps to step up production in this workshop which remained idle for a long time. Besides this I have come to know that endless delay is caused in the disposal of files and the officers responsible for the delay do not attach much importance as they seem to be fortified with the idea that even the Government has not been able to form a Cabinet in one year's time.

Then on page 6, there is another item, namely, 'Loss in the Rehabilitation Department due to the hiring of a truck at a rate higher than that fixed by Government.' In this connection, the Committee observes :

On the information made available, we are not clear as to whether the guilt had been investigated sufficiently to prove that no one in service at present, was to blame. We desire that the matter may be gone into further, and suitable disciplinary action taken.

Sir, about this matter also, we would like to know the action that the Government has taken; whether it has given any importance to the committee's suggestion or not. On the same page, another case of irregularity has been mentioned, namely, 'Overpayment arising from failure to test milk in the Rehabilitation Department.' Now, Sir, what other impression is created in the mind of anyone who goes through the comments of the committee on this item, except that the officials of the Department were given a free rein, with nobody to check their doings? How else could they dare to arrange supplies without having entered into a proper contract and then accept the supplies without testing the purity of the milk? In spite of the 'deep concern' shown by the Committee, it appears that the matter has been as usual taken lightly.

Then there is another case, namely, 'Misappropriation of sale proceeds of foodgrains by a cashier in the office of the Rationing Controller.' In this connection, the Committee observes.

We find that a cashier in the office of the Rationing Controller did not deposit into the Treasury the daily sale proceeds of foodgrains realised by him as required by rules, but continued to misappropriate this money for several months.

The words 'for several months' should be noted. This shows that there was no check, whatever, on his work, so that the misappropriation was not detected for several months. The prevalence of all-round slackness in Government Departments is due to want of

check on the part of the higher officers. Not that the various offices are under-staffed but the pity is that nobody feels any sense of responsibility. On this very page, we find Committee's observations on 'Travelling Allowance of honourable Ministers and Officers.' The Committee observes :

We further also feel that even an honourable Minister should have no hesitation in giving the purpose of his journey as required in the printed Travelling Allowance Bill forms, and in our opinion they should be required to do so.

What is happening, Sir? People taunt us that our Ministers undertake unnecessary tours. To-day a Minister would visit Pathankot, then come back to Simla and a few days later he would again proceed to Batala. Now it appears reasonable to ask as to why he did not visit Batala on his way back from Pathankot. I am just giving an instance as to how economy can be effected, so far as travelling allowances of Ministers are concerned. I can't say with certainty that they undertake tours unnecessarily but this impression prevails among the general public. And then in spite of their best efforts to economise and the fact that they do not go on tour except when absolutely necessary, their Travelling Allowance bill is of not more than Rs 2,800 p.m. But, Sir, my submission is that if they are obliged to undertake tours in the interest of official work, why should there be any hesitation in disclosing the purposes thereof or in announcing the tour programme in advance? And if they have to visit Pathankot, why can't they visit other places en route during the same tour, instead of visiting one place now and then going back to Simla and then after only a few days visiting another place which could easily be visited in the first tour. Sir, it is a regrettable fact that some Travelling Allowance bills of the hon. Ministers would not stand a minute's financial scrutiny if only the real purpose of journey were to be disclosed. I feel, that such things should not be done as can be by any stretch of imagination be regarded as irregular. The bill may be of the amount of Rs. 2,800 or Rs. 3,000 or Rs. 4,000 but the purpose must be disclosed so that the Public Accounts Committee may be in a position to judge if the money is being rightly spent on tours. It should be clearly stated as to how many times a Minister visited a particular place during a particular period and as to whether he visited a number of places during one tour or only one station.

It is in the interest of the reputation of the Chief Minister and his Government to do so. Only then, it will be possible to see whether an hon. Minister during any one tour could not do more work than he actually did.

Chief Minister : May I request the hon. Member to let me know that under the accounts which are under consideration which hon. Minister took Rs. 2,800/- as travelling allowance?

Shri Bhim Sen Sachar : Sir, I used to pay a compliment to the hon. Chief Minister, that he was not only a doctor, but a good lawyer also. Now I shall have to withdraw that compliment. A lawyer knows what relevancy is. I was stressing the need and propriety of disclosing the purposes of journeys, undertaken by the hon. Ministers and in this connection I cited a hypothetical case and now he wants me to name the Minister who had drawn Rs 2,800 as Travelling Allowance.

In the end, Sir, I would once again impress upon this honourable House the necessity of paying more and more attention to such reports than they normally attract.

Chief Minister : May I inquire if the hon. Members who were members of the Public Accounts Committee can also speak and criticize the report ?

Mr. Speaker : Yes, they have a right to do so. It is for them to see whether they are consistent or not.

Shri Ram Sharma : Can I support only or criticize also ?

Mr. Speaker : You can speak as you like.

Shri Ram Sharma : (Southern Towns, General, Urban) (*Hindi*) : Sir, since the attainment of independence, this is the first opportunity for this House to discuss a report like this. I was also a member of the Public Accounts Committee, on behalf of which this report has been presented to the House. My hon. Friend who has spoken before me has dwelt upon some of the features of this report. Sir, this is a very important Committee. In other countries the Chairman of this Committee is usually the leader of the Opposition but we had our Chief Minister as its Chairman in accordance with our traditions of the United Punjab. It is not for me to say whether being also a Chief Minister of the State he has been able to do his duty as the Chairman of this Committee or not. But one thing I can say is this that, as acknowledged by no less a person than my honourable and learned Friend **Shri Bhim Sen Sachar**, the Committee has checked the accounts in a very impartial and a dispassionate manner. I am sure this House will greatly appreciate this good work. (Some Hon. Members. Don't indulge in self-praise).

Mr. Speaker : I would request the hon. Members to beware of the disease of interruptions.

Shri Ram Sharma : Sir, these interruptions take the form of an epidemic when ex-Ministers like Sardar Swaran Singh begin to indulge in them. Sir, this is the first time that this august House has got the opportunity of discussing the report of the Public Accounts Committee. As a matter of fact, such reports should

have been discussed once or twice before but as owing to partition problems no report could be submitted earlier, naturally no discussion could be made on it. The report which is now before us relates to the period from the 15th August, 1947 to 31st March, 1948 and not only this report but a report of another year also should have been discussed by the House long before this time but as has already been pointed out the Committee could not function because of the partition and its after-effects. While the Committee admits that the State has had to pass through unprecedented hardships and sufferings it is also of the opinion that the Heads of the Departments while preparing the main Budget and the Supplementary Estimates did not exercise that care and caution which they should have. Their work in connection with the preparation of the Budget is bound to be very unsatisfactory and they should in future take greater pains than they have been taking heretofore. According to the report, there is also evidence of laxity of control in the various departments and it is hoped that the Heads of Departments will be more vigilant when this fact has been brought to their notice. In addition to these things, there appears to be a great need for greater collaboration between the heads of the Departments and the Accountant General. After all, how can proper accounts be maintained unless and until the required collaboration is there. The Committee in its report has also laid very great stress on the fact that the Government has not been adequately strict in holding enquiries and awarding punishments to those officials who have been guilty of dishonesty and inefficiency. The Government has probably been taking a lenient view because of the extraordinary circumstances through which everybody had to pass. But the Committee felt that nobody should have been allowed to take an undue advantage of the extraordinary calamity. When the times are extraordinary, the officials of the Government are expected and required to be all the more efficient and honest. In these circumstances, the guilty officials do not deserve any leniency. So the punishments which have been awarded to them are not adequate and in future the Government should deal with them more strictly. The milk supply case in the Rohtak Refugee Camp certain dishonesties in the Civil Supplies and Rehabilitation work may be cited as instances. The Committee is strongly of the opinion that exemplary punishments should have been inflicted in these cases so that others had taken a lesson from them.

Sir, this Committee has tried to take some necessary steps and has suggested some very strong measures to put a stop to some evils which are at present rampant in our Government Departments. It did not spare anybody howsoever big he was. Even our Chairman i.e. the Chief Minister and other Ministers of the State came in for criticism for their tours etc. I am glad that he was good enough to reply to all questions and give the necessary explanation. Such a procedure on the part of the Committee, I think will be of great use to the State as every body, whatever his position, would be afraid that he might be called to account for his action some day.

[Shri Ram Sharma]

Another thing which I wish to bring to the notice of the Government is this, that it should be careful in future and should not wait till its accounts are audited and then examined by the Public Accounts Committee. From the very outset it should try to avoid the type of irregularities that have been pointed out in this Report.

Mr. Speaker: The Estimates Committee will go through those irregularities.

Shri Virendra: The irregularities committed by the Public Accounts Committee ?

Mr. Speaker: No. The Public Accounts Committee checks the Accounts which are audited by the Accountant General.

Shri Ram Sharma : Then Sir, the Public Accounts Committee has not failed to express its opinion about that matter also, which has been raised in this House very often. At page 7 of the Report, it is stated--

Also in our opinion the conveyance allowance of Rs. 250 per mensem which is paid to all hon. Ministers, in addition to travelling allowance under the rules governing them, is an unnecessary concession and may be withdrawn. We understand that in several other States in India the dual concession of conveyance allowance in addition to travelling allowance at adequate rates, does not exist.

In addition to this, I understand that the Accountant General had pointed out to the Government that the system of travelling by motor cars and charging travelling allowance therefor was likely to be a source of profit to the persons concerned. It is understood that the Government again intends to enhance the rate of travelling allowance, which was reduced by it sometime back. In this connection, the Public Accounts Committee has remarked at page 7 of its Report that--

We feel, that there still is an element of profit in the travelling allowance to hon. Ministers as also to First Grade Officers of Government who travel by road and charge accordingly. In our view, Re. 0-8-0 a mile for hon. Ministers and Re. 0-6-0 a mile for officers of Grade I would be an adequate compensation for travelling by road.

This subject has figured repeatedly in the course of discussions in this House and the Public Accounts Committee has clearly stated its views on this matter.

Then, Sir, it is heard that Government proposes to bring some foreign experts for work connected with Bhakra Dam Project. Formerly, it used to be the concern of our State Government alone, but now the control has been transferred to the Central Government. I understand that Secre-

taries to the Government, some Engineers and the Chairman of the Public Service Commission will be amongst those who will shortly go abroad for selecting these experts. They will enjoy in foreign countries for two or three months and a huge amount of expenditure will be incurred on their trip. I beg to point out that such acts are likely to be the subject of criticism by the Public Accounts Committee. Instead of affording ground for criticism, the Government should avoid committing such mistakes. It should act according to the spirit of the findings given by the Public Accounts Committee in the Report submitted by it, after examining the accounts for 1947-48 for about eight months. It should avoid that wasteful expenditure which is likely to give rise to heart-burning. When the Government is asked to increase the pay of peons it pleads want of funds. It should, therefore, avoid that expenditure which is likely to be objected to. I hope that the House will approve the Report of the Public Accounts Committee and I also expect the Government to act according to the spirit of the recommendations made by the Committee.

Shrimati Sita Devi (Ex-Member West Punjab Assembly representing Lahore City, General, Women, Urban) (*Hindi*): Sir, I have carefully gone through the Report of the Public Accounts Committee and I find that it has done commendable work. My hon. Brother Pandit Shri Ram Sharma asked me to speak in favour of the Report, but as he has praised his work himself, there appears to be no need of my doing so. There are, however, two or three matters to which I wish to draw the pointed attention of the hon. Members. I wish to show the bad budgetting done by the Government to which my hon. Brother Shri Bhim Sen Sachar has also referred. In this connection, I wish to place certain figures before the House. In the Appropriation Report for the period 15th August, 1947 to 31st March, 1948 the figures of savings as given on page 6 show that while in 1944-45 i.e., in the pre-partitioned Punjab, it was 4.67 lakhs, in 1947-48 it suddenly jumped to 38.60 lakhs. These figures show the loose budgetting done by the Government. I was a member of the Resources and Retrenchment Committee and before I read the appropriation Report, I was under the impression that our Finance Department was very efficient. After going through these figures, I realised that our Finance Department prepared its budget in a very careless manner. At first, it decided to demand large amounts for various items of expenditure, which later proved to require much less and this resulted in huge savings being shown. Formerly, the Punjab comprised 29 districts. In those days, our hon. Chief Minister, who was then the Leader of the Opposition, used to criticise the Budgets presented by the late Sir Manohar Lal but today none can deny that this province has yet to produce another financial expert of his ability. Whether it is Shri Bhim Sen Sachar or Dr. Gopi Chand Bhargava, it doesn't make any difference. They are chips of the same block. (*Interruptions*)

[Shrimati Sita Devi]

It could not be said that the working of the Finance Department of the pre-partition Punjab was defective. Both the friends and the foes admit this fact. After seeing this rise in the percentage of savings during these years, I am at a loss to understand the working of the Finance Department. After all what is the purpose of budgeting if such high savings are to be shown at the end of the year ?

Next, Sir, I want to draw the attention of the House to the item concerning the Implementation Committee given on page 8 of the Report of the Public Accounts Committee. It has been stated that this Committee has been working for the last three years. There must be a number of members on this Committee. It has no doubt been recommended by the Committee that the Implementation Committee should finish its work as quickly as possible.

Chief Minister : What is the number of the members of that Committee ?

Shrimati Sita Devi : It is not given in the Report. I have based my guess on the usual practice of appointing a number of members on the Committee. So I thought that even in this Committee, the number of the members would be pretty large. This Committee has been in existence for the last three years but neither this House nor the public is aware of the work done by it so far. People want to know as to what this Committee is doing. We read in newspapers that the members of this Committee go to Pakistan, attend meetings and probably enjoy feasts there. For all this, they must be charging heavy travelling allowances. We want to know the work that has so far been done by this Implementation Committee. When in March next, Budget would be presented, we shall see that there will be a big item in it regarding the travelling allowances of this Committee. We, therefore, want to know if this Committee has done any useful work so far.

Chief Minister : Accountant General is also a member of that Committee.

Shrimati Sita Devi : That doesn't make any difference. There is one thing more regarding which I want to say a few words, although Pandit Shri Ram Sharma and Shri Bhim Sen have already referred to that. It is the decision of the Committee regarding travelling allowance of the hon. Ministers, which occurs on page 7 of the Report. For this decision, I congratulate the hon. Chief Minister.

Chief Minister : Thank you.

Shrimati Sita Devi : The hon. Members of this House entertained strong feelings on this point and consequently a number of supplementary questions used to be asked on this subject. This question came up for consideration even before the Resources and

Retrenchment committee. At that time some Members were interested in ministerships and parliamentary secretaryships. That is why no decision could then be arrived at. Chaudhri Krishna Gopal Dutt said in a meeting of that Committee that the matter concerned the hon. Ministers and that therefore he would consult the hon. Chief Minister. It was argued that the conveyance allowance of Rs. 250 was very necessary.

Chief Minister: The hon. Member should not refer to the proceedings of the Resources and Retrenchment Committee so long as its report is not published.

Shrimati Sita Devi : I was only congratulating the hon. Chief Minister for arriving at this decision. Along with this, I would like to submit that this decision should be implemented as quickly as possible. Let it not remain as it is and let not afterwards the excuse of difficulties and abnormal conditions be put forward. I, therefore, submit that this decision should be fully acted upon. Besides, the hon. Ministers should also mention the purpose of journey in their bills so that nobody may be able to find fault with them. It does not mean that I doubt the bonafides of the hon. Ministers; they and His Excellency the Governor have to undertake tours of the plains when it is not pleasant to live here at Simla in the months of January and February on account of the cold and the snow. I, therefore, submit that it would be better if the hon. Ministers also state the purpose of journey in their bills and I hope that the hon. Chief Minister will favourably consider this suggestion.

Sir, in the Report the Accountant General has drawn our attention towards twenty-nine irregularities on page 3. On page 7 there is mention of two or three irregularities only. On page 14, a reference has been made to the Central Workshop at Amritsar. What I wish to point out is that while the Accountant General has pointed out twenty-nine irregularities, the Committee has mentioned only some of them. May I ask what action the Government has taken with regard to these irregularities ?

In the Central Workshop at Amritsar, there is a loss of rupees two and a half lakhs. Why is it so ? Sometime back, this workshop was a paying concern. It was the best of its kind in India. What has happened to it now ? What action does the Government propose to take with regard to the irregularities pointed out by the Accountant General ? My submission is that the officers and the heads of the departments are among those who prepare and give shape to such reports. They can bring about conditions under which the state of affairs can improve.

So it is necessary that a strict control over them should be exercised so that they may not themselves indulge in irregularities. When Shri Bhim Sen Sachar was our Chief Minister, the question of sending two experts to foreign countries for making recruitment

[Shrimati Sita Devi]

for the Capital and Bhakra projects came up for consideration. But Shri Bhim Sen Sachar rejected it. Now Shri Ram Sharma has also made a hesitating reference to it in his speech. I have also heard from a reliable source that our Government is considering the question of sending a deputation of five persons for making such recruitment and there are some who believe that this question has already been decided. Now when the Bhakra and Nangal projects have already made some headway, it has come into the head of our Government that recruitment for certain technical posts should be made from foreign countries. The idea of sending two persons abroad was rejected by the previous ministry but now deputation of five is to go abroad like a marriage party.

Mr. Speaker : I think it is not a second marriage. (*Laughter*)

Shrimati Sita Devi : Sir, I ask what is the fun in sending a deputation of five persons consisting of the Chairman of the Public Service Commission, the Finance Secretary and two or three Engineers? I wonder what our Government is doing? There is no shortage of experts in India. But still if the Government considers that good experts can only be had from abroad why does the Government not utilize the services of our Embassies in making recruitment and selection? The Indians who are living in those countries have a better knowledge of the people of those countries and so they can make a better selection. For instance, we who have come from Lahore and have settled in Jullundur will have to consult some local persons of Jullundur in order to find out any masons or good carpenters etc. We, being new to the place, cannot be better judges than those who have been living there for a long time. So I would urge upon the Government to give up the idea of sending this deputation. It will only be a waste of public finances. Our State which cannot find funds for increasing the salaries and allowances of low-paid public servants, should not as a matter of fact indulge in such luxuries. We are always looking towards the Central Government for financial aid. We have many grave problems to solve. We have to provide relief to flood sufferers. We have to settle refugees and to improve their miserable condition. Can we, under these circumstances, afford to send a procession of experts for the purpose of making recruitment only? I request the Government to drop this idea. In the Public Accountants Committee the hon. Members say ditto to what the hon. Ministers place before them. I would request the hon. Members also to exert their influence in checking such wasteful expenditure. This scheme of sending five persons, about which I have heard, should be dropped. Our Government is spending lakhs on publicity in order to become popular. But its actions are such that it cannot win popularity. If it really desires to be a popular Government, then it should act in such a manner that the masses may feel it to be working in their interests. It should drop such extravagant

schemes as I have mentioned above. Such luxuries can be indulged in by those States only who have sufficient finances. Ours is a poor state and so we are not in a position to spend on such items. My request is that some of the useful suggestions contained in this report should be put into practice.

Shri Amar Nath Vidyalankar (Non-Union Labour) (*Hindi*) :
 Sir, some of my hon. Friends have remarked that this problem is an important one. So it should be considered most carefully. The new Constitution gives wide powers to the hon. Ministers. Only one power is given to this august House and even that power is, in practice, exercised by the Council of Ministers. I mean the power of controlling the finances of the State. The Constitution, in fact, gives widest powers to the Ministers. At present, in practice, only the power of having a control over the accounts is with us. There is unfortunately serious danger of the House keeping asleep over its real powers or feeling loathsome of exercising such real powers so effectively as it ought to exercise this control. The danger of losing this control in toto, becomes all the more acute because there is practically no Opposition Party in the Assembly or it is so weak. In other countries where parliamentary form of Government prevails, control over Public Funds is the only means by which the representatives of the people control the actions of the Governments. I wish to draw the attention of the hon. Members towards it. Of course, this report refers to the accounts of an extraordinary period when there was chaos all over in the Punjab, when all the Governmental machinery had sustained a huge shock, and every thing had been reduced to a skeleton. Therefore it is but natural that we should view the things rather leniently, and excuse and condone some of the failings and short comings, where motives are found far from question. But still there are certain serious irregularities that no one can afford to feel indifferent about. These are clearly due to the wilful negligence of duty, in the mood of a false sense of security that no one is going to ask any explanation. As a matter of fact first of all I believed that our machinery for controlling the public funds was free from all drawbacks. It was so perfect from these loopholes. It was all fool-proof. But after serving on the public Accounts Committee, and coming into direct contact with the accounts, my belief has been shaken off, and today I am seriously worried, and feel that early steps ought to be taken to close in the gaps. It is possible indeed to commit serious errors and irregularities, flout all codes, and make the preparation of the budget an entirely individual guess work, having no relation whatsoever with the actual day to day figures of revenue and expenditure. The House must realise, and the Ministers must learn, that strict vigilance is absolutely necessary. Shri Bhim Sen Sachar has said certain things with which I differ. He has tried to throw the whole burden on one set of ministers. His remarks smack of undesirable party spirit. It is futile to throw the entire blame on only one party, much less on the present Ministers. In fact no particular effort had

[Shri Amar Nath Vidyalankar]

been made to improve these matters, even during the period, when my hon. Friend Shri Sachar was the Prime Minister. This is supposed to be Government controlled by the Congress Party. We all sail in the same boat and must share the blame jointly. We are all of the same sound or spurious metal, and there is little difference amongst us. No one has achieved much during the time of his office. People have all along remained dissatisfied. We ought rather try to be introspective today, and find out our own shortcomings rather than picking holes in others' garment. Whosoever had occupied the ministerial gaddi, had been seriously neglecting the tasks entrusted to him, little improvement had been effected, and we have been rapidly losing control.

For all this, the Ministers and the Members are equally responsible. We have yet to learn how to control the activities of the various organs of the Government. If we learn that art, we can hope to make a rapid progress in all directions. Another thing which I wish to bring to the notice of the hon. Members is that the Report under discussion cannot give us a complete picture of the subject unless we have the report of the Auditor General also before our eyes. That report, which is prepared after the audit of the various Heads of accounts, can give us a distinct idea of the real state of affairs. It is upon this report that we can base our conclusions.

Well, Sir, my submission is that while discussing the report of the Public Accounts Committee on the Appropriation Accounts of the Punjab Government, the House should keep this fact in view that the Appropriation Accounts have not been completely audited. This is a colossal task and beyond the power of the Audit Department. So what is ordinarily done is this. The Audit Department conducts 10 per cent test-auditing of the whole accounts and after this scrutiny all the Appropriation Accounts are deemed to have been audited. So the report which the House is considering is based on this ten per cent test-audit. Well, Sir, what I want to drive at is that if innumerable irregularities have been brought to light on the basis of this ten per cent test-auditing, then if complete or hundred per cent auditing of the Appropriation Accounts had been done, the number of irregularities would have been innumerable. From this fact the members must realise the enormity of the disease and the serious lack of control that exists in the various Government departments. But while drawing the attention of the House to certain irregularities in the Report, I have not the slightest intention to be unnecessarily critical of the Government. My object is to warn the Government and this House to avoid repetition of such irregularities and shortcomings in the accounts in future. Some of my hon. Friends have made a mention of several items to which they have taken objection. I would also like to draw the attention of the House to certain items in the Audit Report, which indicate that there is something rotten in the State of Punjab and that Government

have failed to exercise vigilance and use its whole authority with full strength. For instance, let me refer to the audit comments with regard to the Central Workshop, Amritsar, whose accounts came in for scrutiny by the Audit Department. The comments run as under:—

The manufacture and trading accounts reveal that against the productive cost (labour material) of Rs. 3.73 lakhs, the expenditure on over-heads is as much as Rs. 21.52 lakhs which is 579 per cent of productive cost.

You will find Sir, that the affairs of the Central Workshop are not being managed well. If the over-head charges are to be 579 per cent of the productive cost, I fail to understand how a commercial concern like this can exist for long or it can manage to keep its head high. In view of such a high percentage of over-head charges over the productive cost, I feel that the Workshop will never be a success commercially. Similarly at some other place, the Report indicates that the percentage of incidental charges, too, has been as high as 18 per cent of the cost of production. If you, Sir, just refer to page 168 of the Audit Report, you will come across a lot of irregularities committed in various accounts, maintained in connection with the expenditure incurred by the Rehabilitation Department for the maintenance of refugee camps. The report reveals that Government had to suffer loss due to the rations overdrawn. The loss was facilitated not by any defect in the prescribed rules but by non-maintenance of the prescribed records about expenditure and also by failure of the Executive to carry out the prescribed fortnightly surprise enumeration of the camp population. In this connection, I may point out that the Accountant General sent several reminders to the Government that such irregularities had come to his notice and these must be avoided but no heed was paid to it. Then again if you refer to pages 14 and 15 of the Audit Report, you will find irregularities committed in connection with the relief expenditure. I will quote just a few examples. First is with regard to rations and that is that tenders for local purchases were usually not called for. Second concerns the issue of clothing. It says that in several cases, clothings were issued to non-entitled Government servants. Another irregularity was committed regarding the use of transport.

It is stated therein that

1. The vehicles in camps were often used for transporting camp staff free of charge from their residences to office and back;
2. The working accounts of the vehicles were either not maintained at all or were kept so badly as to render effective audit check impossible;
3. As a large number of vehicles were either not fitted with milometers or had defective milometers, the accuracy of the mileage noted in duty sheets in their cases could not be verified;

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4. The amounts in the counterfoils of the tickets issued for the carriage of passengers and loads were over-written and even altered in some cases.

There is a long list of such irregularities noted therein.

I have no mind to take much time of the House in re-counting the same, nor have I any desire to go on blaming the Government for them although those at the helm of affairs deserve severest punishment. But what I want to impress upon the Government is that they should be so careful in future as not to allow recurrence of such like irregularities.

Then, Sir, I do not agree with a passing reference made by my sister Shrimati Sita Devi, that during the ministership of Sir Manohar Lal, the Finance Department worked very efficiently. I would refer her to the carping criticism made by Malik Barkat Ali in the reports of the then Public Accounts Committees submitted during the Unionist regime. She would realise that our accounting of the expenditure compares very favourably with that done during Sir Manohar Lal's time. Our auditing does not deserve that amount of condemnation as she thinks it does. However there is one saving feature of the report and that is that it refers to all that expenditure which was incurred during very extraordinary and abnormal times prevailing in the State. I am of the opinion that in view of this fact we should not unnecessarily make any department or an officer the target of our condemnation. I think if the Report of the Public Accounts Committee for the year 1948-49, when submitted, is also found to be informing us of the similar state of things, then let this hon. House make it absolutely clear, that we are not going to spare any one responsible and every such man will have to be answerable for that. If the Government ignore this warning and no improvement is noticed in the next report of the Public Accounts Committee, then the Government will certainly deserve our severest condemnation. Then there is another point which I want to bring to the notice of the Government. Since the report presented to the House indicates only items of expenditure, which was incurred two years ago, we cannot call upon the actual officer concerned who was responsible for that irregularity, to tender his explanation. Generally we found during the proceedings of the Public Accounts Committee that when a Head of the Department was called upon to explain a particular irregularity, he was not the same officer who was actually responsible for that irregularity. The result was that no action could be taken against a Head of the Department for such lapses because he could take the usual plea that after all that had happened during the period of his predecessor.

It goes without saying that the older the accounts the greater the chances of a thorough scrutiny becoming difficult. Who would care to dig out old corpses, after everyone has lost all interest in

their resurrection. Therefore it is in the fitness of things that matters should be so expedited that accounts should come to the Public Accounts Committee soon after the auditors report is received. I am sure the present Public Accounts Committee which has scrutinized these accounts, which are today before this House, is determined not to leave any stone unturned in testing the future accounts, if they will come to it, much more severely and judiciously than before. But I am told this has frightened some men and they intend now to resort to dilatory tactics. They are likely to try that next year's accounts do not go to this Committee, but should go to the next after the next year's budget session, when they are likewise stale enough to attract any notice, or arouse any great interest. I would request this House to resist such attempts if they are really made. The Government must be very free and frank and open-minded with regard to accounts and the administration of public funds must be above all doubt and suspicion.

Sardar Swaran Singh (Jullundur, West, Sikh, Rural) :
Sir this post-mortem examination of the events relating to the revenue receipts and the expenditure which are the subject matter of the Report that we are considering today, has revealed things, which I have no hesitation in saying, have come to me as a matter of agreeable surprise. Sir, it has been pointed out by several hon. Members that the period to which this Report relates was an extremely abnormal one. One serious objection that has been pointed out in this Report is that there are comparatively large discrepancies between the grants and the actual expenditure and criticism has been levelled that such discrepancies do not bring credit to the Government. But, Sir, the circumstances under which the Government had to come forward for the sanction of those grants by this honourable House have to be recalled to memory. Soon after partition we had to make efforts to draft the Budget and as such tentative proposals had to be made with regard to the various items of the demands for grants. It was only after a period of four to five weeks that the Government of the day was called upon to frame their Budget. At that time the problems that faced the Government were many-fold and some extremely novel circumstances which had never been tackled before by any Government and for which there were no precedents to guide the Government, fell to the lot of that Government. I am surprised to hear the criticism that has been made particularly with regard to the Rehabilitation Department. Affording relief to the uprooted people and doling out various articles of necessity which had to be distributed among them could never be anticipated and any discrepancy on that account accrued more from the nature of the circumstances rather than from any organisational defects.

Then again Sir, the budget had to be prepared in hot haste and the subsequent events also happened in quick succession. It was always problematic as to what course the migration of the

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population and the disruption of the services would take. It was the subsequent events naturally which were the deciding factor. No Government could be expected to foresee the causes based on any calculations. As subsequent events have released, nobody could anticipate the things that actually happened in the months that followed. The basic criticism that has been levelled is that the grants were much in excess of the amounts that were actually spent except for the loss under the head relating to the workshop at Amritsar. But this was quite natural because provision had to be made with regard to circumstances which could not be foreseen. If the provision had been sanctioned on the more lavish side, then the Government should be complemented for spending less and for showing economy. Do the critics expect the Government to act like those people who fear to surrender the un-spent money and sometimes at the last minute spend the amount in a most reckless manner? This is not desirable for a Government to do and no Government should be indicted for not spending the amount.

Shri Amar Nath Vidyalkar : There are instances of that kind also.

Sardar Swaran Singh : Yes I know. Therefore Sir, the difference in estimates is due more to the abnormal circumstances that existed than to the defects in the organizational machinery.

Then, Sir, a reply is due to the criticism of the working of the Workshop at Amritsar during that period. The history of the workshop has been told on the floor of the House more than once. This workshop was set up by the Government of India as a war measure. Later on, the Government of India wanted to remove the machinery that had been set up and close the workshop. The Punjab Government approached the Government of India and took over the control of this workshop. It was after partition that most of the hands, most of the expert artisans and most of the mechanics who were Muslims left the workshop. The condition of transport during those days was not normal either. All the available transport was being utilised for evacuation purposes. Therefore, normal conditions under which manufacture could be undertaken did not exist at that time and it was for this reason that the workshop remained closed. Another reason to which I have referred above was the quitting of the Muslim employees, both technical and non-technical and it was also on account of the organizational office of the workshop that it had to remain idle as so many other private firms and factories and other manufacturing concerns had to remain idle during that period. So this workshop also remained idle for reasons which are too well known to this honourable House.

Sir, I would further submit that such institutions as this workshop should not be judged from a narrow and commercial point of view. This workshop which contains a large amount of complic-

ated and precision machinery and which would require very skilled hands to make effective use of it should not be measured at the-yard stick of purely commercial profits which can be obtained by our Government. I say it is the duty of the Government to keep a workshop of this character so that it might be able to produce articles which are very vital for the progress of the country from the development point of view as also from the point of view of the security in time of war, when the manufacturing capacity of such a workshop can be developed and adjusted for the manufacture of articles of war.

In view of these circumstances, Sir, there was some temporary loss in the workshop but that should not be grudged and I am sure the House will unhesitatingly condone that loss.

The general criticism which is levelled against a Government organisation particularly when the Government undertake commercial activities has also been resorted to on the floor of the House. My submission in regard to this is that whenever certain activities of a commercial character are forced upon the Government the whole thing should be reviewed and strict control from the point of view of audit and accounts which we expect from the normal Governmental institutions should not be expected and this to my mind is not even desirable for an efficient working of those commercial concerns. It is a well-known fact that the Government has actually been exposed to a lot of criticism from the public as also from other commercial bodies when on certain important occasions they have taken upon themselves the responsibility of supplying food-grains, for instance, or other articles of every day necessity like cloth and kerosene and other controlled articles. Criticism has been levelled by the public in the matter of the administration of these controls and the utilisation of the administrative machinery. In my opinion, Sir, this criticism is perfectly justified and quite reasonable. All the defects in the working of the control are due to our sticking to the red-tape which was introduced by a foreign Government. The Bara Sahib sitting in the Secretariat wanted to control every little thing and had the final say in the matter. Nobody can expect satisfactory results by sticking to the red-tape and if we do not do away with it, the unfortunate consequences from which we suffer today are bound to continue. To develop my point, I want to make it absolutely clear and say unhesitatingly that the so-called financial checks which were introduced by a bureaucratic Government to keep a very tight control over the entire machinery of the Government should now be discarded. The crying need of the day is production and anything which stands in its way should be obviated particularly with regard to the commercial activities of the Government. We can give powers to the administrative officers and at the same time have some sort of general control but the financial watch-dog or the accountant or the auditor should not be permitted to act in a manner that he becomes more of an obstruction

(Sardar Swaran Singh)

by urging upon certain rigid standards of red-tapism which to my mind were entirely of a different character. I, therefore, submit, Sir, that unless we try to readjust ourselves to the changed circumstances, the results would be a miserable failure.

For instance, I have been greatly pained to find that in the matter of the administration of such useful things as doling out of grants or giving out of debts certain savings were effected. It is on account of the existence of such stereotyped checks that the actual people whom it was sought to benefit did not actually derive the benefit, which they ought to have, if we had succeeded in getting rid of the red-tape. Therefore, my suggestion to the Government under the circumstances is that with regard to these activities which are of a new character, which were never faced by the Government of the previous days, with regard to the administration of these we should take more imaginative view, both from the point of view of finance as well as from the point of view of audit, so that things which we want to reach the people should actually reach them and are not lost in the labyrinth of files and red tape which continues to persist. Sir, I know that the point which I am making out will take very long for the administrative officers to understand, who are accustomed to think and work in the old ways. But the time has come when we should take such things in hand to give greater satisfaction to the people in the State. •

For instance, take the example of the flood situation with which we are faced. I will not go into the details of the matter but will touch upon it just to bring out that the administration is working just like the old one. To-day Sir, the matter is already three weeks old, Government have taken very good decisions, but actually on the spot nothing substantial is being done by the officers concerned. A friend of mine who was travelling with me in train told me that the speed with which the Naib-Tehsildars and others were doling out grants and advancing loans was so slow and they were working in such an old rut that they will not be able to give any effective help to the people who required help rather immediately. Three weeks have elapsed when the decisions were taken at the top but the benefits of those decisions have not reached the men at the bottom during all these days. The persons who are intended to be benefited have not got any relief. Therefore, Sir, I suggest that with regard to the administration of these matters which are of a national character, new methods of finance as well as new methods of audit should be devised so that quick decisions might be taken and quicker and better results may ensue.

In the Government somebody must be made responsible for taking decisions. I know that in the matter of contracts etc., the other party can decide just sitting on the table and knows his grounds but the Government representative, howsoever big an officer he might be cannot reach a decision because he does not know

whether the decision taken by him will be supported and ratified by those above him and will ultimately receive the approval of the Government. He will try to come up to the spirit of some rules and regulations which were framed some 50 years ago with a different object. Sir, I place it for the consideration of the Government that they should devote some time in framing finance and audit rules and methods which should be regarded as a source of help and guidance rather than a source of obstruction as it happens today.

With these remarks, Sir, I associate myself with the expression of the sense of appreciation of the work done by the Members of the Public Accounts Committee. This post-mortem examination has afforded an opportunity to the hon. Members of this House to take stock of our activities and to see where we have faltered and in the light of that take fresh decisions in regard to the activities of the Government both in the commercial and executive spheres so that we may be able to do greater good to the people of the State. (*Hear, hear*),

Sardar Bachan Singh Ludhiana Central, Sikh, Rural) (*Punjabi*)
Sir, I have gone through this report very carefully and after reading it from one end to the other, I can only say that it is not the Public Accounts Committee Report but the Public Accounts (Whitewashing) Committee Report, for all that this committee has thought fit to do is to justify the acts of omission and commission of the Government. (*Laughter*).

This report is, however, of a revealing nature. It has clearly shown the mis-management and the mal-administration that was rampant in the various Government Departments in the period that has come under its review. It has proved that truth must come out, notwithstanding a thousand efforts to suppress it. The Committee observes:—

While examining certain Heads of Departments we noticed that explanation and statements included in the Appropriation Accounts were not personally seen by them. In certain cases the Heads of Departments frankly admitted that they did not personally take any part in the framing of their departmental Estimates, or in the preparation of the Final Statements of excesses and surrenders, or in the examination of the causes of variations from the final grants. Nor did it appear that several Heads of Departments had taken any interest in watching the progressive flow of their expenditure against the sanctioned allotment.

This shows that during the period under review the officers of the Government took no interest, whatever, in the accounts of their respective departments and everything was left to the clerks: After coming to this conclusion, instead of taking a serious view of the matter and suggesting some action against the officers responsible for this negligence, the Committee has only suggested that the

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officers should take greater interest in future. Since the Chief Minister in whose regime all these irregularities and errors were committed was himself the Chairman, it is not at all surprising that the main efforts of the Committee were directed towards justifying or extenuating or whitewashing them.

Then, Sir, it is stated that the Accountant-General reported twenty-nine individual cases of financial irregularities and losses, etc. In this connection, the committee observes as follows :

We note that these are only an illustration but we have gone into these cases further, where necessary, and consider that the action taken by the Government was adequate.

Here is an admission by the Committee of the fact that what the Government did was adequate and so it was satisfied. What else could be expected of a committee of which the Chairman was the hon. Chief Minister? It would have been surprising, if the Committee had not made such like statements.

About the Forests Department, the Committee observes :

The Public Accounts Committee examined the Chief Conservator of Forests but were not satisfied with his explanation. It was felt that the Chief Conservator's office should not only have a better control over the progress of expenditure but should also give a lead to its subordinate offices by curtailing grants where there has been any excess provision in the first instance or if the needs of economy warrant a reduction in the provision already made in the budget.

These are the remarks of the Committee about the Forests Deptt.

Now about the Electricity Department, which has surpassed all in committing irregularities and casting rules to the winds. "The Public Accounts Committee was not satisfied with the explanation given earlier in the Department's written memo, viz, the non-receipt of information. The explanation given orally before the Committee by the Chief Engineer, Electricity Branch, was that the Department had received "provisional request for loans" though formal applications did not come before 31st March, 1948. In this connection the Committee desired that further information should be furnished by the Chief Engineer to indicate (a) when the sanction for the funds was actually applied for; and (b) the accepted basis on which the sum provided in the budget was arrived at." This means, Sir, that loans were being sanctioned on provisional requests, even before any applications for this purpose were received. Now let us come to the Police Department.

The Committee remarks :

The Inspector-General of Police in his explanation before the Committee pointed out that he had actually asked the Finance Department to provide this anticipated excess under the relevant grant, but the Finance Department did not do so, as they contemplated sanctioning a certain re-appropriation from savings within this grant.

And this is followed by a compliment to the Finance Department and the way it functions :

The Committee observed that this failure on the part of the Finance Department to re-appropriate the necessary amount should be gone into by the Finance Secretary himself and adequate action taken to prevent a recurrence of this.

Now a few words about the Foodgrains Department. Our Government is proud of its being the most well-managed Department, as compared with other departments but during the financial year ending 31st March, 1948, it is stated to have shown a loss of several lakhs. About the causes of its running into this loss, it is stated that this thing could not be foreseen and that weevilling of stocks of grains was not taken into consideration and so on. If it is asked as to why rates were not enhanced, the reply would be 'we had no powers to do that.'

About the accounts of the Cattle Farm, Hissar, the Committee observes :

The Public Accounts Committee strongly held the view that the "unspent balance of Rs. 29,958, which remained in the hands of the Superintendent of the Cattle Farm, Hissar, should have been refunded into the Treasury not later than the 31st March, 1948, and that the Superintendent should not have withdrawn this sum from the Treasury when he did not expect to spend it during the year 1947-48. The Public Accounts Committee desired that any effort to withdraw sums of money in order to avoid lapse of a grant must be strongly discouraged.

Again, the Committee were glad to note :

That the concessions referred to in the Audit Comments at page 113 of the Accountant-General's Audit Report had been all withdrawn already, with the exception of residential quarters, the issue of milk, etc., at concessional rates to certain categories of employees. The Committee desired that Government should review the justification for these remaining concessions.

The Superintendent explained that sales on credit had now been stopped and that out of the previous sales, only a small sum was still due which had to be recovered from certain Muslims and institutions like local bodies now in Pakistan. The Committee desired that Government might take up the question of the best method of recovery.

Sir, in those extraordinary days everything was in a mess and I would like to invite the attention of the House to what the Deputy Commissioners and other high officers of the State were doing in the Province. I would here refer the hon. Members to the loss due to embezzlement of "Essential Commodities Ration Card Fund" under note 6. The remarks are as follows :

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"We feel that the practice whereby certain Deputy Commissioners and other officers get Government forms printed locally, and put them up for sale to the public, was highly undesirable and that strict instructions should be issued that this practice should not be resorted to by any Deputy Commissioner or any other officer. We would emphasise that all Government forms should be obtained from the Government Press at prices fixed by Government and no un-authorized local printing of forms and selling of the forms at prices fixed by local officers should be allowed. We suggest that a circular letter in this respect should be issued by Government to all heads of Departments and Deputy Commissioners etc."

This passage very well describes the supervision which the Government was exercising on its officers. The Government was more or less asleep and was freely allowing its officers to loot the people and waste their money in any manner they liked. In fact according to the English adage they were making hay while the sun shone. In these circumstances it was incumbent on the Punjab Government to conduct itself in such a manner as to inspire confidence in the minds of the public. But unfortunately it did nothing to bring about satisfaction to them.

Sir, I feel like calling this Committee a white washing committee or in Punjabi what they call a Pocha Pachi Committee.

ਪੋਚਾ ਪਾਚੀ ਕਮੇਟੀ ਪੋਚਾ ਪਾਚੀ ਕਮੇਟੀ

I do not find any rhyme or reason in the work done by this Committee. Here I am reminded of Pandit Moti Lal Nehru's remark on that Rowlet Act which according to him did not provide either for argument or for an advocate or for an appeal. My feelings are exactly the same about this Public Accounts Committee. The Committee according to my lights appears to be itself an accused, witness as also the judge.

Mr. Speaker : The hon. Member should not say anything about the constitution of the Committee. By referring to the Committee he would be criticizing the decision of the House.

Sardar Bachan Singh : Sir, as a matter of fact, I mean to refer to the report of the Committee and not the Committee itself. I do not find any sense in this report. It is like the speech of my hon. friend Pandit Shri Ram Sharma which was full of only 'ifs' and 'buts' and had no sense. I am referring to the speech of the hon. Member which he made in connection with the resolution for giving some preferential treatment to statutory agriculturists in the matter of recruitment to services. May be he or Shri Amar Nath Vidyalankar might have made some useful suggestions in the meetings of this Committee if they had not been influenced by the presence in the Committee of the Chief Minister as its Chairman.

Shri Amar Nath Vidyalkanker : I may point out to the hon. Member that he is misrepresenting me at any rate.

Sardar Bachan Singh : Sir, I shall, however, request that though nothing substantial has been accomplished by the Committee I shall be, to an extent satisfied if the Government bothers to adopt some of the useful recommendations that have been made by it. Let us, for example, take the recommendation which deals with the travelling allowance of the hon. Ministers and other high officers. According to the report there is a margin of profit in this travelling allowance. It is, therefore, incumbent on the Government that it should in this connection seek the advice of some experts and cut down the rates in case they also feel that there is scope for profit in them. But my fears are that no such thing will be attempted by this Government which has decided to give Rs. 250/- p m to the Ministers by way of Car Maintenance Allowance and which thinks that a new jeep should be purchased for the staff of the hon. Chief Minister. It is not proceeding on the right lines. The people would be prepared to forget its sins of the past if it adopts the main recommendations of the Committee and does not allow the recurrence of the conditions that prevailed in the year of grace 1947-48.

Sardar Shiv Saran Singh (Kangra and Northern Hoshiarpur, Sikh Rural) : Sir, I am thankful to you that you have given me an opportunity to say a few words on this report. The first line in the report is that saving is abnormally high. I share the views expressed by Sardar Swaran Singh that the times in August, 1947 were very abnormal. The whole machinery was disrupted, the Government offices could not be set up or located in a convenient place and it was in this hurry and in this hustle and bustle that this budget was prepared and presented to the House. I remember very well that the Government had to arrange for the transport of members from their respective districts to Simla. There were no means of transport at that time and everything was topsy-turvy and if there were abnormal excesses and abnormal surrenders, there is nothing strange. They were due to the disturbed conditions then. At the same time, I would draw your attention to the savings of 790 lakhs. I do not understand why the framers of the Budget could not anticipate the genuine demands of the province. If at the time of budgetting they made some provision for certain necessary things, there is no reason why they could not utilise the money for the beneficent departments. In this connection, I would also draw your attention to the loans and advances to the cultivators. There is a general hue and cry by the cultivators that they are not given loans and that taccavi loans are not advanced for the sinking of wells, for the purchase of seeds etc. It is very strange that though you find that an amount of six lakhs was provided for these purposes, there is a saving of 5 lakhs. I do not know what were the extraordinary circumstances which prevented the Government to spend this amount which was meant for the

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genuine needs of the cultivators and there is a general hue and cry every year that we should provide more and more money for the cultivators for the purchase of seed etc. No reason has been given for not spending the amount provided for and the Committee has not agreed with the view of the Financial Commissioners.

I would now draw your attention to the remarks of the Committee that there is no necessity for regularising these excesses. Under the Constitution there is no doubt a provision that such excesses or savings should be regularised by the Legislature but that applies to such excesses or savings after the 31st March 1950. I, therefore, submit that simply presenting this report is not sufficient to regularise the excesses and surrenders which occurred during the year under review. I am very doubtful if a simple remark of the Committee is sufficient to regularise the excesses and savings made during that year. There are several departments in which there have been abnormal savings. I am in perfect agreement with the remarks made by Sardar Bachan Singh that the officers concerned do not take any interest when preparing the estimates. Some of them have very candidly agreed and have confessed that they really did not take any personal interest. I would respectfully draw the attention of the hon. Chief Minister in this connection that a great vigilance is required on the part of officers when framing the budget. They should also see that every pie, they budget for, is spent properly and for the good of the State.

Then take the Irrigation Department. In this Department also there is a good deal of saving and this has not been explained at all. There is need for more and more water and we have been noticing that Members have been clamouring in season and out of season that they are not getting sufficient water for the irrigation of their crops. I fail to understand why, when some repair is to be made to a canal or a band, it is neglected. Therefore, I say that the Irrigation Department should be vigilant enough to meet the legitimate needs and requirements of the cultivators who want a great quantity of water for irrigating their crops.

With regard to the Industries Department also there is a great demand by the poor villagers for the starting of cottage industries. I am glad to learn that the hon. Chief Minister is taking keen interest in starting cottage industries and that one or two centres have already been selected for this purpose. But I would like to see that greater attention is paid to this matter, so that the poor cultivators when not engaged in cultivation work, may have an avenue to earn a little more money to implement their meagre income from the land. I would, therefore, urge that prompt steps should be taken to establish more centres for cottage industries.

As I have already submitted, the Committee has itself pointed out that there are many savings and excesses. It is hoped that the

Departments would pay greater attention to this aspect of the matter when framing the budget and that adequate amounts allotted for important items which are beneficial to the poor masses and that at the same time every attention is paid to the money being properly spent and in time so that there would be no occasion for any criticism by this hon. House.

Chief Minister (The hon. Dr. Gopi Chand Bhargava) (*Hindustani*): Sir, I am grateful to the hon. Members who have paid so much attention to the report of the Public Accounts Committee. But I am at a loss to understand the purpose with which it has been criticised. I would like to make it quite clear at the very outset that the Committee which has been described as a 'white washing' committee, was constituted under Rule 149 of our Rules of Procedure. It is provided in that Rule: "The Committee on Public Accounts shall consist of five members including the Finance Minister who shall be a member *ex-officio*. They shall be elected by the Assembly from among its members according to the principle of proportional representation by means of the single transferable vote. The term of office of the members of the Committee shall be one year but any member shall be eligible for re-election."

According to this Rule which applies to every hon. Member of this House, fortunately or unfortunately, the Finance Minister is to be the Chairman of this Committee. I think I am not going to disclose a secret because it has already been published in the proceedings of this Committee. It is this that at the time of the election of the Chairman it was said that Finance Minister used to be the Chairman in the past. Accordingly, the Finance Minister was made the Chairman. I think, it is wrong to say that the Finance Minister influenced the opinion of the members of the Committee in any way. Again, Sir, I would like to submit that the Public Accounts Committee is also appointed in the House of Commons. The purpose of that committee is the same as that of our committee over here. It is this: "Committee on Public Accounts shall be constituted for the purpose of dealing with the reports of the Comptroller and Auditor General of India relating to the appropriation accounts of the State and such other matters as the Finance Department may refer to the committee." This is also the practice in the House of Commons. In this connection I draw the attention of the House to page 557 of May's Parliamentary Practice. It is stated there:

The function of this committee is to ascertain that the parliamentary grants for each financial year including supplementary grants have been applied to the object which Parliament prescribed and to recheck the official audit created by the Exchequer and Audit Department's Act, 1866. The Committee also scrutinises the causes which have led to any excesses over parliamentary grants, and the application of savings on the grants made to the naval and airforce departments. The researches made by the committee and the publication of their reports ensure on behalf of the House of Commons an effectual examination of the public accounts.

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Sir, the budget for 1947-48 which was presented in November, was in reality a budget of the United Punjab or a partition budget in a way. As such, it included certain items of income and expenditure about which nobody had got any correct or clear-cut idea. Those items were included in that budget on the basis of the previous budget after making necessary distribution in the allocation of funds. In this way, we had to put lump sum figures in regard to certain items in that budget. We could not have given correct estimates on account of the conditions obtaining here after the 15th August. It was not an easy task to prepare a budget in those circumstances. It was in these circumstances that the budget was presented to the House. The procedure in this matter is that the expenditure is sanctioned by the Accountant General and then at the end of the year, the accounts are got audited by the Auditor General of India. According to rules, various Departments send their estimates to the Finance Department which suggests modifications in view of the funds available. Finally, the estimates are included in the Budget which is then presented before the House. During the course of the year, the Departments make the appropriations according to the rules regarding excesses and surrenders. The business of the Finance Department is only to prepare the budget. The scrutiny of the expenditure is the business of the Accountant General. At the time of the preparation of this Budget, the departments of the Government were in a formative stage and so was the case with the office of the Accountant General. Nobody can have any objection against it because work is done according to the circumstances.

My hon. Friend Shri Bhim Sen Sachar has made certain observations in his speech and I wish he were present in his seat to have replies to his objections. He has enthusiastically read paragraph 5 on page 3 of the Report. But like a good lawyer, he should have also read the latter part of the paragraph.

Sir, my hon. Friend has read only these words :-

These cases relate to unnecessary supplementary grants, reappropriations obtained unnecessarily or in excess of requirements, injudicious re-appropriations and surrenders causing excess over allotments, non-surrender of savings, unremedied or uncovered excesses, defective budgeting and authorisation of unnecessary expenditure in anticipation of sanctions.

But further on, he has not cared to read the words that follow the above words. These words are :

We have gone into these cases and also, where necessary, called for further explanations from Heads of Departments. We are satisfied with the explanations furnished except in the following cases in which further action is necessary.

This means that the Public Accounts Committee like a realistic and responsible committee looked into the objections made by the Auditor General. Where they considered it necessary, they sent for the Heads of the Departments. In many matters, the committee went into details also to find out the actual facts of the case. Where further explanations were necessary, they were obtained. So, to say that the working of the Government is not efficient and proper and that the Heads of the Departments who are responsible for this should be punished, is nothing short of closing one's eyes to the facts. My hon. Friend has worked as a Finance Minister. He ought to have known the working of the Finance Department. In his time also, a Public Accounts Committee was constituted although its findings could not take the shape of a report on account of partition of the Punjab. But still having been the Finance Minister of United Punjab, he ought to have known what the duty of the Finance Department is. I am surprised that a man of his position should raise such objections. On page 4 of the Report, the Committee observes:-

We are of the opinion that the savings under 'Expenditure on Stores' should have been anticipated to a considerable extent at the time of the preparation of the statement of Excesses and Surrenders and that efforts should have been made to finalize the payments of the bills more expeditiously. On the information supplied by the Chief Engineer, it was not clear to us that all that was required to be done had been done.

Commenting on this, the hon. Member has referred to Appendix I and stated that the Ministers do not dispose of the files promptly. I cannot say, what his own experience as a Minister was and for how long the files used to lie with him. But so far as I am concerned, during my Finance Ministership and Chief Ministership (except for a period of about six or seven months) no Head of any Department can complain that I did not attend to cases promptly and that my disposal was not quick. So far as this particular case of irrigation establishment is concerned, I am in a position to say that it was a question of policy. In the Central Workshop Amritsar, there were Muslim workers and labourers from U.P. and most of them had left on account of disturbances. The work at Bhakra had not started. The Central Workshop at Amritsar was a workshop of the Irrigation Department. During war time it was turned into an ordnance workshop by the Government of India, in order to prepare war material. So after the war, it was to be converted into its previous form. This required time and gradual progress. If we look into the monthly reports of the workshop, we will find that gradually its expenses came down. The way in which the accounts of the workshop were kept was such that the overhead charges were high. This is also because the capacity of the workshop was large and no work from outside was available. Moreover, we could not get skilled labour and other persons for the workshop. For the recruitment of a Mechanical Engineer, we put up an

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advertisement but we were unable to secure the services of any good and trained Indian. So we had to employ an Englishman. It took a long time to make this recruitment. When he joined, he formulated a scheme for the workshop and looked into the accounts. Such things under such circumstances usually take time and it is wrong to level this charge against the Government that the files are not attended to. As a matter of fact, the recruitment of skilled labour takes time and without technical persons no headway can be made in any work of such a nature. At the time of the partition, it was decided that Pakistan will get some work done in this workshop. But this scheme could not be successful. One of the plants of this workshop is lying in Pakistan and it was not allowed to be brought. So we had to make a new galvanizing plant in this workshop. The objections that have been raised against this workshop have no basis and I am glad to remark that the workshop is making a rapid progress with a view to step up production. The Accountant General when he went to Amritsar was shown the progress of work and after seeing it he appreciated it. Sir, another matter against which criticism has been made in this House is that which we find on page six of the Report. I am referring to the item "loss in Rehabilitation department due to hiring of a truck at a rate higher than that fixed by the Government". The objection here is against the sum of rupees two thousand four hundred and sixty. Similarly, another criticism has been made with regard to the item described as 'over payment arising from failure to test milk in the Rehabilitation Department'.

In this connection, my submission is that the Rehabilitation Department had to undertake the work of providing relief to the refugees as speedily as possible and at a very short notice. They had to make some prompt arrangements for the supply of milk. They had to see that the inconvenience of the refugees was relieved. So in this anxiety, they could not keep regular accounts. Of course an effort was made to get back the money from the person concerned. But it was not possible to do so in this case.

Then, Sir, an objection has been raised as to why payment due to the Government of India on account of the stores supplied by them was deferred for such a long time. The fact of the matter is that after the receipt of the stores, we requested the Government of India to send us the necessary bill so that payment could be made before the financial year came to a close. But the bill did not reach us even by the 31st of March, so the amount earmarked for that purpose had to be surrendered and a new provision was made in the Budget Estimates. Now the difficulty is that if we carry forward a provision in the Budget Estimates, then objection is raised by my hon. Friend, why the amount was not surrendered in time. If the amount is surrendered and then afterwards an expenditure is incurred in anticipation of the vote of the Assembly, then we are

It reads as follows :-

Misappropriation of sale proceeds of foodgrains by a Cashier in the office of the Rationing Controller.

We find that a cashier in the office of the Rationing Controller did not deposit into the treasury the daily sale proceeds of foodgrains realised by him as required by rules, but continued to misappropriate this money for several months. This misappropriated cash was ultimately made good by the father of the cashier and as such the case was not proceeded with judicially.

Regarding this case, it may be noted that those members of the Committee who took a practical view of the matter, considered to be the action of the Government sufficient. In this connection, the committee observes :

We concur in the action taken by Government but observe that to prevent cases of misappropriation being finalised by departmental officers [without the previous approval of Government and without reference to the law officers, a circular letter should be issued to all Heads of Departments for their future guidance.

Sir, I may also tell the hon. Members that this matter came before the Public Accounts Committee on the 29th August, 1950, when it held its last meeting. Then the Report was published and now it has come before the House for adoption. Government had no time to implement its recommendations. In this connection I may also point out that during the meetings of the Committee when the Heads of the Departments were called to explain certain items of expenditure relating to their respective departments, they were expressly instructed to avoid recurrence of all those irregularities which had come to the notice of the Committee. It was impressed upon them that it was desirable to take severe action against those persons who were found guilty of misappropriation of Government money. So the Heads of the Departments have already been warned to be very vigilant in the matter of expenditure. I hope they will act upon this advice. It has also been explained to them in what manner the accounts regarding different items of expenditure incurred by them are to be maintained to avoid objections of the Audit Department.

Then, Sir, my hon. Friend, the ex-Finance and Chief Minister made certain insinuations by pointing out that the Ministers had drawn travelling allowance to the tune of Rs. 2800/-. He had dubbed me a lawyer sometime back but I am glad he has revised his opinion now. I wonder how this idea of my being a lawyer entered his mind. But in fact he himself is a lawyer and he advanced his arguments like a lawyer. I can hit him back in regard to the insinuations he has made, but I would not stoop so low as to do that. I leave this point here.

Sardar Swaran Singh : The hon. Chief Minister need not take notice of such remarks.

Chief Minister : Then, Sir, my hon. Friends have confused the duties of the Public Accounts Committee with those of the Committee of Estimates. The function of this Committee is to scrutinise the estimates of expenditure sent by the Departments. They make a thorough scrutiny of the estimates and recommend those which they consider essential. When a certain item of expenditure is passed by the Committee of Estimates, then provision is made for that purpose and the expenditure is strictly restricted to the amount provided for and the purpose set out therein. In the same manner if an amount is provided for purposes of travelling allowance, it must be utilised for this purpose only. But if there is an excess of expenditure over the provision made in the Budget, then a demand is put forward in the Assembly for their approval and vote.

Then another objection was raised and that was with regard to the charging of allowance for travelling by road. It was suggested that annas eight a mile for an hon. Minister and annas six a mile for officers of Grade I, would be an adequate compensation for travelling by road. Let me tell the hon. Members that the officers of grade I do not stand to gain, when they are paid annas eight per mile while travelling by road. Previously, when the cars were available at rupees ten thousand, the travelling cost per mile, which included petrol, lubricating oil etc., came to annas ten and three pies. But the Government paid them annas eight per mile only. So the hon. Members would see that it is not a profitable proposition for the officers to travel by road while on tours. Now when the price of cars has gone very high, the touring officers like to travel in Government cars which incur much greater expenditure per mile than annas eight per mile which is paid by Government to the Grade I officers for maintaining their own cars. So this is the real position and I fail to understand how the action of the Government in the matter of payment of travelling allowance by road at the rate of -/8/- per mile is condemnable. It would not be out of place to mention here that this objection has been made for the sake of objection. (*Laughter*)

There is yet another objection which has been made on the floor of the House with regard to the tours of the hon. Ministers. It has been remarked that the hon. Ministers should have no hesitation in indicating the purpose of their journey as required in the printed travelling allowance bill forms. So far as I think, we put down in those forms the words 'on official business'. A proposal was made and that was that we should get a certificate from the hon. Members of the Assembly to the effect that they travel in the same class for which travelling allowance is charged by them. We turned down this suggestion. I feel that it is something derogatory to ask such certificates from the hon. Members. I may point out that travelling allowance is never considered to be a

source of income. Ordinarily, they are paid $1\frac{1}{2}$ fares of class I. This includes any incidental charges or contingent expenditure they have to incur during the journey. I don't think they ever make it a source of income. So I have not thought it necessary to demand a certificate from them for the journey made by them. Now coming to the point of entering the purpose of journey performed by the hon. Ministers in the travelling allowance bill forms, I think it is not necessary to give more details than mentioning the fact of 'tour on Government business'. I may also tell the House that a Minister is also a political person. He has to attend meetings of his own party although now we all belong to one and the same party, namely, the Congress party. Supposing an hon. Minister goes on tour in connection with law and order affairs, which are very confidential, will it be advisable to note down the purpose of his journey in the T. A. Bill form?

Then, Sir, a suggestion has been made that unnecessary expenditure should be done away with. As I have already stated, the Public Accounts Committee could not advise or recommend in regard to the expenditure budgeted by the Government. As a matter of fact, it is the job of the Estimates Committee which has been formed after the enforcement of the New Constitution. My hon. Friend, Shri Bhim Sen Sachar who is not at present in his seat has raised certain objections. It will not be out of place to mention here that he resigned from the Committee of Estimates. He did not find it advisable to do his duty by working on this committee and thus advising the committee in the interests of the State. It is not for me to say here as to why he resigned from this Committee as it is the job of the office which has full knowledge about it.

An objection has also been raised by the hon. Lady Member Shrimati Sita Devi with regard to the Arbitral Tribunal. She has in the course of her speech gone to the extent of saying this that the Implementation Committee has not done any substantial work and that the members of the Punjab (India) go to attend meetings in Pakistan simply with a view to attending dinner and various other parties. Before I proceed any further I would request the hon. Lady Member to make a thorough study of the award of the Arbitral Tribunal and also the functions of the Implementation Committee. At the same time, I would also request her to acquaint herself fully with those circumstances under which this Committee had to carry on its work. Let me make this point clear to her that this is not a one-sided affair nor is this a round-about matter. Both the Punjab (India) and Punjab (Pakistan) have to prepare their balance sheets and the committee is doing its best to finalise these balance sheets and other financial transactions. At the same time, I cannot do without saying this that it is really a matter of regret that we have not been able to finalise our financial transactions with the Punjab (P) according to the award of the Arbitral Tribunal.

[Chief Minister]

We have been exerting all possible pressure upon Punjab (P) to pay the amount due to us. This is not all. We have also requested the Union Government to impress upon the Pakistan Prime Minister the advisability of an amicable settlement of all issues between Punjab (I) and Punjab (P). For the information of the hon. Lady Member, I would like to add that Punjab (I) is represented on this Committee by the Chief Secretary, the Finance Secretary and the Accountant General. Meetings of this Committee are held by turns in Punjab (I) and Punjab (P) or in other words if a meeting of this Committee has already been held in Lahore then the next meeting is naturally held in Punjab (I). We are very anxious that this Committee should finish its work as early as possible. As a matter of fact, the Accountant General has also included the following item in his report :—

We consider that the Implementation Committee should finish its task as quickly as possible. We do not find it necessary, however, to fix a target date for this purpose.

It is crystal clear from this that the Accountant General was also of the opinion that it was not within our power to fix any target date for this purpose.

Shrimati Sita Devi : Has any meeting been held so far ?

Chief Minister : The meetings of the Implementation Committee are held after every second or third month. I may also add here that the meetings of the Partition Committee are also held as various issues for the settlement of which this committee has been set up are pending for its decision. However, I cannot do without saying this and I shall really be failing in my duty if I say that our representatives should not attend the meetings of the Implementation Committee with a view to finalising the balance sheets and other financial transactions between the two Punjabs as soon as possible. I would like to bring this home to the hon. Lady Member that the meetings of this Committee are not held daily. (*Interruptions*). What reply shall I make to such inconsistent remarks that such meetings are held daily and those too in Pakistan only.

Shrimati Sita Devi : The hon. Chief Minister himself admitted that such meetings are held after every two or three months.

Chief Minister : The hon. Lady Member has stated that such meetings are held daily and only in Pakistan and that the representatives of Punjab (I) go to Pakistan to attend these meetings only for enjoyment's sake. The argument that such meetings are held daily and that too in Pakistan only and that the work over here is completely neglected because of their being pre-

occupied in Pakistan, seem to be completely inconsistent and quite contradictory. It is, therefore, quite clear from this that inconsistent and self contradictory criticism does not deserve any reply.

Then, Sir, there is yet another objection which has been raised by the hon. Lady Member in the course of her speech. It has been asked as to what has made the Government depute three officials to go abroad for selecting two experts for Bhakra and Nangal projects when these experts were already available in India. If the hon. Lady Member had gone into the details of this matter and collected the required data, I am sure, she would have come to know that there are only 3 such firms in the world which specialize in the construction of the dams and out of these three firms two are in France and one in the United States of America. Those who want to construct dams have naturally to import the experts of these firms. Since the control of the project has been taken over by the Control Board, this work is, therefore, being done on its behalf. It will not be out of place to mention here that four Governments are interested in this project and it is therefore quite natural that all the four Governments, namely, Centre, Pepsu, Rajasthan and Punjab have to sit together and take decisions. As a matter of fact, the Bhakra Control Board is a sort of working committee of these four Governments. I would also like to point out that this Control Board was set up according to the instructions of the hon. Prime Minister of India. He has also instructed that experts should be entrusted with the task of completing the construction of the tunnel work. We have accordingly written to our embassies in United States of America, France, Norway and other foreign countries to let us know where these experts can be found. Since correspondence with our embassies and also with other foreign firms would surely cause much delay in recruiting the required experts, we have therefore decided to send abroad a deputation consisting of the Finance Secretary, Chairman, Public Service Commission and the Chief Engineer so that they may examine the applications and select qualified persons on the spot and settle terms with them. Since these posts carry salary more than Rs 150/- p.m. and the Chief Engineer being the Head of the Department is not competent to make the appointment therefore it is but necessary to depute the Chairman of the Public Service Commission. Since the financial terms cannot be settled by the Public Service Commission as this matter is beyond the scope of its ambit, it has, therefore, been decided to include the Finance Secretary in the deputation. All the three officials are going on a tour of the foreign countries on behalf of the Government and also on behalf of the Control Board. As a matter of fact, it is the Control Board which has decided to send this deputation abroad to engage the services of the tunnel experts.

Shri Amar Nath Vidyalankar : Can the Punjab Government bear this expenditure ?

Chief Minister : This expenditure will be met out of the amount ear-marked for the project.

Shrimati Sita Devi : When this project has been taken over by the Central Government, what justification is there on the part of the Punjab Government to incur this expenditure ?

Chief Minister : The administrative control of the Bhakra Nangal Project would be in the hands of the Punjab Government and the financial and technical control in the hands of the Control Board.

All the three State Governments shall bear the relative cost of the Project.

I am thankful to my hon. Friend Sardar Swaran Singh for his suggestion that the system of auditing and accounting should be changed in the present circumstances. I may inform the hon. Member that this is for the Government of India to do so. This question is already engaging the attention of that Government. The Auditor General has come back after making a study of the system that is prevalent in the foreign countries. On our part we have already taken steps to reform this system in order to have expeditious disposal of work. Previously, much of the time was spent in correspondence between one department and the other but we had set up a committee which has evolved a system of coordination between different departments. For example, when the Finance Department has to consult all the Heads of Departments it instead of taking recourse to correspondence calls them and after discussion of the matter with them takes up decisions in the matters. It was said during the course of discussion that the members of the committee could not express their independent opinion in the matters that came up for discussion. I may inform the House that the committee was appointed under the provisions of the rules by the House. The Finance Minister was elected Chairman of this committee. Those members who had the opportunity to work with me on this committee can easily vouchsafe the fact if I ever tried to influence them in any way. I would, therefore, say that the impression so formed is totally wrong. The meetings of the Heads of Departments were called and they were afforded every help in their explanations on any point under doubt. I may inform the House that the Finance Secretary and the Accountant General were attending the meetings of the committee by invitation and I used to be there as a member of the committee.

Sardar Swaran Singh : Did the hon. Chief Minister actually suggest that a non-official should be appointed as a Chairman ?

Chief Minister : Yes, I did. I may submit, Sir, that I am no doubt the Chief Minister but I am neither a Government officer nor a Government servant. I had always helped the members of

the committee in cross examining the Heads of Departments in order to have a stricter control over the finances. I always gave full opportunity to the members of the committee to express their opinions. We always consulted the Accountant General in every matter although he was not a regular member of the committee. The accounts work is of a technical nature and with the help of the Accountant General we had been able to remove all irregularities and defects in the system of accounts. I would now say something about the preparation of budget. The items of new expenditure are submitted by the Heads of Departments in the month of September to the Finance Department. These estimates are thoroughly scrutinized by the Finance Department and it suggests cuts in expenditure where the estimates appears to be in excess of requirements. These revised estimates are now sent to the Committee of Estimates. That committee scrutinises the new and old expenditure and makes recommendations to the Finance Department. It was only when these supplementary demands were agreed to by the Committee of Estimate that these were accepted by the Government. Similarly the budget estimates will have to be approved by the Committee of Estimates and then submitted to the Cabinet for approval. The Cabinet after thoroughly scrutinising the expenditure of the various departments will then put it in final form before the Assembly. We have always endeavoured to effect all reasonable economies in Governmental expenditure and have also impressed upon the Heads of Departments that their demands for various grants should strictly be restricted to essential requirements. Before the partition, the Punjab Government did not prepare the monthly balance sheets. Now the balance sheet is published in the Gazette every month. We have also decided that a copy of accounts relating to the expenditure incurred in mufasil should be sent to the district headquarters. This will enable the Heads of Departments to scrutinise their accounts. The Government has also decided to put into effect all the recommendations that have been made by the committee. I must thank the Accountant General and the Finance Secretary for the trouble they have taken in examining our accounts and also for the suggestions they have made. I may assure them that barring such suggestions that may be impracticable, the Government will take steps to enforce the remaining ones.

Mr. Speaker : Question is—

That the Report of the Public Accounts Committee of the Puniab Legislative Assembly on the Appropriation Accounts of the Punjab Government for the period 15th August, 1947 to 31st March, 1948 be taken into consideration and adopted.

The motion was carried.

The Assembly then adjourned till 10-30 a.m. on Wednesday, 11th October 1950.

Punjab Legislative Assembly Debates

11th October 1950

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OFFICIAL REPORT



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PUNJAB LEGISLATIVE ASSEMBLY.

2ND SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY.

Wednesday, 11th October 1950.

The Assembly met in the Assembly Chamber, Simla, at 10-30 A.M. of the clock. Mr. Speaker (The hon. Sardar Kapoor Singh) in the chair.

DAMAGE CAUSED BY FLOODS AND RAINS.

Mr. Speaker : The House will now resume discussion on the flood situation in the State.

Shri Prabodh Chandra : Sir, I wish to make a submission that the subject we are discussing is an important one and that more time should be allowed for its discussion.

Mr. Speaker : A large number of hon. Members wish to take part in the discussion and they have approached me for giving them time to speak. I find that every member who comes from the districts which have been affected by the floods wants to speak. Today at least half an hour will be taken by the Leader of the House in replying to the debate and in the remaining one and a half hours not more than 9 members will be able to take part, while those desirous of taking part in the debate are much more in number. I wish that every member who wants to speak on the subject should be given time to do so. I would, therefore, suggest to the Leader of the House that either we should sit for about an hour for discussing the flood situation after 6-30 P.M. today, although that I feel would be rather tiring, or we should meet tomorrow again at 10-30 and discuss this matter till 12-30 as we did yesterday and are also doing today.

Chief Minister : Sir, I have no objection to the House discussing this matter tomorrow but it is not possible for me to agree to continue the sitting of the House after 6-30 P.M. today as we are having the party meeting. I wish to make another suggestion to the hon. Members and that is that by all means they may criticise the Government but they should offer constructive suggestions and avoid repetition to save time. As regards the time required by me for answering the debate I would submit that half an hour, as mentioned by you, will not be sufficient for me. I require at least one hour as I have received notes from every department which I would like to place before the House. Five minutes would have been quite sufficient if I were to say that the suggestions made by the hon. Members would

[Chief Minister]

be considered by the Government, but I do not propose to do so and would like to meet the points raised by so many hon. Members in their speeches.

Mr. Speaker : Then we meet tomorrow at 10-30 A.M. and discuss the flood situation for two hours. The hon. Members will get two hours today and one hour tomorrow and one hour will be taken by the Government. Is it the sense of the House that we meet tomorrow at 10-30 A.M. ?

The House agreed.

Chief Minister : Sir, I am required to give time for the discussion of the delimitation of constituencies also. I do not know how much time would be necessary for that.....

Mr. Speaker : Is the report of the Delimitation Committee ready ?

Shri Bhim Sen Sachar : Sir, the report is not yet ready. We have been promised that we would get the report about the reconstituted constituencies today in the after-noon. We are meeting at 4 P.M. today but I am not sure whether we will get the material by that time.

Shri Dev Raj Sethi : Sir, I rang up Shri S. K. Luthra, Assistant Elections Commissioner, this morning and he told me that they have not been able to finish even Jullundur Division. I do not know whether he will be able to implement his promise or not.

Chief Minister : Sir, we are going to discuss the subject of delimitation of constituencies in general, if so, I don't think we require 4 hours for that or are we to discuss the constituencies ?

Mr. Speaker : So far as the constituencies are concerned the report will not be ready by tomorrow and I do not think any useful purpose will be served by discussing the matter in a general way because there is not much to be discussed on that account. We can discuss whether we should have urban and rural constituencies separately or not and that I do not think needs four hours to discuss. I would suggest that in addition to the discussion on the report of the delimitation committee, we should put some other business also. If the report is ready we can discuss that otherwise we can go on with the other business on the agenda.

Chief Minister : We have also to finish the legislation work. I have no objection to meeting on the 12th also and thus finish the whole thing.

Mr. Speaker : Then I would suggest that we take up legislation tomorrow and fix Friday the 13th for the consideration of the report of the Delimitation Committee, when we can also finish legislation work which is left over from tomorrow's agenda.

To sum up I would say that we are meeting tomorrow at 10-30 A.M. to discuss the flood situation till 12-30, and again at 2 P.M. to consider the legislative measures of the Government. The House will adjourn at 6-30 the usual time of interruption and meet at 10 A.M. on Friday to discuss the report of the Delimitation Committee, and after that to take up the Bills, if any, left over from the previous day.

Shrimati Dr. Parkash Kaur (Amritsar, Sikh, Women) (*Punjabi*): Sir, I am thankful to you for having provided me with an opportunity of speaking on the important subject of recent floods. Whenever some such calamity befalls the people, it is always the military and the red-cross which are the first to reach them for aid. The public and the private institutions always come to their aid later on. Moreover, the private institutions can render effective help if they pool together their resources.

In the recent floods in Amritsar district, all the four Tehsils suffered immense damage. Ajnala Tehsil suffered the heaviest damage. On the 4th September, at 6 P.M. when I went to see the hon. Chief Minister, I was informed by the Deputy Commissioner that flood-water had entered Ajnala. He also added that the level of water was still rising. The hon. Chief Minister asked him if he needed the Government help in the shape of medicines or some other form.

Shri Prabodh Chandra: Sir, the hon. Lady Member is speaking but no Minister on the Treasury Benches is taking down any notes.

Minister for Public Works: Is it compulsory that the Ministers should take down notes?

Minister for Rehabilitation: My hon. Friend Sardar Shiv Saran Singh is taking down the notes.

Shri Prabodh Chandra: In what capacity is he taking down the notes?

Sardar Shiv Saran Singh: I can take down notes in every capacity.

Shrimati Dr. Parkash Kaur: When the hon. Chief Minister enquired from the Deputy Commissioner, if he required medicines for the flood-stricken people, he replied that the Red-cross had sufficient stock of these. I am thankful to the hon. Chief Minister for the concern evinced by him, but now I wish to tell you what happened afterwards. I am not going to say these things with a view to blaming any officer but I just wish to bring these to the notice of the Government. I tried to go to Ajnala on the 4th September but could not do so on account of darkness of night. When I reached there on the morning of the 5th, I noticed that the military had arrived with boats but they were sitting quite idle. They had only thirty gallons

[Shrimati Dr. Parkash Kaur]

of petrol and with that they could not give any appreciable help to the people. When they penetrated the area by three routes, they found the people *perched* on the tops of trees or other places of vantage. They were hungry and were crying for help but nobody cared to supply them food or to evacuate them to safer places. At a distance of only one and a half furlongs from the place where the military had encamped, people were crying from the tree-tops but they did not rescue them. Seeing their conditions the local people and other public workers tied ropes round their waists and saved several persons at the risk of their own lives. I brought this thing to the notice of the Deputy Commissioner on the 5th September. I take pride in saying that in 1947 when lakhs of people had to be evacuated from the West Punjab and at a time when the population of Amritsar rose to eight lakhs, the public workers and organisations of that city acted in such an exemplary manner that in spite of the heavy rains and floods not a single person died of any disease. A great deal was published in the newspapers to show that the Government was rendering great help to the affected people, but it was mere propaganda. We held a conference on the 9th September and studied the reports issued by the Government. My hon. brother Jathedar Udham Singh Nagoke, who attended that conference, told us that he had toured Ajnala Tehsil on the 8th but no help of the kind mentioned in the published reports, was being given to the people. Sardar Sarmukh Singh Chamak was also of the same opinion.

The flood water entered Ajnala on the 3rd September but no help was given to the people till the 9th September. Instead of supplying food and other help to the people, the Deputy Commissioner ordered the Shiromini Gurdwara Prabandhak Committee, which arranged to supply cooked food to the people to abstain from doing so. I brought this fact to the notice of the Deputy Commissioner and urged the necessity of supplying food to the people who were coming to Ajnala from the adjoining villages. They had not taken meals for the past several days. It was after my telephonic talk with the Deputy Commissioner that the Shiromani Gurdwara Prabandhak Committee was permitted to supply food to the sufferers. I shall also tell hon. Members about the quality of food-rations distributed among the people on the 15th September. The congress workers of Fateh Garh Churian carried rations and saved the lives of several persons even at great risk to their personal lives. They crossed several places by tying ropes round their waists. Then on the 9th September, these public workers came to the rescue of the residents of Dera Baba Nanak. The Government did not supply food to the people of Ramdas till the 15th September. Shirmoni Gurdwara Prabandhak Committee started langar for the help of these persons. The Tehsildar himself was stranded in that village but nobody cared to provide any aid to those people. The Sub-Inspector Police stationed there rendered commendable service to the sufferers, even though he

had to procure food-grains in the black-market or by some other means. But I am sorry to say that the officials on the whole did not show any courtesy to the public. They think that there is no need for getting the cooperation of the public in their work, when medicines, rations and everything else have been placed at their disposal by the Government. Besides this they think that whenever necessary, they can depend upon other resources as well. In this way, they do not care for our cooperation on account of the public money placed at their disposal and behave arrogantly with the public. They remain quite complacent for the simple reason that they send reports to the Government, while they care a hang for the poor people. In this connection, I would like to place an instance before the House. The Deputy Commissioner of Amritsar, I admit, did valuable work at the time of evacuation of the displaced persons. The hon. Giani Kartar Singh also commended his work the other day. But when we see even a small flaw in an honest and hard working man, it looms rather large. If the Deputy Commissioner does not behave properly, not only he himself becomes unpopular but we also share the same ignominy. People in Amritsar District have been saying that the Congress holds out only empty promises to the people. As a matter of fact the officials have been running such 'paper horses' in Amritsar district. For instance, I draw your attention to the propaganda that has been carried on with regard to relief in Amritsar district. It was reported once that 200 snakes were crushed to death under the car of the Superintendent of Police, as if his car had entered a field where snakes grew. Again it was said that 200 lakh maunds of chaff were being rushed to the flood-stricken areas and 20 medical squads were touring the area to give medical aid to the sufferers. After reading all these news, who would not believe that the Government has done everything by way of providing relief to the flood sufferers. The fact of the matter, however is that the public workers and scouts who offered to go to places after wading through water to bring lists of the requirements of the people, were denied any facility by the Deputy Commissioner. He told them that they could do whatever they wanted entirely on their own expense. How could those scouts do any work at their own expense. I think, the Deputy Commissioner ignored the very idea of public service. If the Government really wants to help the sufferers it should get the support of all the public bodies such as Sewa Samities, Lok Sewaks etc., which are engaged in the relief works and should also constitute a central committee for this purpose.

Besides this, I want to place a few suggestions before the Government. The system of distribution of rations, which is being followed at present, is defective. People are given free rations for one week, but in fact they get it only for two or three days. A lot of their time is wasted in procurin

[Shrimati Dr. Parkash Kaur]

rations. This time should, in fact, have been utilized by them in building some shelter for themselves in view of the approaching winter or in cultivating their fields for sowing the next crops.

There are three types of sufferers among the people. Firstly there are the people who possess land and who have standing crops also. Secondly there are those whose crops have been ruined. The third type of people are those who have lost everything and who are left with nothing to fall back upon. It is for this type of people that the Government should sanction the issue of food rations on monthly basis and it should be continued for, three or four months. Meanwhile, they should be provided with some work also.

One word more and I have done. The recent floods have been of two types. Firstly there are the floods in rivers and secondly the floods on account of heavy rains. We pointed out in the meeting of the District Board also that a dam should be built to save the areas lying near the river. This is a very necessary step which the Government should take in order to safeguard against floods in future. Sir, as the time at my disposal is over, I would hand over a copy of my suggestions to the hon. Chief Minister.

Mr. Speaker : I would suggest that the hon. Members should give their suggestions in writing to the hon. Chief Minister and in order that these suggestions may be included in the proceedings of the House they should place one copy on the Table of the House. In this way they will be able to utilise their time better.

Shri Prabodh Chandra : Sir, the purpose of narrating these facts and giving these suggestions on the floor of the House is that our electorate may know what we are doing for them.

Mr. Speaker : That is why I have asked the hon. Members to place their suggestions on the Table of the House, so that they may be incorporated in the debates.

Shri Dev Raj Sethi : Members want that what they say should be published in the press also.

Mr. Speaker : Then they can give one copy to the press as well.

STATEMENT LAID ON THE TABLE BY SHRIMATI DR. PARKASH KAUR.

A plea for the tehsil of Ajnala in the district of Amritsar and tehsil of Batala in Gurdaspur district.

The fact that the tehsils of Ajnala and Batala of the districts of Amritsar and Curdaspur respectively deserve a special priority in the development programme of the Government has been very much brought to the forefront by the recent floods which have devastated these tehsils to an unprecedented extent in the history of the Punjab. This recent destruction has also brought home the urgency of this problem. The population of both these tehsils was predominantly Muslim before the partition. The migration, to Pakistan, of this 2/3rd of the population resulted in widespread damage to the houses and in laying waste of considerably vast tracts of cultivated land especially near the Indo-Pakistan border which was mostly populated and owned by Muslims. The earlier devastation and the recent destruction have given such a blow to these two tehsils that it is well-nigh impossible for the people of these tehsils to recuperate without some extra-ordinary help from the State and the Central Government.

That these tehsils did stand in need of the help from the Government to be able to stand on their own feet, even before the partition, was recognised at that time also, and therefore they had been given priority in the Post-war Development Scheme of the United Punjab; both these tehsils had been selected for concentrated development in the first 5 years' programme of the Scheme.

These two tehsils lie on the most important portion of the Indo-Pakistan boundary both from the trade and defence point of view. It is also recognised, not only by the residents of these tehsils, that in the case of breaking out of any hostilities between India and Pakistan, which to a smaller or a larger extent, is almost a natural phenomenon between neighbouring countries, the first impact will have to be borne by these tehsils. Therefore the refugees from Pakistan did not relish the idea of settling in these border areas even before the floods. It is also a settled fact that the land of these tehsils, for the most part is inferior to that of the other places because of the lack of irrigation facilities, and this is very much so in the areas nearer the border. This inferior quality of the land is a big repellent to the new settlers and the old inhabitants of these areas. A very vast majority of the new settlers and the original inhabitants are small owners and so haven't enough vested interests to make them stick to this place even under such adverse conditions. Can living in these areas be any attraction under this threat of floods, which have come every year since 1947 above the normal undamaging level, and a lurking impression that their home and hearth, the result of years of hard toil, may, at one time or other, come under the heels of some enemy forces? I have heard many people say that they intend leaving their small unproductive holdings in these areas and go and work even as tenants at places where nature is not constantly after

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destroying them and the enemy can only have a very remote chance of devastating them. Many of the people who went to the colonies in the western portions of the Punjab lived, in their original villages happily free from any danger from nature or enemy ; they migrated simply because their original holdings were very small. Cannot they now leave their small and unproductive properties when they have an idea that both nature and man have conspired against them at their present places ? Now the people are very near losing their nerves and if something is not done very soon, in the way of effective relief at this unfortunate hour and then permanent development of these areas, the tehsils may be, especially near the border, bereft of their small holder and the farm labourer. The small number of middle class holders who may be left behind will then find it very uneconomical and unsafe to stick to their homes ; their might be only one or two big holders left ultimately in these areas but one swallow does not make a summer. All this is not mere imagination on my part but is well illustrated by the condition of Ramdas and Dera Baba Nanak towns even before the floods. This is also a fact that whatever little demand there was for being settled in these tehsils has absolutely disappeared after the recent floods ; this is what a very responsible officer of the Rehabilitation Department told me. If some special effort is not made to make the Ajnala and Batala tehsils very attractive to live in, I am afraid they may very soon form the picture of a scorched-earth policy of a defence force. From the defence point of view also this state of affairs will not be without danger ; one important principle of defence is that the area to be defended by the forces should not be an uninhabited tract but should be populated by friendly people having a proper type of grit and a deep affection for the place of their birth and toil.

As far as Law and Order in these areas is concerned the less said the better. Thefts of the live-stock are a very common phenomenon as the animals stolen can be very easily made to cross the border into Pakistan. It is very easy for the bad-characters to obtain illegal fire-arms from Pakistan but the law abiding people are granted licences very stingily especially for sometime past ; this leaves the law abiding persons very much at the mercy of the bad-characters.

Already the Radcliff Award had left many villages of these tehsils on the Pakistan side of the Ravi and now these recent floods have made another danger of the river loom large in the eye of the public in general. The Ravi is changing its course. Every year it is taking under it large tracts of land on the Indian side especially in Ajnala tehsil. The feeble voice of the people of the Ajnala tehsil, so very often raised, has not been able to draw the attention of the Government to any effect. If the Government does not take immediate steps to prevent this a very vast tract of land

will, in a couple of years, be lost to us and, most probably, given over to Pakistan. The free nations of the world have fought many a bloody war for smaller pieces of land than the one in danger now. Not a very large amount of money spent at this time can save this valuable piece of land ; valuable not due to its production alone but more due to the fact that if it is washed away our defence line goes still inwards and the strategic area between the Ravi and the Beas will be reduced. Although we are short of finances but is it a good policy to try to be stingy with the pennies which spent at the proper time might save pounds. The loss of this land will result in throwing the original inhabitants and the new settlers of that place on the hands of the Government as another set of refugees for being rehabilitated somewhere else ; I don't think that the Government is in a position to accomplish this when there is already such shortage of land in the State.

It is not only from an idea of sympathy and humanity that we should look upon the development of these areas, the good of the whole of the country demands that the people of these tehsils be kept happy, satisfied and devoted to their homes.

It is thus important that these tehsils of Ajnala and Batala should be developed to such an extent that, apart from the sense of patriotism, the inhabitants of these areas should consider these worthy to live in and die for.

Fortunately the crisis after the recent floods is past and the people of the flooded areas have come out without much loss of life although they have been turned penniless and have no roofs over their heads. All credit for this goes to the people of these areas ; almost nothing was done by the Government or its officials to send help to them when they were most in danger and needed it the most. Where the Government officials with all their possible resources were nonplussed and showed their inability to do anything but pray for the people in the grip of the flood what could private enterprise do ?

Now there are two very big problems to be tackled. One is the urgent problem of helping the people to carry on for sometime and the other is the setting of the people on their own feet and the development of the area. Without some concentrated development of the area it will be well nigh impossible to set the people on their feet because their confidence in their ability to resist the now almost persistent onslaughts of nature has been shaken. The urgent help and the long term development should be co-ordinated in such a way that the one does not hinder the other in any way. The most important thing is to declare unequivocally the determination of the Government to make the tehsils of Ajnala and Batala something

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of a paradise to live in and lay the important headings of the scheme before them. This will restore confidence of the people and befit them better for bearing the hardships which are facing them in spite of what the Government might reasonably be able to bring forth as an urgent short term help to them.

The short term and the urgent help to these areas can be broadly classified as follows :—

1: Means for enabling them to carry on till the harvesting of the coming crops because the crops which were to be harvested in these days have been completely, or nearly so, destroyed. These comprise :—

(i) Rations. (ii) Clothing and (iii) Fodder.

For the proper distribution of all these things a quick survey should be made with a view to dividing the people in the following categories ;—

(a) Those who are well to do enough to be able to manage without any rations from the Government either because their things have not been washed away or damaged to such an extent that they might be forced to obtain these things from outside on payment even to any out of the ordinary extent or because they have means enough at their command to manage things on their own. These people do not need any short time help.

(b) Those who are not in as good circumstances as the category (a) but can manage to buy rations if offered at cheap rates.

(c) Those who need free rations.

Categories (b) and (c) can again be divided into those who need help for a short time and those who need it for a longer time.

Whether a person needs help for a short time or for a longer span can be decided by taking into consideration his comparative means of earning his livelihood or the method of earning of the livelihood. For example a person with poor and smaller means of earning his bread will need the help for a longer period than the one with comparatively better means ; the person whose type of work enables him to make some money on daily or weekly or monthly basis will need help for respectively increasing period, and the person whose work depends on the type of agriculture which yields him returns only after his crop comes in will need help till enough of his crop comes in to enable him to do without any help. This is very very important as giving help to all for the same period will be very hard on the peasants and the poor people.

As the time goes on the categories of the thus scheduled persons can be revised so as to move the fit persons into the higher categories thus lightening the burden on the short term scheme.

A suggestion has been put by many that lump sums should be given and the people left to fend for themselves. This method has two main defects. The first is that there are every chances for the petty officials and some non-officials to force the deserving to part with some of the money given to them as illegal gratifications ; the second is the fact that as the food grains and fodder have been destroyed in the effected areas it will be as difficult if not more to manage to buy these things than obtaining the money to buy them with. When any difficulty is experienced in buying the essentials in the required quantities at once the money obtained will be spent on less essential things and then difficulty experienced in obtaining the essentials after a short time. This money thus given is also likely to be obtained by persons who really do not need it and who will spend it on things different from what it is intended for.

All these things should be issued on ration cards because most of the rations given or sold at cheap rates without ration cards and complete accounts are likely to go under ground. A big mistake in this connection has already been made ; at some places the Pakka Arhtia Associations have been allowed to sell food grains at the cost price without entering it on any ration cards. It is more likely that for every maund that these people sell to bona-fide sufferers at cheap price three maunds will go under-ground to be sold at much higher rates in the blackmarket. Thus will these Associations be able to pose as the benefactors of the people and at the same time fleece the public.

2. Medical aid for humans and animals. Malaria is already rampant in the flood affected areas and is likely to increase still more. Antimalarials should be sent to the places very soon, as has already been done, and in large quantities which are still very lacking. To save these valuable drugs from being wasted or improperly employed medical squads for the season should be organized under the control of qualified men. Willing voluntary workers wherever available may be co-opted in this work. As the exposure and the lack of proper nourishment is likely to result in the people catching the diseases of the cold season to a much more extent than normally appropriate drugs should be supplied in appropriate quantities to the available hospitals and dispensarias in the area.

No less important is the likely out break of the diseases of the animals. It is a common complaint that proper vaccinations have not been carried out against these diseases even before the floods and the reason given by the

veterinary people in [the rural areas] is that no vaccine [was available]. This state of affairs, if correct, should be at once ratified. A large number of animals have died before the flood and if it is not effectively checked now the peasant will be ruined beyond redemption.

3. Shelter. This should be organized with an eye on the long term development. This is a time which can be used for an extensive building of model villages in a concentrated area. If much money is spent on random building of shelters, houses or otherwise, it will be the wasting of the money which could be spent on proper development. On the other hand some shelters are needed in the coming cold season.

The tents which were promised by the Government have not been distributed in the proper way or in right numbers. Complaints are that in Batala one rupee per tent has been squeezed out of the flood-stricken people by the petty officials of the tehsil. Such matters should be publicly enquired into and the culprits awarded exemplary punishment.

The tents supplied by the Government are nothing less than a joke. They are so small that only one charpai can with difficulty be accommodated in them. They should be exchanged at the earliest or one tent of this type given to each member of the family. At least two big tents per family should be allowed.

People should be encouraged to build cheap and temporary shelters pending the construction of proper houses in model type of villages which work should be expedited at top priority.

4. Relief from Government dues. I am glad that Government have announced remissions in land revenue and abiana. Care, however, should be taken that this help to the people is not turned into a farce by the petty canal officials who might try to take gratification for making the needed reports. Liberal rather than stingy methods and estimates should be made in these remissions. People should not be asked to apply for these remissions, a survey of the effected areas should be carried out by the canal department and remissions announced. After these announcements time should be given to people to appeal in individual cases or on one application for many people of the same village if they think that justice has not been done to them. The same procedure should be followed in the case of land revenue.

These remissions should not be confined to those areas only which have been directly affected by the river, the Sakki and the Hasli Nalas. Very wide spread damage to the crops have taken place all over the districts of Gurdaspur and Amritsar especially in the tehsil of Batala where the police stations of Batala, Dera Baba Nanak and Fatehgarh have been specially

affected. Ajnala, Amritsar and Taran Taran should be treated on the same footing as the areas damaged directly by the river or the Saki and the Hasli Nallas.

5. Help in earning the livelihood. Two types of people require this help. The first are the people depending on agriculture and the second are the labourers who do not depend on land only or mostly.

As far as the people depending on agriculture are concerned they stand in the need of very active help not only from the point of view of their livelihood but also from the point of view of the food growing in the State. The season for the sowing of wheat and other crops of the season is fast flying but the land in the flood affected area is still either under water or at least too wet for cultivation. When the land has dried sufficiently there will be very little time for the preparation of the land; even the areas which have the proper amount of moisture at this time cannot well be prepared. For any reasonable chance of having anything resembling a medium sort of wheat crop help must be given to these areas in at least their first tilling of the land. This can only be done by sending all the available tractors in the State of Punjab to these areas for some time. The few tractors now available in Amritsar and Gurdaspur districts are too few to be of any help. These tractors should till the land of the agriculturists and the bare expenses of the oils and the operators' pays be charged from the people from the next one or two crops. If some people want to buy tractors all facilities should be given to them.

The second need of the people is the supply of seeds at the proper time and of the proper variety. Arrangements for the supply of wheat No. 228 for late sowing should be made. The seed should not be distributed through the food-grain licensees or the people who have got anything to do with the sale of the food-grains. It is a common complaint that the food-grain licensees mix inferior wheat unfit for sowing purposes with the seeds and either use the seed wheat for their own family consumption or sell it to others at higher rate than they could obtain for the old inferior wheat. This results in a very poor growth of the crop and is nothing less than swindling. If the wheat seed is distributed by someone who cannot otherwise store or sell wheat this adulteration of the seed would of course be very much reduced.

Seeds should be given on Taccavi basis to the deserving persons. Either wheat or its price could be collected from these people at the time of coming in of the crop in one or two years.

The second type of the people in these areas namely the labourers who either do not work in the fields or do so only partially can be helped by employing them for rebuilding the roads and the railway lines or other

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Government property damaged in those areas by the floods or otherwise. It should be made a principle that labour is not to be imported from other areas if any is available in those areas. In order to stop any farm worker from leaving that work, thus reducing the chances of a good crop, no employee of any farmer should be at this time employed on the above suggested labours.

All aid except the medical must be given strictly under the official control and the grinding of political stones by individuals should not be allowed in this humanitarian work by giving the distribution of any of these things in his hands or his advice. There is enough scope for the political and the social worker, if he so desires, to serve the people by keeping an eye, on his own, on the fair distribution of the Government aid.

All distribution of seed and other help must be made from a fair number of centres so that people may be able to reach these centres fairly easily. No technicalities like the rules that only a previous food-grain licence holder should only be given the work of the seed or ration distribution should not stand in the way. These abnormal times need effective measures and not the red-tape which helps particular persons in earning money at this time also under the pretext of licences etc.

The long term aid to the Ajnala and Batala tehsils

Only a short term aid or even a half hearted long term scheme can never, I am sure, restore confidence in the people about the life in the areas so near the border when they have been so badly treated by nature. If the Government is at all serious about their declarations that have all sympathies with the effected people, and if they realize the importance of keeping the border people satisfied with their lot and devoted to the place of their birth and toil and, above all, to their country, they, the Government, should formulate a comprehensive scheme for an early development of these areas. This scheme should visualize such a development of the place that people from all over the country should hanker after getting a place in these areas to live in and it should be an example, not only to our own country, of what a portion of any country should be developed like.

After forming such a scheme the Government should declare unequivocally that they intend to give effect to that scheme at once so that the people should know that they will not have to wait for any length of time in making whether the Government means business; if the Government does not, then start things in right earnest quite soon, the people, if they so desire,

should have time to make arrangements at some places where they haven't to be always worried about their life and property.

The development scheme for these areas should mainly look to the following things :—

1. Increasing the production power of the peasants and the labourers, which are interdependent mostly, and so better their economics condition.

2. Build and encourage the building of model villages on flood-proof lines where the inhabitants of these areas could live without fear of floods or enemies.

3. Digging drainage channels so as to provide an easier passage to any flood water which may in future come in those areas. Also building of flood bridges under the roads and railway lines and widening the bridges on the Kiran or Sakki nal.

4. Building bunds so that the river cannot take any land under it and protecting the villages near about from the normal annual floods in the river which for some years past have played havoc on the lands and gardens of villages of the tracts along the Ravi.

5. Supplying the means for their education as without proper education no country can develop to any extent.

6. Building means for the conveyance of the produce of the areas to the markets.

7. Providing means for the taking care of the health of the residents of the place.

I. Increasing the production power

1. The first and the foremost step towards achieving this end is the compulsory consolidation of holdings. The Government should give top most priority to these tehsils in this matter. Other places can wait a little if the means of the Government do not allow this work to be begun elsewhere also if both the Ajnala and the Batala tehsils started on concentrated consolidation work. Consolidation charges may be charged, if at all, from the badly effected people and the very poor along with the land revenue in one or two years.

2. Canal water is very scarce in these tehsils and none of it is available in vast tracts along the course of the river Ravi and the nala Saki or Kiran and in the areas in between the two. Large areas of land are thus lying as waste land because of very unsatisfactory facilities of irrigation; in a very

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large proportion of the land not even well irrigation is available. This can be remedied by the supply of the electric power. The Government has so very often given their pledge to supply electricity for agricultural purposes but nothing so far has been done. The excuse always given is the shortage of the material. It is fortunate that these tehsils lie not very far off from the source of the power, Jogindar Nagar, and so very long lines will not be required for this work. The importance of irrigation by means of the electric power has long been recognized and a scheme for tube-well boring in the area between Ravi and the Saki in the Ajnala tehsil has been under consideration since many years. That scheme should be hurried through. There is a great clamour for electricity in these areas and I have already written to and approached the authorities about it. Once the current is supplied to these areas I am sure many industries will crop up here and the towns of Ajnala, Ramdas, Dera Baba Nanak and many others up along the Ravi's course will again pick up their former importance and even go much beyond that.

This is the most important demand of the people. The Government should declare that they have stopped all the other supply scheme in the State till these tehsils are properly and widely electrified. This step alone will go a long way in restoring the confidence of the people.

3. Such vast tracts of land are lying waste and are being eroded by the river and different nalas and the going away of muslims has resulted in such a shortage of labour that nothing short of extensive farm mechanization can enable the son of the soil here to develop the potential possibility of his land. Except for a very few landholders the economic condition of the people in these tehsils has gone very much down in these years after the partition because of the shortage of farm labour due to the migration of Muslim to Pakistan; even the middle class landholder is not in a position to mechanize his farm as the cost of the machinery is high. Some facilities must be given in this connection. The Government should lend as much money for this purpose as possible. A scheme for Taccavi loans for this mechanization is already present. Only refugees can benefit from that scheme. Let this scheme be extended to the non-refugees also.

The money which the Government might be able to lend thus can hardly be sufficient for effectively mechanizing these tehsils. This can only be done by attracting private capital to these areas. Financiers should be encouraged to finance the purchasing of farm machinery. Many financing concerns at this time finance the purchasing of motor lorries. Now that the Government is pledged to nationalization of transport, this side of the business of these firms is liable to cool down and if encouraged this money can be switched on to the farm machinery.

Some of the financing concerns had under their consideration some sort of schemes for financing the buying of tractors. None of these schemes has materialized because, I think, two very important obstacles stand in their way. The first is the fact of these areas being the border tehsils of the border districts which are cut off from the inner parts of the country by the river Beas. The financiers are naturally afraid that in the event of any hostilities between India and Pakistan the machinery in these areas might be left behind thus endangering their money. The second is the fear that the landholders might not pay the money back. If some arrangement is made to safeguard the financiers against these dangers, the Government might be able to induce some financing concerns to invest capital in these tehsils.

The first of these fears can be easily overcome by inducing the Insurance Companies to insure the farm machinery against war risk too; ordinary insurance of this machinery is already in vogue. The very assurance by the Government that in the case of any emergency the Government will do their best to help the removal of this machinery farther inwards in the country to safer places by giving them the priority and if possible timely warning might be sufficient inducement to the Insurance Companies. At the most the Government might, if possible, agree to share to some extent the risk to any piece of machinery which might be left behind the probability of which is not much. The amount which the Government might lose in this contingency may, at a later date, be recovered from the owner of the machinery if it is found out to be due to his fault which resulted in the machinery being left behind. Thus the Government does not stand to lose anything worth mentioning if they decide to encourage this scheme, on the other hand this will be of great help in the development of these tehsils.

The fear that the landholders might not repay the money to the financing concerns can easily be set at rest if the Government declares that this amount will be realisable on the same footing as the land revenue and if applied for, the Government will recover the amount through its officials along with the land revenue according to the instalments already agreed to between the parties. The immovable property, landed or otherwise, of the purchaser and his partner or partners which might or might not have been pledged as a safeguard for the loan might be made attachable on the same footing as the Government revenues. In view of the urgency of the problem an ordinance can be promulgated embodying these suggestions. Merely these assurances by the Government will, I think, induce the investment of capital for this purpose on reasonable dividends. A very big problem of the growing of the food will thus be solved to a very large extent.

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As far as the availability of the machinery is concerned, the Central Government may be asked to divert most of the machinery to the Punjab offering facilities of freightage etc. to the dealers of this machinery or getting some machinery imported on this condition.

The absence of a large number of landowners who might have farms big enough for mechanisation is no bar to this scheme. There are quite a number of farms of the proper size but the smaller owner is no bar. If the owner, for example, of a farm of about 100 acres or even a little less buys a tractor, he will have at his command much more ploughing or tilling capacity than he can ever need on his own farm. He will have to use this surplus capacity on some other farms, otherwise if the tractor stands unused for any length of time the operator's pay will be a needless burden; if nothing else the owner of that tractor will try to keep the tractor busy even if he has to do it so cheap that he saves only the operator's pay, the depreciation of the machinery, the repair expenses and the oil and fuel cost. This meeting of the expenses on the tractor and its depreciation from extra work will not be disadvantageous to its owner if he can work well on his own farm into the bargain. Thus this private owner will help the neighbouring farmers with his tractor at very cheap rates. Thus if one tractor is present in two or three villages or in one big village it would be a great asset. The Government rates for leasing out the tractors are very high, the rates of some private firms are lower than the Government's and I am sure these private owners will come out to be the cheapest as it will be to their advantage to lease it even on no gain no loss basis for the sake of making the tractor earn at least its depreciation and the pay of its operator over and above its repair, oil and fuel expenses. There is a great demand for the tractors on hire even at the Government and private firm rates wherever the people have seen the work of the tractors at close range and there is no fear that the tractors thus purchased by small owners will lie unused and so come out to be very uneconomical.

In the case of small owners who haven't land enough even to act as a reasonable footing for the tractor as visualized in the above paragraph, more than one owner may make a sort of a co-operative society for working the tractor and each one of them should be made responsible for his share of the money advanced by the hire-purchase firms.

4. Reclamation of land. Large tracts of land have been taken under by the river. Beyond the actual bed of the river the land is every year being eroded by the floods so much so that the inhabitants of the area are afraid that if nothing is done to check the thing the river may anyday change its course. Many villages have badly suffered in this way. Mighty loudly have the people of those villages and their representatives cried for

a few bunds which may cost only a few lacs and save land worth millions not to speak of the other advantages (strategic, political and psychological) of saving these villages with their brave guardians of the gate to Pakistan,

Large tracts of 'banjar' land which is lying useless at this time is being eroded away at a quick rate by many different 'nalas' running in the area. It is very important to stop this erosion and reclaim the land. The Government should take this matter in their hands very seriously; land reclamation goes on in the district of Karnal etc. which may be developed a couple of years later but no thought is being given to the border areas which are so very important and whose development, if delayed, may cause incalculable harm to the country if the people get discouraged and go to what they may consider to be safer and more productive places. So chain type tractor, bulldozers and earth-movers must be brought to this place and work of reclamation of land begun at once.

5. Large tracts of 'banjar' land lying in Dera Baba Nanak, Ramdas and Ajnala police-stations, can be very well used for extensive dairy farming before or after the reclamation of these tracts. The Government can give a great fillip to industry by subsidising the starting of it by the people of that place, by importing or helping in importing improved breeds of the milch cattle and by establishing centres for the purchase of milk, cream and other milk products for the military. This may result in starting up to-date dairy farms at some places there which may start the tinning of butter, cheese and other milk products. In fact extensive dairy farming on modern lines might be established here.

6. A lot of paddy is grown in these tehsils every year. The paddy straw is used as a fodder but is a very poor fodder in the opinion of the agriculturists. It is sold very cheap. It can be used in the paper making. If a small factory is built here it could be a source of paper to the province as well as a source of income to the grower of paddy.

7. Sometime back it was rumoured that a sugar mill was going to be started in the District of Amritsar near about Majitha. The possibilities of a sugar mill at Amritsar or near about Majitha should be explored. This sugar mill, if started will be a God sent boon to the district of Amritsar and some portions of Gurdaspur.

8. An Agricultural farm should be established in each of these tehsils. These farms should be run on business basis. The common complaint of the people is that the present Government Agricultural Farms do not show any profits; they say that if the scientific methods were of any use practically, these farms would be showing some profits. If some such farms were

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to work on scientific basis and show profits with the means which could be at the command of the people round about the place, it would bring round more people to the scientific farming than a hundred exhibitions and many thousands of pamphlets and posters. We should tell the people by precept that the scientific farming is within the means of the average farmer and more so within the means of the poorer type of men.

9. Green manure seeds should be supplied as before free of any charges. The difficulty experienced by most of the farmers is that green manure crops cannot very well be buried under the soil for disintegration with his ordinary turn-ploughs. During the season when this manure crop is to be ploughed under the soil, the farmer is hard pressed for the other ploughing and very few people can manage to do that extra-ploughing. This is why this type of manuring though very useful, and the usefulness is recognised by the farmer, is not being carried out to any extent. The Government should fix very cheap rates for ploughing these crops under the soil with the tractors meant for hire. This will be a very important part of the compost making scheme of the Agriculture Department and the grow more food drives of the Government.

10. A great portion of the profits from the farm products are lost to the farmer because he has to spend a lot on transporting his produce into distant markets. This also results in a great loss of his precious time. This can be well remedied by opening grain markets at centres lying amidst the growing areas not far from one another. Food grain licences should be issued more liberally in the rural area on this condition that a person applying for a food grain licence must be working in the food grain trade for some time. The co-operative department should be asked to start co-operative societies for this food grain purchasing direct from the villages, if possible.

11. Hardly any village has a kacha or pakka road leading from it towards any main road so that it can be used for the transport of the farm products to the markets. The village roads are only present on the maps with Patwaris etc. They have been completely taken under by the men who own land on either side of such a road. This has been done to such an extent that the very trace of any road of any sort of approach to many villages is conspicuous by its absence. Ordinarily some one from the village should bring a complaint before the tehsildar or other proper authority to get the ways left open by the people who have taken them under their cultivation. This is a lengthy process and no one undertakes it especially when it is likely that the people made to leave the paths open might become his enemies. Even if some body undertakes this work once, the status quo is again established the moment the authority turn his

back after demarcating the path. The only way to manage the thing properly, and the thing is very important, is to make the tehsildars responsible for keeping these roads free from encroachments. This should be a point specially to be noted at the annual inspection of the tehsil and the police station. The encroachment of the road should be a cognizable offence. A small amount of effort and supervision by the tehsildar and the police will keep these approach roads open and contribute a lot to the development of the country.

The approach roads on the low lying areas may be raised above the surrounding level and where necessary made pacca. Building pacca roads in a short time should be our declared goal.

12. Flood-proof houses. Although the floods this year were extraordinarily heavy and so were the rains, the areas which suffered the most in these floods do suffer considerable damage every year. Now that about 95% of the houses have been completely razed to the ground by the recent floods, we should make the best of the bad bargain and try to build model villages on the sites of these villages. A plan for a useful and healthy type of a house should be prepared at once. The plan which has been very often exhibited at different places is hardly a good plan and the people who do know the needs of the peasant have been heard to remark that these plans have been prepared by a person who has a book knowledge but has no experience of village life and so there is much to be desired in that plan of the model village house.

The village site should be marked on model lines and the plots allotted to the residents of the village. Then they should be told that they have to build a particular type of house so at this time they should build temporary shelters.

The engineers should be asked to at once complete the way of building a flood-proof house. The walls of the houses should be such that they are able to withstand the floods which judging from the conditions might visit us every year, to some extent if not as bad as the last floods. I am quite sure such houses will need burnt bricks. The Government should encourage the running of brick-kilns in this area by asking the Central Government for free supply of coal for burning bricks and I am sure the Centre will oblige us if they know that it is for the burning of the bricks to be used for the reconstruction of the flood stricken area. These bricks should be sold to the people at control price so that they are able to take advantage of this help. The people might buy these bricks with the money given to them for the building of the houses.

[Shrimati Dr. Parkash Kaur]

Galvanised iron sheets should be supplied on very cheap rates. These roofs should be built on the lines they are built in the hills. People have to rebuild nearly all their houses now; why not induce them to build it on healthy and flood proof lines even if they are dearer now. They will certainly prove cheaper in the end. They have very naturally to build slowly, therefore, if they are made to understand and confidence about the coming development of their areas is created in the people, they will co-operate in all this.

13. Bunds to check the flood water in the river from flowing into the villages on the bank of the Ravi and water drainage channels in the areas which suffered because the water hadn't enough drainage channels to pass on quickly, flood bridges on the roads and railway lines and supplementary bridges for the nala Kiran or the nala Hasli near the existing bridges should be constructed.

It is said that since the building of the bridge over the river Ravi near Dera Baba Nanak the current of the river is so directed, somehow or other, that it has started changing its course. Police Station Ramdas is the main sufferer from this and villages near about Ghonewala and Kamalpur are the main targets. Three bunds built at an approximate cost of 3 lacs will save this area and the people have been clamouring for them.

Flood bridges in a large number should be built on the Ajnala Ramdas road and Hardorawal-Dera Baba Nank section of the railway at places where the breaches in the road and the railway line have taken place; these breaches have well pointed out the places where these safety valves would be most useful. The nala Kiran overflows its banks every year. The span of the bridges on it is so small that they obstruct the proper flow of the water in it when in large quantity except the very moderate quantity that flows under it. These bridges should be widened.

The water drainage channels have long since been filled up. They should be cleared and widened. There are so many of them in these areas.

14. Although there is a shortage of schools for the boys also, need for the girls' schools is very much felt in these areas. There is no girl's school worth the name in these areas. The opening of a few girls' middle schools and one or two High schools would go a long way in restoring the confidence of the people. These areas should be treated on special footing by the Education Department. Under the existing conditions it is not possible for the people there to help in the opening of these schools with money

or buildings. So the Education Department should go forward with the opening of these schools without delay and without demanding anything from the people. At least five girls' schools are very much needed in both the tehsils in the portions near the border where waters have also taken a toll. Those suggested are Ajnala, Ramdas, Gagomahal, Kotli, Suratmali and Fatehgarh Churian. The District Board Amritsar has already agreed to open a girls' middle school at Ajnala. As Ajnala is a tehsil headquarter, the Board may be asked to make it a high school. It has been contented by the District Board, Amritsar that Ramdas being a Small Town Committee, it is not possible for the Board to open a girls' school there. Therefore a middle school or better a high school should be opened there. Fatehgarh is already running a public girls' school. This school should be given special grant and brought on the grant-in-aid list or better still this school may be taken over by the Government. As this town is the centre of a large important tract comprising both the Ajnala and Batala tehsils, it would be very useful if we recognise this place as the centre of education for these border areas and the Government open a High School for Girls there.

Gagomahal is a very important village in Ramdas police station on the Ramdas-Ajnala road. It is the centre of the worst flood affected areas and is a bad sufferer itself. A girls' middle school is very much needed here. This shows that I have not suggested anything without which things could be very well run. I have stated the bare necessities of the people.

15. The people round about Gagomahal and Kotli Surat Mali have to go very far off for medical help. District Board or provincial dispensaries are very much needed there. The fact that these areas are badly malaria infested also supports their case. The opening of a flood relief medical centre at Kotli Surat Mali is an indication of the need of a dispensary here. The midwifery was mostly done by muslim women who were in large majority round these places. So large number of health centres should be started in these areas and the co-operation of the doctors practising there sought.

In the end, I might say that the supply of electric power is the need of the day. Without tube wells the areas between nala Saki and river Ravi can never be self sufficient. Instead of a big transmitter being erected at Batala, it should be erected at Fatehgarh Churian which is situated at such a place from which lines can easily be spread all over the major part of Ajnala tehsil and quite a big area of the Batala tehsil. This town lies at a safe distance from the border.

[Shrimati Dr. Parkash Kaur]

The Government should declare their policy and intention of developing these areas on these suggested lines, and a very early start should be made to infuse confidence in these areas. Not only the people but Government will also stand to gain if these schemes are implemented early.

Sardar Kehr Singh (Jagraon, Sikh Rural) (*Punjabi*) : Sir, some of my hon. Friends have asked why there have been excessive rains this year. My explanation to them is that this year our Government attempted to increase abiana so nature has thrown larger quantity of water so that it may become cheaper due to increased supply (*laughter*). Sir, my submission is that due to these excessive rains and floods the condition in the rural areas has become extremely grave. There has been damage to crops, houses and cattle. The way in which the Government has acted has given a feeling to the masses that the Government is different from the people. (*Sardar Swaran Singh* : it is not a mere feeling ; it is a fact). So long as this idea continues to remain in the mind of an average man nothing good can be achieved. We have said so many things and have at the same time written to the Government so often but there appears to be no change at all. Those who are in power live at a place where there are no mosquitoes. How can they realize the pain of the stings of mosquitoes that bite people in plains? This year due to floods there are swamps everywhere in the State and so mosquitoes are increasing in number. Something should be done at once to save the people from malaria and other diseases. I am grieved to note that at present nothing is being done in this direction. Some persons are deputed by the Government to spray medicine over these swamps in order to kill mosquitoes. But these persons are dishonest and the people say that they only sprinkle water containing no medicine at all. Whatever medicine they get from the Government is sold by them. I request the Government to exercise strict control over them and to send honest persons only. Otherwise, the feeling that the Government is not of the people, is sure to persist. Sir, it is the crying need of the hour that those who control the destiny of millions should try to be as near them as possible. At present they neither live nor dress like the vast multitude of people. What to say of dress and living even many of them have no sympathy for the poor. I know of an officer of Ludhiana who, when I asked him to accompany me to the flood affected area, replied that his going there would not make the fields dry. Such is the sympathy that our officers evince towards those who suffer. When the poor people complain that the labourers are demanding unduly excessive wages, such officers laugh and do not remove their grievances. The officers sitting in Simla cannot imagine the hard lot of the people in the plains. As a matter of fact nobody here seems to have a soft corner for the sufferers. Under the circumstances, how can the people feel

that it is their Government? Unless a change is brought about, the masses cannot feel satisfied. Unless their Government comes into power, the sufferings of the poor cannot end. Such a change is quite necessary.

Shri Prabodh Chandra : We had a change some time back. Are you prepared for it again?

Sardar Kehr Singh : Yes, but I want a change for the better. But so far our experience tells us that one 'Lala' is changed by another 'Lala.'

Mr. Speaker : No such words should be used in the House.

Sardar Kehr Singh : I am sorry, Sir. What I mean to say is this that a person who feels for the rural people should control their destiny. At present the public are faced with manifold difficulties. In the villages we are unable to procure pacca bricks. Even the kacha bricks are being sold at twelve rupees per thousand. 'Methi' is available at forty rupees; fodder at twenty rupees and grams at about forty five rupees per maund although its control price is about twenty two rupees a maund. Black-market is prevalent everywhere in the State. It is a matter of regret that our Government is unable to check this evil. My contention is that if a Government cannot check black-marketing it should not impose any controls. If it wants that controls should remain then black market should be stopped with an iron hand. But unfortunately our Government cannot do either of these two things. The various departments of the Government have inefficient people who do not know the real needs of the people. There are such officers in the Irrigation Department who do not know as to when fodder crops require water. Some of the officers of the department have been heard saying that due to floods we no longer require water for fodder crops for the next four years. What an interesting idea they have put forth! They don't know that the present excess of water will not last long and that water would be required for irrigation purposes very soon. So what can such officers do for the benefit of the cultivators? As a matter of fact P. W. D. staff is always looking towards Simla for grant of money, because without these grants they do not feel like going ahead although they can easily pull on for some time in a spirit of service. Money is their main motive. They have no sympathy for the people. Under the circumstances, how can the people believe that this is their own Government? What is essential is that the good of the State should be foremost in the minds of each and every officer of the Government. Whatever the form of Government, it must work for the benefit of the masses. If this object can be achieved I am prepared to side with those who constitute such a Government in our State. What is needed

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is a good and a sympathetic administration. Take the case of floods in Jagraon and the consequent misery and hardship caused by them. The water from Jagraon went to Moga Tehsil. In Jagraon itself I have seen people in a miserable plight. Loss to crops and property is enormous. At present it is not known as to how many lives have been lost. But in spite of such pathetic happening the officers in Jagraon are not moved at all. They appear to be talking in the same old strain. Their arguments and unsympathetic attitude have failed to satisfy the people. God knows when the voice of the humblest will be listened to. At present there is a strong feeling among the masses that they are the subject and the rulers are quite different from them. Such a feeling should be banished from the minds of the people altogether if any progress is to be achieved.

Sardar Swaran Singh (Jullundur West, Sikh, Rural) (*Punjabi*): Mr. Speaker, I have toured that ilaqa of Nikodar Tehsil, which has been devastated by floods. It would be no exaggeration if I say that hundred percent Kacha houses in 350 villages have collapsed and a certain number of villages have been wiped out by floods in such a way that it appears as if they never existed on the map of Nikodar Tehsil. Besides, there is a large number of villages in which not a single house has been left intact with its roof as a result of torrential rains. I had an opportunity to meet a number of displaced families living in a village adjacent to Nikodar. Well, Sir, I know them since they were in possession of very good houses at Lyallpur and Montgomery and led a comfortable life there. I visited this village three days after it had been ravaged by the floods. I found those people in a miserable plight. The heart-rending cries of their children moved my heart to the extreme. Their women folk were sitting either on the railway track or under some trees on the road adjacent to the railway line. They had nothing, neither a tent nor a 'chhappar' under which they could take shelter. The villages of Be' ilaqa also suffered the same fate. They, too, have suffered hundred per cent devastation. I, therefore, submit that the foremost duty of the Government is to make speedy arrangements for the provision of some sort of shelter to these flood-stricken people. This is most urgent since it is not possible for them to secure any shelter for themselves. I fully realize that it is not an easy job to accomplish this stupendous task. But I may point out that in times of crises or when a catastrophe has overtaken the people, it requires a Government to adopt extraordinary measures for meeting that emergency. The calamity is so colossal that ordinary measures can be of no avail to combat it. The zamindars are in a quandary. If they do not build their houses there, they will go without a shelter and in view of the coming winter, which is approaching fast, one shudders to think as to where will their children and families take refuge. If they do not attend to sowing

of their fields, since it is a sowing season, then they will starve and so will this country at large because acute scarcity of food grains is bound to result if rabi crops are not sown. In other words if they arrange for their shelters, their crops will suffer and they will naturally starve. If they sow their crops then their people are sure to suffer for want of a ry shelter. In either case it is suffering and ruin that stare them in the face. Under the circumstances, it is most essential and the gravity of the situation demands that Government should lose no time to provide them with temporary shelters in the form of tents or common barracks so that for a month and a half they may be able to keep their families there and in the meantime attend to the sowing of crops.

Besides, I may also point out that very soon, the plains will be in the grip of a severe winter and for want of shelter the zamindars will fall an easy prey to the diseases and will thus become a further liability on the Government. I would, therefore, like to make a few suggestions in this connection. We should immediately make grants available to the small land holders as well as landless tenants. Those zamindars who possess a large number of acres of land should be afforded relief in the form of building grants. There is one thing more in this direction which requires the immediate attention of the Government. In the case of those villages, where there has been a wholesale collapsing of houses, Government should take steps without any avoidable delay to remodel the construction of the new houses on modern lines. At present, houses in the villages are not built in a planned manner. As you are aware, Sir, the streets are not straight but go in a zigzag way. This opportunity should be utilized in remodelling the construction of houses in the villages. There is no necessity of appointing a highly qualified engineer for this purpose. This task can be accomplished by a patwari even. He is only to issue instructions to the people to rebuild their houses in such a way that congestion and over-crowding of houses in any manner is avoided. But I think if this task is entrusted to the village panchayats, then the scheme of remodelling the construction of houses would be a great success because the institution of panchayats is most suited for this purpose. Besides the panchayats, can be very helpful in getting the low lying land, of a zamindar which is liable to be inundated, exchanged with that of another zamindar, which is arid but safe from the depredations of floods on account of its being situated at a high level. The panchayats can effectively bring about mutual exchange of such lands and necessary mutations of the same between the parties concerned. I hope Government will give their active and careful consideration to these suggestions and will see their way to give them a practical shape immediately.

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Then there is a persistent demand by the flood stricken people that since their crops have been totally destroyed by inundations they should be granted remissions in land revenue. This is a very reasonable demand, and it should be met with generosity. Now-a-days land revenue and taccavi grants are being realized from the zamindars. I suggest that immediate orders should be issued by the Government for their suspension, pending examination of this question. Since these poor victims of the floods have nothing to eat even, after all how will they be able to pay up their dues? I think realization of land revenue etc, would tantamount to perpetrating a great hard hip upon them at this critical juncture when they have been completely reduced to pauprism as a result of calamitous conditions created by nature. I, therefore, urge upon the Government, the desirability of issuing orders suspending the realization of dues recoverable from the zamindar for the present and adopt necessary measures in this connection after carefully considering the matter.

Then, Sir, no significance is being attached to the problem of providing food to these people who have lost their all. It will assume great importance during the coming months. I may point out that the crops of maize and bajra in the Nikodar Tehsil, if not completely destroyed, have been damaged partially and consequently the yield will be very meagre. As a result of destruction and damage to crops, the prices of food grains in the rural areas are also rising steadily. When the wheat, supplied in the rationing areas, was sold at Rs. 16/- per maund, it could be had in the villages at Rs 14/- per maund. Now the price of wheat, there, has shot up and it ranges between rupees 18 and 22 per maund. This is a very serious problem and Government should adopt effective measures to check the rising tendency of the prices of food grains and try to bring it down to a reasonable level. So with a view to meeting this contingency, cheap grain depots should be opened by Government. So far, as I understand, only a few such depots have been set up but their number should be increased to meet the requirements of the rural population. Even those cheap grain depots which have been opened are not functioning properly. They are kept open for a few hours with the result that people have to wait for a long time to obtain a small quantity of wheat. A labourer, who has to purchase wheat worth two rupees, loses his wage for the day, as it takes him the whole day to obtain the food grains from the depot. I think April is yet far off and the next crop will not be ready till six or seven months elapse. If the prices of food grains are allowed to take their own course, and soar high as the present tendency indicates, then it would become very difficult for the Government to control the situation. So provision of food and shelter are the fundamental

problems which the Government are required to solve by adopting adequate and immediate measures.

Then there is yet another point which I want to place before the Government for their consideration. In the worst affected areas total destruction has been wrought to the money crops of the zamindars. These crops of chillies and vegetables have been completely destroyed in the districts of Gurdaspur and Jullundur. Even the crop of Kapas has also suffered grievously. The zamindars generally paid up their duties like land revenue, taccavi grants etc., from the sale proceeds of these money crops. Now they are also lost to them. So the only ray of hope left for them is the sugarcane crop which has not been affected. But I understand that pressure is being brought to bear upon the Government by some sugar magnates for banning private crushing of sugarcane by the zamindars. Since gur is selling at a high price they don't want the poor zamindars to derive benefit of this. They want that the zamindars should sell the sugarcane to them at the control rates and they should themselves make immense profits from the manufacture of sugar. I would request the Government to desist from placing a ban on crushing of sugar-cane by the zamindars or controlling the price of sugar-cane. Any administrative control in this connection is bound to prove a failure as hundreds of thousands of zamindars cannot be jailed for violating that control order. If the Government took any such action they would be inviting trouble for them and causing unnecessary hardship to the already suffering zamindars. I may point out that many would like to manufacture gur with a view to consuming it in the coming winter in place of food grains which they have already lost due to floods.

Chaudhri Suraj Mal : But the Government want to crush the zamindars like the crushing operation of sugarcane.

Sardar Swaran Singh : But those who attempted to crush them in the past, got crushed themselves. (*Cheers*) Zamindars are a hard nut to crack. They cannot be suppressed. If we unite together and put our demand with one voice, no power on earth can resist it. If we do not allow ourselves to be carried away by sentiments and if we stand together shoulder to shoulder and face all the realities with a view to devising a solution of all our problems, then there is no power on earth which can stop us from improving the hard-lot of the poor people residing in the rural areas who not only constitute the majority of the population but also the very backbone of the Punjab.

Shri Prabodh Chandra : Bad leadership will stand in your way.

Sardar Swaran Singh : I was submitting Sir, that Government would be doing grave injustice if under the present circumstances it was decided to impose control on gur.

Sardar Jagjit Singh Mann : May I know from the hon. Member if gur is to be controlled by this Government or the Central Government ?

Sardar Swaran Singh : Something else is going to be done here but the people are opposed to that.

There is yet another point to which I wish to draw your attention. I do not know if some of my hon. Friends have, while discussing the flood situation, touched this important subject on the floor of this House as I was not present in my seat during the discussion. That point relates to the new situation that has arisen regarding the wells. I have had a chance to go round those villages where the water level of the wells has risen very high so much so that the local masons who previously used to undertake the repairs of these wells have expressed their inability to do the needful. I have also been given to understand that the masons told the villagers that previously they used to make the necessary repairs of the wells whenever their water level had gone down and that under the present conditions when the water level had gone very high it was not possible for them to do anything and that there was no remedy for it.

Sardar Jagjit Singh Mann : The people of Jullundur district are always in the habit of making such complaints.

Sardar Swaran Singh : My hon. Friend Sardar Jagjit Singh Mann has raised the point that we are always in the habit of making such complaints. Perhaps he is not aware of the fact that previously the water level of the wells had gone down three times the average level and at that time the local technicians came to the rescue of the villagers by undertaking these repairs. But now when the water level has abnormally gone up, and the local technicians find it beyond their capacity to do the needful it is therefore but meet and proper on the part of the Government to depute irrigation experts to devise ways and means to repair these wells. These experts should be asked to give instructions to the people of those villages in general and the local technicians in particular as to how these wells should be repaired and what steps should be taken to save the wells from the damage caused by the floods. If this is done, I am sure, they will not suffer in future. In case this is not done, I am afraid, the poor people of these villages who have on

houses to live in, who have been reduced to poverty and misery, may not be able to bring their lands under cultivation.

Chief Minister : I would like to know the suggestions for the supply of clothes and medicines.

Sardar Swaran Singh : So far as the supply of clothes and medicines is concerned, such facilities should be afforded to them to a certain extent. But so far as the supply of clothes is concerned, I cannot do without saying this that there is some defect in the administration of the Government. I do not know what the Government have done, but nothing has so far reached the affected areas. But I am of the opinion that instead of supplying these articles it would have been much better if building grants were given to them with a view to providing them with some temporary shelter.

Sardar Kehr Singh : No facilities whatsoever have so far been afforded to flood-stricken people of Jagraon.

Sardar Swaran Singh : My hon. Friend who has just now voiced the feelings of the flood-affected people of Jagraon Tehsil would be surprised to hear that the same is the case with the flood-stricken people at Nikodar. I do not know whether any amount has been sanctioned by the Government for this purpose and if at all some amount has been sanctioned, I do not know how much. However, I would like to bring this point home to the hon. Chief Minister that the flood-affected people have not received anything so far and if at all they may have received anything that too must be in a very meagre quantity.

Arrangements have been made about the supply of medicines. It will not be out of place to mention here that the charitable institutions are also distributing medicines in the affected areas to the needy people. However, I do not think the problem of supplying medicines is so vexing. The hon. Chief Minister will be amused to hear that on enquiring from the people of the affected areas whether they wanted the Government to do anything for them, they complained that except sprayers, who would often come to see them and spray potassium permanganate in their wells no one else came to them for providing shelter and other immediate requirements.

Chief Minister : This is anti-cholera and anti-malaria measure.

Sardar Swaran Singh : It is really a matter for gratification that we have two doctors in our Cabinet. I would like to bring this point home to

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them that by diverting our attention to less important matters we are being ridiculed by people outside this House. (*Interruption*). I do not mean that we should not have diverted our attention to the supply of clothes and medicines at all, but what I mean to say is this that more attention has to be paid to such problems of vital importance, namely, the provision of food and shelter. As a matter of fact it goes without saying that food and shelter are the most essential things at present.

I have come to know from the district officers that the hon. Chief Minister proposes to pay a visit to the affected areas on the 14th of this month. Here I would like to bring this point home to the hon. Chief Minister that before he tours these areas, Government should take certain decisions as to what steps are to be taken in this direction. If after taking such decisions, he goes there to announce these decisions then it is all right. Otherwise if he goes there only to tell the affected people that he would consider their points then it is better for him not to go at all. Here I cannot do without saying this that his proposed tours of the affected areas without taking any decisions would surely have bad effects on the minds of the poor people. It would have been in the fitness of things if he were not to tour these areas at all. I am really constrained to remark that three weeks have passed and nothing has so far been decided by the Government in this direction. It is again a matter of regret that Government have not done anything substantial for the flood-stricken people at least with a view to sympathizing with them in their sufferings. We, who are working in the political field have on many occasions made rounds of these areas to sympathize with them. The district officers have also toured these areas many a time. The Deputy Commissioner has convinced the people that he has already written to Government for food and other requirements. If after the Deputy Commissioner, the hon. Chief Minister, in reply to the pressing demands of the people were also to tell them that their demands were being considered, then it would lead to dangerous consequences. I would like to bring this point home to the hon. Chief Minister that if he tours these areas without taking any decisions in this direction, he would be playing with the sentiments of those poor people who have been reduced to abysmal poverty and misery by the recent floods. Therefore I would like to submit, Sir, that the Government in general and the hon. Chief Minister in particular should repose confidence in us. If he goes there personally he will find for himself that the loss that is anticipated here would be three-fold. Under the circumstances, it would have been in the fitness of things if we sat here together and set up some organization, with a view to affording all possible relief to the flood-sufferers. Mere expression of verbal

sympathies will not do. By setting up some sort of central organization Government would be able to grapple with the situation. What is needed most is the material help and not the mere expression of verbal sympathies. Therefore, I would again request the hon. Chief Minister that his going on tours at this critical hour would not serve any useful purpose. If he is very particular to pay a visit to these areas then he may do so after taking some decisions in this direction.

Sardar Jagjit Singh Mann (Jullundur Division, Landholders) : Sir, I must thank Sardar Swaran Singh for his expression of sympathies with the refugees in their trouble but my only wish is that he had the same sympathy for them in his heart when he was in power when the unfortunate uprooted refugees had just crossed the border. Had he the same feelings for them then, their lot would, perhaps, have been better.

Coming to the discussion before the House, I submit that the floods this year have been of unprecedented magnitude and intensity and these have surpassed all the previous records. Nature has been most unkind to us, rather cruel, and its fury has hit us hard. Fortunately for us the loss of life of men and cattle has not been heavy. On the other hand damage to crops and houses has been immense. In most of the districts, the kharif crops have been totally ruined and houses in thousands have been razed to the ground. Kharif folder has been completely washed away. The land is still not fit for rabi sowing or for plough even and in case it remains unfit for ploughing for another fortnight, there will be late sowing. You being a zamindar, Sir, can very well realize that late sowing does not yield good results. The inevitable consequence will be that the scarcity of food grains would become still worse. Sir, we get floods almost every year sometimes more in intensity and sometimes less and in my opinion it is time that the Government seriously considered the question and devised ways and means whereby efforts could at least be made in minimising the damage caused by floods if not obviating it altogether. I think, Sir, the Government would be well-advised to appoint a committee of experts to go into the question. In this connection, my suggestion is that there should be more drains and the existing drains should be silt cleared. I find that many drains have never been silt-cleared with the result that when rains come those drains overflow and cause damage to the standing crops.

The immediate need is that the sufferers should be given as much relief as possible. Taccavi loans should be given liberally for the purchase of seeds, for the purchase of bullocks and for the repair of wells and houses. I am glad to know that the Government has taken up this task in right earnest.

[Sardar Jagjit Singh Mann]

One thing in this connection must be borne in mind and that is that the Government should give stern warnings to the district officers that there should be no bungling about this matter and the sufferers should be given immediate help and should not be kept in suspense for any length of time. Our State Government has already approached the Government of India that they should share our misfortune and come forward with liberal help. I am sure that the Government of India will not fail us.

Another point to which I would like to refer is that in Karnal district, water level has risen considerably with the result that water has almost touched the ground surface. If immediate measures to stop this are not taken, I am afraid, Karnal may be like Sargodha or Gujranwala. Water should be pumped out and made available for irrigation purposes. I understand that recently a thermal plant has been installed at Panipat and there will be abundance of electricity in that area. The tap water that will be pumped out should be utilized for irrigation purposes. Another gain that would accrue from that would be that water level would naturally come down to appreciable level. Sir, by this calamity, once again poor refugees have been hard hit. They have been rendered homeless and their crops have been ruined. It is generally believed that good follows evil but ever since we have been uprooted, we have seen sufferings after sufferings and do not know when they will end. I once again appeal to the Government to be as liberal as they can so as to ameliorate the hard lot of the poor sufferers. With these words, I resume my seat.

Sardar Gurbachan Singh (Ferozepore West, Sikh, Rural) (*Punjabi*): Sir, I had thought that after floods of 1947 there would be no recurrence of flood situation in our district but things in this world happen according to the will of Almighty. I happened to be out of my district when this calamity overtook the people. I was surprised to read the news in the Hindustan Times on the 22nd September that Moga was submerged in water. Floods often come in Jalalabad and Fazilka but Moga had never experienced such a calamity before. Many villages have been swept away and the people are in great distress. I cannot actually describe the havoc that has been caused in the countryside and the extent of damage can only be accurately known if anybody happens to see it with his own eyes.

Sir, the most tragic part of this story is that it is the poor refugees who have been hit hard by these floods. Despite the fact that it is the second time that they have been displaced, they have shown admirable courage and spirit of endurance. But their present condition is unbearable. After having been uprooted from West Punjab, they had by their spirit of enterprise converted Ferozepur district into the most surplus area of the Punjab, so

far as foodgrain crops are concerned. This new calamity has almost broken their backs. So far as medical aid is concerned, that is of course forthcoming. but the problem that stares them in the face is the problem of shelter, the problem of housing, problem made more urgent due to approaching winter. So long as the Central Government does not give enough financial aid, our Government with its meagre resources would not be able to solve it.

Then, Sir, a large tract of land has become water-logged and unless water is drained out, sowing of rabi crop will be impossible. If the water is pumped out within fifteen to twenty days, well and good, otherwise the land will remain uncultivated. I would also suggest that the Government should arrange to supply gram seed to the cultivator or advance 'taccavi' for this purpose also, so that this area may as usual be in a position to export gram to other provinces, because it is characteristic of Punjabis to help others who are needy and in distress with all their resources.

No doubt it is true that the people who have suffered should be helped by the Government to the maximum possible extent, so that they may be able to stand on their feet once again. But it would be in the fitness of things if people from other provinces should also contribute their mite towards alleviating their distress and suffering.

Thakur Dalip Singh (Kangra South, General, Rural) (*Punjabi*): Sir, the flood-affected areas have been the subject of discussion, irregularly since the 28th September and regularly for the last two days. Nobody has so far made a mention of Kangra district, though it has also suffered as a result of floods, nor does it appear that the officers of the district have cared to inform the Government about this matter. Perhaps it has been imagined that this is also one of the usual calamities that visit Kangra district recurrently, and so it is not necessary to make a special mention of it. But, Sir, the fact of the matter is that this district is at least at the seventh place, so far as the damage caused by floods is concerned. I shall now give a few details of the damage done by floods in my district.

Sir, Kulu Sub-Division in my district has suffered the greatest damage. Road between Kulu and Manali had been completely damaged with the result that traffic was stopped and potatoes and apple crops could not be exported. People have been put to a considerable loss for this reason. Moreover, as the land there is uneven, crops have been badly damaged due to the small bunds constructed by zamindars for protection of fields having been washed away. Maize crop has been destroyed and signs of scarcity are already visible. Already this area is a scarcity area. Last year the Government had arranged for food supplies for this area but they could

[Thakur Dalip Singh]

not reach in time as the roads were blocked due to snow-fall and so people were put to a great inconvenience. I would, therefore, request that as there is a danger of famine this year also, the Government would be well-advised to arrange sending the supplies before snow begins to fall.

Then, Sir, a very large number of trees have fallen due to landslides. Both the Forest Department as well as the zamindars have suffered some loss as a result of this, though the exact number of these trees is not known. In tehsil Nurpur, a large number of houses have collapsed. Damage to houses has been very great in Nurpur town, where most of the evacuee houses have fallen. Their number is about 75%. Kangra district is second in the world so far as annual rainfall is concerned but as this time the rains have been abnormal, the damage caused by them can well be imagined. This year, the rainfall upto September was 152 inches, while the average rainfall of this district is 120 inches. All the roads have been badly damaged. The road to Simla that was got constructed by the Government only last year at a cost of Rs. two lakhs has been completely damaged. Other roads are also closed for traffic even up till this time. This is not all. The District Board roads too have been badly damaged and are closed for traffic.

Sir, we of the Kangra District mainly depend on the second crop i.e. 'Sawni'. Rice and maize form part of this crop. Rice is grown in Kangra and Palampur and Maize in Kulu and Nurpur. It is not possible for me to over emphasize the importance of the maize crop as the people of my ilaqa live for about eight months in the year on maize. Unfortunately this crop has been very badly damaged and God knows what is going to happen to our people.

Sir, we at the present are in a very great need of two things. The first is the land revenue remission. This remission should be given very liberally as great losses have been suffered by the people. The second is the taccavi. I request that this taccavi should be given to us in the form of galvanized sheets and cement. It will also not be out of place if I make a suggestion for the consumption of the Forest Department. What I wish to suggest is this that the Government should issue instructions to this department that it should allow people who have suffered from the floods and rains to have wood from the jungle to rebuild their houses.

In the end, I would again request the hon. Chief Minister that he should take early steps to see that the grievances of the people of my district are removed. He should not labour under a misunderstanding that no destruction has been caused as no official reports have been received from the local

officers. The hon. Chief Minister should ask them to submit the reports now without delay.

Chaudhri Matu Ram (Ludhiana and Ferozepur General, Rural, Reserved Seat) (*Hindustani*): Sir, many of my hon. Friends have taken part in the discussion of the flood situation and I also wish to say a few words about the losses suffered by my Harijan brethren living in the Ferozepore District. This is the district from which I hail and nearly half of which was under water during the recent floods. The Harijans of the flood-stricken area of the Ferozepore District are in a miserable plight. I have just received a telegram which says that these people are without food, without shelter and even without medicines. I would urge the Government that it should take immediate steps to supply the requirements of these sufferers. But unfortunately I doubt as to whether anything would be done. Our past experience is very bitter. When after the partition help was given to the refugees by the Government, nobody cared for the poor Harijan refugees. All quilts, blankets and tins of condensed milk were distributed either among the high caste refugees or the high officers of the Government. I have fears that history may repeat itself again. All help may be given to the big zamindars and the Harijans might be altogether ignored. However, it should be realized that it is not the proper thing to do so. The poor Harijans should be given preference in the matter of giving relief. I think hon. Members are aware that the poor Harijan works for the zamindar on the share basis. The Harijan at the time of harvest gets one-fifth or one-tenth of the total produce. But God forbid if there are floods or rains and the crop is damaged, the zamindar may get the remission, while the Harijan will not get anything. This is not all. He may have borrowed Rs. 100 or so during the year from the zamindar in lieu of the share of the crop. When the crop is damaged or altogether destroyed, the Panchayat will award a decree of the borrowed amount against him. In these circumstances he has to face insurmountable difficulties. Firstly, he loses everything he has, due to vagaries of nature and then he is also burdened by the panchayat with a decree of the borrowed money for no fault on his part. This is exactly the position which my poor Harijan brethren are in today in the Ferozepore District. Therefore, I suggest that if it is possible, a special grant should be sanctioned for the Harijan sufferers. I will go a little further and say that a Special Magistrate should be appointed to distribute this grant. We shall be guilty of injustice if we do not see that the relief meant for the Harijan sufferers also reaches them. With these words, I resume my seat.

Sardar Shiv Singh (Gurdaspur North, Sikh, Rural,) (*Punjabi*): Sir, if the oldest living person is asked whether the rains and floods of the kind

[Sardar Shiv Singh]

which occurred this year were ever experienced before, he would tell us that these were unprecedented. Immense damage was done by these, especially in Gurdaspur district whose length from one end to the other at certain places, extends up to 103 miles. Its width varies from 2 to 30 miles and rivers flow on its either side. Several streams coming from Kangra district flow through Gurdaspur. The floods in these streams cause heavy damage to crops in Pathankot, Gurdaspur and Batala every year. The extraordinary floods in the Ravi and Beas this year were responsible for immense loss to the people of this district. Between these rivers there are two streamlets viz. Hansli and Kiran. There is another canal between these streams. I have travelled along this canal from Pathankot to Amritsar. During the recent rains I saw that the water of the streamlets was overflowing into the canal, whose waters having joined that of the rivers gave the look of a vast expanse of water. I was surprised to see this and on reaching Amritsar I contacted the Executive Engineer and the Superintending Engineer. During the course of my talk with the Executive Engineer he told me about the occurrence of Kashmir Mail disaster. When I passed by Dina Nagar in my motor-car, I felt nervous about the safety of lives of the people of that place. I did not think of crops because these had already been completely damaged. It was due to the collection of water at that place that Kashmir Mail disaster took place. I shall request the Government to take steps to prevent the accumulation of water at so many places in this district.

Then, Sir, there is a stream which crosses the road leading from Dera Baba Nanak to Batala. The bridge over this stream is very narrow and the water washes away the road on both of its sides. For several days the people cannot go from one place to another. They make their way through the fields when the water dries up. The officers of the Public Works Department notice this thing every year but they have not cared to construct a bridge of the proper size. Money is spent on its repairs every year and the contractors make a good deal of money out of it. If a good bridge etc. is constructed over the stream Kiran, the road will be saved from being washed away every year and there will not be so much of damage to the crops. The residents of Kalak Klan and Tahan Wala Dhek have repeatedly represented to the Government that the canal water entered their villages every year and a wide bridge should be constructed over it so that the water might flow under it. The canal authorities have not taken any action on these representations. When we approach the canal authorities, they ask us to go to Jullundur. On going there we are told that we should contact the canal officers, as it was their job. When we ask the Deputy Commissioner to move

in the matter, he asks us to supply him a plan of the site. This disappoints us and in the meantime more damage is done by the stream. On several occasions breaches had to be made in the banks of the canal in order to throw the water of flooded streams into it, so that the villages might be saved. At several places the water of these streams could not find passage and the adjoining lands were washed away. Poor people owning small tracts of land lost their all but the Government had given them no help. On the other hand it is pressing them for payment of land revenue. If we ask the Deputy Commissioner to look to our difficulties, he directs us to the Revenue Assistant. When we approach that officer, he asks us to go to the Tehsildar. He in his turn tells us that he would visit the villages in a day or two.

Before the recent rains, when the hon. Chief Minister paid a visit to Gurdaspur district on or about the 30th August, the people of that place showed him the plan of the bridge which they desired to be constructed. He promised to get the needful done but no bridge has been constructed so far. If a sum of two thousand rupees is spent on the construction of this bridge and arrangements are made for throwing the water of streams into the canal, a great deal of perennial loss will be saved. This will, however, not enable the contractors to earn money by carrying on annual repairs. If a wide bridge had been constructed ten years earlier, the amount spent on repairs every year could have been saved, as the construction of a new bridge could not cost the Government more than this amount.

Further, I wish to submit that if any complaint is lodged against a Patwari all the officers protect him. Even if a Member of the Assembly testifies that the Patwari is corrupt, the tehsildars and the Revenue Assistant support him and try to save him. So much so that if a complaint is lodged with the Financial Commissioner, he too takes the side of the Patwari and speaks in his favour. Sometime back I had an occasion to see the Financial Commissioner. I complained to him that a particular man took bribe. I wanted him to be transferred to some other place so that an enquiry might be held against him. He agreed to do so. But after some time when I went to Gurdaspur, I learnt that the man had got fresh orders to continue in his place till further orders. The fact of the matter is that those officials say that they have to pass on to the higher officers a share from the bribe that they get. In this way, that damned share of bribe reaches even the high authorities at the top

Mr. Speaker: Better withdraw that word.

Sardar Shiv Singh: Very well, Sir, I withdraw, that word. Then, Sir, I would like to submit that we get canal water when we do not need it and

[Sardar Shiv Singh]

when we need it at the time of drought or water-logging, we don't get it. If we are supplied canal water at the time of the sowing of rice crop, it can prove very useful because at the later stages, water needed for the crop is supplied by rains. Besides, Sir, the report of the Government regarding the losses due to floods is quite incorrect. The actual loss of property and crops is much more than the one estimated by the Government. The Deputy Commissioner of our district likes only metalled roads and consequently he does not visit far off places. How could then he have known the actual loss of property in the rural areas. He does not believe in riding a horse. The fact is that the people as also the leaders of Amritsar district are strong and powerful people. There is a saying that in the old days they went to our district to commit thefts because they could not do so in their own district.

Sardar Udhram Singh : Does the hon. Member mean that all bad officers are now posted in your district.

Sardar Shiv Singh : The criterion of good work in the case of a Deputy Commissioner appears to be that he should be able to move about briskly in high boots from place to place. It is perhaps due to that, that even when the Chief Minister visits any place, he is led by the Deputy Commissioner. He asks him if he wants to get more training at the same place. If he says 'yes' he is allowed to continue where he is.

It has been said here that the tehsils of Dera Baba Nanak and Kala Naur have suffered heavy losses. Again it has been said that the Hanli stream coming from the side of Narot Jaimal Singh has caused a great damage. Similarly it has been said that Ajnala Tehsil has suffered a heavy loss. But I say that other districts have suffered only up to the distance of 25 to 30 miles, while in our district the floods in streams and the canal have wrought havoc throughout the length and breadth of it. The whole district has been ruined and devastated. I, therefore, submit that the aid proposed to be given by the Government will be quite insufficient and hence ineffective in Gurdaspur district. It is too meagre to alleviate the suffering of the public. All the villages there have been washed away. What is required is that the district officials, the hon. Members and the hon. Ministers should forego their salaries and this amount should be used for the relief of the people of our district.

Chief Minister : Let the Minister of your district forego his salary.

Sardar Shiv Singh : We are prepared to accept the hon. Chief Minister as a Minister of our district. Whatever help the Government has given in the form of taccavi loans has not been properly distributed. The patwaris take the applications of ten or twelve persons in whom they are interested

daily to the residence of the officer in the morning and get them sanctioned. The Sikh officers sanction the amount while tying their turbans and reciting Japji and the Hindus while they are busy in shaving in the morning. I got a Patwari dismissed two years back. Now I am being asked as to what I want in that case. It is, perhaps, proposed to reinstate him now.

Master Gurbanta Singh : (Jullundur General, Rural, reserved seat) (*Punjabi*) : Sir, I have heard the speeches delivered by my hon. Friends Sardar Swaran Singh and Shri Bhagat Ram Chodha. They have explained the flood situation in Jullundur and have also stated that in Jullundur damage to crops and buildings has occurred in two ways ; by rain water and floods and also by the ' chos ' that come from Hoshiarpur district. In Adampur illaqa the water of these chos usually causes damage to crops. P. W. D. has constructed a dam on the Nasrala cho near the place where the road crosses it. When there is a heavy rainfall in the hills of Hoshiarpur, a large amount of water comes in this cho and the land near Adampur is threatened with damage from this cho. There is a loss of crops every year and it is a constant menace to that illaqa. It is for the Government to make some arrangements in this connection, because this cho is the cause of great trouble in that illaqa. It is a long-felt grievance and should be remedied soon. Sometime back a deputation of the people met the Deputy Commissioner and the Commissioner and placed before them a plan. It was suggested that for a distance of some miles the course of this cho should be made deep so that it may not overflow its banks and spoil the crops of the surrounding areas. In this way the Government can save the crops of that illaqa from being damaged. I may inform the House that this cho is a standing menace to our district and something should be done to save the crops from its onslaughts. I may also state for the information of the hon. Members that the soil of this part of our district is very fertile and it should be protected from this constant menace. Another thing to which I wish to draw the attention of the hon. Members is the abnormal rise in the level of sub-soil water in the illaqa known as Seerwal. The level of subsoil water is already high in this illaqa, as its very name signifies. But this year there has an abnormal rise in the water level due to heavy rains. The result is that it has become impossible to plough the land because the soil does not get dry. Moreover, rain water has entered the wells through the walls making the water unfit for drinking purposes. As a result of this the villagers are put to a great hardship. They are unable to get water for drinking purposes and are compelled to drink dirty water. People in the villages are lying in bed with fever. There is nobody to look after them nor any medical aid is available to them. My hon. Friend Sardar Swaran Singh has described the situation in Nakoder Tehsil only. But my submission

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is that in Jullundur Tehsil also the condition is far from satisfactory. In both the Tehsils Harijans have been the worst sufferers. Most of the Harijans had kacha houses and they have crumbled down because of their being situated at low level in the villages. Rain water had caused great havoc as a result of which their houses have collapsed. There are certain villages in which houses of all the Harijan residents have fallen. At present their families are sitting in the open without any shelter. Even the beams of their houses have either been washed away by the floods or taken away by the villagers forcibly. These poor people are not big owners of land and gardens from where they could manage to procure timber for carrying out necessary repairs to their houses. So I request the Government to render them immediate help. Special aid should be given to the Harijans. In the case of agriculturists the Government can render help by providing them Taccavi loans and remission of land revenue etc. But this form of aid is not going to help the Harijans. They should be provided separate funds for the construction and repair of their houses. Another difficulty of the Harijans and other poor people of the villages is that due to destruction of crops there is scarcity of foodgrain in the villages. Those who have foodgrain are unwilling to part with it even on high prices. Harijans of about ten villages came to me and complained that foodgrains were not available. So I request the Government to open cheap-grain shops in the villages immediately. This step should be taken at once so that poor persons living in rural areas may be able to get foodgrains at fair prices from these depots. As regards the hardship caused by the non-availability of drinking water, my submission is that permits for boring of hand pumps should be issued forthwith. In the villages the question of repair of houses has become difficult because on the one hand labour is not available and on the other hand the pacca bricks, the control price of which is about twenty eight rupees are hardly available even at rupees forty-five per thousand. The Government should provide all possible facilities in the matter. I would again request the Government to provide aid to the Harijans who have suffered great loss. This aid should not be in the form of loans because these poor persons will not be in a position to repay the loans advanced to them. Relief should be given to them by way of grants by the Government and suitable persons should be deputed to distribute these grants to the Harijan sufferers.

The Assembly then adjourned till 2 P. M.

The Assembly reassembled at 2 P. M. of the clock. Mr. Speaker (The hon.) Sardar Kapoor Singh in the Chair.

STARRED QUESTIONS AND ANSWERS.
COMPLAINT AGAINST CIVIL SUPPLIES DEPARTMENT.

***2035. Shri Ram Sharma :** Will the hon. Minister for Development be pleased to state whether a complaint was made to the Director of Civil Supplies by a Rohtak M. L. A. to the effect that a dealer was wrongly challaned in spite of the permission by the Government to sell the mill made cloth manufactured in August 1948 or afterwards ; if so, what action, if any, was taken in the matter ?

The hon. Sardar Ishar Singh Mujhall. Yes, a complaint was received by the Director, Civil Supplies Punjab on this subject and it was enquired into. No dealers were challaned in Rohtak District for possessing timebarred cloth as necessary instructions had been sent to all the District Authorities in the Punjab about the extension of time for the disposal of time-barred cloth. A copy of such instructions was also supplied to the hon. Member who made this complaint.

Shri Ram Sharma : Does the hon. Minister mean to say that no complaint was received to the effect that a cloth dealer who was selling cloth according to the rules governing its sale, was wrongly challaned or he has arrived at this conclusion after enquiring into the matter ?

Minister : The complaint was received but on enquiring it was found that no cloth dealer was challaned for selling cloth for which the Government had given permission.

DEPOT-HOLDERS.

***2098 Shrimati Sita Devi :** Will the hon. Minister for Development be pleased to state :—

(a) the number of persons at Jullundur, Ludhiana, Ambala and Amritsar respectively who are appointed depot holders of more than one of the following commodities :—

(i) Wheat, (ii) Kerosene Oil and (iii) Cloth ;
(b) the considerations which weighed with the Government in granting licences for more than one commodity to one and the same person ;

(c) whether the Government intend to revise its policy of granting a licence in respect of more than one commodity to a depot holder ?

The hon. Sardar Ishar Singh Mujhail.

- (a) Nil, as no control over cloth and kerosene oil distribution exists at present.
- (b) Does not arise.
- (c) Does not arise.

Shrimati Sita Devi : Did the control exist at the time I gave notice at this question or not ? If it existed, what was the position of the Government at that time ?

Minister : I have explained the position of the Government.

Shrimati Sita Devi : Did the control exist at the time of my giving notice of this question or not ?

Minister : I have explained the situation, as it exists today.

Shrimati Sita Devi : I gave notice of this question about one and a half month back. What was the position at that time ?

Minister : I have nothing to add my reply.

Shri Prabodh Chandra : On a point of order, Sir. Should the reply to the question relate to the period when notice of it was sent or to the present period ?

Mr. Speaker : The hon. Minister may as well say that no specific period is mentioned in the question.

Sardar Bachan Singh : Control on kerosene oil has no doubt been abolished but it does exist in the case of wheat and cloth. Has one and the same person been granted licence to deal in wheat and cloth, in certain cases ?

Minister : The control exists in the case of wheat only. As regards cloth, there is control on its price only.

Pandit Faqir Chand : Is the Government prepared to examine this matter if it is brought to its notice that in some cases certain persons have been given licences to deal in more than one controlled commodity ?

Minister : If some such case is brought to the notice of the Government, it will look into the matter.

Shri Prabodh Chandra : The question asks for the number of persons appointed depot-holders. The question whether controls have been removed or are still in existence does not arise. There is a definite question and a definite reply should be given.

INCREASE IN THE MARKET COMMITTEE FEE AT KHANNA.

***2108. Mehta Ranbir Singh :** Will the hon Minister for Development be pleased to state :—

- (a) whether he is aware of the fact that the Market Committee fee has been increased by cent per cent by the Market Committee, Khanna, District Ludhiana ; if so, the reasons for this increase ;
- (b) the total amount realized as market fee by the market Committee, Khanna from its establishment up to 31st July, 1950 ;
- (c) the total amount out of the amount realized spent for the benefit of the producers during the period referred to in (b) above ;
- (d) the total amount paid as salary and allowances etc. to the staff of the said Committee during the said period ;
- (e) the reserve fund of the Committee at present and where it is kept ?

The hon. Sardar Ishar Singh Mujhall :

(a) 1st part... Yes.

2nd part... The increase in the rate has been sanctioned on a uniform basis for all the market committees in the State. Due to the partition of the United Punjab and the communal disturbances the income of the market committees had considerably decreased. The increase will improve the financial position of the market committees and enable them to take up welfare schemes.

(b) Rs. 122, 437/-

(c) Rs. 3,068/-

(d) Rs. 28,849/-

(e) (1) Closing balances as per Cash Book on the 31st July, 1950. Rs. 6526 0 3

(2) Investments in War Purposes loans like National Savings Certificate. Rs. 78000 0 0

Total : Rs. 84526 0 3

Mehta Ranbir Singh : What is the cause of cent per cent increase in fees ? Is it due to increase in the pay of establishment or something for the benefit of producers is being done ?

Minister : I have already replied to this question.

Mehta Ranbir Singh : How much money is being spent for the benefit of the producers ?

Minister : It has been stated in the reply.

STOCK OF GRAM PURCHASED BY GOVERNMENT.

***2123. Mehta Ranbir Singh :** Will the hon. Minister for Development be pleased to state:—

- (a) the rate at which gram was purchased by the Government from 1st April, 1950 to 20th August, 1950, and the total amount spent on the purchase;
- (b) the total quantity of gram in stock at different places in the State on 20-8-50, held by the Civil Supplies Department and the Agriculture Department separately;
- (c) the rate at which the Government intends to sell this gram to the Civil population and the Agriculturists, for seed purposes, respectively?

The hon. Sardar Ishar Singh Mujhail:

(a) Rs. 25,12,064/- on an average purchase rate of Rs. 9/-/6 per maund.

(b) (i) **Civil Supplies Department.**

1,16,549 bags as per attached statement.¹

(ii) **Agriculture Department.**

2425 Mds. as per details below :—

Abohar	1740 Mds.
Jullundur	10 „
Sirsa	317½ „
Rohtak	115 „
Hansi	243½ „

Total : 2,426 Mds.

(c) The wholesale issue rate Ex-Government godowns which is the same for seed and consumption, is as follows :—

(i) Amritsar, Jullundur, Gurgaon, Gurdaspur, Ambala, Hoshiarpur, Karnal, Rohtak & Kangra.	} Rs. 12/4/- per Md.
(ii) Ferozepore, Fazilka, Ludhiana & Hissar	} Rs. 11/12/- per Md.
(iii) Simla.	} Rs. 12/- per Md.

Mehta Ranbir Singh: What is the reason of so much difference between the purchase price and the price of issue?

Minister : This difference is due to the fact that when the Government of India controlled the price of gram, it fixed its price at Rs. 13/- per maund. We had, however, purchased it at Rs. 9/-/6 per maund. If we decided to

1. Kept in the Library.

sell it at a price lower than that fixed by the Government of India, some people would have liked to purchase it at lower price in order to sell it at the price fixed by the Government of India. Moreover, we could not meet the demand in that case. Therefore we decided to sell gram at Rs. 13 per maund. The difference would be used for giving help to flood-sufferers.

Mehta Ranbir Singh: What is the cause of difference in the price of gram fixed for Amritsar, Ferozepore and Simla ?

Minister: It is due to the cost of transport for carrying gram from one place to another.

Mehta Ranbir Singh: May I know if the carriage charges up to Simla are not more than those up to Amritsar ?

Minister: Carriage charges for places like Kangra and Amritsar are higher than other places which are nearer. That is why the rate is higher at those places.

Mehta Ranbir Singh: May I know if the rate at Simla is less than that at other places because Ministers live here ?

Chief Minister: It is a wrong insinuation.

Mr. Speaker: Such remarks should be avoided.

Mehta Ranbir Singh: But it is a fact. The figures are there.

Shri Prabodh Chandra: Is it for the Chair to give its ruling or for the hon. Chief Minister to say it is an insinuation.

Mehta Ranbir Singh: Will the hon. Minister, please, state the carriage charges from Hissar to Amritsar and from Hissar to Simla ?

Minister: I require notice for this question.

Mehta Ranbir Singh: May I know the basis on which this rate has been calculated.

Minister: I require a fresh notice for this question.

Shri Ram Sharma: May I know if the Government has received any complaints from the dealers' association against the payment of less rate of gram which was purchased before the fixation of the price by the Government of India ?

Minister: If the hon. Member refers to the case of the association of Meham Town, I may inform him that it wanted to charge a price higher than that it had paid to the Zamindars, but the Government did not agree to pay a higher price to the association.

Shri Ram Sharma: May I know if it is a fact that the association of Meham Town had purchased the gram before the fixation of the price by the Government of India.

Minister: The fact is that the Government authorised the association to purchase gram on its behalf. Later on we notified them that the gram purchased by them should not be disposed of. They wanted black market price which the Government refused to pay and they were paid the price they had previously paid to the Zamindars.

TERMINATION OF THE SERVICES OF SHRI N.S. KOHLI.

*2154. **Shri Prabodh Chandra:** Will the hon. Minister for Development be pleased to state the circumstances under which the services of Shri N. S. Kohli of the Industries Department were terminated?

The hon. Sardar Ishar Singh Mujbail: According to the terms of Shri N. S. Kohli's appointment his services were terminated on one month's notice on either side. As his work and conduct were not found to be satisfactory his services were terminated by giving him one month's pay in lieu of one month's notice.

Shri Prabodh Chandra: May I know if it is a fact that Mr. Kohli had sent in his resignation to the Government before his services were terminated by it?

Minister: This is not a fact.

Shri Prabodh Chandra: Is it a fact that the date on the notice served on him was 2nd May while in the High Court it was said that the notice was served on the 3rd?

Minister: I require notice for this question.

Shri Prabodh Chandra: Is the hon. Minister aware of the fact that Mr. Kohli sent his resignation to the Director of Industries on the 29th April and in that he alleged that the whole record of twenty applications regarding the Rosin Factory had been destroyed?

Minister: I had no mind to say much about this matter. I can now say this much that a case has already been registered with the police against Mr. Kohli for destroying a number of official files.

Shri Prabodh Chandra: Is it a fact that Mr. Kohli wrote a letter to the hon. Prime Minister in which he made serious charges of corruption against the Chief Minister and the Director of Industries?

Minister: He could say that if he had been charge-sheeted.

Mr. Speaker : Was no appeal filed ?

Chief Minister : He did file an appeal and it was rejected.

Mr. Speaker : I was myself doubtful if this question could be admitted. But from the way in which the question was framed, I thought that some principle might be involved.

Shri Ram Sharma : May I know if there is anything in the record of the Government to show that Mr. Kohli had sent in his resignation before his services were terminated ?

Minister : I require notice for this question.

Shri Prabodh Chandra : May I know if Mr. Kohli was given any warning regarding his conduct by any Officer before his services were terminated ?

Chief Minister : The record of every Government servant is confidential.

CONSOLIDATION OF HOLDINGS IN THE STATE.

***2170. Sardar Shiv Saran Singh :** Will the hon. Minister for Revenue be pleased to state :—

- (a) the details of proposals formulated by the Government regarding the consolidation of lands in the State;
- (b) the fee per acre levied on the owners of lands for this purpose ;
- (c) the strength of the staff employed together with the number of posts and offices for this purpose and the total amount of expenditure incurred in this connection ?

The hon. Dr. Gopi Chand Bhargava:

- (a) It is proposed to consolidate an area of 120 lac acres under cultivation in this State. A separate department under the charge of a Director of Consolidation has been set up since 1-4-1950. Consolidation work is in progress in 85 villages in addition to those being consolidated under the old scheme. A major portion of the consolidation staff, which was working in the Rehabilitation Department, has now been relieved by that Department and the speed of the work will be accelerated. In order to augment the field staff, two schools will shortly be started for training Sub-Inspectors.

- (b) Rs. 4/- per cultivated acre.

[Chief Minister]

(c) A statement giving the required information is laid on the table.†

Shri Ram Sharma : Will the hon. Chief Minister be pleased to state whether the work of consolidation has been started in all the districts or only in some of them ?

Chief Minister : I require notice for this.

Sardar Bachan Singh : In the last session the Government gave an assurance that the work of consolidation will be completed within six or seven years. At the present speed does the Government think that the work will be finished in that time ?

Chief Minister : The Bill on this subject is on the Agenda of this House to-day. It will furnish an answer to this question.

CONSUMPTION OF WHEAT.

*2252. **Dr. Sant Ram Seth :** Will the hon. Minister for Development be pleased to state :—

- (a) the total consumption of wheat in a year under rationed areas of the State ;
- (b) the price for purchasing the wheat paid to the Grain Syndicate appointed by the State Government ;
- (c) the ceiling price paid by the Syndicate to kisans or Zamindars ;
- (d) the sale price of wheat in the rationed areas ?

The hon. Sardar Ishar Singh Mujhall :

- (a) 1,40,000 tons approximately.
- (b) The price paid to the Pacca Arhties Associations for purchasing wheat is the same which these Associations pay to the cultivator.
- (c) Ceiling price fixed in the State up to 30th June, 1950, ranged between Rs. 13/- and Rs. 15/- per maund and thereafter have been reduced by annas -/4/- per maund. The cultivator gets this price less quality allowances.
- (d) The Provincial Reserve wholesale issue prices range from Rs. 14/10/- to Rs. 15/14/- per maund and the retail issue price from Rs. 15/13/6 to Rs. 16/9/6 per maund in different rationed areas.

†Kept in the Library.

Shri Ram Sharma : Will the hon. Minister be pleased to state whether there are some agents who are paid by the Government apart from the Pacca Artis ?

Minister : Yes, there are such agents.

Shri Ram Sharma : Will the hon. Minister be pleased to state the need for keeping such agents in the markets ?

Minister : Such Arhtis are kept at some places only. They are not in every market of the State.

Shri Ram Sharma : Is the Government aware of the fact that such agents are reaping enormous profits and that this creates a heart-burning among the 'pucca Arhtis' ?

Minister : If the hon. Member brings to my notice the cases in which they have reaped undue profits, action can be taken against them.

Shri Ram Sharma : Has it not come to the notice of the Government that these agents are getting much more profits than the other 'Arhtis' ?

Minister : Their Commission is fixed and if they take an undue advantage their case should be brought to the notice of the Government for proper action.

Shri Ram Sharma : Foodgrain is bought from the farmers by the Government and it is placed with these agents. The Commission that these agents get is excessive. For instance in Rohtak I know that one such agent earns more than what all the Pacca Arhtis put together earn. Is the Government aware of this ?

Minister : Yes, but that does not mean they are getting undue profit.

Shri Amar Nath Vidyalkankar : Will the hon. Minister be pleased to state whether experience of trade is one of the criterions for the selection of these agents by the Government ?

Minister : I require notice for this.

Mehta Ranbir Singh : Will the hon. Minister be pleased to state the duties of these agents ; is it a fact that one of the duties is to look after high officers of the Government ?

Minister : This is not so.

JAILS REFORMS COMMITTEE.

*2122. **Shri Virendra :** Will the hon. Chief Minister be pleased to state whether the Jails Reforms Committee has submitted its reports to the

[Shri Virendra]

Government; if so, when and the action taken by the Government to implement the recommendations thereof?

The hon. Dr. Gopi Chand Bhargava : The East Punjab Jails Reforms Committee submitted its report in August 1949 and a copy thereof showing the recommendations made by the Committee, has already been supplied to each hon. Member of the House. These recommendations have been considered in the Jails and Judicial Branch of the Home Department and decisions taken on some of them are shown in the statement† (Appendix I). Regarding the remaining recommendations shown in Appendix II† 'these have been divided into categories A, B, C and D in order of priority. Recommendations contained in category A are those which can be implemented either without incurring any expenditure or by incurring only nominal expenditure. Recommendations in category 'B' are those which would involve some expenditure but deserve immediate implementation. Recommendations in category "C" can wait for better times while recommendations in category "D" will be reported on by the Inspector General of Prisons after he has consulted the other departments concerned with their implementation.

2. The Home Secretary has personally discussed recommendations of categories A and B with the Inspector General of Prisons. These recommendations are being laid before the Council of Ministers for decision.

3. Government hope that when put into practice the reforms suggested by the Committee will eliminate many of the inconveniences of jail-life. It is, however, regretted that due to paucity of funds all the recommendations of the Committee can not be accepted with immediate effect.

Shri Virendra : One of the recommendations made by this Committee was that ceiling fans should be provided. Will the hon. Minister be pleased to state why it was not possible to accept this recommendation?

Chief Minister : The hon. Member is a member of the Estimates Committee and as such he should know that the Government is involved in financial difficulties, so it was not possible to accept this recommendation at this stage.

Shri Virendra : Another recommendation of the Jails Reforms Committee was with regard to the construction of a separate ward for the sick.

Chief Minister : The difficulty is that of funds. Only important works are carried out and nothing new is started unless it is very essential.

Shri Virendra : May I know what difficulty was felt by the Government in the construction of a separate ward which was so essential?

†Kept in the Library.

Chief Minister : The Government will have to incur a huge expenditure on the construction of a separate jail for the sick. But at present it is not possible.

Shri Virendra : I have asked for a separate ward and not a jail.

Shri Ram Sharma : Will the hon. Chief Minister be pleased to state the recommendations upon which any action has been taken by the Government during the last few months ?

Chief Minister : A reply to this has already been given.

REDUCTION IN DAILY DIET CHARGES OF UNDERTRIAL PRISONERS.

*2138. **Sardar Sajjan Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) whether the daily diet charges of under-trial prisoners confined in police or judicial lock-ups under police control have been reduced from annas ten per day to annas eight per day ; if so, since when and the reasons therefor ;
- (b) whether the undertrial prisoners confined in police lock-ups are supplied the same number of cooked chapattis, the same quantity of vegetables and dals which the under-trial prisoners get in jails ; if not, the reasons therefor ?

The hon. Dr. Gopi Chand Bhargava : (a) Yes, from the 1st March 1950, on account of overall reduction in prices of foodgrains.

- (b) No, the quantity is slightly less the reason being that in the case of undertrial prisoners confined in police lock-ups, cooked food is supplied by the contractor who makes some profit, while in the case of prisoners confined in jails cooking is done by the prisoners themselves and no profit is made by Government. Even making allowance for this factor the scale of diet charges fixed is such as ensures reasonable feeding for an average eater."

Sardar Sajjan Singh : The reply of the hon. Chief Minister to this question indicates that an undertrial prisoner gets 6 annas worth cooked food, as it is presumed that the Contractor must be making at least 1½ or 2 annas profit out of eight annas worth food. I want to know whether the overall reduction in prices of foodgrains and other necessities of life is proportionate to the reduction made in the daily diet charges of the undertrial prisoners ?

Chief Minister : Yes. The reduction in diet charges is not out of proportion, to the fall in overall prices of food-grains. For instance

[Chief Minister]

in the case of wheat the price has gone down by one rupee. Previously it was available at Rs. 14½ per maund and now it can be had at Rs. 13½ per maund.

Sardar Sajjan Singh : Is the hon. Chief Minister aware that if according to him the fall in price of wheat is Re. 1/- per maund i.e. 1/14th the reduction made in the diet allowance of an undertrial prisoner is one fourth of what was previously given to him ?

Chief Minister : The scale of diet charges fixed is such as ensures reasonable feeding for an average eater.

Sardar Sajjan Singh : May I know the amount of diet fixed for an undertrial prisoner ? What is the number of chapaties, the quantity of vegetables and dals etc., which he receives ?

Chief Minister : I require notice for this.

Sardar Bachan Singh : May I know whether any reduction in prices of other articles have taken place in the towns where rationing of wheat has been introduced ?

Chief Minister : Yes, there has been a reduction, in prices.

Sardar Sajjan Singh : When the hon. Chief Minister is not aware about the exact quantity of vegetables, dal etc., which an undertrial prisoner is given, then, without making enquiries, how has he arrived at the conclusion that reduction in diet charges is in proportion to the reduction in prices of food-grains ?

Chief Minister : A reply is made after due enquiries. But all the papers concerning the enquiries are not with me.

Shrimati Sita Devi : The hon. Chief Minister has remarked that the price of wheat has fallen by one rupee. But is he aware that the prices of other articles have increased comparatively ? If so, why has reduction been brought about in the diet of the undertrial prisoners ?

Chief Minister : The diet is fixed in such a manner as ensures reasonable feeding for an average eater.

Shrimati Sita Devi : Do I take it that the undertrial prisoners before 1947 got less diet than now ?

Chief Minister : It is a question of opinion.

Shri Ram Sharma : Since when this reduction in the scale of diet charges has been brought about ?

Chief Minister : Since 1st March, 1950.

Shri Amar Nath Vidyalkar : Do I take it that reduction in diet charges does not indicate reduction in the scale or quantity of diet provided to the undertrial prisoners ?

Chief Minister : There has been no appreciable reduction in the quantity of diet.

UNDERTRIAL PRISONERS IN POLICE LOCK-UP PATTI.

*2139. **Sardar Sajjan Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) the daily number of the undertrial prisoners confined in police lock-up, Patti, district Amritsar from 15-6-50 to 15-7-50 ;
- (b) the authorised accommodation in the lock-up during the period mentioned in part (a) above;
- (c) whether on any day during the period mentioned in part (a) above, the number of the prisoners confined in the said lock-up exceeded the authorised accommodation ; if so, to what extent ;
- (d) the steps taken by the authorities to adjust the over-population of the lock up and the steps, if any, Government proposes to take in the matter for the over-population of the lock-up in future ;
- (e) the arrangements, if any, made by the police authorities to supply water for washing of the prisoners' clothes and their baths during the summer of 1949 and 1950 respectively at Patti ; if none were made, the reasons therefor ; and whether any Bahishti has been detailed to supply them with water for daily drinking, bathing and the weekly washing of their clothes ;
- (f) (i) whether the salary of the sweeper who cleans laterines of the police lock-up, Patti has been revised ; if so, with what results ; (ii) the salary that he was drawing per mensem before July, 1950, together with the date when this rate of salary was fixed ; (iii) the salary he was paid for July, 1950 ?

The hon. Dr. Gopi Chand Bhargava : (a) A statement is placed on the table.*

(b) 16.

(c) Yes. A statement giving details is placed on the table.

*Kept in the Library.

[Chief Minister]

- (d) The District Magistrate, Amritsar has already moved the State Government for the construction of a Judicial Lock-up at Patti.
- (e) One part-time-Bahishti has been engaged for supplying water to the under-trials. The question of employing a whole-time Bahishti is receiving consideration.
- (f) (i) No.
- (ii) A part-time sweeper has been employed who is being paid at Re. 1/-/- p. m. since the partition. The record of pre-partition period is at Lahore.
- (iii) Re. 1/-/-. The question of employing a whole-time sweeper is receiving consideration.

Sardar Sajjan Singh : From the statement supplied by the hon. Chief Minister, I find that on 2nd and 3rd July, 1950, no less than 48 and 47 under-trial prisoners respectively were confined in the lock-up, whereas it could accommodate 16 only. May I know whether Government had made enquiries to find out if the lock-up offer sufficient room to accommodate 48 prisoners ?

Chief Minister : The prisoners concerned were kept there in as best a manner as was possible.

Sardar Sajjan Singh : Do I take it and presume that these 48 prisoners were made to sit together during the night of 2nd July, 1950 ?

Chief Minister : This is a hypothetical question. My hon. Friend can presume while I cannot.

PAY OF GOVERNMENT SERVANTS IN THE STATE.

*2158. **Shri Prabodh Chandra :** Will the hon. Chief Minister be pleased to state :—

- (a) the highest and the lowest pay that a Government servant in the State is drawing at present ?
- (b) what was the pay of these officers at the time of partition ?

The hon: Dr. Gopi Chand Bhargava. (a) The highest and the lowest pay that a Government servant is drawing at present is Rs. 4,000 (less emergency cut of Rs. 500 p. m.) and Rs. 15 p. m.

respectively. The pay in the latter case is basic pay. In addition, this category of officials is entitled to a Dearness Allowance of Rs. 25 p. m. while those stationed at Simla also get Simla Compensatory Allowance @ 50% of their pay plus rent-free quarters or Rs. 2 p. m. in lieu thereof. The lowest paid Government servant is a peon whose pay after partition was raised from Rs. 15-1-19 to Rs. 20- $\frac{1}{2}$ -25.

(b) The pay at the time of partition of the highest paid official was Rs. 5,000 p. m. and of the lowest paid Rs. 15 p. m.

Shri Prabodh Chandra : The hon. Chief Minister has stated that the highest paid officer and the lowest paid official were in the receipt of Rs. 3500 p. m. and Rs. 15/- p. m. respectively. May I know what was the salary of an officer, now drawing Rs. 3000 p. m. before the partition of Punjab?

Chief Minister : Sir, this is not the information that was sought in the original question. If you refer to part (b) of the question, you will find that it seeks to know the pay of the officers at the time of partition. And I have stated in reply to that that the pay, at the time of partition, of the highest paid officer was Rs. 5000 and that of the lowest paid official Rs. 15/- p. m.

Shri Prabodh Chandra : What was the salary of those officers in the United Punjab who are at present drawing Rs. 3,500/- as their salary?

Chief Minister : I require fresh notice.

Shri Prabodh Chandra : Is the hon. Chief Minister aware of the fact that the salary of those officers who are drawing Rs. 3500/- at present was not more than Rs. 2200/- in the United Punjab?

Chief Minister : I require notice.

Shri Prabodh Chandra : May I know if the percentage of the pay of the highest paid officers in the State is the same as that of the lowest paid officials (*Interruptions*) Sir I was driving at.....

Mr. Speaker : The hon. Member need not drive at anything. He should not cross-examine, but put only supplementary questions.

Shri Prabodh Chandra : I wanted to know why the highest paid officers have been shown consideration, while no consideration has been shown to lowest paid officials.

Pandit Faqir Chand : Is it the intention of the Government to reduce the salaries of all officers including the Chief Minister?

Shri Ram Sharma : May I know if there are any officers from amongst the highest paid officers of our State who were drawing comparatively less salary in the United Punjab ?

Chief Minister : The highest paid officers in the State are the High Court Judges. Salaries regarding other highest paid officers have been fixed under the Constitution of India. These officers continue to draw the same salary which they were drawing before a particular date and the salary of those who do not come under this category have been reduced. Government of India have already reduced the salary of those officers drawing more than Rs. 5,000/- as their salary. As regards those drawing Rs. 3,000/- their salaries have also been reduced to 2,700/- and the compulsory saving clause also applies to them.

Shri Ram Sharma : May I know if besides the High Court Judges those I. C. S. and P. C. S. officers who are drawing high salaries here were also drawing the same salary in the United Punjab or less ?

Chief Minister : I require fresh notice for this question.

Shrimati Sita Devi : Is it not a fact that those officers who are on deputation from one department to another, are drawing double the salary than they used to draw before the partition ?

Mr. Speaker : That is irrelevant.

Shri Prabodh Chandra : Is the hon. Chief Minister aware of the fact that during the last session in reply to a question of the same type, a list of such 26 officers was laid on the table whose salaries were raised from Rs. 1200/- to Rs. 2000/- ? Is it a fact that the salaries of some officers whose salaries were already raised from Rs. 800/- to Rs. 1600/- have again been raised to Rs. 2400/- ?

Chief Minister : I require fresh notice.

Mehta Ranbir Singh : May I know if the present maximum and minimum percentages of salaries are more or less than before ?

Chief Minister : I require fresh notice.

Mr. Speaker : Could you possibly imagine that anybody can reply to such questions off-hand ?

INCREASE OF DEARNESS ALLOWANCE OF GOVERNMENT SERVANTS CLASS III AND CLASS IV.

*2174. **Sardar Shiv Saran Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) whether he is aware of the fact that the Government of India have increased the dearness allowance of Government servants Class III and Class IV by Rs. 10/- per mensem ;
- (b) if the answer to part (a) above be in the affirmative, whether the Punjab Government have considered the question of increasing the dearness allowance of Government servants Class III and IV ; if not, the reasons therefor?

The hon. Dr. Gopi Chand Bhargava : (a) Yes.

- (b) The Punjab Government have carefully considered the question of allowing an *ad hoc* increase of Rs. 10/- per mensem in the Dearness Allowance to all Government servants (including Class III and Class IV Government Servants) drawing pay upto Rs. 250/- per mensem and after a very careful review of all the factors involved and their financial position, it was decided to let the existing rates of Dearness Allowance remain unchanged. The only State Governments, known to have ordered an increase in Dearness Allowance, were those of Bihar and Bombay who sanctioned an increase of Rs. 5/- and Rs. 10/- per mensem respectively. No other State Government followed the Government of India in this respect nor was this decision of the Government of India received very kindly by the economic press of the country.

Sardar Swaran Singh : On a point of order, Sir. Is an hon. Member who is a Parliamentary Secretary within his right to put a question ?

Mr. Speaker : I have no knowledge whether the hon. Member is a Parliamentary Secretary.

Sardar Swaran Singh : I am placing this information before you, Sir, that the hon. Sardar Shiv Saran Singh has been sworn in as a Parliamentary Secretary, unless he denies that.

Mr. Speaker : He gave notice of this question when he was not a Parliamentary Secretary, granting that he is a Parliamentary Secretary now.

Sardar Swaran Singh : It is a very important question on which a definite ruling is called for. If an hon. Member gives notice of a question and subsequently he goes to the Treasury Benches either as a Minister or a Parliamentary Secretary, is he still entitled to put that question ? My own view is that he cannot do so since he has an access to Government records and is in a position to get that information from there.

Mr. Speaker : There are two things. One is that the notice of this question was given when the hon. Member was not a Parliamentary Secretary and the other is that it is not within my knowledge whether or not the hon. Member is now a Parliamentary Secretary.

Sardar Swaran Singh : He does not deny that he has been sworn in as such.

Mr. Speaker : There is another point also and that is that even if an hon. Member declines to put a question which is on the Order Paper, the Government has a right to reply to it. An hon. Minister can volunteer to read the answer on the floor of the House.

Sardar Swaran Singh : My point of order still remains undecided. I concede the right of the Government to reply to a particular question in public interest in spite of the fact that the hon. Member giving notice does not want to put it. But in this case the hon. Minister has not volunteered to reply to it and the question has been asked by the hon. Member who in my opinion has no right to ask it. There are other questions also standing in the names of hon. Members who are Parliamentary Secretaries now. The question that requires your determination is whether an hon. Member who now adorns the Treasury Benches can ask questions even though the Government does not exercise its right to reply those questions.

Chief Minister : Unless an hon. Member has been notified as a Parliamentary Secretary, he cannot be debarred from enjoying the right of hon. Members of this House in putting questions.

Sardar Swaran Singh : Unless the hon. Chief Minister is prepared to give an undertaking that the name of Sardar Shiv Saran Singh will not be notified as a Parliamentary Secretary with retrospective effect, his putting questions on the floor of the House is not in order.

Mr. Speaker : The hon. Member might be knowing but I do not know whether Sardar Shiv Saran Singh has been sworn in as a Parliamentary Secretary.

Sardar Swaran Singh : If this fact was known to the hon. Speaker I would not have wasted the time of the House. I feel that this has been kept hidden from you, Sir, and later on a notification will appear that Sardar Shiv Saran Singh has been appointed a Parliamentary Secretary with retrospective effect. This has been the practice before and unless the Chief Minister assures the House that the hon. Member would not be appointed a Parliamentary Secretary with retrospective effect, he cannot take shelter behind this plea that this fact has not so far been notified.

Chief Minister : I thank the hon. Member for the insinuation that I kept this thing hidden from you, Sir, but the fact remains that no notification has been issued so far.

Mr. Speaker : I will decide the matter when that stage comes. At present I do not know whether Sardar Shiv Saran Singh is a Parliamentary Secretary since no gazette notification has been issued and therefore I cannot debar the hon. Member from putting question the notice of which he gave sometime back.

Shri Prabodh Chandra : May I with your permission ask a question from the Chief Minister? The name of Sardar Narotam Singh was not gazetted but he took his seat on the Treasury Benches as a Minister. How could he do that in view of what has been stated by the Chief Minister?

Chief Minister : His name was notified.

Shri Prabodh Chandra : He took his seat as a Minister at 10 30 in the morning and replied to questions as a Minister in spite of the fact that his name was notified after that.

Chief Minister : Notification was issued.

Shri Amar Nath Vidyalankar : The hon. Chief Minister has stated that the Government has to keep in view its finances before granting increase in the dearness allowance but may I know whether Government has ever considered the heavy financial burden of the low-paid employees also?

Chief Minister : The Government has to arrive at such decisions after seeing its financial position.

Shri Amar Nath Vidyalankar : While deciding the question of revision of grades of low-paid employees does the Government take into account the minimum living wage to which its employees are entitled or is only influenced by the consideration of its own finances?

Chief Minister : I have already replied to this question.

Shri Prabodh Chandra : May I know why the Government has increased the pay of certain officers from Rs. 400 - to Rs. 1,600 - per mensem.

Mr. Speaker : Disallowed.

Sardar Bachan Singh : May I know whether the Government grants dearness allowance considering the factor of high cost of living or such grant is dependent upon the financial position of the Government?

Chief Minister : While granting dearness allowance or any other allowance, the Government has to keep in view its finances.

Sardar Bachan Singh : Is the Government aware that the low-paid Government servants have resorted to taking bribes on account of their inadequate salaries ?

Shri Amar Nath Vidyalkar : Is it a fact that low-paid Government servants submitted representation to the Government for the increase of dearness allowance ?

Chief Minister : Yes, a representation was received.

Shri Amar Nath Vidyalkar : May I know whether after the receipt of such a representation the Government also considered the possibilities of increasing the dearness allowance of the low-paid Government servants by making a slight reduction in the salaries of highly paid officers ?

Chief Minister : The representation was considered but it was not possible for the Government to accede to the demands made therein.

Shrimati Sita Devi : While granting dearness allowance, may I know in what manner the Government fix ratio of such allowance between officers and the low paid staff ?

Chief Minister : I require notice for this question.

Sardar Bachan Singh : Is it a fact that the Subordinate Services Federation, Simla, held a meeting on the 2nd October and thereafter requested the Government to increase their dearness allowance by Rs. 10/- per mensem failing which they would be compelled to resort to some other means to get their grievances redressed ?

Chief Minister : Somebody might have advised them to do so.

POINT OF ORDER.

Arrangement of Business.

Mehta Ranbir Singh : On a point of order Sir. My submission is that today's agenda as circulated by your office is defective. In this connection I would like to draw your attention to rule 25 of the Rules of Procedure, which reads :

All business appointed for any day and not disposed of before the termination of the sitting shall stand over until the next day available for such class of business.

Sir, on the 6th October the House was discussing a motion regarding the Tenants (Security of Tenure) Bill, and according to the rule cited by me this Bill should have been the first item on the agenda for today, because after the 6th it is today that we are taking up the Bills. Sir, you will

remember that on the 6th I raised a point of order and you remarked that the matter had been complicated very much but you were not pleased to give a ruling and the House was adjourned.

Mr. Speaker : I would ask the hon. Member to read rule 25 a little further. In continuation of what he has read he will find the following words :

or until such other day in the session so available as the member in charge of the business may desire.

So the hon. Member will find that the hon. Member in charge of the business has a right to take it on any day he likes. In this connection I would draw his attention to rule 22 also. That rule says :

The Secretary shall arrange Government business in such order as the Leader of the House may intimate.

The hon. Member's objection is met by rule 22 and the second part of rule 25

Mehta Ranbir Singh: Sir, the second thing in today's agenda to which I want to draw your attention is item No.5. In this connection I would draw your attention to rule 148 which clearly lays down the procedure regarding Appropriation Bill. Rule 148 (2) says:

At any time after the introduction in the Assembly of an Appropriation Bill, the Speaker may allot a day or days jointly or severally for the completion of all or any of the stages involved in the passage of the Bill by the Assembly and when such allotment has been made the Speaker shall.....

In view of the above rule my submission is that a full day should have been allotted for the Appropriation Bill

Mr. Speaker: I may tell for the information of the hon. Member that this rule is meant for the Appropriation Bill as to the Budget itself and not to the Supplementary Estimates. If the hon. Member were to see rule 146 he will find that the procedure with regard to Supplementary Estimates shall be followed "subject to such adaptations, whether by way of modification, addition or omission as the Speaker may deem to be necessary or expedient."

Mehta Ranbir Singh: Sir, rule 146 is with regard to Supplementary, Additional, Excess and Exceptional Grants but this is an Appropriation Bill.

Mr. Speaker: Yes, this is an Appropriation Bill in connection with the Supplementary Demands. The procedure with regard to Supplementary Demands and the Appropriation Bill connected therewith shall be as laid down in rule 146 that is with modifications etc., as the Speaker may deem necessary. The procedure with regard to the Appropriation Bill connected with the annual Budget is laid down in rule 148 and hon. Members will find that in rule

[Mr. Speaker]

148 (1) it is laid down that the procedure in regard to an Appropriation Bill shall be the same as for Bills generally with such modifications as the Speaker may consider necessary.

Sardar Bachan Singh: Sir, may I know as to how much time, whether 2 hours or 3 hours, are to be given for this Appropriation Bill?

Mr. Speaker: Let us reach the item on the agenda and then I shall let you know.

**TRANSACTION OF GOVERNMENT BUSINESS ON THURSDAY,
12th OCTOBER 1950.**

Chief Minister (The hon. Dr. Gopi Chand Bhargava): Sir, I move--

That Rule 24 of the Rules of procedure and Conduct of Business in the Punjab Legislative Assembly be suspended and the Assembly shall transact Government business on Thursday, 12th October 1950.

Sir, the House has already decided to take up Bills to-morrow, but as it was necessary to bring in a formal motion, I have moved it. I hope the House will agree to it.

Mr. Speaker: Motion moved—

That Rule 24 of the Rules of Procedure and Conduct of Business in the Punjab Legislative Assembly be suspended and the Assembly shall transact Government business on Thursday, 12th October 1950.

The motion was carried.

PRIMARY VACCINATION AND RE-VACCINATION BILL.

Minister for Rehabilitation (The hon. Dr. Lehna Singh Sethi): Sir, I beg to present the report of the Select Committee on the Punjab Primary Vaccination and Re-vaccination Bill.

COTTON GINNING AND PRESSING FACTORIES BILL.

Minister for Development (The hon. Sardar Ishar Singh Mujhal): Sir, I beg to present the Report of the Select Committee on the Punjab Cotton Ginning and Pressing Factories Bill.

GAON PANCHAYAT BILL.

Minister for Local Self Government and Labour (The hon. Shri Prithvi Singh Azad): Sir, I beg to present the Report of the Select Committee on the Punjab Gaon Panchayat Bill.

CONTINGENCY FUND BILL.

Chief Minister (The hon. Dr. Gopi Chand Bhargava): Sir, I beg to introduce the Punjab Contingency Fund Bill.

Chief Minister: I move—

That the Punjab Contingency Fund Bill be taken into consideration at once.

Sir, whatever we want in connection with this Bill has been given in the Statement of Objects and Reasons. After the enforcement of the Constitution of India it is not possible for us to spend any amount unless and until provision exists in the main Budget or in the Supplementary Budget. But there may be times when we may be called upon to incur expenditure as has happened now in the case of floods. To meet such emergencies we must establish a fund and it is for this reason that this Bill i. e. the Contingency Fund Bill has been brought before the House. For the present a provision is being made for a fund of Rs 50 lacs.

Mr. Speaker: Motion moved—

That the Punjab Contingency Fund Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker: The House will now consider the Bill clause by clause.

CLAUSE 1.

SUB-CLAUSES (2) & (3).

Mr. Speaker: Question is—

That Sub-clauses (2) and (3) of clause I stand part of the Bill.

The motion was carried.

CLAUSES 2 and 3.

Mr. Speaker: Question is—

That clauses 2 and 3 stand part of the Bill.

The motion was carried.

CLAUSE 4.

Mehta Ranbir Singh: (Ludhiana and Ferozepur, General, Rural) Sir, I move—

That for the words fifty lakhs of rupees the words twenty five lakhs of rupees be substituted.

[Mehta Ranbir Singh]

Sir, the establishment of the Contingency Fund is in accordance with article 283 (2) of the Constitution of India. The object is that the Governor shall be enabled to spend money from this fund if and when an emergency arises. I have nothing to say against the principle underlying it but what I want is that the amount in this fund be reduced to 25 lacs only.

Mr. Speaker: The amendment which the hon. Member wants to move to clause 4 is out of order because the House has already voted a sum of rupees fifty lakhs for this fund in the Supplementary Estimates. The hon. Member is not competent to discuss the decision already taken by the House.

Sardar Bachan Singh: Sir, Article 283 (2) of the Constitution reads as follows:

The custody of the Consolidated Fund of a State and the Contingency Fund of a State, the payment of moneys into such Funds, the withdrawal of moneys therefrom, the custody of public moneys other than those credited to such Funds received by or on behalf of the Government of the State, their payment into the public account of the State and the withdrawal of moneys from such account and all other matters connected with or ancillary to matters aforesaid shall be regulated by law made by the Legislature of the State, and, until provision in that behalf is so made, shall be regulated by rules made by the Governor or Rajpramukh of the State.

So unless and until the law is made the question of provision should not arise.

Mr. Speaker: Under the new Constitution not a single penny can be spent by the Government unless the House sanctions it.

Mr. Speaker: The Government first presents its Budget for the sanction of the House and when the Budget is passed an Appropriation Bill is brought before the House. This item of Rs. 50 lacs was included in the Supplementary Demands and the House has voted this sum for the Contingency Fund. So at this time if you reduce this amount you will be attacking the decision of the House already taken only the other day. Decisions taken in this session cannot be attacked by any Member. My view is that when once the House has voted this amount it cannot be reduced. But Members have a right to express their views as to how this money should be spent so that it may yield the most beneficial results.

Sardar Bachan Singh: Sir, it is clearly stated in clause 4 that the State Government shall on the commencement of this Act appropriate a sum of 50 lacs of rupees out of the consolidated Fund of the State. But the fact is that unless and until this Bill is passed the question of a provision of 25 lacs does not arise. This question can come up after the Bill is

passed. However, as this Bill says that a sum of Rs. 50 lakhs should be provided, we say that instead of 50 lacs a provision should be made for Rs. 25 lacs.

Mr. Speaker: Yes, you could reduce the amount provided you had not voted it in the Supplementary Estimates.

Sardar Swaran Singh: Sir, the point which the hon. Speaker has explained to the House, to my mind, does not decide the question which is covered by this Bill. Merely because the House has agreed to a maximum of 50 lacs, which is only a grant, the actual utilization of which will depend upon the subsequent actual withdrawals from that amount, it does not mean that the entire amount has to be appropriated on one occasion; and merely because the grant has been sanctioned, that does not bar the discussion of the present Bill. The amount of 50 lacs will remain as a grant and if this House accepts this amendment then Rs. 25 lacs can be appropriated out of the total grant. It is only a constitutional question as to whether if the House agrees that a certain amount should be sanctioned, it bars the consideration of the question which is mooted in the formal Bill. The grant only fixes a maximum and my submission is that that does not mean that if the House wants to re-agitate this question it cannot do so. I have no sympathy with this amendment and do not support it but my view is that the House can discuss this amendment.

Mr. Speaker: What the hon. Member says is correct that what we have voted yesterday was that the Government shall not exceed such and such an amount and by the Appropriation Bill also we would be authorizing the Government to take out of the consolidated fund up to that limit only. But that is not the question now; the question is that on the 9th we decided that 50 lacs be voted for the Contingency Fund.

Sardar Swaran Singh: The words are "not exceeding 50 lacs."

Mr. Speaker: Yes it is true but if you accept this amendment you would be pinning the Government to spend not more than 25 lacs and this, I maintain will be going against the previous decision of the House.

Sardar Bachan Singh : The amount of Rs. 50 lacs passed in the Supplementary Estimates was meant for the current year only. But the legislative measure now before the House would be placed on the statute book for ever

Mr. Speaker: I take the view that day before yesterday this House took a decision and today any motion going against that decision is contrary to parliamentary practice. At this stage the House can discuss as to how

[Mr. Speaker]

this amount should be spent. The House must know that previously the Government could spend money and later on could come before the House and obtain its sanction for the money which had already been spent by it. But under the new Constitution this cannot be done. The Government must obtain the sanction of the House before incurring any expenditure and this fund is meant to meet any unforeseen expenditure like the one that the Government had to incur in connection with the floods.

Sardar Swaran Singh: Sir, I would refer you to section 204 of the Constitution sub-section (2) which lays down:

No amendment shall be proposed to any such Bill in the House or either House of the Legislature of the State which will have the effect of varying the amount or altering the destination of any grant so made or of varying the amount of such expenditure charged on the Consolidated Fund of the State, and the decision of the person presiding as to whether an amendment is inadmissible under this clause shall be final.

From the above it is quite clear that Members are debarred from putting forward any amendments which are intended to alter or vary the amount.

Chief Minister: Sir, supposing we had placed the Contingency Fund Bill before the House before the Supplementary Demands were put for sanction, then the House had a right to discuss the amount intended to be put into this fund. Had we asked for 1 crore, the House could say that only 50 lacs or 25 lacs was sufficient and it could reduce it. Similarly while discussing the Supplementary Demands the House could discuss this item, but now when we have passed the Supplementary Demands and when the Contingency Fund Bill is before the House, it does not seem advisable or even legal to reduce this amount. When the Supplementary Demands were prepared we had put this amount of 50 lacs for emergency needs and the emergency actually arose when the State was affected by the floods. As a matter of fact we had given notice of an amendment that the amount be raised to rupees one crore. But realizing that the House had already agreed and sanctioned to invest only rupees 50 lacs in this fund, we are not moving that amendment, because the decision once taken by the House cannot be attacked or challenged.

Mr. Speaker: The amendment was out of order and that is why it has not been moved.

Mehta Ranbir Singh: An amendment which intended to raise the amount would certainly be out of order because the House has decided to give a sum not exceeding Rs. 50 lacs but an amendment which seeks to reduce this sum, I submit, is in order.

Mr. Speaker : I am convinced that any motion which attacks the earlier decision of the House is not in order and I rule the present motion out of order.

Mehta Ranbir Singh : Sir, when this House passed the Supplementary grant for a sum not exceeding Rs. 50,00,000 yesterday, the question before us was as to how this Government which was reputed for incurring wasteful expenditure, would spend that amount.

Mr. Speaker : When financial matters are under discussion, time-limit for speeches can be fixed. I shall therefore allow fifteen minutes to the mover and ten minutes to every other hon. Member.

Mehta Ranbir Singh : Taking into consideration the resources of the State, any Government which is fit to be called a popular Government, would not incur any wasteful expenditure. It would not ignore the difficulties of the people and their inability to pay taxes. I, therefore, submit that the Government should spend as little out of this fund of Rs. 50 lakhs, as possible, because it is not necessary that the whole of it should be spent.

Mehta Ranbir Singh : If we take into consideration the previous history of this Government, we find that it has incurred wasteful expenditure in almost every department.

Mr. Speaker : Take the excesses and not the general expenditure.

Mehta Ranbir Singh : The report of the Public Accounts Committee which was discussed yesterday showed that the Government had unnecessarily incurred heavy expenditure. It also showed that expenditure in excess of the sanctioned grant had been incurred and it was afterwards got authorised. Under the Constitution of India, this contingency fund of Rs. 50 lakhs has been provided to meet the excesses in expenditure. The Government should try to spend as little out of this fund as possible. If it takes into consideration the hard lot of the tax payer, it will certainly cut short its expenditure. What is the condition of the people today? On the one hand we find that they have been ruined by the floods and on the other, the condition of industries is deplorable. Under these circumstances the Government should try its utmost to cut short its expenditure. It is not empowered to spend more than fifty lakh rupees, in excess of the budgetted estimate. I would like to submit that it is not necessary at this whole sum of Rs. 50 lakhs must be spent. The Government

[Mehta Ranbir Singh]

should, therefore, spend as little as possible, say Rs. 10 lakhs or 15 lakhs. If this is done, I assure the Government that we shall not oppose any such Bill regarding this matter, when it is brought before the House.

Mr. Speaker : We are now dealing with Clause 4. Any general suggestions that the hon. Member would like to make may be made at the third reading stage.

Sardar Bachan Singh [Ludhiana Central Sikh, Rural] (*Hindustani*) : Sir, the previous method of making provisions in the Budget was defective. With a view to ending that defective system and to replacing it with a better and more efficient one, the provision for creating a Contingency Fund was made in the Constitution of India. Previously, there was no restriction on the Government to spend Rs. 15 crores as against the sanctioned budget of Rs. 10 crores. But now according to the new Constitution, the Government cannot incur excessive expenditure more than the sum placed in the Contingency Fund and even that has to be authorised by the Assembly afterwards. So far as our Government is concerned it presents a budget of Rs. 20 crores and the actual expenditure comes to Rs. 12 crores. At other times, it spends much more than the budgetted estimates. In this way it is jumping from one extreme to the other. Either it spends much more than the estimates or much less. There cannot be a greater ignominy for any Government than the fact that its budget estimates should be wholly incorrect. A minor difference in the estimate and the actual expenditure can be permitted. But if the estimate is of Rs. 100/- and the actual expenditure comes to Rs. 150/-, nobody can call that Government efficient. It is, therefore, necessary that this Contingency Fund should be the smallest possible. But I learn that the hon. Chief Minister was anxious to have a Contingency Fund of Rs. 1 crore, in stead of Rs. 50 lakhs. We see that, at the time of the presentation of the Budget, the Finance Department is eulogised. But it cannot be called efficient if its estimates prove grossly incorrect. I, therefore, submit that the Government should import a greater efficiency in its Finance Department and it should have proposed the Contingency Fund of Rs. 20 lakhs only. In this way, it should have given proof of the fact that the estimates are prepared after thorough scrutiny. But the pity is that nobody appears to realize his responsibility in this Government. If there had not been financial stringency in the State, the Government might have asked for a provision of even Rs. 5 crores, for the Contingency Fund.

Sir, the fact is that our Chief Minister holds the portfolio of Finance as well. He is keeping so many portfolios with him that he cannot pay full

attention to matters relating to Finance. In other States and Countries the Chief Ministers have to pay their attentions to so many matters that they consider it convenient to hold only one or two portfolios and those also of minor importance. But here in Punjab our Chief Minister.....

Mr. Speaker : Please be relevant and speak only on the Bill under consideration.

Sardar Bachan Singh : Sir, my submission is that the financial state of affairs demands that we should think for the good of our State. A Contingent Fund which is required to be created under Articles 267 (2) and 283 (2) of the Constitution of India is meant to meet unforeseen and extraordinary items of expenditure. As such it is created for small withdrawals that may become necessary on account of some special small items of expenditure now and then. But the Government appears to have no idea of the purpose of this Fund. Our Chief Minister, being very busy, is unable to pay any attention to matters of Finance. So the Finance Department is not working with the same sense of responsibility as it should. A committee formed under the chairmanship of the Finance Minister could not work so as to achieve anything substantial for the good of the State. Now in this Bill clause 4 lays down that the State Government shall appropriate a sum of fifty lakhs of rupees out of the Consolidated Fund of the State and place it to the credit of the Contingency Fund. In my opinion such a large sum should not be appropriated for the purpose of Contingency Fund. A sum of twenty or twenty five lakhs can serve the purpose. This Fund which our Government is creating for future should be a limited one so that the departments may not find it easy to spend extravagantly. So I, oppose this clause of the Bill.

Mr. Speaker : Question is—

That clause 4 stand part of the Bill.

The motion was carried.

CLAUSES 5 and 6.

Mr. Speaker : Question is—

That clauses 5 and 6 stand part of the Bill.

The motion was carried.

CLAUSE 1

SUB-CLAUSE (1)

Mr. Speaker : Question is—

That sub-clause (1) of clause 1 stand part of the Bill.

The motion was carried.

PREAMBLE.

Mr. Speaker : Question is —

That the Preamble be the Preamble of the Bill.

The motion was carried.

TITLE.

Mr. Speaker : Question is—

That the Title be the Title of the Bill.

The motion was carried.

Chief Minister (The hon. Dr. Gopi Chand Bhargava) : Sir, I move—

That the Punjab Contingency Fund Bill be passed.

Mr Speaker : Motion moved—

That the Punjab Contingency Fund Bill be passed.

Shri Ram Sharma (Southern Towns, General, Urban) (*Hindi*) : Sir, this Bill relates to the Constitution and its enactment has been made necessary by the articles of the new Constitution. So far the procedure with regard to any expenditure other than that provided for in the budget estimates had been that the Government after making the expenditure brought it in the form of supplementary demands before the House. But now a separate Fund is to be created in the name of the Governor to be spent by the Ministers (*Sardar Swaran Singh*—Not by the Ministers but by the Government) (*laughter*).—Ministers, not for their private purposes. As the creation of such a Fund is provided for in the Constitution, this Bill which we are now considering, should be passed. But what I wish to say here is that because it relates to unforeseen expenditure therefore more attention should be paid to it than is generally paid to the Budget itself. The hon. Members of this House have the opportunity of discussing the Budget thread bare every year but in the case of any new item of expenditure no such opportunity will be given until the expenditure has already been incurred, so my submission is that we shall have to watch and guard this Fund carefully so that it may not be spent un-necessarily. The main object of creating this Fund is that the Government may be enabled to spend in unforeseen eventualities like floods etc. But this does not mean that the Government may be allowed to make use of it for such purposes as sending of a deputation for the recruitment of technicians for the construction of Bhakra dam and the capital project etc.

Chief Minister : Such an expenditure does not fall under a Contingency.

Shri Ram Sharma : Sir, my contention is that money should be spent from this Fund only on such items which could not be foreseen at the time of Budget making. It should not be spent on any other items. Its withdrawals should be exceptional and extraordinary and care should be

spend luxuriously. In a reply to some question put by an hon. Member it has been stated by the Government that the highest pay that an officer is drawing in Punjab is four thousand rupees and the lowest pay that is given by the Government is fifteen rupees. This difference is very undesirable and our Government should try to abridge it. We are sitting before the portrait of Mahatma Gandhi and we should not forget his principles and teachings.

Mr. Speaker : The hon. Member is not relevant.

Shri Ram Sharma : Sir, my submission is that under unforeseen expenditure from this Fund the Government might have to employ some officers and it might have to employ some subordinates also. So while making such recruitments we should bear in mind the teachings of Mahatma Gandhi and try to make the difference in their salaries as small as possible. In these circumstances I request that greatest care should be exercised with regard to the spending of sums from this Fund.

Shri Amar Nath Vidyalkar : (Non-Union Labour) (*Hindustani*) : Sir

I feel that we must be very chary of giving financial powers to the Government. This does not mean that I am going to shake this House's confidence in the Government. I think in financial matters doubt is a beneficial sentiment, and in a democracy, financial power must be looked upon with serious suspicion. We should be very careful in arming the Government with powers to incur expenditure in connection with unforeseen contingencies. I would submit that the House should warn the Government beforehand that when the Government would put forward the details of unforeseen expenditure incurred by them before the Assembly for authorization of the same, then the hon. Members would make a thorough scrutiny of it. If any lacuna is found, they are not likely to show any leniency to the Government for that irregularity. Then there is another submission which I want to make in this connection. When the Government would place the statement of that unforeseen expenditure before the House, it would then have become a *fait accompli*, that is, the expenditure would have been incurred and become a settled fact. Under the circumstances, as my hon. Friend Pandit Shri Ram Sharma pointed out, we shall have no other recourse but to give our approval. We might dislike the manner in which the expenditure has been made, but we would not be able to reject the demand of the Government. Besides, we may censure the Government but that will be of no avail since the expenditure would already have been incurred. It is therefore absolutely necessary that before vesting financial powers in the Government, as are sought under the Bill under consideration, we should give careful consideration to the matter.

I quite realize that Government cannot summon the Assembly every time

[Shri Amar Nath Vidyalkar]

when it incurs any unforeseen expenditure and it is not under any compulsion to do that. However I would like to make a suggestion in this connection and that is this. Government should take the Committee of Estimates into their confidence before incurring a particular expenditure in regard to unforeseen emergent expenditure. This will lighten the responsibility of the Government to a considerable extent, and give an opportunity to the House through one of its most important committees to exercise some control on the Government expenditure. I hope, our Chief Minister would display his sense of democratic fairness to give a similar assurance to the house.

Sardar Sajjan Singh (Patti, Sikh Rural) (Punjabi) :—Sir, the object of this Bill is to vest financial powers in the Government to incur unforeseen expenditure that may be required under emergent conditions. For instance Government were required to spend large sums of money for affording relief to people in flood-stricken areas. But there is another calamity which has overtaken our State. For the last three years I have been drawing the attention of the Government to take steps to combat it. This calamity is that our jails and lock ups are in a very bad condition. The accommodation therein is very meagre but more prisoners are huddled up in them than they can accommodate. We should be considerate towards the prisoners. After all they are human beings. I can quote several instances to show that 48 prisoners were put in a cell which was sufficient to accommodate only 16 persons.

Mr. Speaker : I think it would be better if the hon. Member finds out some such item for discussion under the Appropriation Bill

Sardar Sajjan Singh : Very well, Sir. I close my remarks here.

Mr. Speaker : Question is —

That the Punjab Contingency Fund Bill be passed.

The motion was carried.

APPROPRIATION (No. 2) Bill.

Minister for Labour (The hon. Shri Prithvi Singh Azad) :

Sir, I beg to introduce the Punjab Appropriation (No. 2) Bill.

Minister for Labour : I beg to move—

That the Punjab Appropriation (No. 2) Bill be taken into consideration at once

Mr. Speaker : Motion moved—

That the Punjab Appropriation (No. 2) Bill be taken into consideration at once.

Sardar Sajjan Singh (Patti, Sikh, Rural) (Punjabi) : Sir, a demand to the tune of Rs. 2,74,56,660 has been made by the Government under this Bill. I have to make a few observations with regard to item No. 12 of this Bill. It pertains to Public Health. Sir, I feel that a great responsibility lies on the Public Health Department since the safety of the nation lies in their hands. I think efficient functioning of the Public Health Department is the hall mark of a good Government. But what is the state of affairs under our own Government? I was supplied with a statement in reply to unstarred question No. 517. It is mentioned in that statement that in Amritsar Jail cells which are meant for keeping 34 prisoners, are utilized for accommodating much larger numbers. For instance on June 15, no less than 98 prisoners were put in those cells and on 15th of July there were 88 prisoners who were huddled up there. This shows that the Jail Department played with the health of the prisoners, who were perhaps in the eyes of the officials, worse than animals.

Mr. Speaker : The hon. Member is irrelevant.

Sardar Sajjan Singh : No, Sir, I am discussing item No. 12 which covers the health of the prisoners also.

Mr. Speaker : The hon. Member should confine his remarks to the item he has mentioned in the Bill. If he refers to the Supplementary Estimates, he will find that he could discuss some items relating to the Public Health. *e.g.*

1. Staff required in connection with emergency evacuation and relief camps.
2. Opening of 10 new Health Centres in the Punjab.

and so on. However I would ask him to try to make himself relevant to the discussion of the Bill.

Sardar Sajjan Singh : Well, Sir, my object is that Government should be more considerate towards the jail population in providing them space consistent with the maintenance of their normal health. Government can find out a lot of money to pay fat salaries to high officers but is reluctant to make a provision for the supply of diet which is barely sufficient for the prisoners to keep their body and soul together. We have been told on the floor of the House that the diet money of the under trial prisoners has been reduced in view of a negligible fall in the price of wheat.

Mr. Speaker : I would ask the hon. Member to restrict himself to the discussion of the relevant item.

Sardar Sajjan Singh : Now about the special days to Government officials.

Mr. Speaker : Which Government officials ?

Sardar Sajjan Singh : I mean Assistant Elections Commissioner and Extra Assistant Elections Commissioner whom it is proposed to pay Special pays as mentioned on page 20 of the Supplementary Estimates. I really fail to understand the idea underlying the policy of the Government in granting Special pays to high official in general and officers in-charge of the election machinery in particular. From the note under the item of this grant we find that it is proposed to give special pay to Assistant Elections Commissioner at Rs. 50/- per mensem from 1st March 1950 to 31st May 1950. Then again it is proposed to give the same official special pay at the rate of Rs. 100/- instead of Rs. 50/- from 1st June 1950 to 28th February 1951. I do not find any justification on the part of the Government to pay special pays to officials when they do not work for more than six hours a day. The hon. Chief Minister has said more than once while justifying grant of special pays to high officials that they do more work than is ordinarily expected of them. I do not know as to what he means by 'more work'. When they only put in 6 hours work what justification is there on the part of the Government to pay them more without any rhyme or reason. *(Interruptions)* Sir, what I wish to point out is this that on the one hand huge amounts in the form of high pays, special pays and other allowances are paid to the high officials while on the other hand instructions are issued to the Heads of the Departments to observe strict economy in the matter of expenditure. I would like to bring this point home to the hon. Chief Minister that by paying special pays to high officials Government is not in the least effecting any economy but is spending enormous amounts instead. Is this how the Government is curtailing its expenditure? I am really constrained to remark that it is not even prepared to consider the fair and genuine demands of the low-paid Government services while on the other all-out efforts are being made to pay more to those who are already drawing huge amounts. Whenever Government is approached to raise the salaries of the low-paid Government servants who find it difficult, nay impossible to pull on with their present income, we are told that the State finances do not permit taking of such steps. It is crystal clear from this that Government at any rate already has sufficient funds to incur expenditure in connection with the payment of special pays to high officials.

There is one thing more to which I wish to draw the attention of the Government and that is regarding the grants under the major head 'Charges on Irrigation Establishment.....' On page 15 of the Supplementary Estimates we find provision of five and a half Revenue peons in the scale of 20- $\frac{1}{2}$ -25. I do not understand what the Government means by making provision for 'five and a half' peons. I am really constrained to remark that

the accounting system of the Government is very defective. It will not be out of place to mention here that in reply to a starred question No 60 regarding the total amount of expenditure incurred by the Government on Jagmelera police post district Rohtak it was given out that the total amount incurred by it came to Rs. 7022/- while in reply to another starred question No. 1538 on the same subject the total amount was stated to be Rs. 8350/-. The two accounts as is apparent seem to be quite different. What I mean to say is this that the accounts maintained by the Government are defective and wrong. It is the bounden duty of the Government to issue instructions to all the departments to maintain their accounts accurately and properly. Different versions of accounts about one and the same thing are sure to create suspicions in the minds of the public. This is how things are going on in our State.

Shri Amar Nath Vidyalkar (Non-Union, Labour) (*Hindi*) : Sir, I want to draw your attention to the provision relating to the Labour Department in Demand No. 10 of the Supplementary Estimates.

It is mentioned in the note under this item of grant that an additional amount is required to meet the expenditure in connection with the Labour Advisory Board and the appointment of certain committees under the Minimum Wages Act. I do not object to the passage of this item of grant but I strongly oppose the working of the Minimum Wages Committee and the Labour Advisory Board. It will not be out of place to mention here that I happen to be a member of both the committees. The Minimum Wages Committee held many meetings. The Government has constituted three committees—one for tea industries and the other for local bodies and the third for oil industry. But in spite of the fact that these committees took certain decisions and submitted their reports to the Government, no minimum wages have so far been fixed in respect of the labourers of these three scheduled industries. The labour organizations made this demand in unequivocal terms that Government should include other industries also in the Schedule of the Minimum Wages Act and that the lower grade Government servants should also be included in it. What I wish to point out is that the labourers of the textile industries, and Bhakra and Nangal workers should also be included in the Schedule with a view to fixing their minimum wages. I am really constrained to remark that the labourers of many important industries have not been included in the Schedule in spite of the pressing demands from these labourers. As a matter of fact our Ministers go assuring them that their wages would also be fixed under the Minimum Wages Act. It will not be out of place to mention here that in spite of the fact that the hon. Chief Minister recently held out an assurance to the labourers of a Paper Mill and a Sugar Factory at Jagadhari that Government was considering the question of fixing their minimum wages, the Government had never an intention to

[Shri Amar Nath Vidyalankar]

include these industries in the Schedule of the Minimum Wages Act. The non-inclusion of these industries and certain other industries in the Schedule of the Minimum Wages Act have given rise to bitter feelings both in and outside the State.

Provision has also been made for the setting up of the Industrial Tribunal. This Tribunal constituted by the Government is already dealing with the labour disputes. I have no intention to criticize the working of the Tribunal. At Bhiwani this Tribunal is conducting one case. The labour Union there had submitted about 17 demands. It is both in the interests of the Government and the State to deal with such demands in such a way so that the peace of the State might not be disturbed. We had never intended to encourage such steps to be taken by the workers, that might create unhealthy situation in the State. But let me also say that our most reasonable demands even, are viewed with scant consideration, and unless the workers resort to some direct action no one is disposed to take their demands seriously. Even those unions that have been duly registered are not recognized by the management till ultimately they are forced to give a strike notice. Even the Government at its own works at Nangal have failed to extend recognition to a registered union, affiliated with the I.N.T.U.C. This is in spite of the repeated and even written promises and assurances given by the Government. Such a demand of the labour union of Bhiwani, is lying before the Labour Tribunal since the last four months. What is the fun in taking even such disputes to the Tribunal for its decision? The Government must bring into operation that part of the Indian Trade Unions Act, which provides for the compulsory recognition of the Unions. The strike at Bhiwani was called off, because the Union was then recognized, but soon after the management of one of the mills withdrew the recognition, and they have made this a matter of disputes. The Government says they are helpless. I say they are not helpless, but they either lack the will or the courage or both. The workers in the factories are highly dissatisfied with their present lot. They are very much disgruntled as they are not given a fair deal. They are dismissed without any rhyme or reason; their wages are reduced and above all they are even be laboured by the factory owners. It would, therefore, appear that their conditions of employment are far from satisfactory. When these workers lodge their complaints to the Labour Department, it pleads its utter helplessness to redress their grievances. If persistent demand is sometimes made by the workers for the redress of their grievances, the Labour Commissioner goes to the spot to settle their disputes or bring about conciliation between the parties. But during the course of enquiry certain contentions advanced on behalf of employees or the mill-owner become unacceptable to either party to the dispute which make the settlement of the dispute difficult, rather impossible. Then the labour-employer becomes vindictive against the workers who are

responsible for making complaints and employs pressure tactics against them. The result is that even their legitimate trade union activities are turned into a weapon against the workers, and large number of workers are turned out of the factories. The labour class is in a weak position and they must feel perturbed at the absence of any effective constitutional provisions with a view to securing their rights for them. The mill-owners are often very slow and halting in conceding the legitimate demands of the workers even after the judgements are passed in the worker's favour. Then if in their genuine and legitimate discontent the poor workers start any agitation, the iron hand of the Government is there to crush them. They are put behind the bars without any trial by the Government. This is how the united front between the employers and the Government authorities works to the utter disadvantage of the poor workers. In these circumstances it is no wonder that the Labour Department of the Government fails to inspire hope and confidence. Workers do not rely on any promises. They need concrete facts, compared to the pre-independent days, they feel that they are more in bondage, their activities more restricted, and their legitimate rights much more trampled under feet than before. It was really surprising that at Amritsar, the Labour Commissioner while conceding some of the demands of the workers should have stopped all conciliation proceedings merely for the reason that the Government forced upon some of the workers, who were arrested for their alleged activities prejudicial to the law and order, and this had terrified other worker to complete silence on their extremely genuine demands. The matter has since been remained in cold storage and is not taken up again by the Labour Department for final decision. The result of such an inaction on the part of the Labour Department is that the poor workers have to suffer for no fault of theirs. I would submit, Sir, that it is the duty of the labour department to see the conditions of employment from which most trade disputes arise and to satisfy the legitimate demands of the workers. For instance, the employers should in no case be allowed to retrench the strength of labour at their own sweet will, and at their own convenience. This is a matter of public interest, in which the state ought to have its say. The State is today all over the world responsible for creating favourable employment conditions, and there is no reason why an employer should be freely allowed to play with the lives of the producers of national wealth, by throwing them in the street without the least hesitation. The Government must come forward to play its role according to its own pledges, or the workers will be justified if they resort to other methods that would impede national production. It should remove their grievances and should take steps to satisfy their primary needs. If even their unions cannot be recognised, the labour class will continue to work at great disadvantage, and an orderly development of satisfactory industrial relations between the employer and the employees, will remain a mere moon-

[Shri Amar Nath Vidyalkar]

shine. What is the use of the unions be if they are not to be recognised? The main object of the union is that the employer and the employee should mutually bargain and work in close collaboration in order to keep the machinery of production running efficiently. As I have already said the Bhakra-Nangal Labour Union is a registered one, but it has not been recognised even by the Government. If the Government also fails to act in accordance with its declared professions, how can it compell the other employers to observe better standards. As the things stand now, I feel, it will hardly serve any useful purpose to spend even a pie on the labour department or on the tribunal. What is the use of a public institution if it fails to inspire public confidence? The Government should make the labour class realized that it is fully conscious of its responsibility towards the working classes and would do all to guarantee them better standards of life.

Shrimati Sita Devi (Ex-Member, West Punjab Legislative Assembly representing Lahore City, General, Women, Urban) (*Hindi*): Sir, the supplementary demands that have been passed in the Assembly are now being put in the from of appropriation bill before the House. We find that an additional grant for Rs. 25,000 has been made for anti-communist propaganda. On page 107 of the supplementary demands it has been stated:

The Public Relations Department has to undertake the production of additional literature, pamphlets, posters, books etc. in connection with the anti-communist propaganda. There has also been a considerable increase in production of other literature. Moreover, the secret fund which used to exist in the United Punjab for composition of articles etc., also does not exist any longer. It is, therefore, necessary that an additional sum of Rs. 25,000 should be placed at the disposal of the department under this head".

I would submit, Sir, that our Government which takes the pride of being a popular Government should try to make every possible saving in the Governmental expenditure. The hon. Members of the House are perhaps aware that this publicity department came into existence as a temporary measure during the days of war for making propaganda for the Government. After the partition it so appears that efforts are being made to make this department permanent.

Mr. Speaker : The hon. Lady Member should speak about the anti-communist propaganda and not about the department itself.

Shrimati Sita Devi : Sir, I am coming to that. Our Government has sanctioned the grant of Rs. 25,000 for anti-communist propaganda. But the public is not aware what useful propaganda is being made by this department for which such a huge expenditure is being incurred by the Government. It is by no means possible for this department to counteract the effects of

anti-Government propaganda silently carried on by discontented masses. The actions of the Government should be such as may win unreserved praise, sympathy and good-will of the public for the Government. Mere publicity and hollow propaganda can never make the Government popular. It has been appropriately remarked by a Persian poet that :—

ਮੁਸ਼ਕ ਆਂਨ ਅਸਤ ਕਿ ਖੁਦ ਬਬੋਯਦ ਨਾ ਕਿ ਅਤਾਰ ਬਗੋਯਦ ।

मुश्क आंन अस्त कि खुद बबोयद ना कि अतार बगोयद ।

I am sorry to say that our hon. Chief Minister who is a doctor instead of feeling the pulse of the people has wrongly laid his hands on their neck. He has not been able to diagnose the disease which the general public is suffering from. It is evident that they are suffering from lack of food, lack of clothes and lack of residential accommodation. The need for providing food, clothing and shelter is, therefore, urgent. The Government should also try its best to check the rising spiral of prices which is putting additional burden on the limited resources of the common man. If the Government is able to do this, it will be the best propaganda against the communists. Our Government does not seem to be sufficiently aware of the poverty prevailing in the general masses. Their poverty cannot be judged by the inhabitants of Simla who are well-fed and well-clothed. The general masses are very much discontented and if the Government could improve their condition that would speak better than any propaganda that may be made by Publicity Department.

I feel, Sir, that no good will come out of any amount spent for combating communist propaganda, so long as corruption, blackmarketing and such like evils continue to vitiate the life of the country. These evil practices are by themselves sufficient to create sedition and hatred against the Government. If the Government is really serious about stopping communist penetration, it must first banish hunger and want from the country. What do we find today? Black-marketing in every necessity of life, and adulteration in every thing. The Estimates Committee in its report, has also taken exception to this expenditure, because in their view the literature produced by the Department is not of a satisfactory nature.

Chief Minister : May I inform the hon. Lady Member that the Committee of Estimates had approved of this expenditure.

Shrimati Sita Devi : Of course, it has been approved. I don't deny this. Whatever the Government wants to do, it manages to get the approval of the House.

[Shrimati Sita Devi]

Then, Sir, for the last three years there has been talk of building a new capital, and assurances were given every summer that Government would shift to it in the forth coming winter. But we are surprised to learn now that the Government is sending two of its officers, the Finance Secretary and the Financial Commissioner, abroad to find experts for building the capital.....

Mr. Speaker : Are they being sent abroad to find 'communists' ?

Shrimati Sita Devi : Sir, what I mean to say is that if the problem of building a capital had been solved earlier.....

Mr. Speaker : Please leave that.

Shrimati Sita Devi : Sir, in the end I would again stress that it will not be possible for the Government to check communist propoganda from infiltrating into the masses, by producing pamphlets, journals and other literature. The Government would be well-advised to find the proper and real remedy, so that people may have no inclination and disposition towards this ideology.

Sardar Bachan Singh : (Ludhiana, Central, Sikh, Rural) (*Hindustani*) : Sir, you will see that under Demand No. 31 a sum of Rs. 14,80,000, has been provided for local distribution of electricity. In this connection, I submit, Sir, that the inefficiency and mismanagement prevalent in this Department will not be found in any other Department of the Government. In may last, I met the Chief Engineer in connection with the supply of electricity to Ludhiana town, and reminded him of the promise held out by his Department of giving electric connections to the people of Ludhiana, who had got fittings completed in their houses, by April or May at the latest. In reply he stated that he could not say as to when his Department would be able to sanction new connections and that he could do nothing to expedite the matter owing to shortage of funds available to him. I wondered why this little difficulty could not be over come, when our Government had such financial experts as our able Finance Minister, Dr. Gopi Chand Bhargava. Sardar Kartar Singh Malhotra and Mr. P.N. Kaul, the Financial Commissioner, to guide it in such matters.

Chief Minister : Sir, I have to make a request. It has been a convention that those officers who cannot be present to defend themselves, should not be criticised, especially by name.

Sardar Bachan Singh : I also impressed upon the Chief Engineer the fact that after all it was a question of appointing a few more clerks to deal with the applications for connections. He again gave the same reply, that

funds placed at his disposal were not sufficient. This, Sir, is the standard of efficiency of this Department. Electric power was available all the time but for the departmental failure to distribute it, it remained unused. Now this Department is taking a different position. I have seen the Sub-Divisional Officer and the Executive Engineer only last month. I asked them as to what stood in the way of sanctioning connections now. They told me that meters were not forthcoming and all that they could do in the matter was to write to the Chief Engineer, who in turn writes to God knows whom. And when meters are sent, they come in a lot of fifty to a hundred only.

Sir, the officers of this commercial department have miserably failed in the performance of their duties and it is something which deserves to be strongly condemned. The House as also the Government and its officers are aware that demand has been so many times made for discontinuance of electric supply to the West Punjab, but this Government always comes up with a reply that we being a deficit State cannot afford to do so. It is a wrong policy. We should have discontinued supply of electrical energy to Pakistan immediately after the 15th of August 1947 and taken steps to electrify our own State. If we had done that we would have considerably succeeded in the resettlement of our displaced people.

(At this stage Mr. Speaker vacated the Chair and it was occupied by Pandit Bhagat Ram Sharma, a member of the Panel of Chairmen.)

Mr. Chairman, I am inclined to say that this Government is guilty of bungling. If I remember aright the amount provided for local distribution in the regular Budget was Rs. five lakhs and now we are being asked to give a sanction for a sum of Rs. 14,80,000. The extra expenditure or the additional expenditure is out of all proportion to the original budgetted amount. This is very strange. It is the case of mustaches out growing or excelling the beard. The reason given for this State of affairs is stranger still. It is said that as the Chief Engineer failed to submit his demand at the proper time an arbitrary sum of Rs. 4 or 5 lakhs was sanctioned in the original Budget. If it is true, the Government should be ashamed of such officers. These officers of the Electricity Department have been somnolent and have not been attending to their duties properly. Electricity has not been given to places till today where it could have been very easily supplied in the month of June or July. At Ludhiana thousands of concerns have arranged the electric fittings and certificates have been issued to them but no electricity has been supplied for want of meters. It is not possible for me to deal with all the misdoings of these officers. They are responsible for huge losses which the Government has to incur on account of the Central workshop. If a regular inquiry is held into the affairs of this workshop I am sure grave inefficiency would come to light.

[Sardar Bachan Singh]

Sir, I wish to bring to the notice of this House that this Government is not spending the public money in the way it should. I take strong exception to the way in which money has been spent on the 'guara seed' for manure, training of workers or the rural development. We pointed out to the hon. Chief Minister in the Estimates Committee that the 'guara seed' should not be given to the people free of cost and that at least half the price should be realized. The hon. Chief Minister did not agree with this suggestion. The reason was that he wanted to give guara free of charge to his own henchmen. It was the case of a blind man distributing sweets among his own relations. Here I would give another example which is a proof positive of the favouritism which is being indulged in by no less a man than the hon. Chief Minister himself. The hon. Chief Minister has not thought fit to do anything for the oldest maternity hospital at Ludhiana which has an accommodation of 150 beds—I mean Miss Brown's hospital—but has been good enough to shower favours on Mr B. L. Kapur whom he has given land for Rs. 30 thousand for building a hospital and for whom he has enjoined on the Deputy Commissioner of the District to collect a sum of Rs. 7 lakhs. This was most improper for a Chief Minister to do. We cannot expect any good administration from Deputy Commissioners when they are asked to collect funds for private hospitals. This act of favouritism on the part of our Chief Minister is most reprehensible and he should rest assured that some day he may be called upon to account for such acts as this.

Thukur Dalip Singh (Kangra South, General, Rural, (*Hindustani*) : Sir, I have stood up to say a few words as a sum of Rs. 25,000 is sought to be provided for propaganda against the communists. This shows that the number of the communists in our State is on the increase. But may I ask as to after all that is the reason for this increase. The leaders of the communists are behind bars for the last two years or so and no literature is being smuggled into our State from outside. When this is so what is the reason that people are turning communists. I would request the hon. Chief Minister and the Government to think a little dispassionately on this problem. If they do so they will find that it is not any propaganda which is turning our countrymen into communists. They are becoming communists only owing to poverty. The difficulties which the people are experiencing and their increasing poverty are compelling them to find some source which might alleviate their hardships. The people were fed up with the rule of the Britishers and the Unionist Government. They thought that the Congress alone could end their difficulties and we were therefore returned by the public on Congress ticket. Kisans, labourers and Harijans have, however, been disillusioned during the last two or three years and they have ceased to expect any good from the Congress Government. This position is borne out by the spread of communism.

Every event shows that communism is fast approaching. Unless the present state of affairs is improved, communism is sure to come into power in another three or four years. If the hon. Chief Minister desires to alleviate the suffering of the public, he should take strong action to eradicate corruption, black-marketing and hoarding. In stead of detaining communists under the provisions of the Public Safety Act, he should put the black-marketers and hoarders in jail. It is said that giving as well as taking of illegal gratification is an offence. When my hon. Friend Sardar Partap Singh was a Minister and was the Chairman of Anti-corruption Board, pledges were taken against accepting illegal gratification. This was just like asking a Jat if he was prepared to carry the holy Granth by way of oath. He replied that there was nothing better than the Granth to carry. Pledges were no doubt taken but corruption is still rampant. No big officer or some other big person has been punished on account of it. My hon. Friend Sardar Swaran Singh said that the big officers accepted illegal gratification and that the subordinate staff did not do so. But no big officer has been punished up to this day. I was pleased when the Central Government enacted a measure for punishing black-marketeers and hoarders but it is still to be seen as to what action is taken on the basis of that measure. Similarly the Punjab Assembly also passed a Bill but no action has been taken under its provisions. The hon. Chief Minister may think about me what he likes, but I must frankly state what I feel. It is my confirmed belief that instead of doing propaganda against communism, the Government should try to ameliorate the condition of the masses by eradicating corruption, black-marketing and hoarding.

Shri Ram Sharma (Southern Towns, General, Urban) (*Hindi*): Sir, there are two points to which I wish to draw the attention of the Government. The first of these is the demand for Rs. 2,15,00,000 in connection with the Reserve Food Scheme. I have repeatedly drawn the attention of the Minister for Civil Supplies to the defective arrangements made by the Government for procuring food-grains. This year the production as also the procurement of wheat have been more than normal. The Government has appointed agents in different mandis for purchasing wheat and other food grains on its behalf. I have personal knowledge about the mandis of Rohtak and Sonapat. The same must be true in the case of other mandis also. Each of these firms, who have been appointed Government agents, earns from Rs. 100 to Rs. 200 in a day. It may be more than that but one of the firms admitted that they were earning nearly Rs. 100/- a day. All that they have to do is to pay bills of the pucca arhtis for the wheat received in the market and to receive payment of those bills from the Government. The Government should immediately put an end to this loot. The grain-syndicates set up in different districts do not earn even two-third of what each agent-firm

[Shri Ram Sharma]

is making. I have brought this thing to the notice of the Government on several occasions but what we say appears to have little effect on it. Perhaps, it takes the Government very long to set right its machinery. The utility of this arrangement is not understood by the public and the Government should therefore, immediately put an end to this wasteful expenditure. Moreover, there is great scope of dishonesty by the Inspectors and Supervisors. The grain Association of Mehrouli in my district purchased gram for the Government. The payment to the Association was made after the Government of India had fixed the price of gram at Rs. 13/- per maund. They have represented to the Government that they should be paid at that rate but it persists that it would pay them at the previous rate. Why should the Government not pay the control price?

The other thing to which I wish to draw the attention of the Government is with respect to the item of eleven lakhs of rupees which was sanctioned last year for the purpose of setting up tube wells at Jagadhri, by which it was proposed to supply water to the Western Jamna canal for the non-perennial canals of district Rohtak. Out of this amount of eleven lakhs of rupees, the Government has spent only three and a half lakhs so far. We are also promised that after the construction of Bhakhra Canal, Rohtak would get water saved from Sirsa side. These two schemes are there on paper but a very small amount has been spent on tube wells upto now. We are now told that the remaining amount would be spent on erecting tube wells from the 1st April to the 30th June.

Sir, we find lot of things in the Budgets at the time of their presentation in the House but afterwards, we know nothing about the progress of the work in regard to them, for want of proper publicity. The Government, no doubt, spends sums as big as Rs. 25,000/- for carrying on propaganda against the Communists but as regards such items, nothing is published for the information of the public. Even at the time of the passing of such Budgets we are only vaguely told about the progress of such schemes. I, therefore, hope that in future the public will be informed about the various stages in the implementation of the big schemes.

Again, Sir, I draw your attention to the provision of Rs. 1,37,950/- for the Publicity Department, in the Supplementary Estimates. This sum is meant for the purchase of lorries and jeeps for the use of the department. What I want to point out is as to what is the outcome of the heavy expenditure that is being incurred on this department. I can say with confidence that this department has not done any satisfactory work so far. With the exception of one or two districts, nowhere the work of this department has

been satisfactory. We find that lakhs of rupees are provided for this department in the original Budget and the Supplementary Budget. In spite of this, not one out of 100, talks well of the Government. (*Interruptions*). I admit that there are seven Members in favour of this Government out of the total of 78 Members of this House. I, therefore, want to know if any useful work has been, so far, done by this department in creating a good impression in favour of this Government? The fact, however, is that no propaganda is carried on right lines and the persons employed for this work lack the spirit demanded of them by the nature of the work. Here is a case of the old saying that the press victory was of the British while the German forces were advancing forward. Same appears to be the case here. Huge sums are, no doubt, provided in the Budget, but in actual practice the results are quite disappointing. Now, Sir, it is learnt that the Government is going to appoint 50 or 55 social workers. There are already workers for this type of work in beneficent departments. For example there are Panchayat Officers. I would like to submit that such officials who have to work as social workers do not serve the purpose for which they are appointed.

Chaudhri Lahri Singh : They are meant for the elections.

Pandit Shri Ram Sharma : Even if the purpose of their appointments is the elections, they should work in a proper manner. The pity is that all the persons who are appointed for such social service purposes do not serve the real purpose. The Government should pay special attention to this fact and see that the persons appointed as social workers possess the requisite qualifications.

Next, Sir, I want to submit that the centres for basic training should be opened at Central places and they should not be far off and in an out of the way place like Oel in Hoshia pur district. Such centres should be opened at places which should be easily accessible to the people, and in them right type of training should be imparted to right type of workers. With these words, Sir, I resume my seat.

Chief Minister : Is it the intention to continue the discussion tomorrow also, because I would require some time to reply to all the points raised by hon. Members?

Shri Behari Lal Chanana (Ex-member West Punjab Assembly representing South-East Multan Division, General, Rural) (*Hindustani*) : Sir, I draw your attention to the provision for "Providing Industrial and General services and meters in Industrial Township at Panipat", on page 135 of the Supplementary Estimates. An industrial colony has been set up at Panipat at a huge cost, in order that the refugee brethren should be able to set up

[Shri Behari Lal Chanana]

their factories over there. The lay-out of the township is already complete and the roads have also been built. One factory has also been set up over there. But even after the lapse of two years, nobody else is prepared to instal a factory in that township. The one factory that has been set up, has been granted of connection only 5 horse power while, it being a re-rolling mill requires power of the capacity of 50 or 100 horse power. When we point out this fact to the Government, it is said that the electric power would be given only when a large number of factories have been started at the place. But I would like to point out that this is a wrong argument. If the one factory that has been started there is not given necessary facilities, it is a notice to others not to come in.

Minister for Rehabilitation : When did you get this information.

Shri Behari Lal Chanana : I got it two months back. I was instrumental in bringing that gentleman from C. P. and making him start the factory at Panipat. The second difficulty at Panipat is regarding the rate of electric charges. It is 3 annas a unit over there while in areas like Delhi it is only $1\frac{1}{2}$ annas a unit.

Chief Minister : The rate is 2 annas a unit everywhere and the Government has to incur a loss of Rs. 3 lakh in this way. The Government is helping the industrialists even from its own revenues.

Shri Behari Lal Chanana : It is a well known saying that nothing succeeds like success. Why is it that no success is achieved in this matter? In spite of the general lay-out and the desire of the millowners to settle these nothing is being achieved in practice. The Government should think why is it that people are unwilling under the present circumstances. There must be some obstacles in their way. One of them is that the Rehabilitation Finance Corporation does not easily advance loans to the industrialists. But in my opinion the more important factor is that the rate of two annas is excessive. If it is the intention of the Government that industry should develop in the State the present rate should be reduced. There is a cheaper rate in Jullundur Division. In Ambala Division the rate of electricity should also be the same. At present the rate in the Ambala Division is prohibitive. I wish to draw the attention of the Government to this important factor which is, at present, retarding the progress of industry in the Punjab. If our Government desires industrial development of the State there should be tariff attractions. I am saying it from my own experience that the rate of two annas is very uneconomic. Another important item is that for the provision of grain bins costing ten lakhs of rupees. It appears on page 87. In this connection, it is right that our Government had to adopt the policy of state trading

because of controls on foodgrain. In the circumstances it was quite natural for the Government to make arrangements for storage. Moreover it renders some aid to the system of rationing also. It helps in the keeping of stock piles. Any loss that occurs on account of wastage etc. can be avoided by the adoption of scientific methods of storage. But my objection is that the administrative policy is wrong. The location of the grain bins is at wrong places. If one looks up the list of places where such bins are proposed to be constructed it will be found that these bins are situated in cities and towns like Ambala, Karnal, Rohtak and Sonapat etc. I would like to point out that this policy of constructing the bins in cities is wrong. If the controls are to be a permanent feature, I have no objection to the construction of bins in the cities. But if controls are a temporary feature, then the construction of bins in urban areas is a waste of money because when the controls are removed there will be no use to which the Government can put these grain bins. Had such grain bins been constructed in rural areas they would have been useful in times of floods etc. when foodgrains could be stored in them and protected. So I would urge upon the Government to construct such grain bins in the rural areas with the help of co-operative societies. We have already a bitter experience of such things in Lyallpore where we have left an elevator which was constructed at a cost of crores of rupees. So my contention is that we should decentralise the construction of grain bins and spread them over in rural areas. In this way they can be of permanent advantage and at the same time render us service during the days when controls are in force.

Voices : Sir, question be now put.

Mr. Chairman (Pandit Bhagat Ram Sharma) : Question is—

That the question be now put.

Sardar Swaran Singh : Sir, we can speak on the closure motion.

Sardar Shiv Saran Singh : No debate is allowed on the closure motion.

Sardar Swaran Singh : Sir, to accept a closure motion is in the discretion of the Chair. I would request the Chair to exercise that discretion against the closure motion. Quite a large number of Members had been busy in other work which was entrusted to them by the House itself and some of them want to take part in this discussion. Therefore, I appeal to the Chair not to put this closure motion and to give more time for the discussion.

Chairman : It is the will of the House that decides as to whether a closure motion should be accepted or not. The question has already been put and I, therefore, cannot allow the discussion to proceed.

Question is—

That the question be now put.

The motion was carried.

Chief Minister (The hon. Dr. Gopi Chand Bhargava) (*Hindi*) : Sir, some of the criticism that has been levelled against the Government during the course of discussions on the supplementary demands for grants appears to be quite unjustified. The time spent on making such a destructive criticism could be utilized in a more appropriate manner. Some of the hon. Members have not tried to find out what the important matters are. They have been speaking on unimportant matters only. Still I must give a reply to the points raised by them. In the first place it has been stated on the floor of the House that the amount provided for anticommunist propoganda is objectionable. The way in which some of the hon. Members have objected to this item of demands depicts their own persons in their true colours. In our country literature worth lakhs of rupees is distributed freely from some foreign countries. I feel that persons who help in the distribution of this literature and thus work as agents of other countries in this matter should not object to what we do in this regard. Well, Sir I may tell the House that the information which we receive in regard to the activities of the Communists in the country as well as in our own State, indicates that every endeavour is being made by them to let loose the forces of chaos and disruption in the country. They want to grind their own political axe under the cloak of agitating for the uplift of the poor people. They strive their every nerve to overthrow the legitimate Government of the country and seize power by violent means. The House will agree with me that no Government worth the name will tolerate such subversive activities of a section of the people. Then a lot of communistic propoganda is done through published literature but objection is taken by my hon. Friends as to why this does not find favour with the Government. Why do we want to counteract it by issuing our own literature? In this connection I am reminded of the dual part played by the Communists in 1948 when rationing was abolished and wheat was decontrolled. As the price of wheat rose, the Communists took out processions in the towns condemning the Government for not checking the rise in the prices of foodgrains. But what did they do in the rural areas? They advised the zamindars not to sell their wheat at cheaper rates but to hoard it and enhance the misery of the people at large. The House can well realise the character of such people. Well, Sir, in view of the immense propoganda carried on by Communists by means of published literature in the country, the Government felt the necessity of counteracting it by means of issuing its own literature. So we approached the Committee of Estimates and convinced it the urgent necessity for making about a provision for this purpose and the Committee agreed to our proposal. Well, Sir, I have already stated that no Government can permit subversive activities against the State being carried on either through literature or through lectures resulting in the disturbance of peace in the country. The propoganda

literature which the Government want to make, will include a retort not only to anti-national propaganda of the Communists, but also to that of my hon. Friends who want to exploit the situation in the name of peasants and labourers. I may tell the House that now attempt is being made to create disaffection in the army. This is what a Government cannot permit even for a moment. So whatever measures have been adopted by the Government to put a stop to such nefarious activities, are more than justified.

Then, Sir, motives have been imputed to me and recourse was had to an adage. It has been stated in a taunting manner as if the rural development work centre opened at Oel is my own personal concern. I have been dubbed as having distributed posts among my own people or in other words I have been charged with favouritism and nepotism. I think if my hon. Friend had cared to study the true facts about this Oel Centre, he would have not indulged in such loose talk. Perhaps he would have been the last person to criticise it. Let me explain the position at Oel a little. A rural development work centre has been started at Oel with a view to enabling the poor villagers to stand on their own feet by providing them with some work so that they could support their families. The people of the village are very poor, they need some supplementary industry to augment their income. But an increase in their income can be brought about only if we arrange to impart industrial knowledge in some useful crafts and arts to them. It is not the intention of the Government that they should manufacture tables and chairs and then sell them in the towns. But the object is that they should manufacture those articles which find ready market in their own village. You are aware, Sir, that after the partition of the country and consequential exchange of population between the two Punjabs, the Muslim artisans migrated to the other side of the border and thus our village economy was shattered. To stabilise that economy, it is most essential, that artisen class should be raised in our own villages so that they become self-sufficient so far as their own requirements are concerned. Well, Sir, the Planning Commission, appointed by the Government of India, have expressed their view that rural development should be brought about on the lines suggested by the Sarvodya Samaj, and to achieve that end Oel has been selected as a starting point. So a centre has been opened there to organise rural development work. In this connection I may also state in passing that it is correct that the Committee of Estimates was in favour of such a centre being opened at some such place which could be easily accessible by road or train. But my contention is that this is a rural development work and it can be accomplished not in towns but in the villages alone. Only those persons will go there to learn some industry, who are poor. Oel is a poor village and the facts and figures at our disposal indicate that this village has not land enough to

[Chief Minister]

feed them. Under the circumstances it is most essential that they should be enabled to start some cottage industry which may serve them as a second string in the proverbial bow. We must make them artisans so that they could earn their livelihood without much difficulty. Besides this I may also point out that for this purpose imparting of basic education to the villagers is also necessary. Government will certainly arrange to impart training of such crafts as include imparting of basic education as well. Now, Sir, when a new venture, like the opening of a rural development work centre at Oel, is made by Government, they by way of encouragement help the people who volunteer to learn such crafts. This is always a practice with the Government that it affords facilities for the establishment of new industries. So those persons in that village, who have received any help from the Government in connection with the Oel Centre, are no relations of mine. I am a servant of everybody, and I feel every citizen of the State as my own kith and kin. So if in this sense I have served anybody, I think I have served the State and not a particular relation of mine. (Cheers). I may also tell the hon. Members that ordinarily such work centres are opened at places where some constructive or ground work has already been done and Oel is a place which possesses this qualification.

Then, Sir, objection has been raised against the establishment of a Maternity Hospital at Ludhiana. My hon. Friend opposite made a general remark of favouritism having been shown to this hospital. He said that a valuable land has been made over to this hospital authorities as a special favour. I can only say this much that if my hon. Friend had shown a little sense of responsibility, he would not have made such generalisations. I may tell the hon. Members that that land has been given to the Maternity Hospital on lease by the Government. I have no mind to say anything against any hospital, but I feel that greater the number of Maternity Hospitals and welfare centres in the State, the better it will be for the benefit of the people. So if some energetic person starts a hospital with a view to alleviate the distress of the people, the Government extends a helping hand to that gentleman to enable his hospital to function more efficiently. I think, no reasonable person would object to that help.

It has been said that Shri B. L. Kapur is my friend. I do admit that he is my friend. I have worked with him for a long time and, again I take pride in having worked with him. I deem it an honour to have worked with him. When Dr. Kapur returned from the foreign countries he contributed a huge amount for the construction of a Nursing Home for this Hospital. He paid from his own purse for the medical equipment required in the Nursing Home. After sometime Dr. Kapur handed over the Hospital and equipment to a charitable trust. He offered his services free to the

Sardar Bachan Singh : Is he charging any fees ? What is his income?

Chief Minister: It seems that my hon. Friend does not want to appreciate the free and selfless services of people. Dr. Kapur who had invested a huge amount on his medical equipment offered it free to the charitable trust for the welfare of the patients. It is natural that the Society should charge fees for wards in the hospital. The rent is credited to the Society's funds. Fees are charged by Dr. Kapur. He gives one-third of the amount to the trust and keeps two-third for himself. I know full well as to what his income is at present. He is a highly qualified and a well known doctor. He is also editing a medical journal. His hospital is equipped with modern instruments of surgery and major operations are performed in this hospital. Now my hon. Friend can very well imagine as to what his income can be. At the same time I may also add for the information of the hon. Member that he is not residing in a palatial building. He is living a simple life. Both he and his wife are busy day in and day out attending the patients free of any charges. There is also a hospital for children and the medicines are made available to patients free of cost. This hospital is run on the Government grant-in-aid and donations from people and charitable institutions. This is how the hospital is being run. I think that it is the duty of the Government to help and promote all such beneficent institutions. Government is duty bound to provide all possible facilities to all such private institutions which render valuable assistance to the people in general and the poor sections of the public in particular.

Sardar Bachan Singh : In view of the fact that there are two big hospitals and schools in Ludhiana, may I know if similar type of institutions are found in other towns of the State as well ?

Chief Minister : The people of Ludhiana and my hon. Friend Sardar Bachan Singh should be grateful to Dr. Kapur for opening a hospital in Ludhiana, which has been rendering valuable assistance to people free of charge. I do not know if more ungrateful persons like my hon. Friend are also residing in Ludhiana. I know why objection has been raised by my hon. Friend against this private institution which is doing very useful work. It is proposed to convert the Arya Medical School into a College. I do not think there should be any objection to the attachment of this Maternity Hospital with it. I do not think the people residing in Ludhiana would have any objection to the opening of a medical college over there. I have ascertained the views of the people of Ludhiana so far as this matter is concerned, and excepting a few persons whose objections are based on some special reasons, all are of the opinion that the conversion of the Arya Medical School into a College would add to the importance of the town.

[Chief Minister]

The main objection of some friends is this that I take special interest in this Trust. I would like to make this point clear on the floor of this House that I have no personal motive in it and I think that it is the bounden duty of the Government to help and promote all such beneficent institutions. It will not be out of place to mention here that the Late Lala Lajpat Rai had donated rupees two lakhs for opening the Gulab Devi Hospital at Lahore. We have shifted the equipment of this hospital from Lahore into our State. We were of the opinion that if we succeed in getting any accommodation we should open that hospital in Ludhiana. It has really pained me to see that those persons who live in this very district should object to the opening of beneficent institutions in that place. It is therefore but natural that we shall have to think twice before we take any such step, in this direction.

(Interruptions)

Sardar Bachan Singh : Government has already announced to open this hospital at some other place in the State.

Chief Minister : Objection has also been raised as to why we have been supplying electric energy to Pakistan. Some of my hon. Friends are of the opinion that the electric energy which is being consumed at present by Punjab (Pakistan) could be utilized here for our betterment. I was pleased and at the same time surprised to hear them (members of good will mission) say so. These hon. Members who used to make allegations against the congress leaders of this State have now thought it fit to cry from their house tops that no electric energy should be supplied to Punjab (P).

(Interruptions)

Sardar Bachan Singh : I have been saying this very thing always.

Chief Minister : Even to-day letters are being written to friends to see Pandit Nehru and bring this point home to him as to how things re muslims are going on here in this State. They are also being requested to place before him their grievances and seek redress at his hands. They are being contacted to get the time fixed for their interview with him so that they may place before him the conditions under which the administration of Government is run in this State.

Chaudhri Suraj Mal : Is the statement of the hon. Chief Minister relevant ?

Chief Minister : After the partition we did not possess any transmission material and we had no other alternative but to place orders for the same. Previously it was not possible for us to supply fresh connections to people at Ludhiana and other places, but now we are in a position to do so. We have already afforded such facilities to people residing at Amritsar,

Jullundur and Ludhiana. The factories at Amritsar have been informed that they can receive electric connection and that they may not depend on coal and Diessel Oil. Electric Motors and transmitters were not available and naturally electric energy could not be made available to people. Those of my hon. Friends who have raised this objection think that such arrangements should not take any time. They wish that such arrangements should be made overnight, but unfortunately it is not possible. We have told the Pakistan Government that they would be receiving only $2\frac{1}{2}$ thousand k.w.s. by the 31st March 1951. We had $6\frac{1}{2}$ thousand k.w.s. spare with us which we wanted to utilize gradually. It was the intention of the Prime Minister of India that in view of the Indo-Pakistan Agreement we should supply these $6\frac{1}{2}$ thousand k.w.s to Punjab (P) and we have been accordingly supplying them this energy at commercial rates.

I may submit, Sir, that $2\frac{1}{2}$ thousand k.w.s. energy is being supplied @ nine pies and $6\frac{1}{2}$ thousand k.w.s. @ one anna per unit. It has been remarked that the Electricity Department being a commercial department does not function satisfactorily. But I may tell my hon. Friends that at time the Department or the Government cannot help. The demand for allotment of funds for transmitter is being made but unless the Government is able to get money on loan from the Government of India, it would not be possible to supply electricity. It is obvious that the installation of transmission service line is not possible for want of funds. At present however there is an increased demand for electricity for industrial purposes and we are also in a position to supply it. Supply of electric energy to industrial concerns is carried on a commercial basis. This department which is called a commercial department always has a desire to earn profits. It may be prepared to suffer some loss in the initial stages provided there are bright prospects of substantial gains in the future. With this end in view, we have decided to instal Thermal Plants in Jagadhri. It has also been pointed out to the Government that electricity load will increase if energy is supplied to industrial townships. We have, therefore, set up generators for the production of electricity to the extent of $2\frac{1}{2}$ thousand k.w.s. at Panipat. For the rehabilitation of the displaced industrialists of West Punjab, the Government had decided to sponsor the scheme of putting up new industrial townships at different places. Government has already acquired land for the industrial areas by taking loan from the Government of India and the plots have been sold to the public. They have not yet started building operations. The Government has now asked such people to start construction failing which the sites will be taken back from them. I think the work of construction will be undertaken by them on getting loan from the Rehabilitation Finance Corporation. The Corporation has agreed to advance loans

[Chief Minister]

to such people who intend to rehabilitate themselves in the industrial townships. It has now extended the date for receipt of applications up to 31st December, 1950. Only such applications for the grant of loan will be entertained which are supported by a certificate from the Industries Department that the person concerned has acquired land in the industrial townships in the Punjab. The Rehabilitation Finance Corporation has not begun functioning and as such the persons who are desirous of getting loans have not been able to start construction operations on the sites acquired by them. Besides this, we could also give electricity to agricultural tube wells but the Agriculture Department has not been able to sink tube wells so far.

Now, Sir, I will say something about the tube well scheme. This scheme for sinking tube wells has been sanctioned with a view to supplying more water to West Jamna Canal for irrigation of land even after the supply from Bhakra Nangal Project was available. Under this scheme 2½ hundred tube wells are to be sunk. This scheme was sanctioned side by side with the Grow More Food Scheme. Under the Grow More Food Scheme the Government of India approved of certain schemes of the States which fell under the classification of that scheme. Under the tube well scheme the apparatus had to be imported from abroad. The officers of Government of India had consulted the contractor for the supply of tube wells but such a machinery was not available in India. The question was that if such an apparatus was imported from the foreign countries there will also be need for employing foreign experts for the working of that machinery. Under these circumstances, the only course left open to us was either to sink the tube wells by manual labour or to import machinery from abroad. The Government of India has, therefore, thought it necessary to place order for 250 tube wells which would arrive here in two years' time. As soon as they are available it would be possible to turn some of the non-perennial canals now supplying water from the Jamna canals into perennial canals. The water available from Bhakra project will be utilised in Karnal, Rohtak and Hissar districts.

Chaudhri Suraj Mal: Only 1,500 cusecs of water will be made available from Bhakra project for these districts.

Chief Minister: My hon. Friend being an agriculturist is in a position to say how much water will be required to irrigate land in that ilaqa. But I can only say that non-perennial canals if turned into perennial canals will be of immense advantage to the cultivators and this is bound to add to their income. These tube wells will serve another useful purpose which I will tell tomorrow while speaking on the flood situation in the State. I will tell the hon. Members how it could be possible by means of tube wells to drain off the water to lower down the sub soil level of water which may rise during the

floods. Besides this, wherever there are canals water-logging must occur. In order to prevent water-logging drainage is very necessary.

(At this stage Mr. Speaker resumed the chair).

Then, Sir, objection has been raised about the purchase of lorries for Publicity Department. It has been said that nobody is pleased with this Government and so publicity work would serve no useful purpose. I admit, Sir, that in the eyes of persons who are running newspapers, no one can be satisfied with any Government because in fact it is their chief desire that the Government should lose popular support. So here also, wish is the father to thought. The condition of the people is, in my opinion, the real measure of a Government's popularity and not what a newspaper writes about it in its columns.

Now, Sir, I want to reply to two more objections. Regarding the foodgrains policy of the Government, it has been suggested that storage bins should be built in villages rather than in towns and further that so much money should be spent on their structures, only if the controls have to become a permanent feature since if the controls are lifted, all this money would be wasted. Now, Sir, my submission in this regard, is that so long as multi-purpose co-operative societies are not established in villages, growers would continue sending their produce to market towns for disposal at current rates. If my information is correct, in the pre-partition Punjab, co-operative societies of zamindars had their offices in market towns and it was with their help that the growers used to sell their produce at the current rates. So the need for storage bins in market towns will continue to exist, even if it is decided to lift the controls. Then we have under consideration another scheme, though I can't say definitely whether it will be possible to give effect to it or not. I am referring to the question of building and maintaining provincial reserves of foodgrains, both with a view to meet any contingency that might arise due to scarcity, and also to have some check on the fluctuation of prices beyond a certain minimum and maximum level. Under this scheme, the Government will not let the prices of foodgrains rise above a certain level, since it will be in a position to bring its own reserves to the market and thus check any artificial scarcity. In this way, Sir, we hope to save the people from the exploitation of greedy traders. The storage bins will be utilized for this purpose, after the controls have been lifted, in case it is decided to put this scheme into effect. Even otherwise, Sir, good storage system has its own advantages. It saves foodgrains from a colossal waste. The money that we spend on storage is received from the Government of India as part of the bonus on exports from this province.

[Chief Minister]

Then, Sir, exception has been taken to the practice of state trading. My submission is that if controls are to continue or if a scheme of provincial reserves is to be enforced, state trading cannot be dispensed with. Those provinces which did not fully enforce the monopoly procurement scheme, had to face scarcity conditions, even though ordinarily they are not deficit areas. If this province is not facing scarcity conditions, it is due to the fact that we have a full-fledged monopoly procurement scheme in operation, and thanks to it, we can be of help to others also in time of need.

An hon. Friend has objected to my holding the portfolio of Finance. Doubts have been expressed about my being in a position to examine the matters relating to the Finance Department, and it has been alleged that Finance Secretary and the Financial Commissioners must be having their way in every matter. Sir, my submission is that I have been doing my best to discharge my duties as Finance Minister according to my lights. Demands relating to every department come before me for scrutiny and after discussing them with the Heads of the Departments and also examining them in the light of Government policies, about which I have the fullest information as the Chief Minister, I have been satisfying myself fully, before giving my sanction to them as Finance Minister. If my hon. Friend who has made this objection, had worked for more than five or six days, more as Minister he would have understood the whole financial procedure and would not have considered Financial Commissioner an officer of the Finance Department.

So far as the labour policy of the Government is concerned, it can never be immune from criticism. It is no wonder that my hon. Friend Shri Amar Nath Vidyalankar has subjected it to a severe examination. The Government cannot satisfy every body to the fullest extent. While promoting the interests of the labour, the Government cannot afford to forget other important considerations. If today the Government is criticized for its inability to recognize some unions, to-morrow it might be criticized for its failure to curb the anti-social activities of the trade unions themselves. In one capacity, my hon. Friend has said one thing, in another he may have to say something else, at some other occasion, of course.

I don't say that he was not justified in saying all he said since after all he has to voice the grievances of his constituents. And if he were not to say such things on their behalf probably the Government also might not take as strong action as it should. How can there be any promotion of the interests of labour, so long as they have no spokesmen? It is the duty of the Government to see that there are as few disputes between the capital and the labour as possible and that labour should have reasonably good

conditions of work and employment and that all their legitimate demands are conceded. If the demands of labour are unreasonable, they are not conceded by the capitalists and the danger of conflict and consequent loss of production arises. The Government enacts legislation with a view to preventing such conflicts in the interests of society as a whole and to compel the employers as far as possible to secure improvement in the condition of the workers to a reasonable extent. At the same time the trade unions also work for the welfare of the labour. But one thing should not be lost sight of and it is this that the Government can help the labour only according to law.

Then, Sir, objection has been taken to the provision of Rs. fifty lakhs in Contingency Fund. Doubts have been expressed that this amount is too much for this purpose, and will it not have to be surrendered later on. Then questions have been asked as to what purposes will this provision serve. I might here say a few words to clear these doubts and guesses.

Sir, I may for the benefit of some hon. Members explain as to what contingency charges are. Before the enforcement of the Constitution if money was required to meet some emergency, expenditure could be incurred in anticipation of the sanction of the House and that expenditure was shown in the Supplementary Estimates. But now the position is altogether different. Government can now spend only on items which have been included in the main Budget or in the Supplementary Estimates. So there is no scope to meet the emergencies and the unforeseen happenings. But unfortunately unforeseen things these days are happening not only in India but in the whole of the world. It was only very recently that we were visited by the terrible floods. If and when money is to be spent in such circumstances, it can only come from the Contingency Fund for which a provision is being made for a sum of Rs. 50 lakhs. Some hon. Friends have suggested that this amount is too much and it should be reduced lest we should have to take the trouble of surrendering some amount out of it. They appear to be labouring under some misunderstanding. Such a question cannot arise as the unspent portion will go into the next year's Fund. In these circumstances, I humbly request that this Bill i.e. the Contingency Fund Bill should be immediately passed as otherwise it is not possible for us to spend any amount sanctioned in the Supplementary Estimates.

Mr. Speaker : Question is -

That the Punjab Appropriation (No. 2) Bill be taken into consideration at once.

The motion was carried.

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

CLAUSES 2 AND 3

Mr. Speaker : Question is -

That clauses 2 and 3 stand part of the Bill.

The motion was carried.

SCHEDULE

Mr. Speaker : Question is -

That the Schedule be the Schedule of the Bill.

The motion was carried.

CLAUSE 1

Mr. Speaker : Question is -

That clause 1 stand part of the Bill.

The motion was carried.

TITLE

Mr. Speaker : Question is—

That the Title be the Title of the Bill.

The motion was carried.

Chief Minister (The hon. Dr. Gopi Chand Bhargava) : I beg to move—

That the Punjab Appropriation (No. 2) Bill be passed.

The motion was carried.

EAST PUNJAB AYURVEDIC AND UNANI PRACTITIONERS (AMENDMENT) BILL.

Minister for Rehabilitation (The hon. Dr. Lehna Singh Sethi) : Sir, I beg to introduce the East Punjab Ayurvedic and Unani Practitioners (Amendment) Bill.

Minister for Rehabilitation : Sir, I beg to move—

That the East Punjab Ayurvedic and Unani Practitioners (Amendment) Bill be taken into consideration at once.

Mr. Speaker : Motion moved—

That the East Punjab Ayurvedic and Unani Practitioners (Amendment) Bill be taken into consideration at once.

Sardar Bachan Singh (Ludhiana, Central, Sikh, Rural, (Hindustani) : Sir, I am greatly pained to see the doings of this Government. It was during

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the Budget session that I pointed out to the learned Minister concerned that he should take immediate steps to set up the Board but he replied that it could not be done as he was otherwise very busy. Now a provision is sought to be made in this Bill that as the Board could not be set up, the period for the registration of Vaidis and Hakims should be two years in place of one year. May I ask the hon. Ministers as to why they have not been able to constitute a Board and register the Vaidis and the Hakims during a year's time. Have they been asleep all the year long and is this the efficiency that they are proud of. If this is how the hon. Ministers behave, the less said about their subordinates the better. If an hon. Minister comes to his office late by say five minutes, his officers are sure to enjoy a latitude of half an hour and his clerks perhaps a full one hour. If the Ministers accept recommendations there is no reason why the officers should not favour their friends.

Sardar Kartar Singh : Does the hon. Member also approach the Ministers with recommendations ?

Sardar Bachan Singh : I think the hon. Ministers will bear me out that I have never been guilty of recommendations.

Minister for Public Works : He writes, he does not believe in verbal recommendations.

Sardar Bachan Singh : I do write, but I write regarding cases of injustice. So far as this Bill is concerned, I wish only to point out the inefficiency of the Government. It has failed to register the Vaidis and the Hakims in a year's time and wants another year for this purpose. We will certainly have to give them the extension of a year as otherwise the poor Vaidis and the Hakims stand to lose. Now at any rate no time should be lost and the registration should be completed as soon as possible. But I think this phrase 'as soon as possible' is not likely to be properly interpreted by the Government. The 'as soon as possible' of this Government appears something to do with the proverbial limb of satan. (ਸ਼ੈਤਾਨ ਦੀ ਆਂਤ)(शैतान की आंत) (*Voices.* The phrase 'limb of satan' is unparliamentary). I may tell my hon. Friends that this phrase is not unparliamentary. However I wish to point out that the work of registration should be completed without further delay. If not from others at any rate from the Minister-in-charge every body expects a sympathetic treatment.

Sardar Swaran Singh : It is a matter of joint responsibility.

Sardar Bachan Singh : Perhaps that is the cause of delay in registration of the Vaidis and Hakims. I am sure if the hon. Minister-in-charge could have his own way he would have accomplished the task long ago.

Dr. Sant Ram Seth : The hon. Member should say something new.

Sardar Bachan Singh : Does my hon. Friend Dr. Sant Ram expect me to talk of earthquakes and wars ?

Mr. Speaker : The hon. Member should not attend to interruptions.

Sardar Bachan Singh : Sir, sometimes the interruptions have to be answered. Any way I have not anything more to add. I would only say that things should be done in such a way that the Vaid and Hakims are given the least possible trouble.

Mr. Speaker : Question is—

That the East Punjab Ayurvedic and Unani Practitioners (Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : The House will now consider the Bill Clause by Clause
CLAUSES 2 AND 3.

Mr. Speaker : Question is—

That clauses 2 and 3 stand part of the Bill.

The motion was carried.

CLAUSE 1.

Mr. Speaker : Question is—

That clause 1 stand part of the Bill.

The motion was carried.

TITLE.

Mr. Speaker : Question is—

That the Title be the Title of the Bill.

The motion was carried.

Minister for Rehabilitation : (The hon. Dr. Lehna Singh Sethi) :
Sir, I beg to move—

That the East Punjab Ayurvedic and Unani Practitioners (Amendment) Bill be passed.

The motion was carried.

PRESS AND REGISTRATION OF BOOKS (PUNJAB SECOND AMENDMENT) BILL.

Minister for Local Self Government and Labour : (The hon. Shri Prithvi Singh Azad) : Sir, I beg to introduce the Press and Registration of Books (Punjab Second Amendment) Bill.

Minister : I move—

That the Press and Registration of Books (Punjab Second Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : The House will now consider the Bill clause by clause.

CLAUSES 2 AND 3.

Mr. Speaker : Question is—

That Clauses 2 and 3 stand part of the Bill.

The motion was carried.

CLAUSE 1.

Mr. Speaker : Question is—

That clause 1 stand part of the Bill.

The motion was carried.

TITLE.

Mr. Speaker : Question is—

That the Title be the Title of the Bill.

The motion was carried.

Minister : Sir, I move—

That the Press and Registration of Books (Punjab Second Amendment) Bill be passed.

The motion was carried.

LOCAL AUTHORITIES CENSUS EXPENSES CONTRIBUTION BILL.

Minister for Local Self Government and Labour (The hon. Shri Prithvi Singh Azad) : Sir, I introduce the Punjab Local Authorities Census Expenses Contribution Bill.

Minister : I move—

That the Punjab Local Authorities Census Expenses Contribution Bill be taken into consideration at once.

Mr. Speaker : Motion moved—

That the Punjab Local Authorities Census Expenses Contribution Bill be taken into consideration at once.

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural) (*Hindi*) :
Sir, the Bill which is now before the House is a very important measure. According to this Bill the Government will call upon the local bodies to contribute towards census expenses, but we have not been told as to what is the total amount of expenditure which is to be incurred and the proportion which is to be contributed by the Municipal Committees, District Boards and Small Town Committees. Will the amount of contribution to be made by the local bodies be determined arbitrarily or there will be some principle for determining it? Everybody knows that the financial position of our State is very weak. As regards District Boards, in some cases, they have not paid the salaries of their teachers and other employees for the past several months. Under these circumstances, when the Bill is passed, the meagre resources of the District Boards will be exhausted in making contribution towards the census expenses. I think instead of making a motion for this Bill being taken into consideration at once, the hon. Minister-in-charge should have told the House the total amount of expenditure which the Government is going to incur from its own coffers and the amount which the local bodies will be called upon to contribute. It is a pity that only a few hon. Members, who sit on the opposition benches, put such questions to the Government. Majority of the hon. Members are here only to shout 'Ayes'. They do not consider it essential to ask the Government to explain the principle on which it requires the co-operation of the local bodies. Instead of helping the local bodies and giving them financial aid, the Government proposes to burden them with more expenditure. This will affect the real activities of District Boards and Municipal Committees in the matter of imparting education to children or the construction of roads. Our roads are already in a poor condition. Every day more taxes are being levied or the existing taxes are being enhanced by the Government as also by the local bodies. On the one hand the Government goes on increasing taxes in the shape of enhanced water rates and Sales Tax and on the other some of the District Boards are doing funny things. District Board, Ludhiana has levied cycle-tax and the District Board, Jullundur has either decided to levy tax on births or proposes to do so. My hon.

Friend Sardar Swaran Singh would enlighten the House whether it has already been levied or is proposed to be levied. However, so far as this Bill goes the Cabinet should have thoroughly examined the question of election expenses before bringing it to this House. It should have told the House the total amount of expenditure involved and also the method of conducting census operations. Will honorary volunteers be engaged for this work or paid personnel will be employed? This is a very important question. In some of the foreign countries three or four rupees per head are spent in connection with census. The number of particulars to be collected at our forthcoming census shows that a huge amount of expenditure will be incurred. In these circumstances it was imperative that the Government should have stated the amount of expenditure which was to be incurred by it and the contribution which the local bodies had to make. Unfortunately our Government does not realise its responsibility. Without giving the relevant figures, the Government brings forward a Bill, with the result that we cannot properly examine its effects. I, therefore, request the Government that it should place its estimate of election expenses before the House. There is no hurry about this Bill and it can be brought up after the Government has collected the necessary data. With these words, I shall submit for the consideration of the hon. Minister-in-charge that in this way, the House cannot give its considered opinion.

Minister for Local Self Government and Labour (The hon. Shri Prithvi Singh Azad) (*Hindustani*): Sir, the objections raised by the hon. member against this Bill are the result of ignorance on his part regarding the census. A greater part of the expenses in this regard is borne by the Centre and the remaining is borne by the local bodies. This has been the practice in the past with regard to census operations. The proportion of contributions was the same in the census operations of 1911 and 1921. So this is not a innovation introduced by the present Government. The contribution of the local bodies is calculated on the basis of the number of houses in their jurisdiction. It is, therefore, baseless to say that the Government has introduced a new tax. The fact is that the local bodies used to make their contributions according to the instructions of the Centre, in the past. But now the Government has thought it fit to change the past practice. Instead of that the States have been asked to make enactments to charge the contributions towards the census expenses from the local bodies. With these words, I submit that this is not a new tax and this Bill only seeks to legalise the past practice.

Mr. Speaker : Question is—

That the Punjab Local Authorities Census Expenses Contribution Bill be taken into consideration at once,

The motion was carried.

Mr. Speaker : The House will now consider the Bill Clause by clause.

CLAUSE 1.

SUB-CLAUSES (2) AND (3).

Mr. Speaker : Question is—

That Sub-clauses (2) and (3) of clause 1 stand part of the Bill.

The motion was carried.

CLAUSES 2 to 5.

Mr. Speaker : Question is—

That clauses 2 to 5 stand part of the Bill.

The motion was carried.

CLAUSE 1.

SUB-CLAUSE (1)

Mr. Speaker : Question is—

That Sub-clause (1) of clause 1 stand part of the Bill.

The motion was carried.

TITLE.

Mr. Speaker : Question is—

That the Title be the Title of the Bill.

The motion was carried.

Minister : I move—

That the Punjab Local Authorities Census Expenses Contribution Bill be passed.

The motion was carried.

EAST PUNJAB HOLDINGS (CONSOLIDATION AND PREVENTION OF FRAGMENTATION) (AMENDMENT) BILL.

Minister for Revenue (The hon. Sardar Kartar Singh): Sir, I introduce the East Punjab Holdings (Consolidation and Prevention of Fragmentation) (Amendment) Bill.

Minister : I move—

That the East Punjab Holdings (Consolidation and Prevention of Fragmentation) (Amendment) Bill be taken into consideration at once.

The motion was carried.

EAST PUNJAB HOLDINGS (CONSOLIDATION AND PREVENTION
OF FRAGMENTATION (AMENDMENT) BILL

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Mr. Speaker : The House will now consider the Bill clause by clause.

CLAUSES 2 to 4.

Mr. Speaker : Question is —

That Clauses 2 to 4 stand part of the Bill.

The motion was carried.

CLAUSE 1.

Mr. Speaker : Question is—

That clause 1 stand part of the Bill.

The motion was carried.

TITLE.

Mr. Speaker : Question is—

That the Title be the Title of the Bill.

The motion was carried.

Minister : Sir, I move--

That the East Punjab Holdings (Consolidation and Prevention [of Fragmentation) (Amendment) Bill be passed.

Mr. Speaker : Motion moved —

That the East Punjab Holdings (Consolidation and Prevention of Fragmentation) (Amendment) Bill be passed.

Sardar Bachan Singh [Ludhiana Central, Sikh, Rural] (*Punjabi*) : Sir, this Consolidation of Land Holdings Bill is the best of all the Bills that have been passed ever since the partition. As a matter of fact, nothing can solve the problems of the peasants so effectively as the consolidation of land holdings. There has during the past few days arisen the question of assessment of the compensation, before the public. As a matter of fact, even the Government is not clear on this point. It should arrive at some decision in this matter as early as possible so that these things may be placed before the public in a clear-cut form. So far, it has not been able to place before the public any definite announcement with regard to the consolidation of land holdings. Whatever has been said is quite vague. Similar is the case with regard to the question of fees which are to be charged from the land holders and the question of compensation. I should say that no revolutionary steps have so far been taken to rationalize the work of consolidation of holdings. Only the other day I was telling a friend of mine that if I were to do this job, I would order the Revenue patwaris to prepare the whole record as was done in the case of Sialkot and Gujrat districts in the United Punjab. Still, I think that the Government committed a mistake by entrusting the whole work to the Revenue Department. I

[S. Bachan Singh].

do not want to say anything with regard to the public opinion about the Revenue patwaris. Ever since 1914 when this work of consolidation was started, only 11 lakh acres have been consolidated. If this speed continues, the whole land in the State would be consolidated in 360 years. I would give an instance of the working of the Consolidation of Land Holdings Department.

Sir, the actual state of affairs is that even the settlement officers are giving out that the money is to be paid by the people themselves. In Ambala Division a Settlement Officer said to the people in a village that the funds will come from the people and they should be ready for this because the Government wants to take early steps in the matter of consolidation of holdings. So what I mean to say is that even at present our Government have no set policy in this connection. To the officers I would say that they should work in a spirit of service in this matter because the good of the State lies in early consolidation of holdings. The Government should formulate a set policy and programme and the officers should try to implement it faithfully. We are at one with the Government in this that consolidation of holdings should take place at an early date so that the State may think of other useful activities for the benefit of its people.

Chaudhri Suraj Mal (Hansi, General, Rural) (*Hindi*) : Sir, I won't take much of the time of this House. My only astonishment is that the hon. Minister for Revenue who has a scheming mind has not produced any thing new today. Every body knows that the secret of happiness and prosperity of the farmers lies in consolidation of holdings in the Punjab. Whenever we go to the villages and meet people there, they ask us about consolidation. So I would request the Government to take early steps in this direction. By doing so the hon. Minister for Revenue will make a name for himself. (Chaudhri Lahri Singh: He has already made a name..... *laughter*). The farmers are very anxious. They are even ready to pay four rupees an acre but the work should be started immediately. If the Government does not have sufficient funds it can float loans or it can have recourse to some other resource. Raising of funds is not the concern of the people. The money may come from whatever source the Government thinks fit but the work should be started at once.

Thakur Dalip Singh (Kangra South, General, Rural) (*Hindi*) : Sir, I rise only to bring to the notice of the Government that Kangra District has been deprived of any advantages that this scheme of consolidation

EAST PUNJAB HOLDINGS (CONSOLIDATION AND PRE-
VENTION OF FRAGMENTATION (AMENDMENT) BILL (9) 109

of holdings many confer upon the people of other districts. So my request is that Kangra district should also be given the benefit of consolidation of holdings.

Minister for Revenue (The hon. Sardar Kartar Singh) (*Punjabi*) : First of all I should let the hon. Member from Kangra know that in Kangra the tehsils of Nurpur and Hamirpur have been included in the scheme of consolidation of holdings. Orders to that effect have been issued. (*Cheers*). So far as the question of payment of compensation is concerned the idea that four rupees will be paid per acre is based upon some misunderstanding. As a matter of fact the question of compensation is being considered and it will be decided soon. There should be no fears on this account. As for the work I have asked the departmental Heads to let me know about the question of taking work from Revenue patwaris. At present there is a large amount of revenue work with the patwaris because due to the transfer of staff to the Rehabilitation Department, arrears of work on the revenue side have gathered. As soon as these arrears are cleared and the patwaris are free their services would be utilized in the work of consolidation. The scheme cannot be enforced without trained hands. In addition to men, necessity is also felt for funds and we will make arrangement for both of our requirements.

Mr. Speaker : The question is whether this scheme will start at the places where people agree to pay four rupees an acre.

Minister for Revenue : We can start the work of consolidation at such places but first we have to make arrangements for giving training to the patwaris because without trained hands this work cannot be done. So as soon as we get trained hands we will start the work.

Mr. Speaker : Question is—

That the East Punjab Holdings (Consolidation and Prevention of Fragmentation) (Amendment) Bill be passed.

The motion was carried.

MUNICIPAL (AMENDMENT) BILL.

Mr. Speaker : The Assembly will now resume consideration of the Municipal (Amendment) Bill.

CLAUSE 3

Pardit Bhagat Ram Sharma : Sir, I seek the permission of the House to withdraw my amendment to clause 3 which I moved the other day as in its place I want to move another, which will meet the constitutional objection raised by the hon. Speaker.

The amendment was by leave withdrawn.

Pandit Bhagat Ram Sharma : I beg to move—

That the existing sub-clauses (i) and (ii) be re-numbered as (ii) and (iii) respectively and the following be inserted as sub-clause (i), namely—

- (i) the term of office of ex-officio advisers shall, unless the State Government otherwise directs, be co-terminous with the term of office by virtue of which they are appointed.

The motion was carried.

Mr. Speaker : Question is—

That clause 3, as amended, stand part of the Bill.

The motion was carried.

CLAUSES 4 to 7

Mr. Speaker : Question is—

That clauses 4 to 7 stand part of the Bill.

The motion was carried.

CLAUSE 1

SUB-CLAUSE (1)

Mr. Speaker : Question is—

That sub-clause (1) of clause 1 stand part of the Bill.

The motion was carried.

TITLE

Mr. Speaker : Question is—

That the Title be the Title of the Bill.

The motion was carried.

Minister for Local Self Government and Labour : I move—

That the Punjab Municipal (Amendment) Bill as amended be passed.

Sardar Bachan Singh : Sir,

The Assembly then adjourned till 10—30 A. M. on Thursday, 12th October, 1950.

Punjab Legislative Assembly Debates

12th October 1950

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OFFICIAL REPORT



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PUNJAB LEGISLATIVE ASSEMBLY

SECOND SESSION OF THE FIRST PUNJAB LEGISLATIVE
ASSEMBLY.

Thursday, 12th October, 1950.

The Assembly met in the Assembly Chamber, Simla, at 10-30 A. M. of the clock. Mr. Speaker (The hon. Sardar Kapoor Singh) in the Chair.

DAMAGE CAUSED BY FLOODS AND RAINS

Mr. Speaker : The Assembly will resume discussion on damage caused by floods and rains.

Sardar Partap Singh Kairon : (Amritsar South, Sikh, Rural) (*Punjabi*) :
Sir, I am thankful to you for giving me an opportunity to place my views before the House, regarding the steps which should be taken by the Government to ameliorate the hard lot of the flood-stricken people. I do not intend to go into the causes of these floods as they are the result of natural phenomena. So far as the responsibility of the Government is concerned, it extends to the extent of drainage of water by means of canals etc. Besides this the people themselves had constructed bunds against their houses so that the water might not flow into them. The Government should pay attention towards this aspect of the question. It should make arrangements to control the drainage of water at the time of floods whether they be due to rain water or river water. It should direct its Public Works and Irrigation Departments to take appropriate steps in this connection. I am told by some old people that the floods never wrought such havoc as they have done this year in the living memory. In a way, these floods are a great test for us and our Government. If somehow or other we help the people to forget their distress and misery, we would prove to them that we are their real representatives and the Government is their own Government. The floods have damaged both the houses and the crops in the rural areas. Consequently, we are faced with a threefold problem. Firstly, people require shelter, secondly, food and thirdly, clothes. We have to see that nobody dies of starvation in the next nine months. The land that has been flooded must be cultivated for sowing Rabi crops by the end of Kattak or the beginning of Maghar. As the land becomes fit for ploughing, it should be cultivated by means of tractors, which may be available at this time. I would suggest that all the tractors which

[Sardar Partap Singh]

are employed at this time by the Punjab Government in the work of reclamation of waste land should be diverted to the flood areas for sowing the next crops. Tractors should also be got from all other available sources. For instance, they can be got on loan from the Uttar Pradesh Government or from some trading companies. But no land which is fit for cultivation in the flooded areas should be allowed to remain uncultivated. It is the responsibility of our Government to see that all the crops such as wheat and fodder like Senji and Chhatala are sown on this land. For this purpose seed is required. It should be borne in mind that different qualities of seed are required for sowing wheat at the earlier and the later stages of the season and all those varieties of the seed should be supplied to the agriculturists. In this connection, I would suggest that the Parliamentary Secretaries who have now been appointed should not be allowed to go back to their homes. They should be asked to go to the flood-affected areas and to see as to what are the difficulties and requirements of the people of the villages. They should send weekly reports to the Punjab Government regarding their work and should supply the necessary commodities to the distressed people with the aid of the local officers. I submit that if the Punjab Government manages to support the people till the harvest of Rabi crops, it will be able to rehabilitate itself in the public-mind and whatever unpopularity it may have earned due to certain reasons, it will be able to convert it into popularity. People have borne all the privations and sufferings with patience so far. It is time, the Government should do its utmost to help them. As regards the giving of taccavi loans, I want to make one submission. Let it not be told to us that 5 percent of the taccavi went into the pockets of the Patwaris, Lambar-dars or Naib Tehsildars. I do not want to go into the by-gones. But I would warn the Government that if even a pie is misappropriated from the taccavi loans by anybody, we would reveal all these things on the floor of the House during the next session. In spite of the fact that our State is the most well known State in the country, I wish that whatever shortcomings and defects it is at present suffering from should be immediately removed. The people of the flood-affected areas should be supplied seed for next crops and the sowings should also be looked after by the Government. Besides, nobody should die of starvation during the next nine months. This can be done, either by issuing free rations or by starting community kitchens. Over and above this, the people of these areas should be employed on the work of clearing the drains and repairing the damaged roads. This would enable them to earn their livelihood to an extent.

The Government has earmarked about Rs. 85 lakhs for the relief of the flood-sufferers. In this connection, I would like to point out that all Governments have so far been getting finances from the agriculturists

for all their activities, in the form of taxes and land revenue. It is these people who are in difficulty at this time. The sum of Rs. 85 lakhs meant for their relief is very inadequate. It should have been Rs. 5 crores and 85 lakhs. I would exhort the Government not to be afraid of spending crores on this work. If, by doing so, the State has to incur a debt, let it do so. The people must be helped at this critical time. The Government of India should be urged to give the maximum aid. If it cannot, loans should be raised. But Rs. 4 or 5 crores must be set aside to help the people of flood-stricken areas of our State. Floods and rains have caused havoc in Ludhiana, Kangra, Jullundur, Amritsar, Gurdaspur, Hoshiarpur and Ferozepur districts. Such heavy losses spread over vast areas cannot be made good except by spending crores of rupees. This money must be got somehow or other and the people must be helped so that they forget their sufferings and our past weaknesses. With these words, I would now resume my seat and as regards the problem of houses, I will speak at some other time.

Sardar Shiv Saran Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) (*Punjabi*): Sir, this year the floods have played such a havoc in certain districts of the Punjab that the like of it was never heard of before. Damage to crops and buildings has been done in Amritsar, Gurdaspore, Jullundur, Jagraon and Ferozepore. In Hoshiarpur district such damage to crops is suffered, of course, on a comparatively smaller scale every year. For the last sixty years or so our district has witnessed destruction of crops and erosion of valuable soil by the chos. Out of thirteen lakh acres of land about six and a half lakh acres have been badly affected.

Shri Prabodh Chandra: On a point of order, Sir. The discussion today relates to the damage caused by recent floods but the hon. Member is referring to what is a permanent feature in Hoshiarpur district.

Mr Speaker: Let him proceed.

Chief Minister: Other hon. Members have also referred to such features. The discussion relates to the havoc caused not only by floods but by rains also.

Sardar Shiv Saran Singh: Sir, what I mean to point out is that in our district we have to face a hardship due to rains every year. The chos have under them about half the land of our district. This year we are face to face with unprecedented hardships. In Bhagowal for instance half of the houses have been damaged. Three feet deep water is standing in the

[Sardar Shiv Saran Singh]

houses. The houses of the Harijans, which were kacha, have been severely damaged by excessive rains and overflowing of the chos. Many of the people in villages are in bed with fever. But it is a matter of satisfaction that the medical officers with their staff are working hard in the villages. A dam on a cho near Meghowal gave way and the water of the cho began to flow towards that village, doing damage to crops. Near Sham Churasi the P. W. D. had built a formidable dam and so it was quite safe. The road on the Nasrala cho was also in tact. My hon. Friends must be knowing that about eighty houses have fallen and damage has been caused to one hundred and twenty of them. In fact chos are a menace to our district and we can get rid of this threat to our crops etc. if some arrangements are made by the Government. In reply to a question the Government has stated that twenty bull-dozers have been made available for canalizing the chos so that they do less damage to crops in Hoshiarpur. But unfortunately only two bull-dozers have reached our district so far and when we asked the Department of Agriculture about them, they told us that one bull-dozer was not in working order and the operator of the other had not arrived. We submitted a plan of action to the Government but it is a matter of regret that work has not so far been started on any cho whatsoever. If immediate steps are not taken by the Government in Hoshiarpur district the land of that district will be spoiled by the chos which deposit sand on it every year. This layer of sand reduces the fertility of the soil and sometimes the standing crops are washed away. This is a very old grievance of the people of our district and unfortunately no attention has ever been paid to it by the Government. This year on account of floods in most of the districts of Punjab the attention of our Government has been specially drawn towards this problem. So I hope that the Government will also think of Hoshiarpur at this time. I think the hon. Members have no idea of the destruction which is caused by the chos to the cultivable land in our district. In the four Tehsils of Hoshiarpur there are about two hundred chos. After every mile one comes across a cho. When the farmers sow the crops they are not sure whether they would be able to reap them or not. When they sow they are happy but all their happiness vanishes the moment the water of a cho comes over their crops and leaves nothing but sand and sorrow behind. The cho of Gondpur has spoiled the crops of about fifteen villages. In about five or six of these villages water entered the houses also and there is silt in the streets and in the fields. This year the floods have affected Amritsar, Jullundur and Jagraon very badly and Hoshiarpur has also suffered. I think such a state of affairs requires that the Government should pay full attention to it.

I place on the table a statement containing suggestions for meeting the situation in Hoshiarpur district.

**SUGGESTIONS FOR THE CHECKING OF FLOODS AND GIVING RELIEF
TO THE SUFFERERS IN THE DISTRICT OF HOSHIARPUR.**

By Sardar Shiv Saran Singh :

Hoshiarpur is a district which suffers every year from the floods of chos because it is situated on the foot of the Shiwalik range. Almost half of the cultivable land in the district is rendered sandy due to these floods. Unlike the previous year, the floods this year have caused havoc and done great damage to the crops and the houses :—

(1) As recommended by the Cho Menace Committee, Hoshiarpur, those short term proposals should be implemented at once. Atleast some chos should be selected and the working of canalisation should begin in right earnest by means of bull dozers and by also taking some help from the villagers whose area is affected.

(2) The Chos of Nasrala, Gondpur and Kang should be taken at once and the work of canalisation should begin in right earnest.

(3) A survey of all the chos from the foot of the hillocks and throughout its bed should be made and the water should be made to flow through a narrow channel, and on both sides of that canal, trees and grass should be planted ; and more closures should be affected. At present the closures are made haphazardly with the result that the chos change their course every year thus causing damage to the fertile crops.

(4) At some places to save the village abadis, big bunds or dams should be constructed.

(5) Relief by way of advancing taccavis and seed taccavis should be freely made.

(6) There should be immediate suspension of the realisation of land revenue of the flood-stricken areas and after examining the entire position thoroughly, remissions should be made.

(7) For the re-construction of houses and necessary repairs loans should be advanced to the sufferers which may be realised in about 4 or 5 years.

Chaudhri Samar Singh (Karnal South, General, Rural) (*Hindi*) : Sir, you very kindly gave time to the hon. Members coming from flood-affected areas of Jullundur Division and so far speeches have been delivered on the

[Chaudhri Samar Singh]

flood situation in those districts. But now I wish to say something about Ambala and Karnal districts. Between river Jumna and river Ghaggar there are about five streams flowing. In this area due to the canal the level of sub-soil water is high and even with a small rain the water begins to flow in the fields. I am given to understand that arrangements are being made to construct an adequate number of tube-wells in Jagadhari Tehsil. I would like to suggest that some tube wells may also be constructed in certain areas of Karnal Tehsil. If this is done, the level of the water in the sub-soil area will definitely go down.

Further, I would like to point out that the illaqa situated in the east of the Grand Trunk Road is every year damaged by the waters of River Jamna. This year also, the floods have done a great damage to this illaqa. I have been bringing this matter to the notice of the Government for the last 2 years but nothing substantial has so far been done by them in this direction. I would like to bring this point again to the notice of the Government that some areas of district Karnal are every year being washed away by this river. In fact certain entire villages have been washed away by the recent floods so much so that no signs of habitations are to be found there. It seems as if there never was a village situated over there. I would, therefore, request the Government that if a bund is constructed in such a way so that the river changes its course automatically, many villages can be saved from being washed away by this river. A small stream has begun to flow from this river which meets a dirty "nalla" at some distance. During the recent floods the water has overflowed this stream with the result that people living in its neighbourhood have suffered a heavy loss both of property and person. If a bund is constructed for the sake of changing the direction of water, I am sure, many villages of Karnal and Panipat would be saved from being washed away by this river. It is the bounden duty of the Government to divert its attention to every nook and corner of the State. It should not make all out efforts to render all possible help to one side only and ignore the other. In the end, I would request the Government to take all necessary measures to make good the loss which has been suffered by the people on account of the recent floods.

Shri Amar Nath Vidyalankar (Non-Union, Labour) (*Hindi*): Sir, my constituency comprises of three districts, i.e. districts of Amritsar, Gurdasour and Jullundur. I happen to represent those people of these districts who have suffered heavily on account of the recent floods. What I mean to say is this that I represent those poor sections of public both in urban and rural

areas of these districts who earn their livelihood by dint of their hard labour. I quite agree with those of my hon. Friends who in the course of their speeches have made various suggestions to afford relief to the innumerable sufferers of these unprecedented floods. But no Member has referred to the poor workers of the factories and of the fields. I want to invite the attention of the Government towards those poor sections of the people who reside in the rural areas but work in the factories of the neighbouring towns. They return daily after the sunset from the neighbouring factory towns, after day's hard work in the factories. For instance labourers residing in the rural areas in the neighbourhood of Amritsar, Batala and Jullundur come early in the morning to work in the factories at these places and return to their respective places in the evening. On account of the serious damage caused and the heavy losses sustained by the factories in the towns, these labourers have been rendered job less. Until such time as the factories are not again in working conditions these hundreds of labourers will be face to face with unemployment and consequent hunger. The number of Harijans amongst the poor field labourers is very large. It is these poor but hardy labourers on whom our Government must depend for the re-building of our already shattered economy in this State. Government are at present rightly advancing Taccavi loans and affording other facilities in the form of seeds etc., to the zamindars ; but I ask, what steps have they taken in order to render timely help to the poor factory and field labourers, who are *proverbially* poor and now have been reduced to this awful condition on account of the recent floods. May I know if the Government has afforded any relief to the labourers of those factories at Batala and elsewhere that have been closed ? Have they provided any relief to the labourers of ginning factories of Tarantaran that must be set in motion in order to provide work for the hundreds of workers? Many of these poor labourers are without any employment and they have nothing to fall back upon. I am really constrained to remark that no relief whatsoever has been afforded to these poor labourers who have been deprived of their livelihood. That these sufferers have to be provided with work did not even occur to the Government. It was after all the business of the Government to see how to help these flood sufferers. Have the Government paid any attention to this problem of vital importance ? I have no intention here to indulge in giving you graphic literary descriptions of the flood havoc, but no words will be found sufficient to fully describe the fate of those thousands of men and women whose days and nights are being haunted by the night-mare of tormenting penury want and destitution. It is clear from the figures already made available by the

[Shri Amar Nath Vidyalankar]

hon. Chief Minister to us in this House that the extent of damage done by floods has been huge enough. It is already beyond our estimation. But I still believe that his information errs on the side of under-estimation.

Sardar Ajit Singh : Perhaps the hon. Member who is in the habit of going through big volumes of books may not have found these figures in them.

Shri Amar Nath Vidyalankar : I am sure on the basis of my own observation that the extent of damage is much more than the relevant figures quoted by the hon. Chief Minister. He himself has stated that he still expects to receive more information, and his figures are not absolutely final. (*Interruptions*) I think the hon. Chief Minister wants to prolong unnecessary discussion on this minor point. The question at present before us is not regarding the extent of the damage caused by the floods, but about what we are concerned most is as to the extent of the Government help offered and to be offered to relieve the distressed people. On this point, I desire Sir, that the House must concentrate its attention. And on this point, I have to painfully admit, Sir, our Government have failed to come up to the expectations of the people in affording relief to the flood victims. As a matter of fact I say, we too, i.e. all of us, have failed in this direction. As for ourselves, we did not fully know what the Government would do or would not do. We were not in a position to extend any hopes or give any assurances to the people. We have been so far helpless spectators of their misery. I can also say from my personal knowledge that the high officials have been serving the people with false promises i.e. promises which were never intended to be fulfilled, or at least that they were not in any position to fulfil. It is, therefore, now meet and proper both for us and for the Government to sit together and devise ways and means to make good the loss suffered by the people on account of the recent floods. I am really constrained to remark that the Government have failed to inculcate any spirit of self-help and mutual co-operation in the minds of the people. As a matter of fact, not even a step has been taken to seek the co-operation of the people with a view to bear this huge burden. It is really a matter of regret that the hon. Chief Minister has not so far issued any appeal to the people of the State or the public in general for help etc., in connection with the flood-relief. It will not be out of place to mention here that in Pakistan newspapers we daily come across such appeals that are being issued by the Pakistan authorities to their people. This is not all. People in Pakistan were warned through press and radio to save their lives and property on account of the impending danger of the floods. May I know if the people of our State too were warned

through press or by the beat of drum or on radio against the impending danger of floods? By saying all this it is not my intention to pay any tribute to the Pakistan Government. What I want to drive at is this that our Government too should have warned the people against the impending catastrophe. Had this been done, I am sure that most of the property and in particular our cattle wealth would have been saved. I know it for a fact that certain warnings were issued from Simla to certain Government Departments two days ahead of the actual floods but such warnings were never communicated to the people in the towns or in the villages. It is not my intention to enter into the details of the matter as to who is responsible for all that has happened, nor do I wish to put the hon. Chief Minister to unnecessary inconvenience by covering his large table with suggestions and suggestions. It is very easy to pile up suggestions but they would all be worthless if we fail to offer our assistance in putting those suggestions into practice. The only suggestion that I want to offer is that the Government should make it a point to take the people into their confidence and seek their assistance. It is, therefore, but meet and proper on our part to offer our co-operation to the Government instead of offering paper suggestions at this critical hour. As for myself, I offer my co-operation to the Government with a view to helping the administration in affording relief to flood-victims. This is not the time when we should go to flood-affected-areas simply to get ourselves photographed and thus give wide publicity to our so-called enthusiasm for this work. Copious praises have been showered on the local and district Government officials. This might be justified in certain cases, but let me be frank enough to say that I am not prepared to give much credit to the Deputy Commissioner of Amritsar. I have been given information by the local men that he did not start work in time. He wanted to visit Tarn Taran once, but actually returned without visiting that town, as he did not agree to cross a flooded rivulet on a bullock cart. His other colleagues went on. This is not the true spirit in which an officer on the top should work. As a matter of fact, he should set example for others. He visited the town next day, but this visit was very brief and was confined only to a very few places. He left with many promises behind, but those promises were never fulfilled. This creates disaffection against the Government.

Sir, I am sorry to say that the officers of the Government have not been able to inspire confidence in the minds of the people. They did not care to visit the flood-affected areas immediately at the time of actual need. The Ministers at any rate ought to have been with the people at the time of suffering, and they ought to have set a noble example for the public servants. But they came when the floods had subsided and it was time

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for the photographer's job. The apathy displayed by the hon. Ministers can well be judged by the fact that they preferred to go to Nasik instead of paying a visit to the flood-stricken areas to do some constructive work for alleviating the distress of the sufferers which demanded their immediate attention. Our Ministers had nothing important to do at Nasik and they were there as mere camp followers. On the other hand, they were required to give a practical lead at the time of the people's dire need. During my visits I saw that at Taran Taran people made earnest efforts to protect the victims of the floods, and managing Committee Gurdwara, Amritsar, and Taran Taran had arranged to provide food to more than 4,000 people every day. But if we look to relief measures adopted by the Government an instance at Taran Taran will provide an example. Some Government officer at that place sanctioned 20 bags of parched grams for distribution among the sufferers in the beginning. But that number of bags was gradually reduced to only 15 seers. I learn that the officer concerned issued instructions that $\frac{1}{4}$ of a seer may be distributed to each individual, but he insisted upon getting each individual's thumb impression in token of the receipt of $\frac{1}{4}$ seer of the parched gram. This is the way our efficient Government functionaries act at a time when the qualities of quick decision and imagination are most required. It may not be fair to put all the blame on the officers when the Government fails to work on a well thought out plan, and has delegated all work and initiative to the local authorities, and they are left to work out their way with their limited and meagre resources. It is quite evident that they cannot on their own initiative take big decisions. The extent of relief will then naturally be very much confined to the narrow limits of their power and authority. Had the Ministers been on the spot, they could have at once planned out the whole relief, and personally supervised the carrying out of their own instructions. But in this case there were hardly any instructions worth the name followed even at the top. Closing my observations, I again offer my whole-hearted co-operation in this huge task which is before the Government. The Government should adopt effective relief measures for these people who are clamouring for help. All of us, Members of this House, should fan out in the flood-stricken areas and along with the officers of the Government, we should undertake relief work. None of us should consider it beneath his dignity, even if he has to do the menial job of clearing the heaps of debris of the damaged and fallen houses, or the piles of rubbish and refuse. This is the true spirit of service in which we the representatives or servants of the people are expected to work and serve.

Shri Behari Lal Chanana (Ex-member, West Punjab Assembly representing South East, Multan Division, General, Rural)(*Hindustani*): Sir, I would not like to repeat what my hon. Friends have already said to describe the magnitude of the loss that has been caused by the recent floods. This information has already been put before the House in graphic details. The situation created by the floods should be treated as one of grave emergency. We know that during the last European War all the political parties in the United Kingdom headed by Mr. Attlee and Mr. Churchill worked in close collaboration with each other in order to face the war emergency. It is not the hour for pathetic speeches as they cannot mitigate the suffering of the people. The prime need of the hour is to know whether our conduct in these circumstances is calculated to secure the co-operation of all parties. In this connection, I will suggest the formation of a high power committee which should not only consist of Ministers but should also include representatives of all sections of people. In a situation like the present we need the co-operation of all and we should not insist on working under a steel-framed policy. I know that certain political parties may make a capital out of this situation and use it for political propaganda against the Government during the coming general elections, but such a course will be highly undesirable. The committee of which I have made a mention should not be merely an advisory committee but should be invested with extensive powers. In order to inspire confidence we should first create enthusiasm and raise the morale of the people. Public will only contribute generously to the fund in aid of the flood-sufferers if it has full confidence in the Government. It goes without saying that the Government has been very successful in running the administration in normal conditions. But history tells us that only that Government can be called successful which can with whatever resources it has at its command, get over the gravest crises. The Government would undoubtedly get due credit if it surmounts this emergency and utilises all its resources for providing relief to the flood-stricken people. There is no denying the fact that the Government has been able to do a good deal for the refugees in very difficult times and now these refugees have once again been displaced on account of the calamity of floods that has befallen them. In a situation like this, the Government's efforts to relieve distress of the people will generate feelings in them that the Government has once again come to their rescue. These efforts of the Government can only be crowned with success if the situation is dealt with on a grave emergency basis. My hon. Friend Sardar Udham Singh has drawn the attention of the Government to the loss suffered by the factories in Tarantaran and Shri Amar Nath Vidyalankar has also stressed the need for providing relief to

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the labour classes. I am at one with them and I think that it is imperative for the Government to employ all financial resources in giving relief to the flood-stricken people to the utmost even if it causes excessive drain on the Government exchequer. It should also give relief to the peasants in the form of remission of land revenue and by advancing taccavi loans to them. Labour classes should also be given adequate relief. It is surprising to find that in spite of the havoc that has been caused by the floods in Kasera Bazar at Batala, the work relating to the assessment of property tax is in progress under the instructions of the district authorities. It is just like playing music before a house where a death is being mourned, a thing unheard of. The Government should pay greater attention to the psychological approach of the problem before launching on the execution of any work. It is, therefore, necessary that the question of giving adequate relief in the form of remission of land revenue, property tax and also giving of relief in other forms should be considered by the Government.

It is a formidable task to control nature and we have not been able to stop the recurrence of floods and to check their ravages even in this scientific age. It has not been possible for us to undertake long-term plans involving huge expenditure to prevent its recurrence just at the moment. However, the Government has prepared a scheme for controlling the supply of rivers of Bhakra Project which will be of immense advantage to the State in due course of time. The rivers are flooded mainly because of the deforestation work done by the contractors and others in the catchment areas which results in easy flow of large volume of water of that area to the rivers. But we must find a remedy of our ills. We must not stand beaten before Nature and we must exploit all scientific means to tame and control rivers at their source. We should regulate their flow in plains by building dams at the vulnerable points and clearing silt with the help of dredgers and other machine tools and lastly we should whip up public enthusiasm in the areas affected. The inhabitants of such areas will be too willing to make their contribution, if a proper approach is made to them.

Ch udhri Sher Singh : (Jhajjar, General, Rural) (*Hindi*) : Sir, within a short period, our province has had to face two great calamities. The calamity that has visited it in the form of unprecedented floods was, it will be readily admitted, neither of Government's making nor brought about by any other human agency. It was a manifestation of the Nature's will, over which no human being can have any control. Lakhs of people who had been displaced as a result of partition, had hardly settled down again, when this new misfor-

tune intervened. So far as I think, our Government, has faced both these calamities in an efficient and courageous manner. No doubt its work has not been free from shortcomings and defects but it will be agreed that they were rather the result of its limitations than of a lack of desire on its part to solve the problems.

If we go by its intentions, we shall have less tendency to criticise it. Hasn't the Government been anxious all this time to help the sufferers ?

Now, Sir, there is an important matter to which I want to draw the attention of the Government. Many a time it has been seen that the relief organized by the Government does not reach the people living in distant and remote corners in the country side, where it is most needed, just because of the slackness or unwillingness of the officials to reach those areas which are not easily accessible, or which are cut off due to floods. In fact, Sir, these are the areas which suffer most of the loss and damage and which, therefore, need immediate relief. My hon. Friend Shri Amar Nath has already referred, to this matter. He has stated how the officers hesitate to go to the affected areas, because it requires wading through water, and finding the roads and paths unmotorable, how they return to the headquarters without arranging to provide relief to the sufferers in the remote parts. I would, therefore, urge that in times of such calamities, more attention should be paid to rural areas than to towns.

As my Friend, Chaudhri Samar Singh has already pointed out, it is true that Jullundur Division has suffered a great deal but we should not at the same time close our eyes to the damage caused by rains and floods in the districts of Karnal and Rohtak. For instance, there are at least twenty villages in tehsil Gohana which have been affected by the floods and are still partially or wholly under water. Level of sub-soil water in these areas has risen so much, that the water of wells has become unfit for drinking purposes in villages such as Rathal, Katwal, etc. Sahbi stream, which irrigates a number of villages of Gurgaon, has this year done considerable damage to parts of tehsil Jhajjar. It overflowed its banks, and water which spread over a considerable area has not yet receded and there is, therefore, danger of a malaria break out. If nothing is done to drain away this water, it will continue to stand till February or March and thus remain a menace to the health of the people.

I would, therefore, request that where the Government should spare no pains to provide relief to the people who have suffered in Jullundur Division, and help them to its maximum ability, it should not ignore the districts of Karnal and Rohtak where also the people have suffered as a result of excessive rains and floods.

Sardrar Waryam Singh : (Batala, Sikh, Rural) (*Punjabi*) : Sir, our district has suffered both due to rains as well as floods. Firstly, rain water which could find no suitable drainage system to take it away, destroyed human habitations and fields and later on considerable damage was done by flood water from the river and canals. We have already many a time brought to the notice of the Government the urgent necessity of providing suitable drainage in the low-lying areas of Batala tehsil such as Lawali, Talwandi Sheikhpura, etc. These areas are still under three to four feet of water and despite the fact that rains have been very late, there can be no Rabi crop or fodder crops, unless this water is drained away and land dries up. There were such torrential rains on the 3rd and 4th of September, that premises of all the factories in Batala were submerged under three to four feet deep water. Premises of tehsil offices, Post Office and Police Station were also flooded. Then, Sir, Hansli nullah has been responsible for doing a lot of damage in tehsil Batala. Government has not paid attention to the fact that the bed of this nullah has been blocked at several places due to hovels that people have set up for themselves to live in under its various bridges. So long as its passage is not cleared, it will every year be the cause of damage.

The second factor responsible for doing damage in Batala tehsil was the flood water. The newspapers came out on 4th September with the news that Dera Baba Nanak and Narot Jaimal Singh had been completely submerged under water. But it has to be pointed out with great regret that the District Officers made no effort to visit these areas and to organize relief work. On the 10th, Sardar Ishar Singh Mujhail wanted to proceed to Dera Baba Nanak but at the point wherefrom the road was unmotorable the Deputy Commissioner refused to accompany him any further because the motor car could not go through water. I understand that Mr. Mujhail was ready to wade through water but the Deputy Commissioner said to him, 'Sir, I refuse to go further, and so our Minister had also to give up his intention of visiting Narot Jaimal Singh—call it his leniency or whatever else you like. Floods in these areas came on the third. The road was motorable on the 10th but in spite of this it was on the 13th that the Deputy Commissioner for the first time decided to visit Dera Baba Nanak. He had deputed a Naib Tehsildar to go in advance and prepare a report for him. According to this report submitted by the Tehsildar, ten to fifteen villages were reported to have been completely washed away and it was essential to provide shelter for the people hereof immediately. Knowing full well that these people needed immediate relief, the Deputy Commissioner did nothing in the matter. He even refused to visit those affected villages which were situated on the pucca road between Dera Baba Nank and Amritsar and said that he had to return. Sir, I can say on the strength of my personal knowledge that after having refused to visit

those villages, the Deputy Commissioner left the Police Station and went to enjoy a lunch at the officer's mess of a military picket posted nearby. I know for certain that he wasted full two hours there and reached Batala much later than myself. I can say this with certainty because after reaching Batala, I had kept myself informed of the time of his arrival at Batala.

Sir, my grievance is that this Deputy Commissioner wasted full two hours in the officers' mess but he did not care to spend this time for the benefit of the villagers who were in a miserable plight. He had promised to send tents for the use of sufferers but no tents were received till the 16th when the rains began to pour a second time and it was so despite the fact that the roads were motorable up to that date. For want of tents the distressed people found shelter under the trees during the day as against the sun and during the night as against the dew. This was not all. Malaria broke out in a very ugly and a severe form and the villagers carried their sick relations to Dera Baba Nanak where they accommodated themselves in the streets and verandas of different houses. It is a pity that the officers at the spot had made no arrangements for necessary medical aid in the flood-stricken villages. Not to talk of this medical aid they could not arrange for food. Six bags of parched gram were received on the 16th and this was the day when the second flood had begun to afflict the people. At this we raised hue and cry for regular rations and the officers were a little moved. They sanctioned rations at the rate of six chhatanks per head for three days only. Despite the fact that a very large number of the marooned people could not avail themselves of this ration, it was refused to those who had once got it and nobody bothered to see their genuine need. The area of Kalanaur was flooded on the 3rd but no relief agency i. e. a Naib Tehsildar, a Kanungo or a Patwari was to be sighted there till the 22nd. When pointed out that no adequate rationing arrangements existed there, the officers turned a deaf ear. I have failed to understand as to why these people should have been so callous towards the sufferers particularly when they had instructions from the Government to render all possible help to them. It is a pity that the Deputy Commissioner of my district thought fit only to spend Rs. 5000 by way of relief whereas private organisations like the Gurdwara Prabandhak Committee decided to spend a sum of Rs, 7,500. Here it may not be out of place if I mention the treatment that this Deputy Commissioner gave me when I went to him for securing purchase permits in connection with the relief money provided by the Prabandhak Committee. He made me wait a whole day and at about 7-30 in the evening he sent a word that he would see me on the following morning. I was greatly upset but found myself helpless. Fortunately, however, at the intervention of the Revenue Assistant of the place an interview was very kindly granted to me. So this was how the Deputy Commissioner

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behaved towards me. Not only that this gentleman is not courteous, he has done absolutely nothing for the flood sufferers as he did not appoint any relief agency in the flood-stricken areas. When the Financial Commissioner visited our district on the 26th, cooked reports were presented to him as regular correct reports had not been prepared.

Before I sit down I must also say a few words about the land revenue remissions. As the Government is perfectly aware as to which places have suffered destruction by the floods, I suggest that total remissions should be granted to the sufferers of those places. But in this connection the Government should not wholly depend on its Patwaries, Girdawars and Kanungoes as they are sure to collect the revenue though they may not be sending it to the Government coffers.

Shri Bhim Sen Sachar [Ex-Member, West Punjab Assembly representing Lahore City, General, Urban] (*Hindustani*): Sir, so much havoc has been wrought by the floods that it is not possible to show adequate sympathy with the sufferers. I wish that utmost help and relief should be afforded to them. All the same I have one or two submissions to make to the Government. I admit that floods and other such vagaries of Nature are beyond the control of the Government. Even the strongest possible Government could not have checked the occurrence of floods. Still it would be better if inquiries are instituted regarding two things and these inquiries need not be public. They should rather be confidential because the motive is not to harass or tease the officers. The first thing which is to be inquired into is the fact whether we failed to do certain things which if done and attended to would have reduced the intensity of the floods. I have made this suggestion as certain hon. Members have suggested that if water in the canals had been properly regulated the intensity of the floods would have been appreciably reduced. The second inquiry should be made into the conduct of the officers concerned. We should be able to know whether the officers concerned were duly sympathetic towards the sufferers and that whether they exhibited that much of promptitude and resourcefulness which was expected of them. If on inquiry they are found to have been negligent, exemplary punishment should be awarded to them so that it serves as a lesson to others in future. In this way every officer will be made to feel his legal as also his moral duties. When colossal calamities overtake the people the officers in addition to their own efforts should be able to enthuse and encourage the people at large to do everything they can to give relief to the victims of the circumstances. If the Government acts on my suggestions, I think it will be able to inspire confidence in the minds of the people. This is all that I had

to say.

Chief Minister (The hon. Dr. Gopi Chand Bhargava) (*Hindi*): Sir, before I explain the situation resulting from recent rains and floods, I wish to thank the hon. Members for the suggestions offered by them. I wish to assure them that I have taken note of the views expressed by them and shall examine, in the light of suggestions made by them, as to what more can be done. The Government will keep their views before it at the time of deciding about immediate relief measures and also the long range programme for the alleviation of people's distress. I wish to thank those public organisations and individuals who helped us at the time of distress and rendered valuable aid to the public. I wish to thank those officers also who performed their duty sincerely and honestly. But I may here assure the House that the Government will institute enquiry into the conduct of those officers who were negligent or who took advantage of people's difficulty. Those who are proved guilty will be duly punished. We are servants of the public and if we do not serve them in the hour of need, we are guilty of dereliction of duty. If we do not discharge our duties properly, we have no right to occupy positions of responsibility. The rains this year were un-precedented and the figures which I am going to place before the hon. Members will show that it was impossible to make immediate arrangements. It was a very difficult task. Taking the case of a few places, for the sake of illustration, the figures of normal rainfall and those of this year, are as under:—

Name of place	Average Rainfall	Amount of Rainfall this time
1. Tibri.	26.64"	71.07"
2. Aliwal.	22.48"	42.00"
3. Buchar.	16.06"	27.12"
4. Raya.	17.93"	37.12"
5. Khem Karan.	12.50"	21.51"
6. Bhakra.	46.00"	60.48"
7. Ruper.	28.72"	32.11"
8. Doraha.	21.25"	30.07"
9. Ferozepore.	6.68"	32.85"

[Chief Minister].

These figures are for the monsoon period from the 1st June to the 30th September. The rainfall on the third, fourth, fifth, eighteenth and the nineteenth September was so heavy that no drainage scheme could cope with it. The heaviest damage has been caused in the districts of Gurdaspur and Amritsar. Hansli Nullah was mainly responsible for it. I wish to give a brief history of the floods.

'The worst affected town in Gurdaspur District during the recent floods is Batala lying on the 24th mile of the Amritsar-Pathankot-Kulu Road from Amritsar. A continuous rainfall of the total intensity of 15 inches which occurred in the last week of September, 1950, was unheard of in Batala. This was followed by another heavy shower of twelve inches after a few days which caused havoc to the low-lying buildings and factory area of the town. The old town is situated on high ground and was consequently saved from the floods. The road communication was interrupted between Batala and Amritsar damaging a considerable part of the road, particularly the mile 23. The road was under flood water from the mile 21 to mile 25 and the miles 17, 18 and 19 near Jantipura village. The maximum depth of water on the road surface was about 2 feet while waist deep water was flooding the Batala gap.'

Hansli is a very old canal of the Moghul period. It runs parallel to the road leading from Pathankot to Amritsar and it passes by the side of Batala. Its course is not in accordance with our present requirements. The remedy suggested with regard to it is this—

The course of Hansli Nullah should be well defined up to Kamuoan Road on the upstream side and up to mile 2 of Amritsar Pathankot road on the down stream side. The bed should be cleared of silt and weeds and proper course given to it. For this purpose the building which stands right across the course just on the upstream side will have to be pulled down.

The existing bridge is not sufficient to take up the discharge and it will be necessary to provide a couple of additional spans. These may be provided on the west side. The debris etc., which is being dumped should be immediately stopped and the course of the nullah shou'd never be used as a dumping ground for the waste.

'The embankment of the road in mile 18 and 19 is very low and got flooded in 1947 also. The embankment appears to be hardly a few inches above ground level. The formation therefore requires raising and a proper culvert in front of the railway culvert.'

Sir, it can be said as to why we did not take timely notice of this report before hand and why we did not get the bed of that stream cleared.

The fact is that it was not possible for us to do so, because the building was not our own property. And then, there had never been such heavy rains during the last twenty years. Such extraordinary problems cannot be tackled by ordinary methods. They require extraordinary methods. This Nullah further goes towards Amritsar and Tarn Taran. Now, the whole of the Amritsar district is a low-lying area. Consequently it gets flooded, whenever there is a flood in the Ravi river. This river does not follow a straight course; and is constantly changing it. It is said that a river is its own engineer. The floods in 1948 caused a great havoc to Narot Jaimal Singh. After that the river changed its course. Then, we wanted to construct the bund also. But the difficulty is that if we do that, the water of the river starts flowing towards the Pakistan side and that creates trouble. We wanted to clear the bed of the river and we requested the military authorities to do that work with the help of their bull-dozers. We requested the military authorities to do that work because they had the necessary facilities at their disposal, for instance, sappers and miners bull-dozers etc. But even that could not be done on account of the rains. Later on they were prepared to give us machinery but not men. So it is in this way that we propose to do the work on the side of Narot Jaimal Singh. Besides this, the Buildings and Roads Branch of the Public Works Department has also decided to construct a bund. For this purpose it has to be seen as to what is the nature of the soil on which the foundation is to be laid. It has to be seen what is the percolation capacity of the soil. For this purpose, an experiment on that soil, is being made by constructing a tank in the Hydraulic Research Institute. When that scheme is approved, the Government would be in a position to start the work on the bund.

Then, Sir, Ferozepore district has also suffered a heavy damage on account of the floods. In this respect, it comes next to Gurdaspur and Amritsar. In Jullundur too, a large number of houses have been damaged. But I am now referring to the damage done by the floods in the rivers. The Beas river, Sir, also causes a great damage by eroding the soil. My learned Friend Thakur Dalip Singh made a mention of the village Indora. That village is situated at the top of a hill and is in a shaky condition. We are conducting a survey of that place. But this anti-erosion work is so big that it cannot be done in a short time. It takes pretty long to complete it. Besides the Beas river, Oxin stream also causes a great damage to certain areas of Jullundur district. As a matter of fact, this work of anti-erosion and drainage is a huge problem. Along with this comes the question

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of Chos. The erosion from these Chos can be checked by two ways, namely, by constructing bunds and by afforestation. If we start afforestation, as we did in Kangra and Hoshiarpur districts, people will begin to complain that we reserve land for the forests and less land is left for cultivation purposes. They will also complain that their cattle shall not be allowed to graze in the forests. But the fact is that the cattle cannot be allowed to graze in the forests as they pull out the roots of the plants and thus destroy them. However, we are now preparing a scheme to stop the erosion caused by the rivers. Along with that, there is a scheme for reclamation of cho-eroded land but this is a long-range policy.

Then, Sir, there is the important question of roads. Breaches occurred on the Kulu-Mandi Road on the 19th August, which were repaired on the 23rd August. Now that road is open to lorries. Another breach occurred on the 215th mile, on the 22nd August, but it was repaired on the 23rd. Up to 20th September, the Mandi-Kulu Road was open to traffic. Then there occurred breaches in it. But by the 1st October, the road was once again opened to traffic after carrying out the necessary repairs. A bridge on the Pathankot Mandi Road gave way on the 25th July; it was repaired on the 8th August.

As regards Batala Dera Baba Nanak Road, it became unmotorable on third and fourth September but it was repaired and made motorable on twelveth September. The rains on fifteenth and seventeenth damaged it again but it was opened for traffic on the twenty seventh. On Amritsar Bajj Nath Road traffic stopped on third or fifth September because a breach occurred near mile number 23. The breach was repaired but again the heavy rains on the 15th and the 17th damaged it and it was opened for traffic on the twenty second September. With regard to Hansli rivulet the Government is thinking seriously and The Public Works Department have been instructed to carry out a survey of the entire area in order to improve the drainage system so that in future damage from floods may be minimized. But as the hon. Members are aware such things take time. Much damage has been caused to Amritsar Ram Das and Dera Baba Nanak roads during the heavy rains on the 15th and the 17th September but traffic was resumed on the 27th. On Amritsar Tarn Taran Road a bridge was pulled down by the people because if it had been allowed to remain the whole of the city of Tarn Taran would have been washed away by flood water. This bridge will be rebuilt when the waters subside in that area. The Grand Trunk Road was also affected by the floods. But it was immediately made motorable by throwing sand in gunny bags. A sum of rupees eleven lakhs has been provided to the P. W. D. for the repair of roads and Government buildings.

Shri Prabodh Chandra : Sir, the hon. Chief Minister stated that Ajnala Batala road was motorable on the 27th. I may tell him that Dr. Parkash Kaur, Chaudhri Sundar Singh and myself saw that this road was not motorable for two or three miles on that day. We had to walk on foot. My submission is that the information has been supplied to him by some officer without any personal knowledge, sitting in a chair.

Chief Minister . I will take note of what the hon. Member says and make enquiries. If the information supplied to me is incorrect I will punish the person concerned. I was saying that the floods have broken the roads around Jullundur, although this year no damage has been caused to the bridge at Jullundur which was damaged in 1947. As regards Hoshiarpur the hon. Members are aware that it is a district where chos are a constant source of ruin. Whenever it rains in the hills water rises and traffic is suspended in these chos ; but soon the water level falls down and traffic is resumed. In Ferozepore District also the condition of roads has become worse as a result of the floods. Ferozepore Moga Road and Ludhiana Ferozepore Road have suffered. About twenty eight temporary bridges have been constructed and efforts are being made to undertake necessary repairs. But as the hon. Members are aware pucca bridges take time, so at present only temporary measures can be taken. In addition to all such damage there has been a loss of foodgrains also. Shri Behari Lal Chanana has given his suggestion regarding the construction of grain bins in the rural areas.

So far as the question of arrangements for the provision of foodgrains during the floods was concerned, I wish to state the charge leveled by some of my hon. Friends against the Government that most of the food dropped by means of aeroplanes did not reach the destination appears to be based upon wrong information. As a matter of fact some of my Friends are in the habit of saying certain things for which they may have no valid reasons to believe. They often say that they have heard certain things but they never disclose the source of their information. In the absence of any reliable proof of their contentions we have every reason to believe that our reports which show that in ninety five percent cases such help reached the flood sufferers, are correct. It is quite wrong to suppose that the supply of foodgrains by means of aeroplanes was a mere show. On the other hand I am grateful to the military for the fine job they have done in this regard.

On the third of September when I was in the Hospital at Amritsar some civil and military officers came to me and explained the flood situation in the district. They surveyed the entire area on aeroplanes. It was not possible to reach the villages otherwise. The military offered its boats for the purpose. On the night of the 4th September the boats reached. On that day when I

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left Amritsar Dr. Parkash Kaur and the Deputy Commissioner of the district made a programme for going to Ajnala where the people had gathered together in the Tehsil buildings and where arrangements had been made for them. On the 5th of September the boats reached the place and attempted to rescue as many persons as they could (**Sardar Udham Singh**, no boat went more than a distance of five miles at the most).

Shrimati Dr. Parkash Kaur : What is the number of those who have been evacuated by the Military ?

Chief Minister : I have got all the figures with me. But since the time at my disposal is very short, I am afraid it will not be possible for me to give this information just now. However I shall supply the required information after going through the relevant papers. Moreover we are not concerned with this question at present. I have said that efforts have been made by the military to evacuate the people and if it has not been done, it is just possible they may not have done so much as has been pointed out by the hon. Lady Member. But I do not doubt the correctness of this information unless and until it is duly falsified.

Shrimati Dr Parkash Kaur : Not even one soul has been evacuated by the Military.

Chief Minister : In response to a telephone message the R.I.A.F. at Meerut came to the rescue of the floods' victims. They threw food from the aeroplanes. It was rumoured that 900 persons had suffered heavy losses and that they needed clothes etc which were despatched immediately to them. The next day it was reported after a aerial survey that the extent of damage was not much. It is not possible to reach this place without crossing the river between Ravi and Oag as there is no bridge. It is very difficult to construct a bridge across this river. This difficulty is greater during the rainy season. However as there is a wire ss station over there, we have been receiving information regularly.

Now about the position of foodstuffs in the flood affected areas. I had called for this information on the 10th of October and it is as follows :-

Ration cards in rural areas are issued to persons who cannot supply themselves for such period as they require grains. There is no cent percent rationing. In flood areas ration cards will be issued to such people who have no grains till the arrival of new crop.

The Deputy Commissioner, Amritsar rang me up to say that they had made three grades so far as the supply of foodgrains to flood affected areas was concerned. The first was concerning those who were already in possession of

foodgrains and who could utilize these. The second grade related to those who have money but no foodgrains. These people can only be in a position to spend their money in this direction provided foodgrains are made available to them. The third grade includes those people who have neither money nor any stocks of foodgrains and naturally these people cannot afford to purchase foodstuffs for themselves. Gratuity relief would be afforded to these people and they would also be provided with some work to eke out their living.

So far as the gratuity relief is concerned, I take this opportunity of thanking the Shromani Gurdawara Prabandhak Committee for rendering valuable assistance to flood afflicted people of Amritsar district in the form of affording timely gratuity relief to them. I have been regularly receiving telegrams from the Chairman of this Committee about their work in this connection, and at the same time I have also been receiving detailed information from the Deputy Commissioner to this effect. Besides this, the people of the towns also came to the rescue of the flood sufferers by supplying foodstuffs from time to time. In this connection I would like to submit that the Deputy Commissioner of Jullundur writes to say:—

No gratuitous relief was given in the district and private charity was
and is being encouraged.....

So far as the supply of foodgrains is concerned, I have no hesitation in saying this that we have enough stocks to meet the requirements of our people residing in flood affected areas till the next crop is harvested. Under the circumstances Government will not allow any person in the affected areas to suffer for want of food. (*Hear, hear*). It is the intention of the Government to open grain depots and also issue ration cards in the interests of the afflicted people. We will also seek the help of those of my hon. Friends who have made certain suggestions in the course of their speeches in this direction. I would request them to cooperate with the Government in the work of the grain depots which are shortly going to be opened in their respective areas. If in their opinion it is not possible for these depots to work satisfactorily then we shall entrust this work in connection with the distribution of foodgrains to the co-operative societies. We have also approached the Central Government to give us some money for affording gratuitous relief to the flood victims and the matter is receiving the attention of that Government.

Now about the supply of seeds to the affected areas. There is no doubt about it that some moisture in the land would continue even during 'rabi' sowings and I regret to point out that there is no remedy for it. However I would like to make it clear that Government will not allow any cultivator in the affected areas to suffer for want of seeds for the 'rabi'

[Chief Minister]

sowings. One of the hon. Lady Members has in the course of her speech said that berseem seeds were not made available to the cultivators. I have enquired from the Director of Agriculture and he has communicated the following information received by him from the Deputy Director of Agriculture Gurdaspur about the actual stock position of berseem seeds:—

I have just got a telephone from the office of the Deputy Director of Agriculture, Gurdaspur, intimating to me that no less than 100 maunds of berseem seed has been supplied to Amritsar district alone. In fact, Gurdaspur office informed me that the requirements of berseem, as given by the District Agricultural staff, i. e., Agricultural Assistants (who in turn get requisitions from the cultivators), have been fully met for the whole circle of Gurdaspur, i. e., districts of Gurdaspur, Amritsar, Hoshiarpur and Kangra. The price varies from Rs. 150—60/- per maund. The Gurdaspur office has been further asked by me to supply me detailed information as to the names of places where the berseem seed has been supplied, as also the quantity at each place.

Here I would like to bring this point home to my hon. Friends that I shall get all the information duly confirmed which has been supplied to me by the officials concerned. So far as the seeds of berseem and Shitala are concerned, my hon. Friends know it full well that only up till last year we used to supply these seeds to people free of cost. It was only last year that we decided to supply these seeds on payments. So far as the seeds of wheat are concerned, these have already been made available to flood afflicted cultivators in the rural areas. As regards the gram seeds, I wish to point out that Government do not possess these seeds in sufficient quantity. (*Interruptions*). However I would like to submit that efforts would be made to supply gram seeds to cultivators. As a matter of fact we will not allow any cultivator to suffer for want of these seeds. It will not be out of place to mention here that Government of India have fixed the price of gram at Rs. 13/- per maund in the surplus areas. But it has been experienced that gram continues to be sold at Rs. 16/- per maund instead of Rs. 13/- per maund. This is not all. Those who possess gram stocks sell these in the form of 'dals' at Rs. 20/- to Rs. 22/- per maund. What I mean to say is this that my hon. Friends should help us in making seeds available to those cultivators only who do not actually possess these stocks. As gram seeds have already been damaged and destroyed in the flood affected areas and the cultivators need these most, it has been decided that these seeds should be made available to them in time. But it is far from our desire that people should purchase from us at cheap rates for sowing purposes and sell the same at much higher rates to the dal sellers. The hon. Minister for Development has

already stated that the price of gram has been enhanced. It can be argued that Government should not have raised the prices of gram as the same had been purchased by the Government before the imposition of control over it. But my hon. Friends should know that these prices have been raised simply because of the fact that people may not sell gram at higher rates as it is only meant for sowing purposes. It has been decided that the profit which will accrue to the Government from the sale of grams at increased price should be given to the people in the flood-affected areas in the form of rebate.

Now I advert to houses. There are two types of houses—one belonging to muslim evacuees and the other belonging to the residents of the Punjab (I). Further these houses may be classified as pacca houses and kacha houses. Generally most of the kacha houses have collapsed during the recent floods. So far as the Rehabilitation Department is concerned, the Government has already sanctioned necessary grant for that department. Now the Government has sanctioned 12 lakhs of rupees for relief measures. It is very difficult, rather impossible, for any Government to construct houses for the flood-stricken people or to give so much financial assistance to them as to enable them to build houses for themselves. As my hon. Friend Sardar Udham Singh has remarked, it would require rupees one crore for Amritsar district alone. In villages affected by floods most of the houses that have collapsed belong to evacuees as has been mentioned by the hon. Members and it is under the consideration of the Government to build up model towns. Temporary mud-huts can also be built as has been suggested by my hon. Friend Sardar Swaran Singh. But the construction even of such mud-huts will also require time. For the construction of houses, the Government propose to supply building material at controlled prices and afford some relief in other directions also. The hon. Members have drawn my attention to the supply of cement, iron and bricks for the construction of such houses. So far as cement is concerned, our Government has asked the Government of India to supply two thousand tons of foreign cement and five thousand tons of Indian manufactured cement monthly. As regards the supply of galvanised iron sheets, we had made a demand for the supply of 500 maunds out of which the Government of India has sanctioned a quota of 250 maunds. There is another proposal before the Government to set up Co-operative House Building Societies. The Co-operative brick kilns will be able to supply bricks whereas it is feared that the contractors may not be able to supply bricks in a short time. Timber, bamboos and straw will also be required

1. The Government of Punjab have the honor to acknowledge the receipt of your letter of the 10th instant regarding the subject mentioned above.

2. In reply to inform you that the Government are taking steps to meet the requirements of the Punjab Land Revenue Act, 1947, in relation to the subject mentioned above.

3. The Government are also taking steps to meet the requirements of the Punjab Land Revenue Act, 1947, in relation to the subject mentioned above.

4. The Government are also taking steps to meet the requirements of the Punjab Land Revenue Act, 1947, in relation to the subject mentioned above.

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THE GOVERNMENT OF PUNJAB
SECRETARY

12. The Government are also taking steps to meet the requirements of the Punjab Land Revenue Act, 1947, in relation to the subject mentioned above.

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[Chief Minister]

was received as grants. The Prime Minister of India would have given more, but unfortunately there was not sufficient money in his fund at the time. A reply has been received from Shri Rajagopalachariar to the Government's request for money by way of grants or as a loan. According to this reply the matter is yet under the consideration of the Government of India and will be decided after the return of Shri Chintaman Deshmukh, the Finance Minister, who is due back tomorrow.

Sir, objection was taken by some hon. Members to the provision of a sum of Rs. fifty lakhs as Contingency Fund and it was suggested that it should be of the order of Rs 25 lakhs only. Now, Sir, this very fund will stand us in good stead, so far as the question of relief to the flood-sufferers is concerned. Money required for this purpose will without disturbing the budgetary position, be easily drawn from this fund.

Now, Sir, I would, on behalf of the Government, like to thank all those societies and organizations which have helped us in the task of providing immediate relief to the affected areas. And I assure this House that the Government will strain all its resources to help the victims of the calamity stand on their feet once again (Cheers). We shall do whatever is humanly possible to rehabilitate them. In this urgent and big task, I would crave the help of all the hon. Members of this House. I should also thank those of them, who have, whether by way of criticism or by giving suggestions acquainted us with the true state of affairs in the affected areas. It is chiefly with their help, coupled with the assistance of private organizations, that the Government hopes to accomplish this serious task. Government would welcome any help in this matter, no matter from which quarter it comes. Only then will it be able to cope with it.

Sir, I am sorry that for want of time I cannot reply to all the points that have been raised in the course of the debate on floods. A suggestion was made that the work of removal of debris may be entrusted to Panchayats. My submission in this regard is, that Panchayats are not yet in a position to undertake such work. Their organization is not calculated to do this sort of work. As regards getting the help of miners and sappers, I might inform the House that the military authorities are not in a position to place them at our disposal for this work. They were approached but they have expressed their inability in the matter. We have, therefore, decided to help the sufferers individually in this matter.

Sir, we are also thankful to that section of the press which has appreciated the work of the Government in the matter of providing relief. We are also thankful to those newspapers which have criticized the Govern-

ment's inability to do certain things, which in their opinion it ought to have done. We are grateful for the appreciation as also for criticism. The Indian News Chronicle, the Hindustan Times, the Ajit, the Sher Bharat and the Vir Bharat have commended the measures taken by the Government by way of relief. I may here quote a few lines from the Tribune dated the 27th September, 1950:—

Immediate relief measures were needed to meet the emergency and it was heartening to find that the Government machinery, notorious for its usual delay, acted both with promptitude and speed.

Here the Government has been praised for taking timely steps to meet the emergency. Of course, there are other newspapers which have expressed exactly the opposite view.

Sir, I was confined to bed in the hospital in Amritsar, when I received the news of floods. I left the hospital shortly afterwards, but the state of my health did not permit me to undertake a tour of the affected areas. I, however, continued to gather whatever information I could from the persons who were in a position to give it and when I returned to Simla, though I was not in a position to go to my office, I continued going through the files put up to me and pass the necessary orders. On the 17th and 18th, I was at Nasik. From there also, I sent telegrams to the Financial Commissioner to take every possible measure to provide relief to the sufferers. I also got information on the telephone about the extent of damage, and the areas affected. But unfortunately none of the hon. Ministers was at Simla at that time. His Excellency the Governor himself sent the Financial Commissioner to organize relief. He was himself prepared to visit the affected areas and Lady Trivedi, to whom we are already so much indebted for many good things, was also anxious to go to the flood-stricken areas. As for the proposed help, I mentioned it in my speech on the Governor's Address.

Mr. Speaker : May I know from the members of the Delimitation Committee as to when the Committee's Report will be ready? I am asking this so that tomorrow's business may be arranged in the light of this information.

Shri Bbim Sen Sachar : Sir, the position is this. The constituencies that have so far been framed were on the basis of the electoral rolls prepared some time ago. Since then there have been supplementary electoral rolls in which 10 lakhs of voters have been added. The proposals for the constituencies have therefore to be re-drafted on the basis of these additional 10 lakhs of voters also. Till yesterday the Committee

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[Chief Minister]

finding was that there was no case of torture against the Sub-Inspector. The Local Muslim Leaguers also took an active part in the affair and approached Provincial Muslim League Leaders and other big personages with the ultimate object of saving the Muslim suspects. These machinations of theirs proved successful and the Sub-Inspector was eventually convicted and sentenced to 4 years and one month rigorous imprisonment. Mr. Bindra held that this conviction was unjust.

(c) Yes. In view of the departmental inquiry held by Mr B. S. Bindra, I. P. the then Superintendent of Police of the district in which Shri Jai Gopal was employed and his clear finding of the innocence of Shri Jai Gopal no further enquiry was considered necessary.

(d) A copy of the letter is placed on the table*

Sardar Sajjan Singh : Is it not clearly provided in the police rules that any police official who is awarded a punishment for more than one month shall not be reinstated and that he shall be dismissed? If it is so why is it that in this case the A. S. I. has not been dismissed?

Chief Minister : I have already replied to it and have explained that it is quite in conformity with the rules that a person can be re-employed.

Sardar Sajjan Singh : Is it not a fact that an S. P. was entrusted with the task of going into his case; if so, why is it that the findings of the court were set aside in this case?

Chief Minister : This has already been replied to.

Shri Prabodh Chandra : If as stated by the hon. Chief Minister in his reply that the official was dismissed, why is it that he was re-employed by the Government?

Chief Minister : There were certain circumstances on account of which it was considered necessary to re-employ him.

Shri Prabodh Chandra : May I know these circumstances?

Chief Minister : I have already explained them.

RELIEF TO POLITICAL SUFFERERS.

*2191 **Shri Prabodh Chandra :** Will the hon. Chief Minister be pleased to state :—

(a) the number of those political sufferers in the British regime who have applied for relief to the Punjab Government; and the number of those who have been given any relief;

*Kept in the Library.

(b) the number of cases in which the confiscated properties of such sufferers have been restored ?

The hon. Dr. Gopi Chand Bhargava :

(a) (i) 287.

(ii) 57.

(b) 8.

Shri Prabodh Chandra : Has any help been given in any form whatsoever ?

Chief Minister : I require notice for this.

Shri Prabodh Chandra : May I know what things are kept in view while affording such relief by way of giving allowances ?

Chief Minister : This also requires notice.

Shri Prabodh Chandra : Will the hon. Chief Minister be pleased to state the percentage of political sufferers who have derived any relief from the measures taken by the Government ?

Chief Minister : I have given the number of such persons.

Shri Ram Sharma : Will the hon. Chief Minister be pleased to state whether it is a fact that Shri Bhim Sen Sachar, when he was the Chief Minister of our State, prepared a file regarding the formation of a Board for the purpose of affording relief to political sufferers; if so, what are the steps which the present Government has taken to implement that policy ?

Chief Minister : I have already replied to this.

Shrimati Sita Devi : Is the Government aware of the fact that most of the political sufferers do not desire to have financial relief and that they want work ?

Chief Minister : Yes, we are trying our best to give them relief.

REPRESENTATION FROM CHAPRISIS FOR INCREASE IN THEIR PAY.

***2192. Shri Prabodh Chandra :** Will the honourable Chief Minister be pleased to state whether the Government has received any representation from the Chaprasis employed by the State Government for an increase in their pay; if so, the action taken or proposed to be taken by the Government in the matter ?

The hon. Dr. Gopi Chand Bhargava : Yes.

The pay of Chaprasis was last revised from Rs. 15—1—19 to Rs. 20— $\frac{1}{2}$ —25 with effect from 1—9—1943. It will be appreciated that with

[Chief Minister]

all the will in the world to help them, Government cannot, because of their difficult financial position, revise the pay of peons in an upward direction without undertaking a similar revision of the pay scales of all low paid Government servants.

Shri Prabodh Chandra : Will the hon. Chief Minister be pleased to state whether it is a fact that the chaprasis made a representation to the effect that the increase of rupees five or six is quite insufficient in view of the higher costs of living ?

Chief Minister : The hon. Member should know that this was an increase in their basic pay. In addition to that they are getting some allowances as well.

Shri Prabodh Chandra : Is it not a fact that there are certain States like Himachal, Pepsu and Bihar etc. which are taking steps to bring the salaries of their chaprasis at par with those of the Central Government ?

Chief Minister : I know of Himachal only. Anyhow we have to look to our finances also.

Shrimati Shanno Devi Sehgal : It is quite understandable that the pay of the railway employees has not been increased because it is said that they are getting rations at comparatively cheaper rates. Does the Government propose extending such a facility to the chaprasis also ?

Chief Minister : The chaprasis are getting dearness allowance. They can either enjoy the benefits of such an allowance or they can have rations at reduced rates. We are giving them the former kind of help.

Shri Amar Nath Vidyalankar : Has the Government compared the cost of living in Punjab with that of other States of India; if so, is it not a fact that in other States cost of living is lower ?

Chief Minister : In some States it is higher.

Shri Amar Nath Vidyalankar : Is it not a fact that in Simla the cost of living is much higher ?

Chief Minister : But here compensatory allowance is also given because of higher cost of living.

Shri Amar Nath Vidyalankar : Will the Government get the family budgets examined in order to ascertain the cost of living ?

Chief Minister : We have done so many times.

Shri Prabodh Chandra : Why do not the financial difficulties come up when the question of higher officers is concerned if they must turn up when the poor chaprasis are to be benifitted ?

Mr. Speaker : Disallowed.

Shrimati Sita Devi : Will the hon. Chief Minister be pleased to state whether any extra pay is given to the chaprasis for the work which they do after and before office hours ?

Chief Minister : Such work has been stopped.

Shrimati Sita Devi : Will the hon. Chief Minister be pleased to state whether no chaprasi is expected to work otherwise than as a chaprasi during office hours ?

Chief Minister : No private work is taken from them. But sometimes it becomes necessary to send chaprasis on Government work.

**REPRESENTATION FROM BAR ASSOCIATION, GURDASPUR AGAINST
THE SPEECH OF THE HON. MINISTER FOR EDUCATION.**

***2195. Shri Prabodh Chandra :** Will the hon. Chief Minister be pleased to state whether he has received any representations from the prominent members of the Gurdaspur Bar Association against the remarks of the hon. Education Minister which he made at Gurdaspur Gurdwara; if so, the action taken by the Government on that representation ?

The hon. Dr. Gopi Chand Bhargava : No such representation has been received and so the question of taking action thereon by Government does not arise.

Shri Prabodh Chandra : Is it within the knowledge of the hon. Chief Minister that a prominent advocate of Gurdaspur sent him a registered letter stating therein that Giani Kartar Singh had in one of his speeches said that the Hindus wearing 'nokili topies' and carrying black flags were a great hindrance to the progress of the State of Punjab ?

Mr. Speaker : Does this concern the main question ?

Chief Minister : I have already replied to this question.

LAWYER MAGISTRATES.

***2254. Shrimati Sita Devi :** Will the hon. Chief Minister be pleased to state:—

- (a) the total number of Magistrates recruited from among the lawyers up to April, 1947;
- (b) the number of those from among them who fell to the share of the Punjab (India);
- (c) the number of those from among them referred to in part (b) above who have been made permanent Magistrates;

[Shrimati Sita Devi]

(d) The steps Government intend to take in regard to the rest ?

The hon. Dr. Gopi Chand Bhargava :

(a) 55.

(b) 22. This is the number of Lawyer Magistrates who joined service in this State after partition.

(c) 6.

(d) The case of the rest of the temporary Lawyer Magistrates in the employ of the State Government has been referred to the Punjab Public Service Commission for opinion on permanent absorption or grant of further extension in service.

Shrimati Sita Devi : Will the hon. Chief Minister please state the steps which the Government intend to take in regard to those Lawyer Magistrates who have not so far been confirmed. Will they be granted extensions or will they be absorbed permanently ?

Chief Minister : I have already replied to this question.

Shri Prabodh Chandra : May I know whether the confirmation of the 6 Lawyer Magistrates was brought about on the recommendation of the Public Service Commission ?

Chief Minister : Yes, they were confirmed on the recommendation of the Public Service Commission.

Shri Prabodh Chandra : Will the hon. Chief Minister please tell us whether the Lawyer Magistrates are appointed through the Public Service Commission as is done in the case of regular P. C. S. Officers and then confirmed ?

Chief Minister : No, they are first appointed by the Government and then confirmed on the recommendation of the Public Service Commission, just as has been done in the case of six Lawyer Magistrates who have been permanently absorbed.

Shri Prabodh Chandra : May I know after how long a temporary Lawyer Magistrate is confirmed ?

Chief Minister : Ordinarily the probation period is two years in the case of permanent posts but it is possible that the temporary posts may continue to be temporary for the whole tenure of office of the incumbent.

Shri Ram Sharma : May I know the number of names sent by the Government to the Public Service Commission for confirmation of the Lawyer Magistrates? Were all the 22 names sent or only a few of them were sent for this purpose?

Chief Minister : I would like to explain the whole position. Out of the Lawyer Magistrates, which fell to our share, five had already been confirmed and 17 were yet on temporary basis. Out of these 17, six have been confirmed on the recommendation of the Public Service Commission and so far as the remaining 11 temporary Lawyer Magistrates are concerned, the Public Service Commission has been requested to prepare for us a list in the order of their preference, so that they may be confirmed in due course.

Shri Ram Sharma : My question is whether all the 17 names were sent to the Public Service Commission out of which 6 were recommended by it for confirmation or only 6 names were submitted for the recommendation of the Public Service Commission?

Chief Minister : I have already stated that out of these 17 temporary Lawyer Magistrates, six were to be confirmed and the Public Service Commission was asked to prepare a list in order of preference. The Commission recommended only six names for confirmation. So this year the remaining 11 names were sent for making a list in order of their preference for purposes of confirmation. The Commission have recommended only two names for confirmation and for the rest they have recommended extension of service by one year.

Shrimati Shanno Devi Sehgal : May I know whether it is the intention of the Government to recruit displaced Lawyers in future as Magistrates with a view to rehabilitate them?

Chief Minister : Government have no such intention.

Shri Prabodh Chandra : May I know whether it is a fact that the Public Service Commission made a protest that Government were usurping its powers in the matter of recruitment.

Mr. Speaker : It is a general question and not relevant to the case under consideration.

ALLEGATION AGAINST THE SENIOR POLICE OFFICER, AMRITSAR.

* 2384. **Sardar Bachan Singh :** Will the hon. Chief Minister be pleased to state :—

[Sardar Bachan Singh]

- (a) whether he is aware of the fact that the Working Committee of the District Congress Committee, Amritsar, passed a resolution on 17.7.49, unanimously, that since the reputation of a Senior District Police Officer has become bad, therefore, the State Government be approached and requested to make an enquiry about him;
- (b) (i) whether a copy of this resolution duly signed by the Propaganda Secretary of the District Congress Committee, Amritsar, was forwarded by S. Sajjan Singh M. L. A., to the hon. Chief Minister with his letter No. 1191, dated the 22nd July, 1949;
- (ii) whether a similar copy was forwarded to the Deputy Commissioner, Amritsar, by the same Member with his letter No. 1090, dated the 22nd July, 1949;
- (c) if the answer to parts (b) (i) and (ii) above be in the affirmative, the action, if any, taken by the Government in the matter; if not, the reasons therefor ?

The hon. Dr. Gopi Chand Bhargava :

- (a) Yes.
- (b) (i) The letter does not appear to have been received in H. C. M.'s office and is not on record.
- (ii) Government is not aware that copy of this resolution had been sent to the Deputy Commissioner by S. Sajjan Singh, M. L. A.
- (c) In view of the fact that the Working Committee of the District Congress Committee never informed the Deputy Commissioner or Government about the resolution alleged to have been passed by them. No action was considered necessary in the matter.

Sardar Sajjan Singh : When the Government came to know of the resolution through the notice of this question, why did they not enquire from the Deputy Commissioner, Amritsar, whether a copy of the same had reached him ?

Chief Minister : The hon. Member should know that so many things appear in the press and the Government are not expected to take notice of everything.

Sardar Sajjan Singh : If the hon. Chief Minister could not take action as the copy of the resolution was not received in his office, may I

know if he would inquire into the matter if a copy of that resolution is supplied to him.

Chief Minister : Yes, if the hon. Member makes it available, Government will enquire into the matter.

Shri Ram Sharma : May I know whether the hon. Chief Minister was aware of the resolution passed by the District Congress Committee? If not, how does he re-concile this with the reply already made by him to the main question?

Chief Minister : What I stated was that since the copy of resolution did not reach my Department, enquiries could not be made into the matter.

Sardar Sajjan Singh : On whose information did the Government come to know that such a resolution was passed by the District Congress Committee, Amritsar?

Chief Minister : It might have appeared in the press, I can't say.

Sardar Sajjan Singh : Is the hon. Chief Minister aware that I sent a copy of the resolution to the Deputy Commissioner, Amritsar?

Chief Minister : The hon. Member should know better than me.

Mr. Speaker : Anything which is in the knowledge of the Member need not be asked from the Government.

Shri Ram Sharma : May I know if before preparing the reply to this question, the Government had ascertained from the Deputy Commissioner, Amritsar, whether the copy of that resolution had reached him or not?

Chief Minister : Yes, an enquiry to that effect was made and he replied that no such copy of the resolution had been received in his office.

CARRYING OF SWORDS.

*2371. **Shri Rattan Singh Tabib :** Will the hon. Chief Minister be pleased to state whether a sword can be kept and carried by all the Panjabis without any distinction of caste, community and creed, if so, whether Government made any announcement to this effect.

The hon. Dr. Gopi Chand Bhargava :

Part I. Yes.

Part II. Swords other than sword-sticks are excluded from the prohibitions and directions contained in the Indian Arms Act No. XI of 1878 in the Punjab State vide Schedule II entry 3-A.

LEAKAGE OF BUDGET FOR THE YEAR 1949—50.

***2875 : Mehta Ranbir Singh :** Will the hon. Chief Minister be pleased to state:—

- (a) the names of persons appointed to enquire about the leakage of the Budget of the State Government for the year 1949-50 in pursuance of the undertaking given by him on the floor of the house ;
- (b) the result of the enquiry ;
- (c) the punishment awarded or proposed to be awarded by the Government to the person found responsible for the leakage as a result of the enquiry.

The hon. Dr. Gopi Chand Bhargava :

- (a) The inquiry was made through the C.I.D. It is not in public interest to state the names of officers, who made the inquiry.
- (b) The responsibility for the leakage could not be fixed on any individual.
- & (c) Does not arise.

REALISATION OF SALES TAX.

***2378. Mehta Ranbir Singh :** Will the hon. Minister for Local Self Government and Labours be pleased to state the amount of Sales tax realized by the Government for the three quarters separately during the current year ?

The hon. Shri Prithvi Singh Azad.

January to March	Rs. 54,69,695
April to June	Rs. 43,06,585
July and August	Rs. 47,30,318
	Total Rs. 1,45,06,598

BABA NAND SINGH, POLITICAL PRISONER.

***2981. Shri Amar Nath Vidyalankar :** Will the hon. Chief Minister be pleased to state :—

- (a) whether it is a fact that the late Baba Nand Singh who had been sentenced for a certain political offence, was placed in 'C' class in jail ;

- (b) whether it is also a fact that he had resorted to hunger strike in jail, for being classified as a better class political prisoner, and for lodging a general protest against the Government's policy of classification of political prisoners ;
- (c) whether it is a fact that he remained on hunger strike for 90 days ;
- (d) whether it is a fact that when he was released he was in shattered condition of health and died soon after his release;
- (e) the reasons, if any, for not placing him in a better class in view of his extreme old age and his public position as a veteran political worker ;
- (f) the reasons, if any, for not releasing him earlier in order to avoid the risk to his precious life ?

The hon. Dr. Gopl Chand Bhargava :

- (a) Yes. Baba Nand Singh was sentenced under section 14/22 East Punjab Public Safety Act & placed in 'C' class.
- (b) (c) & (e) Attention of the hon. Member is invited to the reply already given to starred Assembly Question No. 2357.
- (d) At the time of his release Baba Nand Singh was an indoor patient in the Civil Hospital.
- (f) No petition was made to Government requesting for premature release. His release was ordered only on medical grounds.

Shri Amar Nath Vidyalkar : May I know if it is a fact that he resorted to hunger-strike for being classified as a better class political prisoner ?

Chief Minister : Yes. He was informed that his demand for classifying him as a better class prisoner would be considered after he had given up the hunger-strike. If pressure is brought to bear upon the Government by threatening to resort to hunger-strike, then it becomes very difficult for the Government to carry on with its work.

Shri Amar Nath Vidyalkar : Did he apply for being classified as a better class political prisoner before resorting to hunger-strike ?

Chief Minister : He did and resorted to hunger-strike after his application was rejected by the Government.

Shri Amar Nath Vidyalkar : Why was his application rejected ?

Chief Minister : Government considered his application and thought it fit to reject it.

Shri Amar Nath Vidyalkar : Is it within the knowledge of the hon. Chief Minister that a person who was a veteran political worker and who was also an old.....

Mr. Speaker : It is the opinion of the hon. Member.

Shri Amar Nath Vidyalkar : What are those grounds on the basis of which his application was rejected? In view of the reply given by the hon. Chief Minister to the effect that his case was not thought fit to be considered favourably, may I know the disqualification or any other grounds on the basis of which his request was turned down?

Chief Minister : I would refer the hon. Member to the Jail Manual Rules.

Shri Bhim Sen Sachar : In view of the fact that all such rules must have been put up with the concerned files on the basis of which decision could have been taken, may I know as to why so much significance was attached to the condition precedent that his case for classification would be re-considered after he had given up the hunger-strike?

Chief Minister : His application was considered and rejected. He made efforts to bring pressure upon the Government to re-consider his application. He then resorted to hunger-strike and he was informed that his application would be re-considered if he gave up hunger-strike.

Shri Bhim Sen Sachar : In view of the fact that his application was dealt with before he resorted to hunger-strike and rejected, may I know as to why Government intended to reconsider his application?

Chief Minister : He resorted to hunger-strike and he was asked to give it up.

Shri Bhim Sen Sachar : Then why this condition?

Chief Minister : Government thought it fit to impose this condition.

Shrimati Sita Devi : May I know if the same jail rules regarding the political sufferers as were in force before partition, are in force here in our State. Has any improvement been made in these rules now?

Chief Minister : The present jail rules are better than the previous ones.

Shrimati Sita Devi : May I know if before the partition when the political sufferers used to resort to hunger-strike, the same things which used to be considered then are not being considered now?

Chief Minister : I can say this on the basis of my personal knowledge as I have myself been to jail several times that in such matters action is taken only after the hunger-strike is given up.

Shri Prabodh Chandra : Does the hon. Chief Minister remember that sometime back when I met him in the Circuit House at Amritsar.....

Mr. Speaker : I have more than once ruled that private conversations should not be referred to on the floor of this House.

Shri Prabodh Chandra : It was not a private conversation Sir. Is it a fact that a certain M. L. A. brought to the notice of the Chief Minister that the condition of Baba Nand Singh was very serious and that he should be released?

Chief Minister : This matter was brought to my notice. I called for the medical report about his condition from the Civil Surgeon. The Civil Surgeon reported that his condition was not serious and then he gave up hunger-strike that very day.

Shri Prabodh Chandra : Is it a fact that he died immediately after he was released from the jail. Is it also a fact that he was released at a time when there was no hope of his life being saved. Is the hon. Chief Minister prepared to take action against that Doctor who submitted a wrong report about his health, if so, Is it also the intention of the Government to call for an explanation from him?

Chief Minister : He had started taking his diet immediately after he gave up the hunger-strike. He was released and then he died of pneumonia.

Sardar Sajjan Singh : Will the hon. Chief Minister recall the fact that on the 25th January 1938, as Leader of the Opposition in the then United Punjab Legislative Assembly he moved a resolution to the effect that no legal action should be taken against the political prisoners who may resort to hunger-strike and that they should be given a better class in the jails. In the light of this fact may I know if the same principle is followed here in our State?

Chief Minister : I may have done so as a Leader of the Opposition. However I may add that in 1946 my hon. Friend Shri Bhim Sen Sachar who was in-charge of the jails in the United Punjab, held enquiries with a view to amending the jail rules, but inspite of all this these rules could not be amended.

SARDAR SOHAN SINGH JOSHI AND OTHERS.

*2392. **Shri Amar Nath Vidyatankar :** Will the hon. Chief Minister be pleased to state:—

- (a) whether attention of the Government has been drawn to the recent judgement delivered by the Supreme Court on the habeas corpus applications of Sardar Sohan Singh Joshi and others and various judgements passed by the same court as well as by the various High Courts on similar applications;
- (b) whether Government proposes to examine the cases of all detenus and the grounds on which each person has been detained in the light of the orders passed by the Supreme Court ?

The hon. Dr. Gopi Chand Bhargava :

- (a) Yes;
- (b) The cases of all detenus are already being examined.

Sardar Sajjan Singh : May I know whether in view of the decision of the Supreme Court, the Government propose to take action against the officers who had ordered such detentions ?

Chief Minister : The Executive decisions and the Court's decisions are sometimes at variance with each other.

Shri Virendra : If the decisions are at variance, may I know whether the Government propose to take any action against the officers ?

Chief Minister : I have already replied to this question. It appears that my hon. Friend has not paid attention to it. When the Supreme Court gives its decision against the finding of Executive Authority, the detenus are released forthwith.

Shri Ram Sharma : When the Supreme Court gives its finding against the decision of the Executive Authority, then is it not obligatory on the part of the Government to drop the old practice for future and base the decisions on the findings of the Supreme Court on the point ?

Chief Minister : The Government certainly examines such cases in the light of the orders passed by the Supreme Court and orders the release of such detenus who have been wrongfully detained.

Shri Ram Sharma : Sir, May I know the rule under which Parliamentary Secretaries and Private Parliamentary Secretaries cannot ask questions on the floor of the House ? I want your ruling on this point.

Mr. Speaker : Because the Parliamentary Secretaries can obtain information from the Government files and records I hold that they cannot ask questions in the House

Shri Ram Sharma : Hon. Speaker would recollect that in the United Punjab there were no restrictions on these Members asking questions nor is such a practice in vogue in the House of Commons.

Mr. Speaker : My view is that these gentlemen have access to certain sources from where they can get the required information from Government records etc., therefore, they should not give notice of questions to be asked on the floor of the House.

Shri Bhim Sen Sachar : Sir, with reference to your ruling on the point, are you sure that these gentlemen have any access to Government files and records ?

Mr. Speaker : Yes, I should think so. While taking the oath of office they also take oath of secrecy and that is why I think that they have access to Government records.

Shri Bhim Sen Sachar : Sir, will you be good enough to ask the Leader of the House to declare whether Parliamentary Secretaries have access to Government files. In the mean-time let us not give a feeling of inferiority complex to these hon. Members of this House.

Chief Minister : Sir, Government have asked for extension of time in the case of Questions Nos. 2417 and 2418. Question No. 2419 appears on the list and although the hon. Member concerned does not want to ask it I want to give a reply to it.

Sardar Sajjan Singh : Sir, when time is extended in the case of certain questions is it not necessary that a date should be fixed as to when they are to be answered.

Mr. Speaker : As soon as a reply to the postponed question is received by the Assembly Office the question is brought on the list of questions to be asked.

Sardar Sajjan Singh : But when the House is not in session is that reply communicated to the Member concerned ?

Mr. Speaker : Yes, a copy is sent to the Member and the reply is also included in the debates.

FLOODS IN KARNAL DISTRICT

*2419. **Chaudhri Jagdish Chander :** Will the hon. Chief Minister be pleased to state :—

[Chaudhri Jagdish Chander]

- (a) the number of villages which suffered losses on account of floods in streams, namely, Markanda, Omla, Saraswati and Dangli in Karnal District during the last three years;
- (b) whether the Government have compensated the zamindars of these villages or intends to do so in the near future.

The hon. Dr. Gopi Chand Bhargava :

- (a) Four.
- (b) No. It has not been the policy of the Government to pay compensation in such cases of damage to villages situated along the banks of rivers.

ILLICIT ARMS.

***2452. Sardar Rattan Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) whether the illicit arms which were allowed by the Government to be entered on the arms licences are transferable ; if not, the reasons therefor ;
- (b) whether it is a fact that the Government has ordered the cancellation of the licences of arms of the prohibited bore and if so, whether the Government intend to compensate the licensees of the arms which were recovered by the Government from them after cancelling their licences ?

The hon. Dr. Gopi Chand Bhargava :

- (a) Yes, such arms can be transferred to others holding licences for these categories of arms. This does not apply to prohibited bore weapons which are to be surrendered to Government.
- (b) Yes.

Shri Prabodh Chandra : Is the hon. Chief Minister aware of the fact that after the disturbances of 1947, people got revolvers for their safety for Rs. 1,000/- or 1,500/- under the impression that the Arms Act was no longer in force in the State. Is the Government prepared to consider the question of supplying such arms from the malkhanas on reasonable price ?

Chief Minister : No such announcement was made by the Government that Arms Act was not in force in the State. Therefore, no person can keep

arms with him without necessary licence in the State, except those who are exempt under the Arms Act—.

Shri Prabodh Chandra : In view of the fact that Government had been making announcements from time to time, extending the last date say by two months, six months and so on, for the surrender of unauthorized arms, were the people not justified in being under the impression that the last date might yet be extended further? If under this impression created by the Government itself, some persons have continued to retain arms without applying for licences, does not the Government consider it fair to grant them compensation for the arms now recovered from them?

Chief Minister : The Government gave them three chances to surrender the illicit arms, or take licences for them assuring them that no action would be taken if they surrendered them by a certain date but if in spite of this concession they have failed to apply for licences and are retaining them in an unauthorized manner it is not proper for the Government to give them an other chance.

Shri Prabodh Chandra : May I know if the Government intends giving compensation to those persons who were at first issued licences for weapons of prohibited bore and are now being asked to surrender them in view of the cancellation of their licences?

Chief Minister : I have already replied to it. The hon. Member's attention is invited to part (b) of the reply.

Shri Ram Sharma : Now that the Government has decided to give compensation to owners of weapons of prohibited bore, whose licences have been cancelled, may I know on what basis will this compensation be given and as to whether the Government has started giving the compensation to them?

Chief Minister : I require notice for this.

ELECTION OF THE PRESIDENT, TOWN COMMITTEE, SOHNA, DISTRICT GURGAON.

* 2089. **Shri Ram Sharma :** Will the hon. Minister for Local Self Government and Labour be pleased to state :—

- (a) whether he is aware of the fact that on 10-2-50, two elections of the President of Town Committee, Sohna, district Gurgaon, were held one after another; if so, whether it is a fact that the one held at the appointed time was not accepted by the Deputy Commissioner;

[Shri Ram Sharma]

(b) whether he is further aware of the fact that the election held at the appointed time was cancelled by the Committee one and a half hours afterwards when four members who had not taken part in the election entered the Committee Hall ;

(c) what action the Government intend to take in this matter ?

The hon Shri Prithvi Singh Azad :

(a) It is not a fact that two elections were held ;

(b) Does not arise.

(c) Does not arise.

Shri Ram Sharma : Is it or is it not within the knowledge of the hon. Minister that it is recorded in the minutes book of the Small Town Committee, Sohana, that two meetings of the Committee were held one after another, for the election of the President ?

Minister : This has not come to the notice of the Government. If the hon. Member wants, an inquiry can be made.

Shri Ram Sharma : Is it not a fact that it is clearly recorded in the Minutes Book that 'a new meeting is going to be held and that the proceedings of the previous meeting are considered as cancelled' ?

Minister : I have already replied to it.

Mr. Speaker. : The hon. Member is giving information. He is not asking for any.

Shri Ram Sharma : In view of the fact that the Minutes Book of the Committee clearly records that two elections were held within one and a half hours of each other, is the Government prepared to take action against the officers responsible for accepting such an irregularity ?

Minister : Yes, necessary action will be taken provided the information given by the hon. Member is correct.

SWEEPERS OF MUNICIPAL COMMITTEE, GURDASPUR.

*2426. **Chaudhri Sundar Singh :** Will the hon. Minister for Local Self Government and Labour be pleased to state :—

(a) whether it is a fact that the sweepers of the Municipal Committee, Gurdaspur, submitted an application to the Deputy Commissioner, Gurdaspur, making bribery allegations against Jamadar Allah Ditta of Municipal Committee of Gurdaspur ;

- (b) whether it is a fact that in spite of all these activities of the sweepers to get justice, the case of bribery was intentionally hushed up by the Municipal authorities of Gurdaspur ;
- (c) whether it is a fact that a petition was also submitted to the hon. Minister regarding this injustice to the sweepers who are employees in Municipal Committee, Gurdaspur ;
- (d) whether it is a fact that Mr. Allah Ditta, Jamadar, is above 55 who cannot serve in the department according to the rules ;
- (e) if the answers to parts (a) to (d) above be in the affirmative ; what steps the Government is intending to take in order to remove the harassment and astonishment from amongst the sweepers of the Gurdaspur City ?

The hon. Shri Prithvi Singh Azad :

- (a) Yes.
- (b) No. After holding an enquiry the Municipal Committee, Gurdaspur, found the allegations against Shri Allah Ditta Jamadar baseless.
- (c) Yes.
- (d) Shri Allah Ditta is 55 years and 8 months old and can still be retained in service under the rules.
- (e) In view of the facts mentioned in parts (b) and (d) above, no further action in the matter is called for.

Shri Prabodh Chandra : May I know the name or designation of the officer who conducted the inquiry and also as to whether the sweepers, who were the aggrieved party, were given a chance to prove the allegations ?

GRANT-IN-AID TO MUNICIPAL COMMITTEES

***2434 Sardar Rattan Singh :** Will the hon. Minister for Local Self Government and Labour be pleased to state :—

- (a) the basis on which the Government gives grants-in-aid to Municipal Committees in the State;
- (b) whether the Government is prepared to give grants-in-aid to Panchayats in rural areas ?

The hon Shri Prithvi Singh Azad :

- (a) Grants are given by Government to Municipal Committees for medical relief and for education. The criteria on which such

[Minister for Local Self Government and Labour]

grants are based are explained in the statement laid on the table.¹

(b) Government gives grants to Panchayats on different bases such as :—

- (i) to compensate them for the loss incurred in depositing fees and fines in criminal cases.
- (ii) equal to their own income from taxation subject to a maximum of Rs. 1,000/- per panchayat;
- (iii) maintenance and starting of libraries, and
- (iv) awarding of cash prizes to best panchayats etc.

The grants given for the above reasons during the year 1950-51 are as follows :—

(i) Rs. 61,380/- (ii) Rs. 2,50,000/- (iii) Rs. 20,000/- and (iv) Rs. 2,500/-/-

These grants afford sufficient financial assistance to panchayats and it is not necessary to adopt the same basis of grant as are adopted in the case of Municipal Committees.

Shri Prabodh Chandra : May I know if the Government after giving these grants, verifies that the money has been utilized for the purpose for which it was given ?

Minister : Yes, Sir.

Shri Prabodh Chandra : Is it within the knowledge of the hon. Minister that even after getting grants-in-aid from the Government, the District Boards of Ambala, Gurgaon, Hissar and of some other districts, have not paid salaries to the teachers in their employ for the last three months ?

Minister : No such information has been received by the Government. If the hon. Member supplies full information, the Education Department will take necessary action in the matter.

Shri Prabodh Chandra : Is it not a fact that while replying to a question in the last session, the hon. Chief Minister had admitted that it had come to the notice of the Government that certain District Boards had not paid the teachers their salaries for two or three months ?

Minister : Yes, an objection to this effect was made in the last session and after necessary inquiry, salaries of teachers, which had fallen into arrears, were got paid by the Government by the respective District Boards.

¹ Kept in the Library.

Shri Prabodh Chandra : But did the Government take action against those who were responsible for causing hardship to the teachers by not paying their salaries from month to month ?

Minister : There was no question of taking action against any body. There were some unavoidable reasons for which the salaries could not be paid from month to month.

Shri Prabodh Chandra : Is it within the knowledge of the Government that the money which is given to local bodies as grants-in-aid for education, is utilized for purposes other than the payment of salaries to the teachers ?

Minister : No, it is not so.

LAND ALLOTMENT TO REFUGEES.

***2071 Shri Ram Sharma :** Will the hon. Minister for Rehabilitation be pleased to state :

- (a) the number of families, total land allotted to them, in the first, second and third allotments known as temporary villagement and quasi permanent ;
- (b) the number of families together with the total area of land allotted to them in the second allotment scheme ;
- (c) the proportion of the families who were allotted more than 200 bighas to the total number of families coming within the villagement scheme ;
- (d) the total number of families who were allotted uneconomic holdings under the quasi permanent scheme ;
- (e) the number of holdings under the quasi permanent scheme which are in excess of the holdings under villagement scheme.

The hon. Dr. Lehna Singh Sethi :

- (a) No scheme such as "Villagement Scheme" has ever been formulated by the Government. Figures with regard to others are as follows :—

	Temporary allotment	Quasi permanent allotment upto date		
		<i>Punjab</i>	<i>Pepsu</i>	<i>Total</i>
No of families.	271994	466792	110451	577243 ¹
Area allotted.	2889779	2014366	414967	2429333
	ordinary acres.	standard acres.	standard acres.	standard acres.

[Minister for Rehabilitation]

Out of 577243 displaced families 153336 are mortgagees (114824 settled in Punjab and 38512 settled in Pepsu).

(b) Nil (as explained above).

c) Nil (as above).

d) Out of total number of 483611 displaced persons to whom land is allotted in Punjab and Pepsu under quasi permanent scheme, 319099 allottees are entitled to an area of 10 acres or less and will be allotted an area of 84 695 acres (ordinary). This works out to an average of about 2½ acres per family. It is estimated that of this number there are about 120000 owners who will be entitled to an area of less than one acre each. Most of the area in the State being unirrigated all holdings of 10 acres or less may be reckoned as uneconomic holdings.

(e) Nil (as explained in part (a) above).

Shri Ram Sharma : Is it not a fact that the Government made three allotments ?

Minister : That is not a fact. Only two allotments were made, one was temporary and the other quasi-permanent.

Shri Ram Sharma : Was not the first allotment comparatively better than the second as the latter multiplied the number of uneconomic holdings and that is bad from the economic point of view ?

Minister : Immediately after the partition 10 acres of land were generally given to each family but later it was decided that land should be allotted to the displaced people on the basis of their holdings in the West Punjab.

Shri Ram Sharma : Was the decision of the Government in the first instance quite arbitrary.

Minister : As Government desired that all available land should be cultivated it allotted 10 acres temporarily to any body who liked to take to the plough.

Shri Ram Sharma : What was wrong with the criterion employed by the Government in the first allotment ?

Minister : Government desired that some land must be given to every displaced land-holder in lieu of the lands he had left in Pakistan.

Shri Ram Sharma : Did the Government consider the question of giving monetary compensation to those landholders who were to have un-economic holdings ?

Minister : At any rate I am in a position to say that the Government thought it advisable to give some land according to a regular formula to every displaced land-holder by way of compensation.

Shri Ram Sharma : Why could not the Government compensate the displaced landholders with un-economic holdings with money ?

Minister : I am afraid my hon. Friend cannot see things from the point of view of the displaced people because he has lost no lands in Pakistan. He should know that owners of land would not be satisfied with compensation in money. They wanted to get whatever land we could give them. I admit that 1,20,000 people have been given less than one acre of land but then we had to respect their sentiments.

Shri Ram Sharma : Did the people who have been given less than one acre of land submit a representation that they would not accept compensation in money ?

Minister : There was no necessity for any such representation. The Government was in honour bound to give some land by way of compensation to all landholders whether they were big land-holders or land-holders with un-economic holdings.

Pandit Durga Chand Kaushish : Has the Government arranged for any subsidiary employment for persons with un-economic holdings ?

Minister : Not so far.

Pandit Durga Chand Kaushish : Then does the Government mean to encourage idleness among people with un-economic holdings.

Mr. Speaker : That is an expression of opinion.

Minister : We wanted to give some land to the small landholders lest big landholders like the hon. Member should be grabbing the whole land.

Sardar Ujjal Singh : Will people who owned more than 500 acres in the West Punjab and who were subjected to a cut of 95% get any compensation in lieu of the cut imposed ?

Minister : The Government did not have enough land and could not help having recourse to a cut.

SHORT NOTICE QUESTIONS AND ANSWERS.

Shri Ram Sharma : On a point of order, Sir. I gave notice of a short notice question and have now been informed that the Hon. Minister for Rehabilitation has agreed to answer it on any date after the 13th October. I think instead of using these tactics to put me off, he should have plainly replied that he was not prepared to give reply to my question.

Mr. Speaker : The hon. Member must know that the question is admitted and after that the necessary information has to be collected from the Departments concerned. The hon. Minister may be under the impression that he would not be able to get the information before the 13th, and nobody knows how long the Session will continue. So he has given the reply in the normal course of things.

STANDING CROPS ON EVACUEE LANDS.

* 2622 **Sardar Sajjan Singh :** Will the Hon. Minister for Rehabilitation be pleased to state :

- (a) what procedure was laid down by the Government for the disposal of the standing crops on the evacuee lands during 1947-48;
- (b) whether any instructions were issued to the District authorities that crops under reference be leased out to the displaced persons by auction? If so, the reasons thereof; (Please place the copy of the instruction on the table).
- (c) (i) whether the standing crops on the evacuee lands were auctioned in any other district except Ambala? (If so, put up that list).
(ii) whether the Evacuee areas with standing crops in Ambala District were temporarily allotted to the displaced persons in the first instance and later on leased out to others? If so, could the lessees dispose of the standing crops and disturb the possession of displaced persons who had taken these lands in auction in the first instance;
- (d) whether any representations have been received by the Government from the lessees of the Ambala District for the remission of the lease money? If so, what decision has been arrived at by the Government in the matter?

The hon. Dr. Lehna Singh Sethi :

- (a) All Standing crops including cotton and sugar cane standing on the evacuee lands during 1947-48 were auctioned and the successful bidders were required to pay land-revenue in addition to the sale price.
- (b) Yes. The instructions are contained in this Department Wireless message dated the 1st October 1947, and Memo. No. 220/R dated the 8th April, 1948. Copies thereof are placed on the table¹.
- (c) (i) The standing crops were also auctioned in the following districts.
- | | | |
|---------------|--------------|--------------|
| 1. Jullundur. | 2. Amritsar. | 3. Ludhiana. |
| 4. Gurdaspur. | 5. Karnal. | 6. Hissar. |
- (ii) No. The evaucee areas with Standing crops in Ambala District were not temporarily allotted to the displaced persons in the first instance and later on leased out to others. Standing crops, on the other hand, were auctioned in the first instance and subsequently allotted to displaced persons on their arrival. The possession of the former was not disturbed unless the terms were amicably settled by the parties or compensation paid to the former.
- (d) Yes. Some of the applications received have been inquired into and decided, and others are under consideration.

Sardar Sajjan Singh : Is it not a fact that the Government had decided to waive the payment of auction money ?

Minister : If some particular case is brought to the notice of the Government, it will be enquired into.

Sardar Dalip Singh Kang : Is not a sum of three or four lakhs of rupees lying with the Government for the refund of which it has already passed orders ? Why has this amount not been refunded so far.

Minister : I do not know about it but if it is brought to the notice of the Government that some person's money is lying with it, this would be paid to the person concerned.

Sardar Dalip Singh Kang : Is it not a fact that a large number of refugees obtained lands at the auction but later it was decided not to

¹ Kept in the Library.

[S. Dalip Singh Kang]

accept any money from them? Is not a huge amount of money belonging to those persons lying with the Government?

Minister : If some specific cases are brought to my notice, the money would be returned to the persons concerned.

EXPORT OF MILCH COWS FROM THE STATE.

***2611. Shri Ram Sharma :** Will the hon. Minister for Development be pleased to state whether it has been represented to the Government that export of milch cows from the Punjab State be restricted and regulated or whether this matter has been taken into consideration by the Government of its own accord; if so, the result thereof.

The hon. Sardar Ishar Singh Mujhail :

- (i) Yes. It has been so represented to Government.
- (ii) The East Punjab cattle, Sheep and Goats (Movement) Control Ordinance, 1949, banning the export of cattle from this State, was promulgated in August, 1949 and remained in operation upto the 21st November, 1949. As under the Constitution of India the previous approval of Hon. President is necessary to enact any such legislation, the Government of India were addressed in the matter, but they advised that Parliament alone is competent to legislate on matters relating to inter-State trade or commerce. The Government of India however, advised that an export quota should be placed by this Government at their disposal as they are in the best position to ascertain and scrutinize the demands for cattle of various State Governments etc. They enquired whether this Government were agreeable to the proposal, and if so, the quota that this Government would like to place at their disposal. It was also intimated that necessary steps for enacting suitable legislation would be taken on receipt of a reply from this Government. Thereupon the State Government decided to drop the proposal to ban the export of cattle

Shri Ram Sharma : My question related to milch cows only while the hon. Minister has referred in his reply to the general policy of the Government with respect to all kinds of cattle. I wish to know if the Government has considered the desirability of regulating the export of milch cows.

Minister : I have stated in my reply that only the Central Government can take action in matters concerning inter-State trade.

Shri Ram Sharma : Has the Government received some representations in which it has been requested to regulate the export of milch cattle ?

Minister : I have already replied that a few representations were received.

Shri Ram Sharma : Is the Government aware of the fact that the milch cows which are exported out of this State become useless before long and are, therefore, slaughtered ? Does the Government realise the necessity of restricting their export for these reasons ?

Minister : In reply to the thrice, repeated question of my hon. Friend, I wish to tell him again that we cannot regulate inter-State trade.

USE OF SUGAR QUOTA IN SIMLA TOWN.

***2616. Shri Amar Nath Vidyalankar :** Will the hon. Minister for Development be pleased to state :—

- (a) whether it is a fact that some quota of sugar, allotted for Simla Town, is being used for the various evening parties arranged during the last ten days; if so, the quantity of sugar so consumed;
- (b) whether it is also a fact that as a result of the consequent shortage of sugar, the monthly ration card-holders have been given only one week's sugar ration ; if so, the reasons therefor ?

The hon. Sardar Ishar Singh Mujhail :

- (a) No.
- (b) No.

ADDITIONAL SUGAR QUOTA FOR RELIGIOUS FESTIVALS

***2623. Shri Behari Lal Chanana :** Will the hon. Minister for Development be pleased to state :—

(a) whether it is a fact that according to instructions of the Government, sugar is issued as an additional quota for certain religious festivals and ceremonies like Shradhs, Nauratras and Dipwali ; if so, will the Government lay the copy of the instructions on the table ;

(b) whether it is also a fact that special quota of sugar has not been sanctioned for Shradhas in several places in the Punjab ; if so, the reasons for the same ;

(c) whether Government is aware of the discontent for non-compliance with the above instructions in the minds of the Hindus ;

[Shri Behari Lal Chanana]

(d) whether Government will take necessary steps to ensure that such discriminatory treatment will not be meted out to Hindus in future ?

The hon. Sardar Ishar Singh Mujhall :

(a) Yes, but in view of shortage of sugar, such distribution is permitted only :—

(i) to religious institutions or establishments ;

(ii) on festivals where charitable feeding or distribution of *parshad* has always been and is a customary part of observing the festival.

With regard to the choice of the occasions, four are laid down by Government and local officers are permitted to choose two further festivals according to local custom. A copy of the detailed instructions is laid on the table.*

(b) It is possible that, in the light of these instructions, extra sugar has not been sanctioned for Shradhs.

(c) Not particularly, as the instructions allow sugar where the conditions mentioned at (a) are fulfilled.

(d) The question does not arise, since discriminatory treatment was not intended and is not a fact, as reference to the instructions will show.

Shri Behari Lal Chanana : In view of the fact that Shradhs are celebrated by the Hindus of all schools of thought, is the Government prepared to include these in the list of approved festivals for which special sugar quota is issued according to its standing instructions ? In the days of Unionist Government, when sugar was controlled for the first time, special quota was issued for Shradhs.

Minister : The Government will consider this question.

Shri Bhagat Ram Chodha : Is the Government prepared to issue special quota of sugar for those who take part in plays and other ceremonies connected with Dussehra festival ?

Minister : I have laid the list of those occasions for which special quota of sugar can be issued on the Table of the House.

UNSTARRED QUESTIONS AND ANSWERS

**RESTORATION OF THE CONFISCATED PROPERTIES OF PATRIOTS
IN THE STATE.**

608. Sardar Bachan Singh : Will the hon. Chief Minister be pleased to state :—

- (a) whether any representation by Sardar Sajjan Singh, M.L.A. was received by the Chief Secretary to Government, Punjab, on 12-9-1950 vide postal acknowledgement which was sent by the hon. Member vide his letter No. 1276, dated 9-9-1950 ;
- (b) (i) whether in this representation S. Sajjan Singh requested the Government to amend the present rules regarding the restoration of confiscated properties of the patriots to the effect that the rent of the properties during the period of their confiscation which was realised by the Government be refunded to the patriots concerned or their rightful heirs ;
- (ii) that where the patriots had died or had been executed their confiscated properties be restored to their rightful heirs (collaterals) ;
- (c) if the answers to parts (a) and (b) (i) and (ii), above be in the affirmative, the decision arrived at by the Government in the matter ?

The hon. Doctor Gopi Chand Bhargava :

- (a) Yes.
- (b) (i) & (ii) Yes.
- (c) Attention of the hon. Member is invited to the Punjab Government letter No. 299-PG-50/8738, dated 15-9-1950 (Copy enclosed)*

**ALLOTMENT OF LAND AT VILLAGE GHARYALA, DISTRICT
AMRITSAR.**

609. Sardar Bachan Singh : Will the hon. Minister for Rehabilitation be pleased to state :—

*Kept in the Library.

[Sardar Bachan Singh]

- (a) the names of the displaced land-owners of village Qila Jiwan Singh, Tehsil Lahore, who have been allotted land at village Gharyala, Tahsil Patti, District Amritsar, under the quasi-permanent scheme ;
- (b) (i) the date when each one of the n applied for the temporary allotment of land at village Gharyala referred to above ;
(ii) the date when the temporary allotment was sanctioned in each case ;
(iii) the total area allotted to each one of them temporarily ;
(iv) the total area actually cultivated by each one of them after the temporary allotment ;
- (c) whether any of them was assessed rent of the land temporarily allotted; if so, the total amount of rent paid by each of them up to 31-8-50 ?

The hon. Dr. Lehna Singh Sethi : The replies are contained in the statement, a copy of which is placed on the table.*

RESTORATION OF THE CONFISCATED PROPERTIES OF THE PATRIOTS IN THE STATE.

612. **Sardar Sajjan Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) whether any representation sent by me was received by the Chief Secretary to Government, Punjab, vide my letter No. 1276 dated 9-9-1950 on 12-9-1950 vide postal acknowledgement in which I requested the Government to amend the rules regarding the restoration of the confiscated properties of the patriots to the effect that the rent of the properties for the period of their confiscation which was realised by Government be refunded to the owners or their rightful heirs and that where the owners had been executed or had died issueless their properties be restored to their collaterals ;
- (b) if the answer to part (a) above be in the affirmative, the decision, if any, arrived at by the Government in the matter ?

The hon. Dr. Gopi Chand Bhargava :

Attention of the hon. Member is invited to the answer given to unstarred Assembly Question No. 608 † asked by S. Bachan Singh, M.L.A.

* Kept in the Library.

† Page (10) 59 Supra

DAMAGE BY RECENT FLOODS IN AMRITSAR DISTRICT.

613. **Sardar Sajjan Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) whether the Government is aware of the fact that the standing crops of the following villages in Patti tehsil of Amritsar District have been damaged and destroyed by the recent floods:—Mughal wala, Manhala Jai Singh, Manatpura, Pragpura, Akharpura, Mirgindpura, Kacha Pakka, Surwand, Waltoha, Bathi Bhaini, Poohla, Pohuwind, Farandipur, Makhi Kalan, Sandhra, Bhai Gurmukh Singh, Ghurkevoid, Bahrwal, Bhakal, Marihugha, Dhun, Veeram, Kalia Sankharta, Thathi Jaimal Singh, Mastgarh, Kals, Doochal, Dholan, Kulla, Boorchand, Marr and Sugga ;
- (b) whether the Government is further aware of the fact that the standing crops of villages Gulalipur, Koharka, Wan, Shabazpur, Wegaypur, Bua, Mamman Ke, Gohala, Maluwal, Panjwar, Bhojian, Teja Singhwala, Padhri, Chak Sakandar, Saran and Jhamke Chhichhrewala of tehsil Tarn Taran have also been damaged and destroyed ;
- (c) whether the Government is aware of the fact that many houses in the villages noted above have collapsed and have been damaged on account of the floods ;
- (d) (i) if the answers to parts (a) (b) and (c) above be in the affirmative, what relief has been given by the Government to these villages ; (ii) whether any financial help in the shape of taccavi grants has been given ; if so, the amount sanctioned and given respectively to each of these villages ?

The hon. Dr. Gopi Chand Bhargava :

The information asked for is being collected and will be supplied to the hon. Member when ready.

—————

DAMAGE TO CROPS AND HOUSES OF VILLAGES MIANI, ETC., DISTRICT AMRITSAR BY RECENT FLOODS.

614. **Sardar Sajjan Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) (i) whether the Government is aware that the standing crops of Village Miani, Kacha Pakka, Makhi Kalan and Sur Singh, District Amritsar, have been greatly damaged and destroyed by the recent floods ;

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- (ii) whether the Government is aware of the fact that the residential houses in the aforesaid villages have been damaged and many of them have collapsed ;
- (iii) whether the Government is aware that as a result of the recent floods the inhabitants of these villages have been financially hit and have sustained heavy losses ;
- (b) whether the Government is aware that the district authorities of Amritsar are preparing assessment papers for the recovery of the costs of the additional police posts quartered in these villages ;
- (c) if the answers to part (a) (i), (ii) and (iii) and (b) above be in the affirmative, whether Government has postponed or proposes to postpone the recovery of the costs of the additional police posts referred to above ; if not, the reasons therefor ?

The hon. Dr. Gopi Chand Bhargava :

The information asked for is being collected and will be supplied to the hon. Member when ready.

REVISION OF THE SCALES OF DIET ALLOWANCE FOR UNDERTRIAL PRISONERS IN THE STATE.

615. **Sardar Sajjan Singh :** Will the hon. Chief Minister be pleased to state :—

- (a) whether the scales of diet allowance for under-trial prisoners per head per diem in all the police lock-ups in the State was revised during the year 1949; if so, when ;
- (b) whether the diet allowance of the under-trial prisoners in the police lock-ups situated in the plains was raised from annas six to annas ten ;
- (c) whether the diet allowance of the undertrial prisoners in the police lock-ups situated in the hilly tracts was raised in the same or any other proportion ; if not, the reasons therefor ?

The hon. Dr. Gopi Chand Bhargava :

(a) The rates of dietary charges for under-trial prisoners in police lock-ups were revised from time to time as under :—

From 1-3-48 to 28-2-50... plains -/10/- per diem per head

hilly districts -/14/- per diem per head

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Churian, District Gurdaspur, if so, (i) their list together with the area allotted to each of them ;

(ii) the date of allotment in each case ;

(c) (i) whether after allotment of land referred to above their allotment orders were cancelled; if so, the reasons therefor ;

(ii) the date of this cancellation ;

(iii) by whom were they replaced and the area to which each of the persons who replaced them was entitled ;

(iv) the name of the place where the persons who replaced them referred to in part (c) (iii) above were temporarily settled ;

(v) the reasons for shifting them to Fatehgarh Churian ;

(d) (i) whether persons referred to in part (b) (i) were temporarily settled in Karnal District and had come from Karnal to Fatehgarh Churian before 22nd May 1950;

(ii) whether they applied to the Tehsildar, Fatehgarh Churian for the delivery of the possession of the lands allotted to them on or about 22nd May 1950; if so, whether they were put into possession of the lands ; if not, the reasons therefor ;

(iii) whether they were smaller allottees in comparison to their successors; if so, the reasons for which they were not given preference to their successors ;

(e) (i) the steps, Government proposes to take in the matter to redress the wrong ;

(ii) whether the persons referred to in part (b) (i) above were allotted lands somewhere else after the cancellation of their allotment orders at village Fatehgarh Churian; if so, where; if not, whether any arrangements were made by the Government for their livelihood ; if not ; the reasons therefor ?

The hon. Dr. Lehna Singh Sethi : The information asked for is being collected and will be supplied to the hon. Member when ready.

SMALL TOWN COMMITTEE, SUR SINGH.

618. Sardar Sajjan Singh : With reference to the reply to my starred question No. 1430 (c)* will the hon. Minister for Local Self-Government and Labour be pleased to state:—

* Vide Page (9) 11 of vol. I

- (a) whether the Government is prepared to be moved in the matter and take some action in view of the facts brought to its notice *vide* question 1430 (c) above ; if not, the reasons therefor ;
- (b) whether the Government proposes to withdraw the nomination of the persons referred to in reply to starred question No. 1430 (b) (2) for the reasons stated in part (c) of this question ?

The hon. Shri Prithvi Singh Azad : The information is being collected and will be supplied to the hon. Member when ready.

SARDAR PRITAM SINGH BRAR.

619. Sardar Sajjan Singh : With reference to the reply to my supplementary question regarding starred question No. 1254 replied on the floor of the Assembly on 25th October 1949, will the hon. Minister for Rehabilitation be pleased to state:—

- (a) whether any efforts were made by the Government to send for the service record of S. Pritam Singh Brar from the West Punjab Government; if so, with what result ;
- (b) whether he has seen his previous service record referred to above; if so, whether he is in a position to state the circumstances in which the services of S. Pritam Singh were dispensed with ?

The hon. Dr. Lehna Singh Sethi : The information is being collected and will be supplied to the hon. Member when ready.

PARLIAMENTARY SECRETARIES.

620. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state with reference to the reply to my starred question No. 1604 put during the budget session, 1950;—

- (a) whether the Parliamentary Secretary referred to therein had gone out of the country on official duty; if so, the purpose of his visit to a foreign country;
- (b) whether the hon. Ministers and the Parliamentary Secretaries are entitled to get their salaries even when they remain absent from the country for their private business and thereby remain absent from their duties; if so, under what provision of law;
- (c) i) whether the Parliamentary Secretary under reference obtained leave from the Government before going abroad;

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if so, the date when his application was received by the Government ;

(ii) the number and date of the application in the receipt register;

(iii) the date when his application was sanctioned;

(iv) whether the Parliamentary Secretaries are entitled to leave with pay; if so, under what provision of law ?

The hon. Dr. Gopi Chand Bhargava :

(a) No.

(b) No rules exist on this point but the matter is under consideration in consultation with the Government of India.

(c) (i) No; the question of his taking leave did not arise as there are no rules under which the Parliamentary Secretaries are required to do so.

(ii), (iii) & (iv) Do not arise.

COMPLAINTS REGARDING THE INFRINGEMENT OF THE BASIC RULES OF THE ALLOTMENT SCHEME AT VILLIAGES GUMTALA, ETC., DISTRICT AMRITSAR.

621 **Sardar Sajjan Singh :** Will the hon. Minister for Rehabilitation be pleased to state:—

(a) whether any complaints regarding the infringement of the basic rules of the allotment scheme at village Gumtala, Tehsil and District Amritsar and village Jamarai, Tahsil Tarn Taran, District Amritsar, submitted—*vide* my letters Nos. 1213 and 1217 dated 1st September 1950, were received by him on or about 1st September 1950 at camp Amritsar ;

(b) if the answer to part (a) above be in the affirmative, whether any enquiry was made by the Government ; if so, with what results and the action taken by the Government in the matter ;

(c) the decision arrived at by the Government regarding the complaint about allotment at village Pohuwind, Tahsil Patti, District Amritsar, referred to in the D. O. of the hon. Minister for Relief and Rehabilitation No. 332/MRC Camp Amritsar, dated 28th August 1950 ?

The hon. Dr. Lehna Singh Sethi : The information is being collected and will be supplied to the hon. Member when ready.

TERMINATION OF THE SERVICES OF MUSLIM TEACHERS OF DISTRICT BOARD SCHOOLS, GURGAON.

622. **Sardar Sajjan Singh :** Will the hon. Minister for Education be pleased to state:—

- (a) (i) the names of the Muslim teachers working in the District Board School, Gurgaon, whose services were terminated during the year 1947-48;
- (ii) the schools in which they were posted when their services were dispensed with;
- (iii) the dates when their services were terminated in each case and refugee teachers appointed in their places ;
- (b) the pay each of them was getting at the time of his discharge;
- (c) (i) whether they were paid their salaries up to the date of their actual discharge, i.e. when they handed over the charge; if not, the reasons therefor; (ii) the amount of the Provident Fund due to each of them; (iii) the arrears of pay due to each of them up to the date of their discharge ;
- (d) whether the Provident Fund and the arrears of pay and other allowances have been paid to those teachers by the District Board, Gurgaon, who have not been re-employed; if not, the reasons for delay ?

The hon. Sardar Narotam Singh : The information is being collected and will be supplied to the hon. Member when ready.

MURDER OF A POLICE SUB-INSPECTOR OF POLICE STATION, GHAL, DISTRICT FEROZEPURE.

623. **Sardar Sajjan Singh :** Will the hon. Chief Minister be pleased to state:—

- (a) whether a police Sub-Inspector of Police Station Ghal, District Ferozepore, was murdered on 27th November, 1914 at village Misriwala; District Ferozepore by certain patriots;
- (b) whether the case was registered at Police Station Ghal on or about 27. 11. 14;
- (c) if the answer to parts (a) and (b) above be in the affirmative, the list of the accused together with their full home addresses;
- (d) whether their properties were confiscated after their convictions by the court of law ; if so, whether they have been released; if not, the reasons therefor ?

The hon. Dr. Gopi Chand Bhargava :

- (a) Yes. S. I. Niaz Ali Khan of P. S. Ghal, District Ferozepore was murdered on 27. 11. 1914.
- (b) Yes. A case F.I.R. No. 107, dated 27. 11. 14, u/s 302 I.P.C. was registered at Police Station Ghal, District Ferozepore.
- (c) The names and full addresses of the accused were as follows:—
 1. Dipa Singh s/o Karam Singh of Amarpur, P. S. Sirhali, District Amritsar.
 2. Jiwan Singh s/o Wazir Singh Jat of village Daya Singh Patiala State.
 3. Rahmat Ali s/o Wazir Ali Qureshi of Bazidka, P. S. Barnala, Patiala State.
 4. Jagat Singh s/o Sunder Singh of Rai-Kot, District Ludhiana.
 5. Lal Singh s/o Daya Singh Jat of Hansabana, P. S. Sahnawal District Ludhiana.
 6. Bakhshish Singh s/o Deva Singh Jat of Khanpur, P. S. Jagraon, District Ludhiana.
 7. Kanshi Ram s/o Ganga Ram Brahman of Dadal, P. S. Murinda, District Ambala.
 8. Surjan Singh s/o Buta Singh, Ghumar, of Fatehgarh, P. S. Sadar, Hoshiarpur.
- (d) There is no indication on record to show if properties of the accused were confiscated. The first seven accused persons were sentenced to 10 years, R. I. each on 22. 11. 15 and their appeals were rejected. The eighth accused was sentenced to death and his appeal was also rejected on 22. 11. 16. The first seven accused should have been released since.

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**STRENGTH OF GOVERNMENT SERVANTS IN VARIOUS OFFICES
IN THE STATE.**

624. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state:—

- (a) the number of the officers in each of the Departments of the State at the State Government Headquarters on 1st September 1950;
- (b) the number of the establishment staff in each of the Departments of the State at the State Government Headquarters on 1st September 1950 ?

The hon. Dr. Gopi Chand Bhargava : The information is being collected and will be supplied to the hon. Member when ready.

ESTABLISHMENT STRENGTH IN LOCAL BODIES, ETC., IN THE STATE.

625. **Sardar Sajjan Singh :** Will the hon. Minister for Local Self-Government and Labour be pleased to state:—

- (a) the number of officers, establishment staff and class IV servants in the service of each Department of the Local Bodies, Small Town Committees and Notified Area Committees in each of the districts of the State on 1-9-1950;
- (b) the number of the Muslims in each of the aforesaid categories in the state ?

The hon. Shri Prithvi Singh Azad : The time and labour involved in collecting the information will not be commensurate with any possible benefit to be obtained.

APPOINTMENTS BY PUBLIC SERVICE COMMISSION

Sardar Sajjan Singh (Patti, Sikh, Rural) (Punjabi) : Sir, I beg to move—

That the order of the Governor of the Punjab dated the 13th September, 1950, whereby certain appointments in connection with the administration of the Capital Project of the State have been added to schedule 'B' to clause (g) of Regulation 5 of the Late Punjab and N. W. F. P. Joint Public Service Commission (Limitation of Functions) Regulations be repealed forthwith.

Sir, the Government has tried to revoke some of the powers of the Public Service Commission by issuing this order. The reasons given in this order; I think, are quite inadequate. Public Service Commission is the only institution of the Government which commands the greatest measure of confidence among the public. We have got no complaint against it as regards its honesty and integrity of purpose. The reasons advanced by the Government for revoking the powers of the Commission are quite unconvincing. This fact is borne out by letter No. 6587—G—50/1—4106, dated the 3rd/4th October, 1950, from the Chief Secretary to Government, Punjab, to the Secretary Punjab Legislative Assembly, Simla. I would like to read that letter for the information of the House.

Normally recruitment to all posts with salaries above Rs. 150/-/- p. m. is to be made through the Public Service Commission, but in this case some of the posts have to be filled by Town-Planners and Architects who do not usually accept Government posts and who do not take up temporary jobs. They do not generally respond to newspaper advertisements and have to be approached on personal

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basis, especially those who are well qualified and have special experience of this type of work. At the same time, the selection of Architects and Town Planners for this particular project will depend on the particular problems connected with the building of a new town and those who have been associated with this project continuously since the idea was first mooted will be in a position to present the right background and explain the particular problems to these specialists before making the selection. It may also be necessary to make frequent changes in the personnel of this team as the detailed planning of the Capital and preparation of the many architectural designs will not be within the capacity or ability of a few. If these appointments are made through the Public Service Commission, there will result delays and, in all probability, selection of personnel not entirely suited to the needs of this project. Besides, no hard and fast rules can be laid down regarding salaries, terms, qualifications etc, particularly as the few qualified men available in the country are not at all likely to give up their present lucrative employment or practices for temporary jobs.

Even if the posts be temporary, Government too, will invite applications through some machinery and appointments will then be made. Why can't those applicants be asked to appear before the Public Service Commission? It can select the persons in the light of the qualifications laid down by the Government. And then the Commission has to its credit the experience and understanding in the matter of making appointments. Surely, Government cannot have greater experts with them for this purpose. I, therefore, think that the arguments advanced by the Government are not at all cogent. Our past experience regarding the making of such appointments by the Government is very bitter. The Government made certain appointments in 1947 independently of the Public Service Commission. At that time, a Personal Assistant (Publicity) to the Chief Minister was appointed. I am sure, if the man appointed had appeared before the Public Service Commission, he could not have got even the post of a Junior Clerk. I personally know that that man is incapable of writing an article or a pamphlet. That is why I say that our past experience of the Government is rather bitter.

Sardar Shiv Saran Singh : On a point of order, Sir. This motion asks for repeal of a certain order. What the hon. Member is speaking is not relevant to the motion under discussion.

Mr. Speaker : Let him proceed. I shall stop him where he is irrelevant.

Sardar Sajjan Singh : Again, Sir, I draw your attention to the reply of the Government to my question No. 1426, regarding the appointments of

Camp Commandants. I would read out the names of some of the persons appointed along with their qualifications.

Camp Shahabad : Shri Hira Lal Camp Commandant : Salary Rs. 500/- p.m., qualifications not known. Sardar Dalip Singh, Camp Commandant, salary Rs. 400/-, qualifications not known. Here is a regular list.

Name	Post	Salary	Qualifications
Shri Balmokand	Camp Commandant	Rs. 500/- p.m.	not known
Shri Madan Lal	Do.	Rs. 500/- p.m.	not known
Sardar Jagir Singh	Deputy Camp Commandant	Rs. 300/-	not known
Shri Manmohan	Camp Commandant	Rs. 400/-	not known
Sardar Dharam Singh	Deputy Camp Commandant	Rs. 194/-	not known
Shri Ishar Dass	Camp Commandant	Rs. 199/-	not known
Shri Ranjit Singh	Do	Rs. 150/-	not known
Shri S. P. Brar	Camp Commandant Moga.	Rs. 500/-	not known

The hon. Members are aware of the fact that in the United Punjab Mr. Brar was an S.P. There were many complaints of corruption against him. But before any suit was filed against him he tendered his resignation. After the achievement of independence he was appointed S.P. of Simla District. The Central Government did not look upon his appointment with favour and so he had to be turned out of the Police Department. But later on he was given the post of a Camp Commandant. Mr. Brar furnishes a good example of the favouritism indulged in by our Government. I always keep myself well-informed about the manner in which these appointments are made by the Government. In Relief Camp Faridkot Mr. M.S. Malik is working as Camp Commandant. His pay is rupees five hundred but his qualifications are not known.

Mr. Speaker : Is it not better that some time-limit should be fixed ?

Hon. Members : Yes, Sir.

Mr. Speaker : I think the hon. Mover may have half an hour and the other hon. Members fifteen minutes each.

Sardar Sajjan Singh : From now ? (*Laughter*)

The salary of Mr. G.B. Malhotra is rupees 150 but his qualifications are not mentioned. In Relief Camp Batala the Camp Commandant, Shri Anup Chand,

[Sardar Sajjan Singh]

is getting five hundred rupees but his qualifications have not been stated. There are numerous examples of this type. Sardar Hukam Singh has been to many camps, one after the other, as Camp Commandant and in spite of the fact that he is a Matriculate his pay is rupees five hundred. Now he has been appointed as a stipendiary magistrate. More examples of this type can be given. Our Government is wasting public funds on useless functions. No attention is paid to the need for effecting reduction in such items of expenditure.

Mr. Speaker : The hon. Member should better confine himself to the services.

Sardar Swaran Singh : The hon. Member desires that even the Parliamentary Secretaries should be appointed by the Public Service Commission.

Sardar Sajjan Singh : I am only pointing out the irregularities and favouritism of our Government. (*Interruptions*).

Sardar Swaran Singh : Sir, it is the desire of the hon. Member that even the Members of this House be selected by the Public Service Commission.

Mr. Speaker : Please do not interrupt. If the hon. Member wants to give replies he should better come over to the Treasury Benches.

Sardar Sajjan Singh : He tried his best but unfortunately he has not been successful. (*laughter*). Sir, I was saying that the Government is doing acts which it ought not to do. For instance, Shri Lakh Raj D.S.P. who was dismissed has been re-employed. Thus at any rate the achievement of independence has conferred benefits upon such dismissed persons in the matter of their re-employment. In an answer to my question asked the other day it was stated that Shri Lakh Raj, D. S. P. has been re-employed. (*Interruptions*).

Mr. Speaker : May I ask the hon. Members not to interrupt. I will not tolerate this in future. Let him proceed.

Sardar Sajjan Singh : Similarly Sardar Joginder Singh Thanedar Bias (Amritsar) was dismissed and then again re-employed later on. Sardar Jagir Singh A.S.I. was awarded six months' imprisonment by the High Court but our Government not only condoned his imprisonment but also made him a Thanedar again. He remained dismissed for one year but after that he was re-instated. The hon. Members will be surprised to hear the way in which recruitment to the posts of A. S. I's was made by our Government. According to the Police Rules the minimum height which a man should have in order to be eligible for such posts is 5' 7". In the appointment of Sardar Ranjit Singh whose height was 5'-3 $\frac{3}{4}$ " this rule was thrown to the winds simply because he was related to an ex-Minister. When I came to know

that he had been selected I was simply surprised. His height is so small and his constitution so frail that any bad character can easily lift him up and take him away on horse back He is weaker than myself. Of course, he has now been discharged.

Sir, now I would like to draw your attention to a list of Police Sub Inspectors whose recruitment has been made against the rules, so far as educational qualifications are concerned. In other words, such persons have been recruited as Police Sub-Inspectors who are not even matriculates and some of them are educated up to a primary standard only. For example, I quote a few names along with their educational qualifications.

Name.	Educational qualifications
1. Jarnail Singh	Read up to the 9th class
2. Sukhdev Singh	-do-
3. Chuhar Singh	Read up to a primary standard
4. Lehna Singh	-do-
5. Wasan Singh	Army second class equivalent to the primary standard.
6. Subheg Singh	Read up to the 7th class.

The names which I have cited make it abundantly clear how Government violates rules framed by it for purposes of recruitment of Police Sub-Inspectors and how with a view to show favouritism, to certain persons it throws overboard the rules laid down in the Police Manual. I, therefore, feel that the recruitment of Police Sub-Inspectors should be entrusted to the Public Service Commission, as people have the fullest confidence in the honesty, integrity and impartiality of this body. I would urge upon the Government the desirability of acting upon this advice and I am sure, that if this is done in future, public will have no grievance against the Government regarding the recruitment of public services. Then there is another thing to be taken into consideration and that is this. Experience shows that whenever any post is filled by Government according to its own sweet will and pleasure, it is very seldom that a really capable person occupies that post. Usually Government takes no account of the ability or efficiency of the candidates while making recruitment of its favourites. If, Mr. Speaker, you would just peruse the past record of the Government, you will find that such irregularities stand out conspicuously. Why go afar? If you just keep in view the principle underlying the nominations to the Medical or Engineering institutions, you will find that if 8 nominations are to be made, then each hon. Minister

[S. Sajjan Singh]

would reserve one for himself and leave two to be made by the hon. Chief Minister. I may point out that I go into minute details because I take keen interest in Government's ways of running its administration. I have had ample opportunities of meeting administrative officers in general and particularly those of the Rehabilitation Department and the impression that I have carried about them is that they are not fit to hold the jobs on which the Government has appointed them. In this connection I may add that I came across a high official who was suffering from some acute type of nervous affection, but despite this he was holding an important post. This was a shining example of pure and unalloyed favouritism indulged in by the Government.

Then, Sir, Shri Jai Gopal, Sub-Inspector Police, has been reinstated. He was sentenced to four years' imprisonment in the United Punjab. But it is a thousand pities that despite my having drawn the attention of the Government for a number of times to a very deserving case of a similar nature, it has utterly failed to move in the matter. Mr. Speaker, you will be surprised, rather pained to hear the miserable treatment that has been meted out to Sardar Nand Singh, Sub-Inspector, by the Government. The services of this gentleman were dispensed with and he has not been so far reinstated. He was given a charge-sheet which reads like this:—

Charge sheet against S. Nand Singh.

You, Nand Singh, Sub Inspector stand charged with gross misconduct in that you were on terms of close friendship with a notorious bad character of police station, Bhikiwind. The offence is aggravated by the fact that you were friendly with this bad character, when Station House Officer, Khalra, which is neighbour to the police station, Bhikiwind, was here.

And the Additional Superintendent of Police made this report about Sardar Nand Singh:—

Summary of misconduct by the Additional Superintendent, Police Kasur, dated 4. 12. 44.

This letter revealed that addressee is a desperate bad character and a political worker. The bad character has always been an enemy of the administration and a thorn in the flesh of the Station House Officer.

But just see, Sir, the opinion of the Additional Superintendent of Police, Kasur, about the bad character referred to by him.

Remarks by S. S. P., dated 25. 8. 41.

"By his own admission he wrote a letter to a known Congressite."

Additional Superintendent Police, Kasur, remarked in his (bad

character) history sheet as follows: -

A notorious socialist and a staunch congressite of virulent type, does venomous propaganda anti to Government.

It will appear from this that Sardar Nand Singh, Sub Inspector Police, is a political sufferer to the same extent as any other patriot could be. He was punished for writing a letter to a political worker, with dismissal from service. Let me give a little more details about him. After the termination of his services from the regular Police Service, he was given an appointment in the P. A. P. But after two year's service, he was turned out, perhaps for this reason that Sardar Sajjan Singh, M. L. A., had written to Government time and again for his reinstatement. Strictly speaking, I fail to understand that under what rule his services have been terminated. It pains me to find that whereas Messrs Jai Gopal, Lekh Raj and Brar have been reinstated, Sardar Nand Singh's case has been completely ignored. Then it may be stated that under rule 16.2 of the Police Manual, it is laid down that if a Police Official is awarded punishment by a court of law, then he shall be dismissed. But it simply passes my comprehension how in view of this clear and unambiguous rule, Government manages to reinstate persons like those I have already mentioned. This rule has been framed by the Central Government and the State Government is not empowered to amend or bring about any change in it. But not to talk of such rules, our Government excels in jettisoning the verdicts of the High Court and thereby reinstating the police officials. Now if such be the state of affairs, how can one expect efficiency in the Government administration. I, therefore, make bold to say that we have absolutely lost confidence in the present working of the Government and it would be in the fitness of things that Government handed over the work of recruitment to all services to the Public Service Commission. I understand that the Chairman of this Body is a man of strong personality, who does not even care for the recommendations of a Minister of the State. When such is the case, it is all the more necessary that this body should be entrusted with the work of recruitment to services. But the difficulty is that our Government cannot do without indulging in favouritism. It offers posts carrying five hundred rupees per mensem to those persons who have not even an iota of necessary qualifications. I, therefore, urge upon the Government to make the Public Services Commission responsible for recruiting all the personnel for the services of the State.

Mr. Speaker : Motion moved—

That the order of the Governor of the Punjab dated the 13th September, 1950, whereby certain appointments in connection with the administration of the Capital Project of the State have been added to

[Mr. Speaker]

Schedule 'B' to clause (g) of Regulation 5 of the Late Punjab and N. W. F. P. Joint Public Service Commission (Limitation of Functions) Regulations be repealed forthwith.

Shri Bhim Sen Sachar (Ex-Member West Punjab Legislative Assembly representing Lahore City, General, Urban) (*Hindustani*): Sir, the Constitution of India has conferred a valuable right on this House and that is this. It has been provided that all the appointments carrying salary more than Rs. 150/- per mensem should be made by the Public Service Commission. When certain posts are to be taken out of the purview of the Commission, then Government have to put forward cogent reasons to justify their exclusion and then if the Governor agrees with his Cabinet in the matter, those particular posts are withdrawn from the Public Service Commission and filled up by the Government themselves. Well, Sir, the institution of Public Service Commission was brought into existence after a lot of experience. It was found that the Executive did not act fairly in the matter of making appointments and therefore a necessity for constituting an independent and impartial body was felt for the purpose of making recruitment to services. The people were assured that the Public Service Commission would possess these qualifications and the recruitment would be made on the basis of merit alone. Besides this, it was to be seen that every citizen was to enjoy equality of opportunity and uniformity of treatment at the hands of this Commission. I need not dilate upon this point and everybody would agree with me that it is in the fitness of things that as far as possible every appointment should be made through the Public Service Commission. I may submit that this was the very reason which led the previous Government to decide that recruitment to services for posts carrying a salary of fifty rupees or more should be made through the Public Service Commission so that no room or latitude should be left for any executive Head to appoint a person at a pay of Rs. 500/- p. m., while he may not be fit to hold the post of even a junior clerk. I think Sardar Sajjan Singh deserves thanks of all the hon. Members for bringing forward this motion which has enabled us to discuss the matter threadbare. He is, in a way, helpful in upholding the right of the House. His intention is that the people should know what the authority of the House is.

Sir, this resolution is not an ordinary one. By moving this resolution it is the intention of the Mover that the orders of the Government regarding the appointment of the Town Planners, Architects etc., should be repealed. Under the circumstances, this resolution is of utmost importance. If this House does not assert its authority by repealing this order and if it is the policy of the Government to exclude some appointments

to Government services from the purview of the Public Service Commission without any rhyme or reason, then this House is within its rights to say that it does not approve of their action. It is the bounden duty of the House which is the custodian of the rights of the people and the repository and embodiment of their confidence to see that all the democratic traditions are followed in the true sense of the word by the Government while running the administration of the State.

Mr Speaker, if you study this order, you will find that it is the intention of the Government to withdraw appointments of Town Planners, Architects etc., from the purview of the Public Service Commission. Through you, Sir, may I know from the Government if Town Planners, Architects and other officers are not found in the services of the other States? If so, what special importance is attached to these very posts here in our State by setting aside these appointments from the purview of the Public Service Commission. In view of the fact that other officers in the services are appointed by the Public Service Commission and that it is left entirely in the hands of the Public Service Commission to decide whether or not to appoint them, I really fail to understand the tactics employed by the Government in making such appointments without consulting the Public Service Commission. May I know from the hon. Chief Minister whether he has advertised these posts in the newspapers? In case he has done so, was it not obligatory on his part to get these posts advertised through the Public Service Commission? It is really a matter of regret that the Public Service Commission which has been purposely constituted to do away with all the irregularities and injustices in the matter of appointments has been ignored altogether so far as the appointments to these posts are concerned. It is abundantly clear from this that the Government want to make these appointments according to their own sweet will. Can it ever be believed that a Government before making appointments does not care to know the qualifications of the persons to be appointed? But unfortunately this is how appointments are made in our State by the Government. When people will come across such irregularities in the newspapers they will see for themselves how things are going on in our State. They will definitely say as to what is actually happening in our State. They will go even to the extent of saying this and they will be quite justified in saying so. All of us here are groping in the dark so far as the qualifications of these posts are concerned. If such be the State of affairs in our State, then I cannot help saying that the Constitution has given us a valuable right and we should know it and know it well and see as to how far we should use it in the interest of our State. We should utilise this valuable

[Shri Bhim Sen Sachar]

right in this case and say it openly and in unequivocal terms that we are not prepared to confirm the orders already issued by the Government in this connection. The orders issued by the Government should be repealed and rejected altogether by this House. I would like to bring this home to the hon. Members that they have got this opportunity for the first time to utilise their right in the right direction. The world outside will know that the Government intended to curtail the rights of the hon. Members without any rhyme or reason and also forced them to say 'yes' to each and every important item of Government Business placed before this House. To-day this case is really a test case for the hon. Members of this House. If we do not fare well in the test then we should not blame or criticize the Government afterwards. If, as custodians of the rights of the people, we do not raise our voice against the orders of the Government and say it on the floor of the House in unequivocal terms that we do not approve of their policy we will be failing in our duty. If we honestly feel that the Government are out to usurp the rights of the people we should not approve of any of their actions.

There is no justification on the part of the Government to prove that the persons to be appointed are experts. Here I cannot help saying this that they are neither experts nor are they professional consultants. I really fail to understand that when they are to be taken in Government service and Civil Service Rules are to be made applicable to them, or when they are to be governed by the Government Servants Conduct Rules and leave rules as those of the Government servants are intended to be applied to them, then there seems to be no justification on the part of the Government to deprive the Public Service Commission from exercising their powers in making these appointments. May I know if the Government have lost their confidence in the Public Service Commission? May I also know if the Government can make better selections than the Public Service Commission can? I for one am not prepared to accept this plea that the Government can make a better selection than the Public Service Commission. May I know if any emergency has arisen which has necessitated the Government to take such a step? Has any advertisement been published in the newspapers to this effect? I am given to understand that some officials are not actually going abroad to make these appointments but they want to have a pleasure trip at the expense of the State Exchequer. Here I would like to refresh the memory of the hon. Chief Minister that we have been crying ourselves hoarse on the floor of this House many a time that by sending people abroad in connection with the Capital work, Government would be wasting public money and it would be taking undue advantage of the confidence of the people which has been reposed in them. There

is no necessity to send these officials abroad. Perhaps it may be argued that these officials are going to make the selection on behalf of the Government and that since the persons to be appointed may not like to come through the Public Service Commission, therefore it is thought fit to depute the Chairman of the Public Service Commission with the other two officials of the State. What I wish to drive at is this that if the Chairman of the Public Service Commission has to make the selection, then why should he not receive the applications of the applicants for these posts here and also make the selection?

We have to give accounts of anything and everything that happens here to the people who have elected us to this Assembly. They will give us a bad name for no fault of ours but for the irregularities of the Government. Shall we tell them that we could not raise our voices against these irregularities and uncalled for practices resorted to by the Government.

With these words, Sir, I hope that the hon. Members of this House should unanimously support the resolution moved by my hon. Friend Sardar Sajjan Singh. At the same time I also expect that the Government will not hesitate to accept this Motion.

Sardar Ujjal Singh (Ex-Member West Punjab Legislative Assembly representing Western Towns Sikh, Urban) (*Punjabi*): Sir, in my opinion this Assembly should be thankful to my hon. Friend Sardar Sajjan Singh for moving an important resolution on the floor of this House. A few days ago when the relevant papers regarding the motion now before the House were distributed to the hon. Members I came to know that the appointments of the Town Planners, Architects etc., are not to be made by the Public Service Commission but by the Government direct. I was really surprised as to what extraordinary circumstances had necessitated the Government to take such a step.

Two reasons can be assigned for adopting such a course. Firstly, that the posts were technical and secondly, that these were to be filled up on temporary basis. On both these grounds, I fail to see any justification for taking these appointments out of the purview of the Public Service Commission. The argument that the posts were technical and for this reason the appointments could not be made by the Public Service Commission has no force at all. I may inform the House that whenever technical posts are to be filled up by the Public Service Commission, the Commission is always assisted by the officer of the Government having technical qualifications of that line. For example, if the appointment of an engineer has to be made, the Chief Engineer is invited to help the Public Service Commission in the selection and if any post requiring medical

[Sardar Ujjal Singh]

qualifications has to be filled up, the Inspector General of Hospitals attends as an additional member to help in the selection of a candidate for that post. Thus it will be clear that while making appointments to such posts the officer of the Government having the requisite technical qualifications is always included in the Board. If this is so, I fail to understand why the Chief Engineer alone was authorised to make appointments in connection with the administration of the Capital Project. The plea put forward by the Government that it committed itself to this course of action because it would take long time in making appointments by the Public Service Commission as it had to resort to lengthy procedure is also untenable. I may in this connection submit, Sir, that sometimes back I enquired from the Chairman of the Public Service Commission if any delay was caused in making appointments by the Public Service Commission. In reply he sent me a list showing the dates of receipts of requisitions from the Government and the dates of the appointments made which made it amply clear that no delay was caused in making appointments by the Public Service Commission. The assertion that the Commission would not be able to do the task as expeditiously as the Government could do it does not hold water. The Public Service Commission is above political influence and that is why the last Ministry had decided to entrust the Commission with the task of selecting candidates even for posts carrying a salary of Rs. 50/- per mensem and above. The Public Service Commission is the only institution which enjoys the confidence of the people and I fail to understand why it should be ignored in the matter of making these appointments. I am not in a position to say whether the instances quoted by my hon. Friend Sardar Sajjan Singh are correct or not but anyhow he has been able to collect sufficient material to show instances of nepotism and favouritism in the appointments made by the Government. He has stated something about Mr. Brar and I am doubtful whether his information is correct in that case. It is, nevertheless, clear from other instances quoted by him that the Government had recruited officers in the departments without knowing their qualifications. Such a course to say the least, is highly objectionable. If the Government wishes to see the services functioning efficiently, the Ministers should not have any hand in their recruitment. I can say that whatever may be the grievances and complaints about communalism, favouritism etc., in the services they would disappear if the appointments and promotions are made by the Public Service Commission on the basis of merit alone.

Sardar Bachan Singh [Ludhiana Central, Sikh Rural] (*Hindustani*, :
Sir, it is correct to say as has been remarked by my hon. Friend Sardar Sajjan Singh that the Government does not make appointments strictly in

accordance with merits. My hon. Friend Sardar Ujjal Singh has also made it clear that while making appointments of technical posts the Public Service Commission is invariably assisted by the Heads of Departments who attend the Board by special invitation. I, therefore, must oppose the Government's order withdrawing the appointments of Planning Assistants, Architectural Assistants and Senior Draftsmen from the purview of the Public Service Commission. It could be understood if the Government had made these appointments by a competitive test. But there is something certainly wrong at the bottom. When the appointments of senior draftsmen were also withdrawn from the purview of the Public Service Commission, I grew suspicious. At the time of making appointments the Government should have at least considered that the work in connection with the construction of Capital was not going to be finished within a short time. According to the schemes in connection with the construction of Capital we find that the Government propose to go ahead with the construction work step by step. In the beginning the Government intend to start preliminary works such as the construction of quarters for the staff and then with the actual construction of the Capital Works. The proposed site of the Capital will in the beginning be able to accommodate population of 1½ lakhs and with the gradual development in the course of ten years the Capital will be able to absorb a population of five lakhs. You may, therefore, judge, Sir, the urgency of these appointments in view of the long time it would take for the expansion of the proposed site of the Capital.

Sir, if these posts had been advertised, announcing the requisite qualifications and the salary attached to them, and if even then no applications were forthcoming, the Government would be justified in taking the matter of recruitment to these posts in its own hands. In that case, the Government could be permitted to enter into contracts with men possessing the requisite qualifications. But how can the Government say at this stage that Public Service Commission will not be able to secure the services of suitably qualified people by advertising the posts in question? Then, Sir, is it to be believed that even ordinary technicians such as Senior Draftsmen; Assistant Architects, and Assistant Town Planners will have to be recruited from foreign countries. Has the intelligentsia of this country gone bankrupt that men of ordinary technical qualifications cannot be found among them? But, Sir, I would believe this only if the posts had been advertised and no candidates were forthcoming. At present I am constrained to say that those who are responsible for preparing this proposal must have gone intellectually bankrupt.

And then, Sir, what was the hurry in assuming these powers? The posts could have been advertised, before bringing a proposal to exclude them

[Sardar Bachan Singh]

from the purview of the Public Service Commission. There was, in so far as I see, no urgency or emergency, justifying departure from the normal practice, without first giving an opportunity of filling these posts to the Public Service Commission—the only body in this State against the members of which nobody has ever had anything to say. (Cheers).

The Capital is not going to be built in a day. The question of its construction has been hanging fire for the last three years. A huge quantity of material such as coal and concrete has been lying exposed in the open all this time. Land has yet to be acquired and another difficulty that the Government might have to face will arise out of its agreement with the zamindars of Chandigarh to provide 'land for land' and not cash compensation. Now to provide land for land, the Government will have to bring legislation before this House and if the Assembly is not in session, it will have to promulgate an ordinance, with the assent of the Governor and perhaps of the President. All this will take time. Why not then give the Public Service Commission a chance to fill these posts? I am sure scores of applications for these posts would pour in from various parts of the country, in case the posts are advertised.

Then, Sir, when the Public Service Commission of our State is looked upon by everybody as an august, honourable and trustworthy body, why should there be any objection to entrusting it with the task of filling these posts? I admit that Public Service Commission will judge every candidate by the criterion of merit and will select only those who are up to the mark, irrespective of other considerations. And probably this is what the Government doesn't like. It wants to have a free hand to settle terms, so that it may be in a position to favour certain persons whom it wants to be appointed. The Government does not want a fair selection and therefore it is anxious to assume the powers of filling these posts. Otherwise, there appears to be no reason why these posts should be got excluded from the purview of the Public Service Commission, whose members, though so highly-paid, have not work enough to keep them busy throughout the year. Does the Government want them to continue to draw their salaries and do no work? Is it not proper that we should utilize the services of this Commission to the maximum possible extent? Sir, in the end, I would say that if the Government does not want these posts to be filled by a fair selection, this hon. House should at any rate realize its duty in the matter. If it does not do this and allows its powers to be misused or abrogated, no power on earth would be able to restore to it the position and respect that it should rightfully enjoy. (Cheers).

Shri Ram Sharma (Southern Towns, General, Urban) (*Hindustani*) :

Sir, I don't know what arguments in favour of or justifying its action in assuming these powers, abridging the sphere of action of the Public Service Commission in the matter of appointments to the posts of technicians required for the construction of the Capital, the Government will adduce. I can only say that the Government had better in the very beginning made clear its reasons for departing from the normal practice. To all outward appearance, this departure appears to be a wrong and even dangerous thing to do. It will be a very bad precedent, full of dangerous possibilities. The work of construction of the Capital will not be a brief affair. It might extend over several years and will entail expenditure of crores of rupees. There is no knowing how much staff will be required for this purpose. If the Government decides to recruit all the personnel required for this purpose without consulting the Public Service Commission and utilizing its services, I am afraid, keeping in view the magnitude of the task and the time it is likely to take it will have to open a new Department, more or less of the same strength as the office of the Public Service Commission, for their recruitment, and the recruitment would be made blindly on the recommendations of subordinates.

Sir, my hon. Friends who have spoken before me have very strongly criticised this Government for making attempts at interfering with recruitments to services. I am inclined to join them in their criticism as I wish to point out to our Government that such tactics on their part are not desirable. Such an act of the Government will surely not find favour with the public. After all what is the reason that the Government wants to arrogate the powers of a Public Service Commission to itself for making appointments to certain services. Is it that the Public Service Commission has not been found fit for the job or there are some other considerations? At any rate, I am of the opinion that the Government will not be creating any good and useful precedents if it secures or tries to secure sanction of the House in matters of recruitment etc. She should refrain from securing unnecessary powers. Our Government does not enjoy any good reputation already so far as these matters are concerned. People have not approved her decision about getting technicians from abroad by sending officers to foreign countries at a colossal expenditure. There may or may not be any excuse for taking such a step but getting powers for appointing junior technicians is not understandable and is against all democratic principles. There is no reason why the junior technicians should not be recruited through the agency of the Public Service Commission. When the people at large come to know of this thing they will severely condemn it and in this democratic age no Government or for that matter no legislature can afford to disregard the views and feelings of its people. I am not as great an admirer of the Public Service Commission as some of my hon. Friends

[Shri Ram Sharma]

are but I also have'nt anything to say against it because there has not been any serious complaint against it. I wish that recruitments to public services are made by the Commission as it is a body which has been created for this very purpose. What is more, so far the Government has not been able to create or bring about satisfaction in the minds of the people in this connection. Favouritism in recruitment to lower services by the Government departments and supersessions of deserving persons are things of every day occurrence. I am in a position to cite a number of instances in which very junior men have been confirmed at the cost of very efficient seniors who cannot even cry as that is a crime for them. In the P.W.D. such things are happening and what I am saying is not mere imagination. I can from personal experience say that when Deputy Commissioners were some time back authorised to appoint men in the Civil Supplies Department with the advice of one or two leading public men of the district, this power was more or less abused as no appointment was made without a recommendation. We should put a stop to this dirty business. We should entrust all work connected with recruitment etc; to the Public Service Commission. So far as the appointments under consideration are concerned, there cannot be any two opinions about them as crores of rupees are to be spent and the work is to continue for years. These appointments must be made by the Commission and the Governor should not get this power which is to be exercised by the Ministers and their officers. In my opinion the Government should reconsider this question and should not take the powers even if the present motion is passed.

Chaudhri Lahri Singh : (Rohtak North, General, Rural) (*Hindustani* : Sir, the efficiency in services can only be maintained if justice is done in the matter of recruitment and promotions and it was with this view that the Public Service Commissions were constituted during the days of the British Raj. The English man felt that the Indian Ministers not having reached the desired standard of efficiency and honesty could not be entrusted with the important task of making recruitment to services. They knew by their experience that the Indian Ministers accepted recommendations and were seldom possessed of that integrity which was a part and parcel of the Ministers in the foreign countries. Not to talk of big matters, even in small matters they were ever guilty of exercising favouritism. So when they introduced the well known reforms of 1937 they provided for the establishment of Public Service Commissions. At that time this step on the part of the British Government was very severely criticised in the Press as also on the platform. It was said that the Public Service Commissions were sought to be constituted as the English man wanted to retain the power of making appointments to services in his own hands so that he could exercise a direct control of administration in this country. But this was a wrong criticism. The English

man in fact was not led by any such motives. What he wanted was this that right type of men should be appointed in the public services. We know that the I.C.S. of the past days was many times superior to the I. A. S. of today. After all what was the reason? The reason was that the Public Service Commission was very strict in the matters of selection with the result that the I.C.S. men were always successful whether they were appointed Deputy Commissioners, Registrars or Finance Secretaries. But what do we find to-day. Every member of the services is complaining these days that promotions are being made by the Heads of the Departments and the Public Service Commission is not being consulted. This has resulted in undue favouritism and nepotism and the condition of services is becoming deplorable. Instead of selections being made by the Public Service Commission, the hon. Ministers meddle in these matters, with the result that the services cannot act independently. They are, therefore, becoming inefficient. When my hon. Friend Shri Bhim Sen Sachar was the Premier of this State, it was decided that all posts above those of the Patwari and the constable should be filled by the Public Service Commission. It was decided that the recruitment of Junior clerks too should be made by the Commission. I am repeating these facts in order to bring home to the hon. Ministers the necessity of saving this State from the ruin, towards which they are leading it. When the previous Government decided to entrust the recruitment of all posts carrying salaries more than Rs. 50 to the Public Service Commission, the public expressed their satisfaction on this decision.

I wish to submit, Sir, that the construction of the new Capital of the State is not a small project. Crores of rupees are going to be spent on it and the work is likely to go on for fifteen or twenty years. More over, the Government is not in possession of an Alladin's magic lamp with which they might complete this project in a very short time. But nobody appears to be mindful of these things. In order that the hon. Minister might appoint their own men on certain posts connected with the Capital Project, they have taken away these powers from the Public Service Commission. This step will surely be condemned by the public. The people of this State feel that if there is any Government body which is beyond approach, it is the Public Service Commission. Its President is reputed for his independence of choice. He has always refused to be influenced by the wishes of the Ministers. Once, he recommended the names of three persons for a certain post in the order of merit. Instead of appointing the first person, the Government wished to appoint the second or the third person recommended by the Public Service Commission. Its Chairman resisted the wish of the Government and did not permit them to alter the order of

[Chaudhri Lahri Singh]

selection. If the hon. Ministers start filling the posts which carry salaries of Rs. 500 or Rs. 1000, what will be the future of this State. But the misfortune does not end here. There are certain Ministers, whose portfolios are very limited. There has been favouritism in the matter of distribution of portfolios among Ministers, for example, the hon. Minister-in-charge of Public Works Department has only the electricity portion of it under his control. Though it is often said that the hon. Chief Minister is overworked still he does not evenly distribute the work among all the Ministers and keeps a good deal for himself. When I said these things to the hon. Minister for Public Works, he replied that he was a military man. I wondered at his words because I feel that the hon. Chief Minister has not entrusted the other Ministers with any responsible work. If the state of affairs in this State is not set right, our future is bound to be very dark. As a matter of fact, there appears to be no help as whenever we give expression to our views, whip is issued by the Leader of the House.

Mr. Speaker : Please don't refer to the whip.

Chaudhri Lahri Singh : So in these circumstances, I shall request the hon. Members to support the motion moved by my hon. Friend Sardar Sajjan Singh, because by doing so they would be improving the condition of services in the State.

Pandit Faqir Chand (Ex-Member West Punjab Assembly representing West Lahore Division, General, Rural) (*Hindi*) : Sir, after hearing the speeches made on the proposal now before the House, there is no necessity of my making any lengthy speech. I, however, wish to warn the hon. Members and the Ministers that by turning down the proposal of my hon. Friend Sardar Sajjan Singh, they would not only be committing a grave mistake but would be guilty of a great sin. [voices : Let the Ministers suffer for their sins]. I wish to save the hon. Ministers from committing more sins. The system of making promotions and filling posts on the basis of recommendations has reached such a stage that those who were getting Rs. 300 or Rs. 400 per mensem before partition are now in receipt of Rs. 1500 or even more. When a question is asked from the Government regarding the salary of a person before partition, it refuses to reply that question. Such things have given this Government a very bad name and even people travelling in the to gas or railway trains can be heard talking of the prevailing nepotism in the services and we have to hang our heads in shame on hearing such talk.

Mr. Speaker : Rumours are not to be relied upon.

Pandit Faqir Chand : Certainly, Sir, but we know where we stand. We should try to put our house in order and it is for this reason that I request the House to accept the motion moved by Sardar Sajjan Singh. By doing so our hon. Ministers may also be saved from committing more sins.

Thakur Beli Ram : Question be now put, Sir.

Mr. Speaker : Question is—

That the question be now put.

The Assembly divided.

Ayes : 40, Noes : 17.

A Y E S.

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| 1. Ajit Singh, Sardar. | 21. Lehna Singh Sethi, The hon. Dr. |
| 2. Badlu Ram, Chaudhri. | 22. Man Singh Jathedar, Sardar. |
| 3. Behari Lal Chanana, Shri. | 23. Matu Ram, Chaudhri. |
| 4. Beli Ram Thakur. | 24. Mehr Chand, Chaudhri. |
| 5. Bhagat Ram Chodha, Shri. | 25. Mohar Singh, Rao. |
| 6. Bhagat Ram Sharma, Pandit. | 26. Narinder Singh, Sant. |
| 7. Buja Ram, Bhagat. | 27. Narotam Singh, The hon. Sardar. |
| 8. Dalip Singh Kang, Sardar. | 28. Pancham Chand, Thakur. |
| 9. Dev Raj Sethi, Shri. | 29. Partap Singh, Sardar. |
| 10. Durga Chand Kaushish, Pandit. | 30. Piara Singh, Sardar. |
| 11. Gopi Chand Bhargava, The hon. Dr. | 31. Prithvi Singh Azad, The hon. Shri. |
| 12. Gurbachan Singh Bajwa, The hon. Sardar. | 32. Rattan Singh Tabib, Shri. |
| 13. Gurbachan Singh, Sardar. | 33. Sahib Ram, Chaudhri. |
| 14. Gurbanta Singh, Master. | 34. Samar Singh, Chaudhri. |
| 15. Harbhaj Ram, Chaudhri. | 35. Sant Ram Seth, Dr. |
| 16. Isher Singh Mujhail, Sardar. | 36. Sher Singh, Chaudhri. |
| 17. Jagjit Singh Mann, Sardar. | 37. Shiv Saran Singh, Sardar. |
| 18. Kabul Singh, Sardar. | 38. Sudarshan; Seth. |
| 19. Kartar Singh, Sardar. | 39. Virendra, Shri. |
| 20. Kehr Singh, Sardar. | 40. Waryam Singh, Sardar. |

N O E S.

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| 1. Amar Nath, Shri Vidyalkar | 10. Ranbir Singh, Mehta. |
| 2. Bachan Singh, Sardar. | 11. Sajjan Singh, Sardar. |
| 3. Bhim Sen Sachar, Shri. | 12. Shanno Devi Saigal, Shrimati. |
| 4. Dalip Singh, Thakur. | 13. Shri Ram Sharma, |
| 5. Faqir Chand, Pandit. | 14. Sita Devi, Shrimati. |
| 6. Kedar Nath Saigal, Shri. | 15. Sunder Singh, Chaudhri. |
| 7. Lahri Singh, Chaudhri. | 16. Suraj Mal, Chaudhri. |
| 8. Prabodh Chandra, Shri. | 17. Ujjal Singh, Sardar. |
| 9. Rattan Singh, Sardar. | |

Chief Minister (The hon. Dr. Gopi Chand Bhargava) (*Hindustani*): Sir, I consider it my duty to give replies to some of the arguments that have been advanced by my hon. Friends in support of this resolution. In the first place it has been said that the hon. Ministers cannot be abler than the members of the Public Service Commission and that I have taken certain departments from the other hon. Ministers in order to make appointments myself and to have my own men in the services. The hon. Members should know that, as a matter of fact, it is the Chief Minister who makes appointments of the Members of the Public Service Commission itself. Constitutionally speaking, the Governor of a State makes such appointments. But, in fact, he does not act in his discretion but acts with the aid and advice of the Chief Minister. So the Chief Minister of a State who selects the Members of the Public Service Commission itself cannot be said to possess lesser ability than Members of Public Service Commission in the matter of making appointments. Examples have been given to show that certain appointments were made by taking them out of the purview of the Public Service Commission. It has been said that certain persons were appointed without any reference to the Public Service Commission and that it would have been better if such a selection had been made by the Commission. Here I wish to state that at the time of making appointments in question the Public Service Commission had not yet been constituted. Moreover, my submission is that comparisons are always odious. It is better to avoid them. So far as the appointment of my P. A. is concerned I don't think that his academic qualifications are in any way less than those of the hon. Member who has objected (Sardar Bachan Singh Hon. Members are representatives of the people and not servants) In my opinion if the representatives of the people do not consider themselves as also the servants of the public they do not do their duty and nothing worse than such a state of mind can be imagined. Now let me deal with the criticism that has been leveled against the Government in the matter of the selection of Camp Commandants. The relief camps were established for some months only as a temporary measure. The Camp Commandants were required immediately. Many of them were recruited from the Education Department. In order to make immediate recruitment the Government had to recruit them direct, as otherwise i.e. if recruitment was made through the agency of the Public Service Commission, much delay would have occurred in advertisements etc. The selection was made very fairly by the Financial Commissioner, Rehabilitation. Applications were received from displaced persons and others and from among them the selection was made. My hon. Friend has read the names of selected persons and he has stated that their qualifications are not known. I wish to assure him that majority of persons, he has referred to, were displaced

persons and lawyers. Regarding the re-employment of Mr. Lekh Raj it has been stated that he could not be re-instated. I wish to make it clear to the hon. Members that there is a good deal of difference between the words 're-employ' and 're-instate'. He has been re-employed because the Public Service Commission had declared him "not guilty". We have re-employed him on the advice of the Public Service Commission and I fail to understand why mis-statements have been made in this matter. The names of Jai Gopal and Jagir Singh have also been brought under discussion. Those who cannot distinguish between the meanings of 're-employ' and 're-instate' should better consult some dictionary. Sir, it is within the powers of the Government to review the cases of dismissal. Another matter to which I should draw the attention of the House is the question of nominations so far as admission to such College, as Engineering Colleges etc., is concerned. In this matter it should be clear at the outset that generally the function of the Public Service Commission is to make recommendations for services which carry higher salaries. The posts of chaprasis and other posts are not filled by the Commission. In the selection of experts, the opinions of the Heads of the Departments are generally considered because they have an experience in the line and as such their opinions have weight. So the selection made by the Principal of the Engineering College is generally accepted. An objection has been made regarding the re-employment of Sardar Nand Singh. I don't want to bring the record of Sardar Nand Singh before this House. Whatever the record of his services, it is sufficient to say that the rules and regulations permit re-employment and the I. G. has agreed to his re-employment.

Then, Sir, an objection has been raised that recruitment of Police Sub-Inspectors by Government is very defective. I may tell the hon. Member that Government no longer makes these appointments. It is the Inspector General of Police who is responsible for recruitment of the police sub-inspectors. These posts do not fall within the purview of the Public Service Commission. I may also point out for general information of the House that the appointments of the Superintendents of Police, Assistant Superintendents of Police or in other words appointments to the Indian Police Service are made through the Union Police Service Commission, and those of Deputy Superintendents of Police come before the State Public Service Commission. So far as recruitment of Police Inspectors and Sub-Inspectors is concerned, it is, as I have already stated, made by the Inspector General of Police and the Deputy Inspector General of Police makes appointments of the police sub-inspectors. Besides, some appointments to these three categories, are made by promotion from the lower ranks and some by direct recruitment. I

[Chief Minister]

view of this I think my hon. Friends' condemnation of the Government on this score is meaningless.

Then my hon. Friend Shri Bhim Sen Sachar remarked that his Government had decided to entrust recruitment of all posts carrying salaries of Rs. 50/- p. m. or more to the Public Service Commission. He will perhaps remember that when the Public Service Commission was informed of this decision, it expressed its inability to accomplish this task. It rather suggested the constitution of a junior commission to conduct the recruitment of people to junior appointments. In this connection we decided that recruitment be entrusted to a three-man committee consisting of a Secretary to Government, Head of the Department concerned and one non-official. This scheme was put through and now a Committee conducts the examination of the candidates for certain appointments and has proved a great success.

An objection has been taken to the recruitment of the Architect. Let me explain the whole position. Ordinarily all higher posts in the Public Works Department are filled by officers appointed by the Public Service Commission, and for that purpose the posts are advertised. Similarly in the case of the appointment of the Architect, the post was advertised but no response was made. I may also state in passing that when we needed a Town Planner, we had to get one from a foreign country on certain terms. Now, Sir, the capital project is a special project and for the execution of this, Government have to adopt special measures. Construction of Capital, as you are perhaps aware, Sir, involves stupendous task of acquiring land and construction of new buildings. All this has to be done by Government. Things would have been different if only an extension of some town was to be made for the construction of Government offices. Then this task could have been entrusted to the Improvement Trust. But sometimes the Improvement Trusts also stand in need of the help of a Town Planner. It is a matter of common knowledge that when new Capitals are to be built, Governments have to set up new organisations. So this Government, too has established a new organisation for the accomplishment of this Capital affair. We got our master plan prepared from an American expert who was fully conversant with the Indian conditions. Since we want good buildings to be constructed at our Capital, we will have to acquire the services of expert architects from abroad. Now there are three methods by which we can achieve our object. The first is that the Foreign Expert Architect should send us the plans and the work should be executed by our P. W. D. Under the second method, we get such expert architects as say that they would offer their services only if the plans submitted by them are executed and that there should be no outside interference in the execution of

their plans. Under the third category such experts are available as would come to this place, submit their plans for execution and train our own people in the job. As a matter of fact we want this type of expert Architects. But for the recruitment of such architects our Engineers will have to be at the spot and settle the terms of service. I may point out in passing that one of the expert Architects from abroad was prepared to accept our service on the condition that after the completion of the Capital, he would continue to get half the salary as his life pension. For us it was an impossible condition and we rejected his terms. From this it would be obvious that it is impossible to obtain the services of an expert architect through the Public Service Commission as the foreign expert architects do not evince any inclination to accept our service. If they do, they offer impossible terms. So it has been decided that post of this nature should be taken out of the purview of the Public Service Commission of the State. In this connection we consulted all those who are interested in this affair and after due deliberations we approached the Governor. He gave his careful and active consideration to our request and then agreed to permit us to exclude the recruitment of a certain personnel in connection with the Capital project, from the jurisdiction of the Public Service Commission. But our friend who did not like to see the Capital project materialise, started agitations at Chandigarh and instigated the people not to give their lands for construction of Capital. Somehow better counsels prevailed with the agitating people and they agreed to our proposals and thus withdrew their agitation.

Well, Sir, it is the fervent desire of the Government that the Capital should be constructed as early as possible so that our displaced brethren may be rehabilitated there. We know that our brethren who have for the present settled in Delhi or Uttar Pradesh, are yearning to come to Punjab and settle at the proposed new Capital. So we have decided to constitute a non-official committee with which we want to discuss all the necessary plans regarding the construction of the Capital. But so far as recruitment of experts for this purpose is concerned, objection has been raised to the appointment of certain members of the official committee which is to go abroad and make a selection of the experts and decide terms of their service at the spot. My hon. Friends have taken exception to the Chairman of the Public Service Commission having been appointed a member of that Selection Committee. They appear to be blowing hot and cold in the same breath. They were just praising him for his capabilities and integrity. But when he is being sent on important mission of finding out experts for the Capital Project, they jeeringly say that he is going on a pleasure trip to America.

[Chief Minister]

What I wish to point out is this that the officials who are proceeding abroad to make these appointments would be going to London and in case 5. P. M. these experts are not available there then they will proceed to Norway. Let me assure the House that except these places they are not going anywhere else.

As I have already stated there are only three firms which are considered experts in the line of construction of dams and these are in Norway, France and United States of America. As we want to finish the construction work as early as possible, it is on account of this fact that we are sending our officials to make these appointments on the spot. It really does not behove my hon. Friends to say that these officials are going abroad for a pleasure trip. On the other hand Government have sufficient reasons to send these officials abroad. Those of my hon. Friends who suspect that it is the intention of the Government to appoint some particular persons to these posts are sadly mistaken.

Since it is the intention of the Government to construct a good capital, it is therefore necessary to appoint the experts as early as possible so that they may start their work in right earnest. Government want a speedy construction of the capital so that the people of our State who are at present out of this State may return as early as possible. I may repeat that it was because of these facts that we approached His Excellency the Governor and he was pleased to permit us to take the appointment of these posts from the purview of the Public Service Commission.

With these words, Sir, I would request the hon. Members to reject the motion, now before the House.

Sardar Sajjan Singh (Patti Sikh Rural) (*Punjabi*): Sir, I rise to say a few words with regard to the statement made by the hon. Chief Minister concerning Sardar Nand Singh. The facts of the case, I may be excused to say, are quite contrary to the statement made by the hon. Chief Minister. My hon. Friends know it full well that during the Coalition Ministry in the United Punjab when Shri Bhim Sen Sachar was working as the Finance Minister, I was at that time working as a Parliamentary Secretary. Instead of approaching me direct Sardar Nand Singh approached Doctor Sahib who directed him to me with a recommendatory letter. Thereupon I referred the matter to Shri Bhim Sen Sachar. Unfortunately we did not succeed in getting the needful done at that time. I think Doctor Sahib will bear me out so far as my statement is concerned. The grounds on which he was dismissed during those days of British regime can after the attainment of freedom, be taken to be quite reasonable grounds for treating him as a political sufferer. We want that he should not only be re-employed but should also be re-intated. He should

be entitled to full pay for the period he was under dismissal. (*Interruption*) Sir, I am only referring to the letter of the Chief Secretary. I am really constrained to remark that Doctor Sahib has not taken the trouble of replying to the fundamental objections raised by me and my hon. Friends in the course of our speeches. With these words, Sir, I would request the hon. Members that they should support this motion with all the force at their command.

Mr. Speaker : Question is —

That the order of the Governor of the Punjab dated the 13th September, 1950, whereby certain appointments in connection with the administration of the Capital Project of the State have been added to Schedule 'B' to clause (g) of Regulation 5 of the Late Punjab and N. W. F. P. Joint Public Service Commission (Limitation of Function) Regulations be repealed forthwith.

The Assembly divided : Ayes 5, Noes 44.

AYES

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| 1. Bachan Singh, Sardar. | 4. Sajjan Singh, Sardar. |
| 2. Rattan Singh, Sardar. | 5. Suraj Mal, Chaudhri. |
| 3. Kanbir Singh, Mehta. | |

NOES

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| 1. Ajit Singh, Sardar. | 22. Mehar Chand Chaudhri. |
| 2. Amar Nath Vidyalankar, Shri. | 23. Mehar Singh, Rao. |
| 3. Badlu Ram, Chaudhri. | 24. Narinder Singh, Sant. |
| 4. Behari Lal Chanana, Shri. | 25. Narotam Singh, The hon. Sardar. |
| 5. Beli Ram, Thakur. | 26. Pancham Chand, Thakur. |
| 6. Bhagat Ram, Chodha, Shri. | 27. Parkash Kaur, Shrimati, Dr. |
| 7. Dalip Singh Kang, Sardar. | 28. Partap Singh, Sardar. |
| 8. Dalip Singh, Thakur. | 29. Piara Singh, Sardar. |
| 9. Dev Raj Sethi, Shri. | 30. Prithvi Singh Azad, The hon. Shri. |
| 10. Durga Chand Kaushish, Pandit. | 31. Rattan Singh, Tabib, Shri. |
| 11. Gopi Chand Bharagva, The hon. Dr. | 32. Sahib Ram, Chaudhri. |
| 12. Gurbanta Singh, Master. | 33. Samar Singh, Chaudhri. |
| 13. Harbhaj Ram, Chaudhri. | 34. Sant Ram Seth, Dr. |
| 14. Isher Singh Mujhail, The hon. Sardar. | 35. Shanno Devi Sa'gal, Shrimati. |
| 15. Jagjit Singh Mann, Sardar. | 36. Sher Singh, Chaudhri. |
| 16. Kabul Singh, Sardar. | 37. Shiv Saran Singh, Sardar. |
| 17. Kehr Singh, Sardar. | 38. Shri Ram Sharma, Pandit. |
| 18. Kedar Nath Saigal, Shri. | 39. Sita Devi, Shrimati. |
| 19. Lehna Singh Sethi, The hon. Dr. | 40. Swaran Singh, Sardar. |
| 20. Man Singh Jathedar, Sardar. | 41. Sudarshan, Seth. |
| 21. Matu Ram, Chaudhri. | 42. Sundar Singh, Chaudhri. |
| | 43. Virendra, Shri. |
| | 44. Waryam Singh, Sardar. |

DISTRICT BOARDS (AMENDMENT) BILL.

Minister for Local-Self Government and Labour (The hon. Shri Prithvi Singh Azad) : Sir, I introduce the Punjab District Boards (Amendment) Bill.

Minister for Local Self-Government and Labour : (*Hindi*) Sir, I move—

That the Punjab District Boards (Amendment) Bill be taken into consideration at once.

Sir, the Bill that has been introduced in the House seeks to make certain amendments in the present Act. The working of this Act has actually revealed that there are certain defects in it which the Government is not competent to remove unless it is substituted by an amended Act. It is, therefore, proposed to amend section 45 of the Punjab District Boards Act so as to bring it in line with the analogous section 232 of the Punjab Municipal Act, 1911. It would empower the Deputy Commissioner or the Commissioner to suspend the resolution or order of the District Board if it is contrary to the interests of the public. In such circumstances, it has been considered necessary that the Government should enforce measures to safeguard the interests of the backward classes. There is no section in the present Act which may empower the Government to do so. In the past the Government received numerous complaints from backward classes in every district against section 45 of this Act. The Government deputed some Inspectors of the Local Bodies to make enquiry into these complaints. On their report the Government came to the conclusion that the District Board Inspectors had been unfair in the imposition of taxes on these poor people. The Government could not remove their grievances on account of lack of power under the present District Boards Act as I have already stated. Moreover, the hon. Members of this House are aware that the Government intend to enforce uniform educational policy in all the educational institutions whether they are controlled by the Government or they are managed by the district boards or the municipal committees. The present Act leaves no scope for the Government to take action against any district board if it fails to adopt that policy in its schools.

Then, Sir, sections 6 and 7 of this Bill aim at vesting in the Government powers to enforce the liability of the Members of the District Boards who might cause waste or damage of district funds or property or who are responsible for spending money in a wrongful manner or for a purpose which is contrary to the interests of the public, under the Punjab District Boards Act, 1883, as it is in force today, the Government cannot recover money spent wrongfully by a District Board, except by filing a civil suit against the members

concerned. It is with a view to avoiding the lengthy procedure of recovery by resorting to civil courts and to make the position in respect of this matter similar to that obtaining in case of Municipalities under the Punjab Municipal Act, 1911, that this Bill has been brought forth. The constitution of the District Boards in this state is based on the Act which was passed as early as 1883. Since then, it has been amended from time to time, with a view to removing its defects. The Punjab Municipal Act was passed later and it is now proposed to incorporate some of its good features in the Punjab District Boards Act. It is with this object in view that its sections 45 and 59 are proposed to be amended. With these words, Sir, I request that this Bill be taken into consideration at once.

Mr. Speaker : Motion moved —

That the Punjab District Boards (Amendment) Bill be taken into consideration at once.

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural) (*Hindustani*) :
Sir, I beg to move —

That the Punjab District Boards (Amendment) Bill be circulated for eliciting public opinion thereon by 31st. December, 1950.

Sir, this Bill which has just been introduced, is of very great importance. Originally I had a mind to oppose it but now I think if it is circulated for eliciting public opinion, the opposition that it will encounter from the public will be thousand times greater than what I could have offered. As you are aware, Sir, as a result of our vehement opposition to the proposed provision of ex-officio members in the Municipal Committees and small Town Committees, the hon. Minister had agreed to accept certain amendments, moved by us, to the Punjab Municipal (Amendment) Act and the Punjab Small Town Committees (Amendment) Act, which were brought before this House only a few days back. It appears as if the Government agreed to omit the provision aiming at creating ex-officio members in those bodies under pressure and on our pointing out that this was being done with a view to influence elections to the Upper House. Now we had hoped, that while introducing this Bill, the hon. Minister would give an assurance that similar clause in this Bill would also be deleted. But to our great surprise, he has not uttered a word about it. His heart is set on creating ex-officio members, and a similar provision exists in this Bill also.

Then, Sir, the hon. Minister has stated that the Punjab Municipal Act was passed much later than the Punjab District Boards Act and so it embodies several good features which the latter doesn't possess. He forgets that the Punjab Municipal Act was also passed at a time when nobody could think of Montague-Chelmsford Reforms and the constitutional changes

[S. Bachan Singh]

embodied in the Government of India Act, 1935, and when there were no Legislative Assemblies in the provinces and hence it cannot be considered modern as compared with the Punjab District Boards Act, 1883. As a matter of fact the latter also exists only in name. The whole superstructure that has been erected on the foundation laid by it, has completely changed the provisions of this Act.

It is stated that one of the objects of bringing this amending Bill is to amend sections 45 and 59 of the Punjab District Boards Act, 1883, 'on the lines of analogous sections 232 and 50, respectively, of the Punjab Municipal Act, 1911, so as to empower the Deputy Commissioner or the Commissioner to suspend the resolution or order of a District Board if it is contrary to the interests of the public or is likely to cause waste or damage of district funds or property, and to dispense with the need of instituting a suit for enforcing the liability of members of the Board.'

Sir, the fact of the matter is that now when under the increasing pressure of public opinion, the practice of appointing the Deputy Commissioners as Chairmen of the Boards, has to be discarded, the Government wants to keep its control over the Boards, as usual, by empowering the Deputy Commissioners to suspend the resolution or order of the District Board, so that what will be given with one hand, will be taken away with the other. In fact in its heart, the Government wants the Deputy Commissioners to continue as Chairmen of these Boards. By making a provision for ex-officio members, it will manage to get a Chairman of its own liking elected, with their help. Its intention in this regard becomes clear from the fact that in some districts where its own men could manage to get elected, it has permitted the District Boards to have a non-official chairman whereas in other districts, the Deputy Commissioners continue to work as chairmen.

Mr Speaker : The hon. Member should be relevant.

Sardar Bachan Singh : Sir, I am quite in order. I am dealing with section 59 (7) of the District Board Act which deals with the liability of members of the District Board. I am saying that as the Deputy Commissioners are no longer to be the Presidents, powers are being taken away from the non-official Presidents. Such a thing can in no case be regarded as an improvement on the old state of affairs. And then a very amazing provision is being made by this amending Bill. It is being enacted that no person shall be called upon to show cause after the expiry of a period of four years from the occurrence of a loss, waste or misapplication. I ask, is not this provision eloquent of the efficiency and vigilance of this Government? In my opinion a Government which keeps somnolent for four years and does not take action against the culprits has no right to exist.

Sir, there is another thing which is very interesting. The hon. Minister-in-Charge said that one of the objects of passing this Amendment Bill was that the poor people should be saved from the payment of Professional Tax. It appears as if the hon. Minister has not taken the trouble of going through the Bill. There is no such provision in it. Probably some Private Secretary of his has put such a thing in his ear and this ignorance on his part may be ignored. But there is another thing the wisdom whereof I have not been able to follow. At present, we in the District Board of Ludhiana have five ex-officio Members and there may be some District Boards where the number is six. I am sure that no District Board has seven such Members. But unfortunately now an attempt is being made to increase their number to eight. They will also be entitled to right of vote for the Upper Chamber. This is something very undesirable.

Minister for Labour : The hon. Member need not bother as the Government itself is bringing necessary amendments.

Sardar Bachan Singh : You mean to say that your Government is awake.

Mr. Speaker : The hon. Member is using expressions which are used in public meetings.

Sardar Bachan Singh : Sir, I may be excused as I am a ruralite after all.

Minister for Labour : Sir, he hails from Gujarwal.

Sardar Bachan Singh : Sir, this reminds me of a story. It is said that there were four riders coming from the direction of Delhi. A fifth man came up.....

Mr Speaker : Such stories cannot be allowed.

Chaudhri Suraj Mal : Sir, this story was related in the Assembly some years ago by a Member of the Congress party.

Mr Speaker : It was during the days when the Government of the hon. Member was in power.

Sardar Bachan Singh : I am greatly pleased to know that amendments are being brought for this Bill by the Government as was done in the case of Small Towns Bill and the Municipalities Bill. It is very good that there will be no official block. But what I deplore is the fact that the rights and powers of the Members are being curtailed all the same. A Democle's sword is being made to hang over their heads. As a matter of fact when such

[S. Bachan Singh] measures are brought before the legislature, advice is always obtained from the District Board or the Municipal Committee concerned. May I ask the hon. Minister-in-Charge whether he has consulted the District Boards. Do they really like the Bill which has been placed before us. A Bill or an Act does not become a progressive measure simply because the Government or the Minister-in-Charge says so. The authors of the 183 Act said the same thing about this Act. Hon. Dr. Sir Gokul Chand Narang made the same claim in respect of the Executive Officers Act when he was a Minister for Local Self Government. Sir, the fact is that everybody thinks that his own child is the most beautiful. It is said that once a question was asked from Akbar the Great as to who was the most beautiful person. He replied that he would inquire about it.

Mr. Speaker : Such stories are not meant for this House.

Sardar Bachan Singh : There are only twelve District Boards in the State and the Government should have at least consulted them whether they approved of this amendment or not. They are in a better position to judge whether this Amending Bill would improve their administration. Nothing has been lost as yet and instead of asking for its immediate consideration the Government should accept my motion for circulation, so that the District Boards, Municipal Committees and Small Town Committees may get an opportunity of expressing their opinion with regard to it. With these words, Sir, I move my amendment that this Bill be circulated for eliciting public opinion thereon by 31st December, 1950.

Mr. Speaker : Motion under consideration, amendment moved—

The Punjab District Boards (Amendment) Bill be circulated for eliciting public opinion thereon by 31st December 1950.

Chaudhri Suraj Mal (Hansi, General, Rural) (Hindi) : Sir, I have risen to support the amendment moved by my hon. friend Sardar Bachan Singh. In the pre-partitioned Punjab, when the Congress party was in the opposition, the word 'reactionary' was used very often to describe some persons. The Congress-men used to call themselves progressive. However, now I notice that they have become more reactionary than others. They in fact do not know the art of administration. After hearing the speech of hon. Minister for Local Self Government and Labour, I have arrived at the conclusion that the same persons who used to be great advocates of democracy are now out to crush it completely. The District Boards are representative institutions. No doubt they have become much less representative than they ought to be as elections have not been held for the last several years and about fifty percent seats have been filled by nomination. But, unfortunately now I find

that the Government wishes to take away whatever powers the District Boards possess. Instead of entrusting their Members with the discharge of their duties, the Minister-in-Charge wants to usurp the power of taking action against the District Boards. It has been said that some of the District Boards have levied or propose to levy heavy taxes on the poor people and that is why the Government desire to obtain the powers proposed in this Bill. I may point out that the District Boards are representatives of the public just like the Legislative Assembly. If nobody can prevent this House from levying taxes which it might decide by a majority vote, why should the District Boards be prevented from imposing those taxes which they might think proper and necessary. The Government, as a matter of fact, wishes to curtail their powers. The Minister for Local Self Government appears to be misusing his position when he wishes to restrict or modify the powers of District Boards. Being not sure of the period for which he is going to remain in power, he is in a hurry to get this measure passed. I ask him as to what is after all the necessity for taking these powers. He already possesses the power of preventing the District Boards from acting improperly. The Government can issue instructions to the Deputy Commissioners or the Chairmen of the District Boards. It was said that the District Board Act was a very old measure and had become out of date. But it will be recalled that a Bill known as the District Boards (Amendment) Bill was brought before the Legislative Assembly of the pre-partitioned Punjab. It was referred to a Select Committee which examined it thoroughly and had to put in a great amount of labour over it. That was a really progressive measure but our Government has not deemed it fit to bring a Bill on those lines. I mean to say that it does not wish to do such things, which might be of real good to the public. In order to take vast powers in its own hands, a two-clause Bill has been brought forward. Bills after Bills are being moved and this unnecessary legislation has become a regular feature. Every day we find that one ordinance or another is being promulgated with the object of amending an existing Act. In addition to it, whenever a Bill has been moved in the House, we are asked to pass it at once. But I say, is it not the duty of the Government to allow us sufficient time to examine a measure before we give our verdict about its propriety or otherwise. The public too is quite intelligent and they too should have an opportunity of expressing their opinion with regard to measures proposed to be enacted. Nothing of this kind is done and our Ministers do just as their Secretaries or other officers ask them to do. Those persons who are in a position to give sound opinion are not at all consulted. What did we notice the other day? When a certain defect was pointed out in a Bill, none of the Ministers or the Parliamentary Secretaries knew, what to say or do. I shall therefore request the Government to pay

[Ch. Suraj Mal]

sufficient attention to these matters. If they lack the power of understanding themselves, they should not feel shy of eliciting the opinion of the public. With these words, Sir, I support the motion moved by hon. Sardar Bachan Singh for circulating this Bill.

Sardar Swaran Singh (Jullundur, West, Sikh, Rural) (*Punjabi*): I move—

That the Punjab District Boards (Amendment) Bill be referred to a select committee

Sir, it is not necessary to mention the names in such a motion; they can be included afterwards. My purpose in putting forward this motion is that this Bill requires closer and deeper consideration than is possible at this time. This can be done in a Select Committee. Besides, Sir, there are certain clauses of this Bill which go against the fundamental principles of Local Self Government. Unless those clauses are properly considered, it is not reasonable to bring this Bill before the House. When that has been done the House will be in a better position to express its opinion on it. I have read the clauses of this amending Bill along with the sections of the original Act. I am constrained to say that the object of this Bill is to take away certain powers of the District Boards and to give them to the executive authorities such as Deputy Commissioner, Commissioner or the Government. I am fundamentally opposed to the taking of such a step because I think, the District Boards have been doing good work since some time in the past. I see no reason why such a step should be taken against the institutions which we want to democratize all the more. Instead of giving them more powers to enable them to do more beneficent work the Government, I am amazed, is seeking to curtail their powers. All the clauses of this Bill are such that they take away the powers of the District Boards and give the same to the Deputy Commissioners, Commissioners and the Government. In spite of such serious matters involved in this Bill, the Minister-in-Charge has so innocently presented it as if it was a very ordinary measure. He has not taken the trouble even to enlighten the House regarding the implications of this Bill. Clause 7 of this Bill seeks to amend section 59 of the original Act. Section 59 reads as follows:

every person shall be liable for the loss, waste or misapplication of any money or other property belonging to the district boards, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct while a member of a local board or of the district board, and a suit for compensation for the same may be instituted against him in such court as the (Provincial Government) directs by the district board with the sanction of the Commissioner, or by the (Provincial Government).

Under this section, any person who causes a loss of the money of the district board through his misconduct can be tried in a court. The court sees whether the loss or waste is due to neglect or misconduct. Now according to this Bill, the above provision is being absolutely done away with. Clause 7 of the Bill reads as follows :

Section 59 of the said Act shall be renumbered as subsection [1] thereof and, in the subsection as renumbered for the words commencing from "a suit" and ending "Government" where it last occurs, the following shall be substituted, namely,

I don't intend to read the whole of this clause. It provides that there is no need of filing a suit against the person in any civil court. Instead of that the Deputy Commissioner or the Commissioner has been authorised to dispose of such cases. They have been authorised to hear verbal explanations also. Such are the provisions of this Bill. And then, Sir, the manner in which the Government has, in certain cases, abused the provisions of the District Boards Act, demands that more powers should be given to the district boards. For instance, I know that an elected Member of District Board Jullundur was removed from Membership on account of his public activities which we do not like by the Government. I may not be liking the political views of the Member, but I must say that the removal of an elected Member by the Government is tantamount to abuse of powers. This might be possible in the case of nominated Members, but not in the case of elected Members. After all, how many of us were removed from membership in the British regime simply for the fact that we were Congressites, Socialists, Communists or Hindu Maha Sabhites.

Minister for Land Revenue : I was removed from membership of the District Board on account of my imprisonment in the Congress movement.

Sardar Swaran Singh : I am sure, there was a great agitation in the press against the removal of the hon. Minister for Land Revenue, from the membership of the District Board and I am sure hon. Minister's feelings must have been intensely hurt on having been so removed. It was an unreasonable act. And such an act is much more unreasonable today because we have now a democratic Government.

If the British Government did certain things which we considered to be bad there is no reason why our present democratic Government
6 P. M. should not make improvement upon them. I wish to submit that...

Minister for Land Revenue : We have agreed to the suggestion of the hon. Member, so he need not make that submission.

Sardar Swaran Singh : Yes, I know that the Government agrees only when we compel it and criticize it. But what I wish to say is that under section 59 of the District Boards Act 1883 which is now being renumbered as subsection (1) of the said section there was a need of instituting a suit for enforcing the liability of members of the District Boards. Now it is proposed to dispense with such a need and the amount is proposed to be collected as arrears of Land Revenue. Formerly section 59 required that the matter should go to the courts of law and should be proved in a regular manner and the amount of money should be realised by means of money decrees, but now it is proposed that the Deputy Commissioners should be empowered to decide such matters. I fail to understand why this is being done. The Deputy Commissioners cannot protect the rights of the people in a better way than the courts. The protection which was afforded by an Act passed about seventy years ago is proposed to be withdrawn by the present democratic Government. So far the members of the District Boards have been enjoying the protection given by law. If they acted in a negligent or wasteful manner it was open to the Government to bring in a suit and prove waste and misconduct, if any; and get a decree against the persons concerned. But now vague expressions have been used to encroach upon the rights of the members. In clause 7 of the amending Bill it is stated :—

He may, after being given an opportunity to show cause by written or oral representation why he should not be required to make good the loss, be surcharged with the value of such property.

Further.

... if the amount is not paid within fourteen days of the expiry of the period of appeal prescribed by such-section (2) the Collector, at the request of the Deputy Commissioner or the Commissioner as the case may be, shall forthwith proceed to recover the amount as if it were an arrear of land revenue"

So, in practice, this will amount to the fact that the Deputy Commissioner will be empowered to charge any one and impose a fine on him. He will say that an oral opportunity was given to him to show cause and so orders were issued against him. In my opinion this is height of injustice. Such words are used in the amending Bill which are liable to be misused in actual practice. We should not employ expressions meanings whereof are vague and indefinite and about which the courts cannot be certain. Only those words and terms should be employed which convey the actual intentions of the Government. My submission is that the present amending Bill is vague in some respects and it should be made definite and clear. Its provisions should be carefully worded so that other meanings may not be attached to the expressions used therein. In this connection I may point out that in section 45 of the original Act an amendment is proposed to be carried out by adding certain words, after the words "conferred by law". The effect of

this addition will be that the actions of the District Boards will be suspended in certain cases. Now the first point for consideration is whether we are justified in encroaching upon the rights of the District Boards? Instead of giving more powers to the representative bodies like the District Boards we are limiting their spheres of action. The words proposed to be added are given in clause 6 of the amending Bill. According to this clause it is being laid down that :—

The words 'or contrary to the interests of the public or likely to cause waste or damage of district funds or property' shall be inserted

In this clause the expression "contrary to the interests of the public" is a vague and dangerous one. This clause can be used to curb any activity of the District Board. Moreover is it the Deputy Commissioners and the Commissioners who can watch and safeguard the interests of the public or their representatives themselves? In my opinion the members of a representative body can look to the interests of the public in a better way than these officials of the Government. So the question of giving powers to the Deputy Commissioners for suspending the resolutions of the District Boards on such vague grounds is not proper. I would therefore urge upon the hon. Members to think before they give such wide powers to the Government in this matter. This will be a dangerous clause and it should not be accepted by the House.

Then, Sir, an attempt has been made under this amending Bill to bring in as many as eight ex-officio members by nomination. It has not been made clear in the Bill as to their capacity in which they would participate in the deliberations of the District Boards. The hon. Minister-in-Charge of the Bill held out an assurance that he will be putting forward an amendment indicating the position of the nominated members. I do not know what position they will hold, whether they will be there in the capacity of advisers or something else. But I think that before bringing in any such amendment, Government should give a careful consideration to this matter and see whether any such amendment is in fact needed or not.

Then, Sir, I am in complete accord with Chaudhri Suraj Mal that if we peruse the agenda, we find there are several very important Bills which ought to have been given priority over this Bill. This Bill could easily be discussed at some other time as no such emergency exists which necessitates the immediate passing of this measure. I think the Gaon Panchayat Bill should have received the first priority on the agenda. There is a measure on which the Select Committee deliberated for weeks on end and gave it a proper shape. This Bill should have been passed in this session of the Assembly after giving ample opportunity to the hon. Members to discuss its provisions. It would have been in

[S. Swaran Singh]

the fitness of things if the Government had put forward the Gaon Panchayat Bill which is intended to vest more powers in the rural people and democratise the panchayats but what have they done instead? They have brought forward a rotten measure which deprives the rural people of those democratic rights which had been to a small measure vested in them for the last 70 years. Whatever little power they had to manage their own affairs in the matter of education, medical aid, veterinary etc., is being taken away under the provisions contained in the amending Bill. As a matter of fact the Bill indicates an attempt on the part of the Government to finish up the District Boards rather than liberally democratising them. I, therefore, appeal to the House to accept my amendment for entrusting the Bill to a Select Committee. What I in fact wanted was that the Bill should be thrown out. But since the District Boards Act has become very old, it needs revision. It should be so revised that the Executive is not vested with wider powers than before. This Act was passed in 1883 and when after so long a period an amending Bill has been put forward, it is going to be more reactionary than the parent Act itself. I would therefore request the House to refer the Bill under consideration to a Select Committee which should scrap these provisions and give it a more democratic shape so that it may be in keeping with the present day notions of democracy. With these words I commend my amendment for acceptance of the House.

Mr Speaker : Motion under consideration amendment moved :—

That the Punjab District Boards (Amendment) Bill be referred to a Select Committee.

Shri Ram Sharma (Southern Towns, General, Urban) (*Hindustani*):

Sir, two amendments have been put forward to the motion for consideration of the District Boards Bill. One has been moved by my hon. Friend Sardar Bachan Singh asking the Government to circulate the Bill for eliciting public opinion on it and the mover of the other is Sardar Swaran Singh who wants the reference of the Bill to a Select Committee. Well, sir, I rise to oppose both these motions. The object of the circulation motion is nothing but to delay the passage of the measure to the detriment of the people, and the mover is more or less interested in making a long and eloquent speech with a view to playing to the galleries. The other may not serve any useful purpose. Now, Sir, we find that a change has come in the mentality of our Government. They are bent upon doing away with nominations to local bodies. They want the officers to participate in the deliberations of the meetings of the District Boards in the capacity of experts and advisors but having no right of vote. They have fixed the number of ex-officio nominated members in the Bill. It is rather a pleasant experience that though our Government in the recent past indulged freely in making such a large number of nominations to local bodies as was not heard of

even during the Unionist regime, it has brought forward perhaps the third measure pertaining to local bodies wherein they have sought to finish up nominations in the general sense. Strictly speaking I have serious doubts whether these measures even when they become law, will ever be given effect to. We have already passed two such Bills. One was with regard to the Small Towns and the other related to the Municipal Committees. I would request the hon. Minister-in-Charge that at the time of making reply he should definitely tell us as to when the Government want to translate the provisions of these Bills into action. We should be told the definite time when enforcement of the provisions will be brought about. I am of the opinion that we cannot get rid of nominations by merely passing the Bills. It is the will that is needed in doing away with this system. I feel if a definite assurance is held out by the Government, then the necessity of circulation motion or motion for reference of the Bill to a Select Committee will not arise and the movers might be persuaded to withdraw them.

Sardar Swaran Singh : I am not prepared to withdraw my motion.

Shri Ram Sharma : Well, Sir, my contention is that if the Government are serious about the abolition of the practice of nominating members to the local bodies and enforce these laws immediately and rigidly, it is well and good, otherwise it is no use discussing such measures. If the Government mean business, then it will be a matter of some gratification for after all the proverbial cat will have gone to perform her Haj after devouring 900 mice. *(Laughter.)*

The other point to which I want to draw the pointed attention of the Government is that they should substitute some other word for the word 'members' in the case of non-voting nominated members and designate them as advisers or something of this kind so that the elected members may not be looked down upon as is the case with nominated members.

Minister for Labour : An amendment to this effect is coming.

Shri Ram Sharma : Then, Sir, I want to draw the attention of the Government to clause 6 of the Bill. This amending clause is a very dangerous weapon in the armoury of the Government. This is contrary to that spirit which in common parlance is known as democratic spirit, or democracy, and of which we are the great exponents. I am afraid that these powers will be misused by the Government. I know of the working of the District Board, Rohtak. I have no objection to some of its activities despite the fact that I may not like them, yet I take strong exception to one thing and that is this. The Inspectors appointed by the District Board in connection with the levy and realisation of professional tax, are not desirable people.

Mr. Speaker : The hon. Member is not relevant.

Shri Ram Sharma : I am relevant, Sir, in view of the fact that still more wide powers will now be vested in these Inspectors and there is every likelihood of these powers being misused. I have no objection if powers are given by Government to the district boards for some good work.

During the British regime when democracy was in its infancy it was feared lest the powers of the District Board should be snatched away by the Government by placing these in the hands of the executive. But to-day when the democracy exists in its full fledged form I do not think there is any possibility of misuse of power by the Government. My hon. Friend Sardar Swaran Singh has in the course of his speech pointed out that steps are being taken by the Government which are contrary to the traditions prevailing for the last 70 years. Perhaps he means to say that the powers of the district boards were not snatched away during the British regime. I would like to bring this point home to my hon. Friend that at that time the conditions were quite different. During the British regime there was no democracy but to-day we find that democracy is supreme and there should be no objection if Government take away certain powers from the district boards in the interests of the people. As a matter of fact fundamentally I have no objection if a resolution of a district board is suspended by the Government on the ground that it is contrary to the public interests or it is passed with the intention of victimization of certain political parties or is likely to cause waste or damage of district funds or property. What I wish to point out is this that none of us here should have any objection if the Government take away the powers of the district boards with a view to safeguarding the interests of the poor people. It will not be out of place to mention here that grave injustice is being done while determining the Professional Tax on the Harijans and the non-proprietors. I do not think we should expect that the district boards would do any justice while dealing with the cases in connection with the determination of the Professional Tax on the Harijans and the non-proprietors in their respective districts. In my own district I have experienced that this tax is being levied on the people only to victimize them without any rhyme or reason. The imposition of this tax has become a big scandal not only in my district but also in the districts of Gurgaon, Karnal and Hissar.

Chaudhri Suraj Mal : No, that is not a fact.

Shri Ram Sharma : According to the hon. Member every thing that he says must be a fact.

Sardar Swaran Singh : I also subscribe to this view of my hon. Friend Chaudhri Suraj Mal

Shri Ram Sharma : That goes without saying. I can prove that there is something wrong with them. They want that poor people should continue to be harassed without any rhyme or reason. I would like to request them to think twice about those poor people who are being unnecessarily put to lot of inconveniences, before opposing this amending Bill. Here I cannot help saying this and I say it with all the emphasis at my command that the machinery of the district boards is replete with such glaring defects as are instrumental in doing grave injustice to poor people. It will not be out of place to mention here that the estimates of the Professional Tax are incorrect and people are being harassed only on the grounds of political affiliations. If this Bill is placed on the Statute Book I am sure poor people would be saved from the inconveniences caused by the members of the district boards. At any rate, I have no objection if the powers of the district boards are taken away by the Government provided these powers are utilized in a befitting manner or in other words in the interests of the poor people.

Further I would like to point out that if the members of the district boards waste or damage district funds or property then adequate action should be taken against them and they should be asked to compensate the loss. I do not think there should be any objection to this provision as it is already applicable in the case of municipalities. I therefore submit that Government should not pay any heed to the objections of those of my hon. Friends who oppose the provisions of this Bill either simply for opposition, sake, or from the point of view of their political creed. In my opinion no body should oppose a certain measure simply for the sake of opposition. The hon. members should face the facts and see for themselves as to how far they are justified in opposing the Bill, now before the House. I can assure them that by opposing this Bill they would be perpetuating scandal which has already been referred to by me.

*(The Assembly then adjourned till 10 A. M. on Friday
13th October, 1950.)*

Punjab Legislative Assembly Debates

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OFFICIAL REPORT



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PUNJAB LEGISLATIVE ASSEMBLY

Second Session of the First Punjab Legislative Assembly

Friday, 13th October 1950.

The Assembly met in the Assembly Chamber, Simla, at 10 A. M. of the clock. Mr. Speaker (the hon. Sardar Kapoor Singh) in the Chair.

UNSTARRED QUESTIONS AND ANSWERS.

HOUSING ACCOMMODATION FOR SUBORDINATE SERVICES.

610. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state the decision arrived at by the Government regarding the housing accommodation for subordinate services referred to in starred question No. 1539† put by me during the last budget session of Assembly.

The hon. Dr. Gopi Chand Bhargava : House Allotment Committees have been formed nearly in all districts and every effort is made to allot housing accommodation falling vacant to Government Officials.

ALLOTMENT OF EVACUEE HOUSES.

611. Chaudhri Sundar Singh : Will the hon. Minister for Rehabilitation be pleased to state :—

(a) whether it is a fact that Shri Dina Nath, a landless refugee was living in a house No. 476 in village Awankha, Tehsil Gurdaspur, for 3 years ;

(b) whether it is a fact that house No. 476 belonged to Ghulam Qadar, an evacuee who was a non-agriculturist landless Mohammadan ;

(c) whether it is a fact that the house referred to above was allotted to a person who is not a refugee and has his own bungalow at Gurdaspur as well as an open site for a building at Awankha ;

(d) whether it is a fact that houses Nos. 475, 476 were also allotted to him ;

† Vide Annexure to Vol I of P. L. A. Debates.

[Chaudhri Sundar Singh]

(e) whether it is a fact that he has not occupied either of the houses allotted to him up to this time ;

(f) whether it is a fact that he preferred an appeal against the allotment order of the house mentioned above on 16th August 1950 and has also sent many applications to the authorities in this connection ;

(g) if the answers to parts (a) to (f) be in the affirmative, the action Government intends to take in the matter ?

The hon. Dr. Lehna Singh Sethi :

(a) Yes.

(b) No. Ghulam Qadar evacuee to whom house No. 476 belonged, was an agriculturist and owned land in village Gulpur, Tehsil Pathankot.

(c) The house was allotted to Shri Joginder Singh and Shrimati Shanti Devi who are displaced allottees of land. The former has a house in Gurdaspur which is 8 miles away from Awankha while the latter owns no house in Gurdaspur. None of them has an open site for a building at Awankha.

(d) No. House No. 475 has been allotted to Shri Kuldip Singh allottee and 476 to Shri Joginder Singh and Shrimati Shanti Devi.

(e) No.

(f) No. An inquiry was conducted by the Revenue Assistant (Rehabilitation) regarding the house allotment of village Awankha. During the course of inquiry it was revealed that Pt. Dina Nath, a non-landholder, was occupying a very good house of an evacuee which he was not entitled to retain. The Revenue Assistant (Rehabilitation), however, directed the Village Evacuee Housing Panchayat to allot him another suitable house.

(g) Does not arise.

RECOVERY OF DUES OF EVACUEE LANDS IN AMRITSAR DISTRICT.

626. Sardar Sajjan Singh : Will the hon. Minister for Rehabilitation be pleased to state :—

(a) (i) the names of the defaulters of village Daudpura, Miyanwala and Waltoha, District Amritsar, from whom Abiana, Tawan, canal water and rent regarding the evacuee lands are still due ;

(ii) the amount due from each of them under each head referred to above ;

- b)* whether any steps were taken by the Government for the recovery of the above dues ; if so, the nature of the steps so taken and the result thereof ;
- (c) (i)* whether any standing crops of wheat in any of these villages were attached by the revenue authorities for the recovery of the Government dues during the year 1950 ; if so, the list of the persons whose crops were attached ;
- (ii)* the amount due for which this attachment was effected ;
- (d) (i)* whether it is a fact that the defaulters took away the attached crops to their homes without paying the Government dues and without the permission of the authorities concerned ; if so, their names ;
- (ii)* if the answer to part *(d) (i)* above be in the affirmative, the action taken by the Government against the persons referred to above together with the details thereof ;
- (iii)* whether any report was received by the Deputy Commissioner, Amritsar, regarding the persons referred to in part *(d) (i)* above ; if so, the nature of the orders passed on this report by the Deputy Commissioner, Amritsar ;
- (iv)* whether any case was registered against them in the police ; if not, the reasons therefor ?

The hon. Dr. Lehna Singh Sethi :

The information is being collected and will be supplied to the hon. Member when ready.

POSTING OF POLICE CONSTABLES, ETC., AT VILLAGES
SUR SINGH AND OTHERS, DISTRICT AMRITSAR.

627. Sardar Sajjan Singh : Will the hon. Chief Minister be pleased to state :—

(a) the list of the Constables, Head Constables and Assistant Sub-Inspectors of Police posted in the additional police posts at villages Sur Singh, Makhi Kalan, Kacha Pakka and Miani, District Amritsar, during the year 1949 and 1950 ;

(b) the date of posting of each of them ;

(c) the period for which he remained present in the police post since his posting up to 30th September 1950 ;

(d) the period he remained engaged on duty outside the village boundary of each of these villages during the period referred to above ;

[Sardar Sajjan Singh]

(e) the nature of the duty referred to in part (d) above performed by each of them ?

The hon. Dr. Gopi Chand Bhargava :

(a) to (e) A statement is enclosed. †

ALLOTMENT OF LANDS TO DISPLACED PERSONS AT
VILLAGE BALA CHAK, DISTRICT AMRITSAR.

628. Sardar Sajjan Singh : Will the hon. Minister for Rehabilitation be pleased to state :—

(a) (i) the names of the displaced persons to whom land at village Bala Chak, tehsil Amritsar, was temporarily allotted during the year 1947-48;

(ii) the area allotted to each one of them ;

(iii) whether any of them was a local colonist;

(b) (i) whether any of the persons referred to in part (a) (i) above was allotted land in this village under the quasi-permanent scheme, if so, their list and the area allotted to each one of them ; if not, the reasons therefor ;

(ii) whether in any case allotment orders have been frequently changed; if so, the brief history of the case and the reasons for changing the orders again and again; and also the number of times, the orders were revised;

(iii) the reasons for frequently changing the orders ;

(iv) whether the possession of each of the allottees was also disturbed with the changes in the orders referred to in part (b) (ii) above;

(c) the final decision arrived at by the Rehabilitation Department regarding the cases referred to in part (b) (ii) above;

(d) the provisions of law under which the orders were changed and revised again and again ?

The hon. Dr. Lehna Singh Sethi : The information is being collected and will be supplied to the hon. Member when ready.

ALLOTMENT OF VILLAGE DHEERA PATRA, DISTRICT
FEROZEPURE.

629. Sardar Sajjan Singh : Will the hon. Minister for Rehabilitation be pleased to state :—

(a) (i) the names of temporary allottees together with the names of their fathers of village Dheera Patra, Tehsil and District Ferozepore, who originally belonged to village Lulliani tehsil Kasur, District Lahore;

† Kept in the Library.

- (ii) the area allotted to each one of them;
- (b) (i) whether any of the persons referred to in part (a) (i) above has been disturbed; if so, their names and the reasons for their being disturbed;
- (ii) the places where the persons referred to above in part (b) (i) have been allotted lands under the quasi-permanent scheme ;
- (c) (i) whether the persons referred to in part (a) (i) above have been allotted lands in the village mentioned therein under the quasi-permanent scheme; if so, the area allotted to each one of them ;
- (ii) whether the persons referred to in part (c) (i) above took possession of the land allotted to them;
- (iii) whether any of the persons referred to in part (b) (i) above has died after the allotment of land under the quasi-permanent scheme ; if so, his name ?

The hon. Dr. Lehna Singh Sethi : The information is being collected and will be supplied to the hon. Member when ready.

REPRESENTATION OF DISPLACED LANDOWNERS OF
VILLAGE HARDOSHARI, TEHSIL KASUR.

630. Sardar Sajjan Singh : Will the hon. Minister for Rehabilitation be pleased to state whether any representation by the displaced land owners of village Hardo Shari, Tehsil Kasur for the change of grade of their village was received by him in the month of August or September 1950; if so, the decision, if any, arrived at by the Government in the matter ?

The hon. Dr. Lehna Singh Sethi : Yes. The case is under consideration.

SHORT NOTICE QUESTION AND ANSWER

DAMAGE BY RAINS IN ROHTAK DISTRICT.

***2605. Chaudri Sher Singh :** Will the hon. Chief Minister be pleased to state (A) whether the Government is aware of the fact that most of the lands of about 10 villages in Thana Salnawas, Tehsil Jhajjar and about 20 villages in Tehsil Gohana, District Rohtak are under water and some of these villages are surrounded on all sides by water ; (B) If so, the steps Government proposes to give relief to the sufferers in the above-mentioned villages ?

The hon. Dr. Gopi Chand Bhargava.

(a) Yes.

(b) Flooding occurs only in years of abnormal rainfall. In normal years flooding of low lying areas of these villages dries up by the middle of November. Each case will be considered on merits and steps taken to relieve flooding subject to availability of funds.

**POINT OF ORDER REGARDING PERIOD OF NOTICE
OF MOTIONS.**

Mehta Ranbir Singh : On a point of order, Sir. I would like to draw your attention to Rule 24 (c) and Rule 90 of the Rules of Procedure of the Assembly. Rule 24 (c) says—

No business requiring notice shall, be set down for a day earlier than the period of necessary notice in respect of such business.

Rule 90 lays down :

Any member desiring to move for leave to introduce a Bill shall give fifteen days' notice of his intention and shall together with his notice, submit a copy of the Bill and statement of objects and reasons.

Sir, if you refer to item No. 4, The Punjab Tenants (Security of Tenure) Bill (No. 57 of 1950), you will find that it is quite a new Bill of which proper notice has not been given to the Members and, therefore, my submission is that it cannot and should not be allowed to stand on the agenda. We have been deprived of our right to give notice of amendments. I would submit that you should protect our rights and order the removal of this item from the order paper.

Mr. Speaker : The hon. Member should refer to Rule 63 and its proviso which says :

Provided that the Speaker may, in his discretion, allow a motion or amendment to be moved at shorter notice or without notice.

The hon. Member has drawn my attention to Rule 90 but that rule is applicable where an hon. Member asks for leave to introduce a Bill. There are four stages through which a Bill has to pass—

- (i) A member asks for the leave of the House to introduce a Bill;
- (ii) Introduction;
- (iii) Consideration; and
- (iv) Passing of the Bill.

Rule 90 applies to the first of the above stages. But I would like to know from the Leader of the House if the Bill has been published in the Gazette.

Chief Minister : Yes, Sir. It was published in the Gazette dated the 12th October 1950.

Sardar Bachan Singh : We have not been able to give notice of amendments.

Mr. Speaker : That is another question. The question of proper notice that has been raised by Mehta Ranbir Singh does not arise, because the Bill has been published in the Gazette and the 1st stage to which I referred above has been eliminated.

Chaudhri Suraj Mal : It was gazetted only yesterday.

Mr. Speaker : It is immaterial as to when it was gazetted ; the fact is that it has been gazetted.

Sardar Bachan Singh : Sir, the Government has not so far withdrawn Bill No. 37, namely the Punjab Tenants (Security of Tenure) Bill, which had already been moved in the House.

Mr. Speaker : The question which has been raised by Mehta Ranbir Singh, in fact, is premature. As regards the question of proper notice, I have felt that the Bills had been made available to hon. Members only 2 or 3 days in advance and for that reason I did not insist on members giving proper notice in the case of amendments. A two days' clear notice is required for amendments, but I allowed amendments to the last minute. I desire that the Government should make Bills available at least 6 or 7 days in advance. The objection raised by Mehta Ranbir Singh is not tenable because the rule he has cited relates to the stage when leave of the House is asked for introducing a Bill.

DELIMITATION COMMITTEE REPORT.

TIME FOR DISCUSSION.

Chaudhri Suraj Mal : Sir, you were pleased to decide day before yesterday that the 13th will be taken up for the consideration of the report of the Delimitation Committee. Before deciding it you had taken the sense of the House. So in fact it was a decision of the House and according to your ruling a decision of the House cannot be interfered with by any one. But you will find that to-day's list of business includes other items and there is no

[Chaudhri Suraj Mal]

mention of the question of delimitation of constituencies. The fact that 13th was to be taken up for discussing the matter of delimitation of constituencies was published in the press and it must have come on the record of the proceedings of the House. I want your ruling as to why the decision of the House has been flouted.

Mr. Speaker : Hon. Members wanted me to ask the Government to allot one day for the discussion of the proposals that the Delimitation Committee might make and accordingly I consulted the Leader of the House and he told me that a day would be set apart for the purpose of discussing the Report of the Committee. Tentatively 12th October was fixed, but after that it was changed to 13th October. Yesterday I enquired from an hon. Member of the Delimitation Committee, as to whether the Committee had formulated any proposals and I was informed that they had not been able to prepare any report because the relevant data had not been made available to them by the Government, so that there was nothing before the House which the House could discuss to-day and consequently the Government has come forward with some other business and that is now before the House. Moreover no formal motion was moved that the Delimitation Committee Report would be discussed to-day ; it was merely a tentative arrangement, a suggestion made by me to the Leader of the House to which he was pleased to agree.

Chaudhri Suraj Mal : We had to discuss in the House matters in relation to the delimitation of constituencies.

Sardar Bachan Singh : And it was decided to hold that discussion to-day and since that has not been done, the sacred rights of this hon. House have been usurped.

Mr. Speaker : Nothing of the sort. As I have already said, no formal motion was carried and no decision of the House was taken in regard to this matter. It was the result of an informal discussion between the hon. Chief Minister and myself that a tentative date was fixed for the discussion of the Report of the Delimitation Committee and as no report is ready so far, its discussion cannot take place. The position as it stands is that I shall enquire from the Committee, as to when their report can be ready and then I shall discuss the matter with the Government.

Sardar Gurbachan Singh Bajwa : Will the Report of the Committee, if it continues to work, be brought before the House for discussion ?

Mr. Speaker : I am of the view that the Committee will continue to function and even if the House does not meet, the Committee will prepare its report and that report will be sent to the Government.

Sardar Gurbachan Singh Bajwa : Will you, Sir, enquire from the Government ?

Mr. Speaker : Certainly I shall discuss this question with the Leader of the House.

Shri Bhim Sen Sachar : Sir, you wanted to know the probable time-table of the Committee, and I submitted to you yesterday that the Committee would be in a position to give its report by the 25th or 26th October and that the Government should be asked to fix 28th or 29th October for ascertaining the views of the House on that report. Even yesterday the Committee decided to continue its deliberations after the relevant data is supplied to it. It is expected that the Government's proposals would be made available to the Committee by the 23rd and thereafter the Committee would sit for two or three days and formulate its report. I would request, you Sir, to persuade the Leader of the House to make an announcement for the information of the hon. Members that the House shall meet on or about the 28th October for the discussion of that report. The whole atmosphere will then be cleared. Otherwise, I submit that the Members are carrying an impression that they are being deliberately deprived of their right to express their views on this matter of vital importance. The Government might say that it has referred the matter to the Central Government and that it is not in a position to say whether the Central Government agrees to what this Government suggests. I submit, Sir, that a decision be taken here and now that we have to represent to the Central Government if it disregards our views. The Government should not fight shy of making an announcement about the date for discussing the report of the Committee.

Chief Minister : Sir, I want to clear the point. Long ago I sent a letter to all the hon. Members of this House requesting them to send their suggestions and discuss the matter with the Assistant Elections Commissioner. The data which had been collected by that time was circulated through the Secretary of the Legislative Assembly to all the Members of the House. Some of the Members took some interest and sent their proposals and suggestions which are now with the Assistant Elections Commissioner. Then, Sir, you were pleased to appoint a Committee to prepare its proposals and submit them to the House. Now because Supplementary Electoral Rolls have been prepared and some more data has been collected, that data was called for by the

[Chief Minister]

Committee. That data will be supplied to the Committee and I think the Committee should go on with its work and give its opinion and proposals. If there are any more members who want to take interest in this work, I would request you to appoint them as members of the Delimitation Committee. Whatever report is given by that Committee, the Government will send it to the Parliamentary Committee which has been appointed by the Parliament to go into this question. I may tell the House that the Parliamentary Committee is expected to meet very soon and we have written to them that we cannot do anything unless our members have expressed their views. I submit that whatever data has been collected will be sent to the Committee and the report of the Delimitation Committee will be considered to be the report of the House.

Shri Bhim Sen Sachar : Sir, the issue raised by the Leader of the House is very important. He says that if any hon. Member feels interested to serve on this Committee he may submit his name and the Leader of the House will be gracious enough to recommend his name to you for inclusion in the Committee. I may be permitted to say that all the 78 Members put together cannot take the place of this hon. House. The question is with what respect we are going to treat this House. Is this House to be treated with such contempt? We want this discussion to go on record so that the coming generation might know how much interest we took in the framing of constituencies. I ask, what facilities has the Government given to this Committee to proceed with the work that was entrusted to it by this House? Nobody knows what is going behind the blanket about the framing of constituencies. I ask, why is this blanket sought to be thrown and why is not an opportunity afforded to the House to discuss this matter? It is not that only the Members of this House are interested in it, the people outside are equally or rather more interested in this and they are anxious to know what their chosen representatives do. Therefore, the Leader of the House may be made to say whether he is prepared to set aside a day for the consideration of the delimitation of constituencies or not. Or is it that he feels secure because we are at his back and he can issue a whip and silence us and flout the wishes of the whole House? Sir, as a custodian of the rights of this House I ask you to take up this question with the Leader of the House and let the House know what he feels about it.

Mr. Speaker : I quite appreciate the feelings of the hon.

Members in this matter and myself feel as strongly as any other hon. Member does. I will discuss the whole thing with the hon. Chief Minister and let the House know during the course of the day.

MOTION UNDER RULE 12 OF RULES OF PROCEDURE.

Chief Minister (The hon. Dr. Gopi Chand Bhargava) : Sir, I move —

That the proceedings on the following item of business be exempted at this day's sitting from provisions of the Rule "Sittings of the Assembly" :—

"The Punjab Tenants (Security of Tenure) Bill (No. 57 of 1950)."

Chaudhri Suraj Mal : Sir, we want to speak on this motion.

Mr. Speaker : This motion is to be passed without any debate or amendment.

Chaudhri Suraj Mal : He has not given any reasons for moving such a motion.

Mr. Speaker : Had you a right to speak and discuss the motion, reasons would have been given but as you have no right to speak on it, reasons have not been given.

Mr. Speaker : Motion moved :—

That the proceedings on the following item of business be exempted at this day's sitting from provisions of the Rule "Sittings of the Assembly" :—

The Punjab Tenants (Security of Tenure) Bill (No. 57 of 1950)

Shri Virendra : Sir, I would suggest that you decide the issue by the show of hands.

Mr. Speaker : I have a regard for the views and rights of the minority and would, therefore, not stand in their way of claiming a division, if they so desire.

The Assembly divided : Ayes 43, Noes 4.

Ayes

Ajit Singh, Sardar.

Dev Raj Sethi, Shri.

Badlu Ram, Chaudhri.

Durga Chand Kaushish,

Beli Ram, Thakur.

Pandit.

Baghat Ram Chodha, Shri.

Gopi Chand Bhargava, The

Buja Ram, Bhagat.

Honourable Dr.

Dalip Singh Kang, Sardar.

Gurbachan Singh Bajwa, The

Dalip Singh, Thakur.

Honourable Sardar.

Ayes

Gurbachan Singh, Sardar.	Pancham Chand, Thakur.
Gurbanta Singh, Master	Parkash Kaur, Shrimati Dr.
Harbhaj Ram, Chaudhri.	Partap Singh, Sardar.
Ishar Singh Mujhail, Sardar.	Piara Singh, Sardar.
Jagjit Singh Mann, Sardar.	Prem Singh, Chaudhri.
Jiwan Lal, Pandit.	Prithvi Singh Azad, The Honour- able Shri.
Kabul Singh, Sardar.	Rattan Singh Tabib, Shri.
Kartar Singh, Sardar.	Rattan Singh Gill, Sardar.
Kehar Singh, Sardar,	Sahib Ram, Chaudhri.
Kedar Nath Saigal, Shri.	Samar Singh, Chaudhri.
Lehna Singh Sethi, The Honour- able Dr.	Sant Ram Seth, Dr.
Man Singh Jathedar, Sardar.	Sher Singh, Chaudhri.
Matu Ram, Chaudhri.	Shiv Saran Singh, Sardar.
Mehr Chand, Chaudhri.	Swaran Singh, Sardar.
Mohar Singh, Rao.	Virendra, Shri.
Narinder Singh, Sant.	
Narotam Singh, The Honourable Sardar.	

Noes

Bachan Singh, Sardar.	Sajjan Singh, Sardar.
Ranbir Singh, Mehta.	Suraj Mal, Chaudhri

DISTRICT BOARDS (AMENDMENT) BILL.

Mr. Speaker : I have to inform the House that the Government does not want to proceed with the Punjab District Boards (Amendment) Bill.

Mehta Ranbir Singh : Sir, I rise on a point of order. Under Rule 25, the business left over on the 6th October is to be taken over on the next day. The Government is proposing to withdraw the Bill which was under discussion on that date and instead, is re-introducing the same Bill through the back door, as it were. The Government is not justified in absolutely ruling out the old Bill on which discussion had not concluded, in disregard of the rules. It is trying to circumvent the rules. I would request you to protect the rights of the House.

Mr. Speaker : I too am very keen to preserve the rights of the House. Government wanted to take this Bill after the Tenants Security

of Tenure Bill but I did not agree. I told the Government that it could withdraw the Bill as the rules permitted such a course but it could not change the order of the business as it appeared on the agenda.

TENANTS (SECURITY OF TENURE) BILL (39 OF 1950).

Minister For Revenue (The hon. Sardar Kartar Singh): Sir, I beg leave to withdraw the Punjab Tenants (Security of Tenure) Bill (No. 39 of 1950).

Sir, in order to save the precious time of the House I want to withdraw this Bill because the Government is bringing in a better Bill to achieve the object.

Mr. Speaker : Motion moved.—

That leave be granted to withdraw the Punjab Tenants (Security of Tenure) Bill (No. 39 of 1950).

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural) (*Hindustani*): Sir, the hon. Minister-in-charge has not been able to put forth any cogent argument in support of his motion. The only argument adduced by him is that his motion is calculated to save time. But I am of the opinion that the attitude of the Government is very unfair towards this House. At first it proposed to send this Bill to a Select Committee, and when I asked that it should be circulated for eliciting public opinion it opposed my motion saying that as the Bill was to be passed without any delay because the Ordinance was about to lapse and also as the Bill was very controversial, it was necessary that it should be sent to the Select Committee. At that time it was felt that some names proposed in the list of members of the Select Committee should be deleted and some others added. Unfortunately the Minister-in-charge was not conversant with the procedure. He failed to get things done properly. As he could not get the list of members amended as desired, he now gets up to move that the old Bill should be withdrawn and a new Bill be instituted in its place which is to be considered at once. I may point out to him that such a permission cannot be granted even if a single hon. Member of this House objects to it. These tactics which are being adopted by the Government are very reprehensible. It wants to withdraw a Bill and substitute it by a new Bill which is substantially the same as the previous one. If the new Bill, I mean

[Sardar Bachan Singh]

Bill No. 57, contained any material alteration I could have followed the need for the motion under consideration. But it is not so. So far as the previous Bill is concerned the Minister-in-charge has himself admitted that because of its drawbacks and defects it was proposed to be withdrawn. I agree with him that that Bill contained many defects. But we cannot say anything about the new Bill because we have not had sufficient time to read it properly. Sir, I believe that even you have not had time to read it. However, on having made a cursory reading I think that there is no difference between the old and the new Bills. (*Interruptions*).

Sardar Ajit Singh : There is a world of difference.

Mr. Speaker : I would remind the hon. Members that haste leads to confusion and confusion to delay. If this side of the House interrupts, the other side would do likewise and consequently the time of the House would be wasted.

Sardar Bachan Singh : Sir, in accordance with procedure a Bill cannot be withdrawn unless and until the whole House is unanimous. But if the motion for withdrawal is not passed and the old Bill is passed, a new Bill in this connection cannot be introduced for a period of six months. I have not any word of praise for that Bill either. In that Bill an attempt has been made to perpetuate the slavery of the poor tenants that existed during the British Raj and which the Congress and the congressmen pledged to abolish before the attainment of independence.

Mr. Speaker : The hon. Member is becoming irrelevant.

Sardar Bachan Singh : Sir, I wish to say that the way in which the old Bill is being withdrawn and a new one substituted for it, is nothing but curtailment of the rights of the Members. Hon. Members should be given sufficient time to study the Bill and form their views regarding its merits and demerits. We have not been able to read the new Bill properly. But on a cursory reading I find.....

Mr. Speaker : The hon. Member is again irrelevant.

Sardar Bachan Singh : Sir, the fact is that I do not understand as to why the Government wishes to withdraw the old Bill. It should not waste time on withdrawals and substitutions. As a matter of fact what was wanted was that instead of these motions it should have

taken up Bills like the Damaged Areas Bill etc. As for the Municipal Committees.....

Mr. Speaker : The hon. Member is irrelevant. I would like to draw his attention to the relevant portion in the May's parliamentary practice wherein it is laid down :—

It is not regular to discuss the merits of the Bill or any other order of the day on a motion of withdrawal. The debate must strictly be confined to the motion.

I would, therefore, ask the hon. Member not to make any reference to any other Bill.

Sardar Bachan Singh : I wished to bring out that as stated by the Minister-in-charge all attempts were being made only to save time. It is not correct that the Government wishes to withdraw this motion with a view to save the time of the House. There was in fact no necessity of withdrawing the Bill. This procedure has been adopted in order to tire the hon. Members. The President of the State Congress Committee had given notice of several amendments to that Bill. Instead of discussing those, it has now been moved that leave be granted to withdraw the Bill. Mr. Speaker, when you thought that the Members of the Opposition were using dilatory tactics even for one or two minutes, you called them to order. You should adopt the same attitude towards the Government.

Pandit Durga Chand Kaushish : Sir, can the hon. Member lecture to the Chair ?

Sardar Bachan Singh : I was submitting Sir, that the same Government which used to charge the Members of the Opposition with adopting dilatory tactics is now itself acting in the same manner. It is the practice of our Government to rush through the measures brought forward by it. It does not provide ample opportunity to the Members for studying the measures and giving notice of amendments. When the Unionist Government published certain Bills in the Extra-ordinary Gazette and adopted similar methods, it was charged with adopting back-door tactics and the Congress Members were foremost in raising their voice of protest. Moreover, no reason has been advanced for withdrawing the Bill. It has merely been said that it has been done to avoid delay. If the hon. Minister-in-charge had pointed out the defects in the old Bill and the useful points introduced in the new Bill, the utility of the present motion could be understood. If the object of the Government was merely to withdraw the Bill, there might have been some saving of time, but we find that another Bill is being moved. If the Minister-in-charge had stated that there were

[Sardar Bachan Singh]

certain defects in this Bill for which reason he did not wish to proceed with it, the Government could be excused. I feel that the Government wishes to withdraw the Bill, because it feels that some of its provisions were not desirable. I do not wish to prolong my speech because I want the other hon. Members also to get an opportunity of exposing the hollowness of the arguments advanced by the Government. With these words I request the hon. Members not to approve of this motion.

Chaudri Suraj Mal (Hansi, General, Rural) (*Hindi*) : Sir, I have risen to oppose the motion now before the House. The Tenancy Bill was regarded as a very important measure and it has been described as being highly controversial. This Session started on the 28th September. Could not the Government bring forward this Bill about ten or twelve days earlier? In that case it could be referred to a select Committee and the hon. Members would have got an opportunity of discussing it thoroughly. It is not fair to move for the withdrawal of one Bill at the fag end of the Session, in order to introduce a new measure. Then, Sir, it has been said that there is vast difference between the Bill already introduced and the one which is proposed to be introduced now. In that case it is dishonest on the part of the Government to have asked for withdrawal of the Bill already introduced.

Mr. Speaker : The word 'dishonest' is too strong.

Chaudhri Suraj Mal : If you are of that opinion, I withdraw it. The Government realised that they had committed a mistake and for the last two days and nights, they have been thinking how to rectify it. With that end in view, the Government has brought this motion. It wants to hoodwink the public. We should, however, guard against the creation of such precedents. If the Government succeeds in creating such a precedent on the strength of its majority, it shall become difficult to prevent the future Governments from acting in the same manner. In the last Assembly if the Government ever desired to act like this, these very gentlemen protested strongly against it. Now, they are themselves adopting those methods. If there were some good points in the previous Governments, our present Government has conveniently closed its eyes to them, while it has copied their bad points with great zeal. It is a very bad precedent which is proposed to be set up to-day. Why could the same thing not be done ten or twelve days back? As this Bill is for the benefit neither of landlords nor of tenants, I am not interested in it. The Government wishes to please both. They, however, do not appear to be pleased with it. The people of my ilaqa being peasant proprietors, are not affected by it.

I object to the method adopted by the Government. Instead of doing any credit, it does discredit to the Government and to the House. With these words, I shall request the hon. Minister-in-charge to create healthy traditions which may be liked by the people.

Mehta Ranbir Singh (Ludhiana and Ferozepore, General, Rural)
11 A M. (*Hindustani*): Sir, I also oppose the motion under consideration.

This Bill was first put on the agenda of the Assembly for the 6th instant. But on that day, it could not be taken up in the House. Then again it was placed on agenda and again it could not be discussed. On the day when it was actually discussed in the House, it was said that it should be referred to a Select Committee so that it might be thoroughly considered and its defects removed. The Government also agreed to this proposal on that day. But now it appears that the Government has changed its mind after consulting its yes-men ; but it has not cared to take the House into its confidence. If the objects of this Bill were to better the hard lot of the tenants, the House should have been taken into confidence and the Bill referred to a Select Committee. In that way, its defects could have been removed. The main object of this House is to pass legislative measures. If this business is rushed through on the strength of votes, as has been done in the past in a number of cases, the legislative measures remain defective and consequently very soon amending Bills have to be brought forward. I, therefore, fail to understand why the Government has backed out from its original position of referring this Bill to a Select Committee. Whatever steps the Government has so far taken in this matter lead to only one conclusion. It is this that it is acting with confused brain. I don't say that it is inefficient. It may, however, be trying to reconcile the conflicting interests. As a result of that, the House is not being taken into confidence. I would, therefore, request the hon. Minister-in-charge to withdraw his motion. And then, if that is not done, he might not perhaps, be able to introduce his third Bill under the Constitution. In this way, through his ignorance of the rules, he might not be able to resolve the problem which should have been resolved in a better way, long ago. I, therefore, submit that the mover should withdraw his motion. Besides, he might not be able to withdraw the Bill in the absence of unanimity on this point.

Mr. Speaker : Question is—

That leave be granted to withdraw the Punjab Tenants (Security of Tenure) Bill (No. 39 of 1950.)

The Assembly divided : Ayes 49, Noes 4.

Ayes

Ajit Singh, Sardar.	Man Singh Jathedar, Sardar.
Amar Nath Vidyalkar, Shri.	Matu Ram, Chaudhri.
Badlu Ram, Chaudhri.	Mehr Chand, Chaudhri.
Beli Ram, Thakur.	Mohar Singh, Rao.
Baghat Ram Chodha, Shri.	Narinder Singh, Sant.
Bhim Sen Sachar, Shri.	Narotam Singh, The Honourable Sardar.
Buja Ram, Bhagat.	Pancham Chand, Thakur.
Dalip Singh Kang, Sardar.	Parkash Kaur, Shrimati Dr.
Dalip Singh, Thakur.	Partap Singh, Sardar.
Dev Raj Sethi, Shri.	Piara Singh, Sardar.
Durga Chand Kaushish, Pandit.	Prem Singh, Chaudhri.
Gopi Chand Bhargava, The Honourable Dr.	Prithvi Singh Azad, The Honour- able Shri.
Gurbachan Singh Bajwa, Sardar.	Rattan Singh Tabib, Shri.
Gurbachan Singh, Sardar.	Rattan Singh Gill, Sardar.
Gurbanta Singh, Master.	Sahib Ram, Chaudhri.
Harbhaj Ram, Chaudhri.	Samar Singh, Chaudhri.
Ishar Singh Mujhail, The Honourable Sardar.	Sant Ram Seth, Dr.
Jagjit Singh Mann, Sardar.	Sher Singh, Chaudhri.
Jiwan Lal, Pandit.	Shiv Saran Singh, Sardar.
Kabul Singh, Sardar.	Sita Devi, Shrimati.
Kartar Singh, The Honourable Sardar.	Swaran Singh, Sardar.
Kehar Singh, Sardar.	Tara Singh, Sardar Sahib Sardar.
Kedar Nath Saigal, Shri.	Ujjal Singh, Sardar.
Lehna Singh Sethi, The Honour- able Dr.	Virendra, Shri.
	Waryam Singh, Sardar.

Noes

Bachan Singh, Sardar.	Sajjan Singh, Sardar.
Ranbir Singh, Mehta.	Suraj Mal, Chaudhri.

TENANTS (SECURITY OF TENURE) BILL.

(Bill No. 57 of 1950)

Minister for Revenue (The hon. Sardar Kartar Singh): Sir, I introduce the Punjab Tenants (Security of Tenure) Bill.

Mehta Ranbir Singh : On a point of order, Sir, this Bill was printed in the Gazette only yesterday and has been placed before us only to-day. No time has been given to us to study the Bill and it is not possible for us to give notice of any amendments. According to the rules it was necessary not only to publish this Bill in the Gazette but also to circulate it among the hon. Members in time, so that they may have the opportunity of seeing it and thinking over it. For private members a notice of fifteen days' is required. In this matter Government has rushed through and has given us no time to think. Of course the Government has got it published in Gazette Extraordinary, but the hon. Members of this House have been given no time to think and decide about amendments, if any. The way in which this Bill is rushed through deprives the hon. Members of their right to study its clauses and submit amendments. This Bill appears to be the same which the Government introduced some days back. If so, where lies the necessity of first withdrawing it and then introducing it again? If on the other hand it is a new Bill, then, my submission is that time should be given to the hon. Members to study it and bring amendments if they so desire.

Mr. Speaker : This is no point of order. If the hon. Member wants to give any amendments, I assure him that I will allow him to move them and will not insist upon two days' notice which is required under the rules. Moreover, this Bill is substantially the same as was before the House—there are minor alterations. One of the hon. Members has requested that he should be allowed to move all the amendments notice of which he gave when the previous Bill was before the House and I have allowed him to do that. If the hon. Member wants to give notice of any amendments he can do so even now.

Minister For Revenue (The hon. Sardar Kartar Singh): I move—

That the Punjab Tenants (Security of Tenure) Bill be taken into consideration at once.

Sir, this problem is hanging fire for long. It was before the Government and now it has come up for consideration before this August House. An Ordinance was issued sometime back in order to solve the tenancy problem. Now this Bill is being introduced and I hope it will be passed with some amendments, if necessary. I am sure

[Minister for Revenue]

the House will consider it and no unnecessary delay will take place. With these words I move that the Punjab Tenants (Security of Tenure) (Bill No. 57 of 1950) be taken into consideration at once.

Mr. Speaker : Motion moved—

That the Punjab tenants (Security of Tenure) Bill be taken into consideration at once.

Shri Bhim Sen Sachar (Ex-Member West Punjab Assembly representing Lahore City, General, Urban) (*Hindi*): Sir, the hon. Minister has stated just now that the tenancy problem is hanging fire for long. In 1948 the hon. Premier gave an assurance that so far as the tenants were concerned immediate steps would be taken to secure their tenure. After that statement time went on. In May 1948 Government made a declaration in this matter. In the declaration it was stated that those tenants who had been ejected would be reinstated on their lands provided they paid the arrears of rent. If any tenant would not pay those arrears of rent he should not expect any help from the Government. Such a declaration was made by the Government. At that time it was necessary for the Government to issue such a declaration of policy. The necessity arose because the Governments of other States of India were moving ahead with a far rapid speed in the matter of tenancy legislation. Our Government took steps in this matter only because other States were doing so and it thought that if it did not speak the tenants would agitate. On the other hand without any reason whatsoever an effort was made by the landlords to eject the tenants. At that time Government thought that this state of affairs would give a fillip to the disruptive forces in the province and would thus cause disturbance of peace in the State. Well, Sir, if you just go deep into the matter, you will realise the conditions that lead to upheavals in the countries. Take for instance the case of China. The main reason responsible for bringing about revolution in that country was that the leadership of that country flouted the public opinion. It did not care a fig for public sentiment and made no effort to carry public opinion with it in matters of administration. The other major reason was that the officers of the State were corrupt to the core. Favouritism and nepotism were the order of the day. Government trampled under

foot the rights of the public so mercilessly and treated them so inhumanly that it lost the good-will of the people completely. The common people there could not tolerate to see the officers of State and other affluent persons indulging in feasting and wearing expensive costumes, while they went without food and clothing. This state of things caused great hatred for the Government in the minds of people and they brought about a revolution and threw over-board the Chaing Kai Shek Government.

There was yet an other major cause which was responsible for hastening the advent of the revolution in China. The big landlords treated the tenants, the actual tillers of the soil, with contempt. They treated them so badly that they raised the banner of the revolt against them. Here in our own State we have very few big landlords. But there is no question of big and small landlords. Even this is not the question as to what is the number of landlords and tenants respectively. The question is that of the spirit. Any landlord can become a tyrant and ill-treat his tenants. Well, Sir, I was giving the example of China. I have already stated the leadership of China miserably failed to keep peace with the sentiments of the public. The result was that the people rebelled and put an end to the landlordism there. I, therefore, sound a note of warning to the Government as well as my landlord brethren that they should realise the gravity of the time. A great awakening has come among the people who were formerly oppressed. Now no power on earth can suppress the tillers of the soil. We should give them their rights with good grace ; otherwise they would wrench out the same from us. The Government can say that since I have no stake in the lands, I can harangue on the subject. True, but I may tell them that the tenant is wide awake now ; he can no longer tolerate shabby treatment to which he has been subjected to so far.

Sardar Ajit Singh : What would become of the Insurance Companies ?

Shri Bhim Sen Sachar : My hon. Friend Sardar Ajit Singh has put a very pertinent question. I would explain the position shortly. I had started the Sunlight Insurance Company and I was in charge of the Managing Agency. The idea was that just as my landlord brethren have got good jagirs which they have inherited, my children would also inherit this agency which will be a source of income like a jagir. But

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times are changing. Just as other States are always alert in feeling the pulse of their people and have abolished landlordism seeing that everything will be swept away before the rising tide of the resentment among the tillers of the soil and the political consciousness in them, if they did not take action in time, similarly Insurance law makers would not allow me to continue to be solely in charge of the Managing Agency. So the system of Managing Agency which was a good source of income was done away with under the law and I want to get only two thousand rupees as Manager of the company.

Sardar Jagjit Singh Mann : Is it a small income ?

Shri Bhim Sen Sachar : The hon. Member grudges me this paltry sum when he forgets that his brother landlords in other parts of India are making income of lakhs of rupees from their jagirs. Well, Sir, I am talking of the spirit of times which is undergoing a change very fastly. The time came when again the Insurance law was amended and I was told that if I wanted to get some income from the Insurance concern, then I shall have to put in some personal service. In other words the law deprived me of the managership of the company even.

Pandit Durga Chand Kaushish : Please tell us what happened afterwards.

Shri Bhim Sen Sachar : My hon. Friend is the chief representative of the landlords. He is well aware that landlordism is on its last legs. So he is endeavouring to keep himself a capitalist in some other form. He might be thinking of selling his lands. Well, Sir, I was submitting about the change of conditions in the Insurance business with the change in Insurance law. I may tell my hon Friends that I have serious apprehensions that such a change in law is bound to come as would deprive me of the ownership of the Sunlight Insurance Company after ten years.

Mr. Speaker : Please leave aside this matter.

Shri Bhim Sen Sachar : Sir, what I was driving at was that just as change is coming in other spheres of life, the landlords should take stock of the conditions prevailing in the country and should not place obstacles in the way of improving the lot of the actual tillers of the soil, I mean the tenants. (*Interruption.*)

I would like to submit, Sir, that I am perfectly relevant. I am trying to show the spirit of the times. I am trying to make these people who are trying to turn landlordism into capitalism hear the cry of the poor people of our country. What the people these days want is equality of opportunity. People who are free now want to be heard. They want their grievances to be redressed. They want that there should be complete security in whatever profession they happen to follow in their life. In this connection I would like to point out that in 1949 when I had the privilege of working as the Premier of East Punjab attempts were made to enact legislation on this subject. You are already aware of the fact, Sir, how obstacles were placed in the way of our doing this work. I have no hesitation in saying this that the Bill, now before the House, should have been placed on the Statute Book much earlier.

Minister for Public Works : Why did not the hon. Member bring that Bill before the House at that time ?

Shri Bhim Sen Sachar : During the tenure of my Premiership all-out efforts were made to bring in this Bill in the House as early as possible. Here I cannot do without paying compliments to my hon. Friend Sardar Kartar Singh who managed to arrive at an amicable settlement both with the landlords and with the tenants. He succeeded in doing all this through his 'magic wand'. He convinced the tenants and made them accept the permissible limit to be more than the proposed limit of 100 standard acres. But that Bill could not be brought in before the House. That Bill is not before us to-day nor can we discuss that Bill here on the floor of this House. (*Interruptions and noise*). Mr. Speaker hon. Members who interrupt me like this are of the opinion that they would not allow me to speak. However, I would like to bring this point home to the hon. Minister for Public Works and other hon. Members who have taken upon themselves to interrupt me that while I am on my legs, I shall assert my right to go on till I am heard by this House. If I am not given a patient hearing, I will not give way and will not allow my voice to be drowned in the shouts. Let me tell the House through you, Sir, that I am not going to yield to this roar. I am raising my voice in the interests of people who have no voice. I am raising my voice in the interests of my State. I want to tell them the danger that is ahead. I have got to tell them that they must give up the habit of lassitude and must protect the rights of the people. (*Interruptions.*)

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I would like to bring this point home to my hon. Friend Sardar Swaran Singh who, being an urbanite and perhaps more urban-minded than me, claims to speak for the ruralites. It is crystal clear from the mode of his talk that he wants to suppress the voice of the poor people. I was submitting, Sir, that that tenancy legislation could not be enacted as obstacles were placed in accomplishing that work. The result of all this has been that the intervening period, period between 1949 and now, has been profitably utilized by the landlords in general and my landlord Friends of this House in particular to their advantage. This un-called for action resorted to by the landlords has resulted in the ejection of those tenants on whom depended the prosperity of the land. These poor tenants have thus been deprived of their main source of livelihood. I would like to bring this point home to the hon. Revenue Minister that by making provision of 4 years as the minimum period of tenancy and fixing the permissible limit at 100 standard acres, he has not succeeded in fulfilling the promises already made out to these poor tenants. The test of Bill lay in bringing back thousands of tenants who had been ejected from lands. What the tenants demand at present is this, that those tenants who have been ejected up to May 1949 should be restored the possession of their lands—the only ray of hope in their life. The pressing need of the hour is that the ejected tenants should be given possession of the lands they cultivated before. My object in referring this matter is that during the tenure of my Premiership it was realized that this class of poor tenants was being ejected without any rhyme or reason. But what we find to-day is that Government is usurping the rights of these poor tenants under some pressure. It would have been really in the fitness of things if these poor tenants were restored the possession of the lands. I am really constrained to remark that due to want of sufficient strength that Bill could not be placed on the Statue Book at that time. But in spite of all these handicaps I succeeded with the help of the District Officers to whom I issued instructions from time to time to this effect, in restoring the lands to most of the ejected tenants. I would once again request the hon. Revenue Minister to let me know as to how many tenants from amongst the ejected tenants have so far been rehabilitated and how many of them continue to be without any land. What is the number of those ejected tenants who have been deprived of their source of livelihood? Have any of these tenants been settled on some land other than the one they

were occupying before their ejection? As for myself, I have no objection if such tenants are settled on some other land. My hon. Friend Shri Buja Ram Bhagat knows it full well how tenants have been ejected in his district without any rhyme or reason. To-day when there is unemployment already in the State, our Government would be faced with a very difficult problem by bringing into existence another class of jobless people namely the ejected tenants. After all, why are the Government sleeping over such problems. Is it their intention to create chaos and confusion in the State? If it is not their intention then they will have to grant to the ejected tenants their rights. This is not all. Government will have to take adequate steps to safeguard their legitimate rights of the tenants.

I have a word for my landlord brethren too. Under the provisions of this Bill there exists ample ground for them to eject their tenants. But I would request them not to abuse their powers. If they do so, I am afraid they will come in clash with these people. It is, therefore, but meet and proper on their part not to take any undue advantage of the provisions of this Bill.

Further I would like to bring this point home to the hon. Chief Minister that there is a provision in the Bill which relates to the *bona fide* sales. It is crystal clear from this provision that tenants can be ejected on the basis of the *bona fide* sales. For instance if I want to dispose of my land, some of the persons in whom I am interested would come forward and institute a pre-emption suit and thus succeed in purchasing the land and the poor tenant who should have been given the first preference to purchase the land is ignored for no fault of his. Here I cannot do without saying that under the provisions of this Bill there is every possibility of misuse of the sale of land. If a landlord wants to sell his land, then the tenant cultivating this land should be asked to pay its price. And if he is prepared to pay the price there should be nothing to stop him to enter into this bargain. As a matter of fact the first choice of purchasing the land should be given to the tenant.

Further it is also provided in the Bill that if a tenant who is in arrears of rent at the time of the enforcement of this Act, does not pay such arrears before the 30th October 1950, then in that case he is liable to ejection. This Bill is going to be placed on the Statute Book to-day and it would naturally be enforced from to-morrow. I am of the opinion

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that the tenants would not be in a position to pay off their arrears within these 15 days and in case they do not pay these arrears within these 15 days then they are liable to ejection.

Mr. Speaker, I am really very thankful to you for affording me a chance to express my views on the Bill now before the House. I would once again request my landlord brethren not to make any efforts to abuse their powers which they are entitled to exercise according to the provisions of this Bill, with a view to securing the ejection of their tenants. So far as the *bona fide* sale of land is concerned, I would like to submit that they cannot exercise their right to secure the ejection of their tenants before the completion of the sale when the tenants are also given the right to pre-empt the sale.

Chief Minister : I want to make a submission. As far as my knowledge goes when a member gets up to speak he has to say whether he supports, opposes or wishes to move an amendment. General remarks can be made on the passage motion of the Bill, I mean the third reading. I would, therefore, submit that the hon. Members should say in the beginning whether they support or oppose the Bill.

Mr. Speaker : It depends upon the sweet will of an hon. Member whether he declares it or not. At present we are having a general discussion on the general principles of the Bill. I cannot ask them to declare in the very beginning whether they are opposing or supporting the Bill. There might be certain provisions which they support and there might be others which they oppose. For that reason they cannot declare in the beginning.

Sardar Partap Singh (Amritsar South, Sikh, Rural) (*Panjabi*) : Sir, without adhering rigidly to the parliamentary practices, I would like to voice the feelings of the tenants class frankly and unhesitatingly, before the House. I have, therefore, stood up to express the sorrows of a distressed heart. In 1947 when India, my country and my State was freed, the people looked upon with hope to the Congress.

Sardar Swaran Singh : Sir, can the hon. Member be allowed to express the sorrows of a distressed heart ?

Shri Bhim Sen Sachar : Sir, can anyone be allowed to express his sentiments in such a way ?

Sardar Partap Singh : The capitalist class or the landed aristocracy which was the partner of the past regime had always

endeavoured to suppress the small peasants and tenants and had deprived them of all their due rights. Now with the dawn of freedom this poor class had reasonable expectations that the Congress raj will usher in an era of peace and prosperity for them. They hoped that alienes having gone for ever our own Government would evince greater interest to uplift them and devote greater attention to solve their problems. As time went on their hopes of bright prospects were dashed to the ground. After the 15th August 1947 the landed aristocracy who had previously their voice in the Government and had managed to keep the tenants under their thumb now tried to eject thousands of tenants. The hon. Chief Minister and the Revenue Minister have frankly admitted that the number of tenants who were ejected by the courts after the 15th August 1947 is more or less the same as it was during the British regime. Besides this, the number of those tenants who were ejected from their lands through the help of officers is still greater. The tenant class had pinned their hopes on the Congress and they were jubilant that as soon as the Congress came into power it would devote itself zealously to the uplift of poor class of people *i. e.* the tenants and labour class. But what we find is just the reverse. The landlords adopted many unfair means even to the length of making charges of theft on the tenants to eject them. The tenants had high hopes that with the dawn of freedom they would no longer continue to suffer from the past iniquities but now they have been left to contemplate with dismay that their position is not likely to improve. We now find that there is frustration and discontentment among them throughout the length and breadth of the State. This Congress organisation which sometime back professed great sympathy with the tenant class and had given promises to uplift them is to-day adopting anti-social methods to bring forward such a measure which is contrary to the interests of tenants.

Mehta Ranbir Singh : Sir, may I know if the hon. Member is relevant when he speaks of the Congress organisation ?

Sardar Partap Singh : I have made a mention of the biggest political organisation in India and I would never desist from mentioning its name. It is only due to this organisation that my hon. Friend was returned to this Assembly, though he is occupying Opposition benches to-day. The tenant class had felt rejoiced that the Government would now promote their welfare but it has failed to remove their sufferings under which they had been groaning for long in the past. The Bill that has been introduced in this House does not even touch the fringe of the problems that confront them. The Congress Assembly Party has practically done nothing for the

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tenant class if it has now raised the limit of tenancy from a period of three years to four years. Instead of fixing the limit of their tenure, the Government should have inspired confidence in the minds of tenants that they will not be ejected from the lands occupied by them. These poor people are already very much hard hit. They do not get enough food to eat nor do they have houses to live in. Now their rights are being snatched away by the Government under this Bill. Will not the hopes of the poor tenants, their eager expectations that the Government would at long last come to their rescue, totter to the ground? Most of us who come from rural areas and understand the feelings and thoughts of these people, can well imagine the great disappointment that this measure will cause to them. Was this the long and eagerly awaited legislation, over which they had been pinning their hopes all this time?

Sir, here in this Bill the permissible limit has been fixed at 100 standard acres, despite the fact that the State Congress has been insisting on fixing it at 50 acres at the most. People will ask, what difference would it make? I say a lot. Landowners who hold more than fifty standard acres of land are just two per cent, which means that this Bill will apply to one out of fifty landowners, and the land which they own and to which it will apply is no more than 20 per cent of the total area in this State. Now, Sir, you can well imagine, to how many tenants this halting, half-hearted measure will grant security of tenure.

Well, our landlord friends are having their way. We tried our best to assure them that they would not be deprived of land without compensation. It is with this object in view that this principle was embodied in the fundamental right clauses of the Constitution. The top most Congress Leaders have time and again held out assurances to them that what they consider to be their properties will not be taken away without giving them compensation. But it appears all this had no affect on them. They are persisting in their old ways. Well, if they continue to conduct themselves in this manner, I am sure people will themselves rise and notwithstanding all the assurances given by the Congress and embodied in the Constitution, they will deprive them of the land to which they are clinging. (*Cheers*) Congress will not then be able to withhold these poor, downtrodden people, who are fed up with the Congress regime, who are feeling sore about this newly achieved independence, for it has brought them no relief in its wake. What will then become of these hard-headed landlords, you can well imagine.

It is a pity the Congress which is in fact an organization of the poor is being used against their interests. We shall not allow it to be used in order to crush the poor and exalt the capitalist. People will not allow this to happen. Let the zamindars rest assured that their land will not be taken away from them without compensation but at the same time the Congress does not want them to uproot people from land, which their fore-fathers tilled and which is now being tilled by them, because it would spread discontent and disaffection in the country and create lawlessness. We wanted that no landowner should be in a position to eject his tenants at his arbitrary discretion. On the other hand we assured the landlords that they would continue to get the rent regularly. We wanted to solve this problem by mutual good-will. This is what the Punjab Congress wanted. But the Punjab Government did not fix the rent, and so long as the rent was not fixed there could be no security for the tenant. In fact, Sir, this very important matter of fixation of rent has been ignored even in this Bill. I can say from personal knowledge that the tenants are being exploited by the landlords who are getting whatever share of the produce they like, the tenant having no alternative but to submit or leave the land. A landowner would always dictate his own terms, that he would have so many maunds of a certain crop out of a field irrespective of the actual yield. The result is that one class is rolling in wealth and enjoying all the luxuries that money can procure without moving a finger, while the other class toils day and night and is living on dry bread. The Government should have come to the rescue of this latter class—class of poor, downtrodden, weak people—people who are not in a position to bargain with their masters for their wages—by fixing by law the rent of agricultural land. It would have thus mitigated one of the most glaring evils of the capitalist system, namely, the helplessness and inability of the economically weak people to settle terms on a fair basis with their employers. The Government should have realized that it had a duty towards these weak people, who have for centuries been the victims of exploitation at the hands of the landlords who constituted a prop of the alien rule and were hand in glove with them. But it appears that it wants them to remain at the mercy of their masters, since it has not given any indication of its intention to fix the rent. Well, if the Government will not interfere in this matter the time is not far off when even well-intentioned friends will not be able to hold back the tenant from getting his due and then nobody will be able to control him. (*cheers*). The Punjab Government would be well advised to fix a schedule of rents for different kinds of lands. We had also suggested to the Punjab Government the desirability of

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constituting conciliation or arbitration boards on the model of the debt conciliation boards of the pre-partition Punjab, to settle tenancy disputes. But the Punjab Government does not have faith in itself.

I do not know as to what this Punjab Government is afraid of. People have faith in it but it is very unfortunate that it lacks faith in itself. Why should it not set up conciliation or arbitration boards to help poor tenants when they have been forcibly, unreasonably or cleverly ejected by the landlords. Even in this Bill very little has been done and a lot has been left for those who will come in power hereafter. This is certainly not a wise policy. The problems of to-day should be solved to-day. Doing things half way creates wrong impressions and many times misleads the people. We should not forget that if we are able to create faith and confidence in the minds of the poor people that faith and confidence continues for ever but if we lose these things for once, they are lost for ever. Once people lose faith in the Government the result is always a revolution. My hon. Friend Shri Bhim Sen Suchar has already referred to what has happened in China. But when I think of a revolution, it makes me shudder in my shoes as I feel that my country may stand to lose a great deal by it. We should see the signs of the times and give up our old notions of prestige, dignity and grandeur. It is time that we take a tip from the Englishman who till yesterday our ruler is not ashamed of saluting us to-day. We should do our utmost to bring about the welfare of our downtrodden and illtreated brethren. We should as a matter of fact give them equality with ourselves. Why should they not feel as respectable as we do. They are our kith and kin and should enjoy the same status as we have.

Pandit Durga Chand Kaushish : Give an acre to everybody.

Sardar Partap Singh : We will certainly force you big landlords to give up lands so that it can be given to the poor tenants.

Pandit Durga Chand Kaushish : We are prepared to live on one acre, are you also prepared? All what you say is mere pretension and no truth.

Mr. Speaker : The hon. Members should avoid such remarks.

Sardar Partap Singh : Sir my hon. Friend's claim is nothing but mere exhibition. I wish he meant what he said. So far as I am concerned, I stand for the poor and the illtreated whether he is a tenant or a small shop-keeper. I am sorry I am not in a position to accept such a challenge from an individual. If it comes from

the class as a whole I would certainly consider it. My hon. Friend and others should realize that the times have changed and the poor are clamouring for their rights. They have got tongues now.

Mr. Speaker : You have given them.

Sardar Partap Singh : Sir, may you live long for thinking and saying so ! When they have well wishers in persons like your good-self, there is no reason why they should live in their old depraved state. However I again urge the Government to take immediate steps to improve the standard of living of the poor tenants. Here I may be told that a Land Reforms Committee has been constituted to go into the question. I do welcome the idea of setting up this Committee but I say that we have no time to lose and we should carry out all possible reforms without any delay. Giving relief piece meal is denying relief and it creates no effect. Once people become dissatisfied, they take things in their own hands and what happens then is a revolution which works havoc for every body in the country. So let us take heed in time lest our dear country, nay perhaps the whole of Asia be faced with a cataclysm.

Sir, where I wish that further steps should have been taken by this Government in giving relief to the poor, I am, however, grateful to it for whatever little it means to do through this Bill. I welcome the provisions relating to pre-emption and increase of tenure from three to four years. But I greatly desire that if it is not possible to do anything more at present a promise should be given for a near future that some substantial relief will be afforded to the tenants so that we are in a position to tell the people that we mean to keep our promises. So far as the people are concerned I would request them that they should not judge the Congress by the measures which are being passed by this Government. They should rest assured that Congress will accomplish great things for them.

Sardar Jagjit Singh Mann (Jullundur Division Landholders) : Mr. Speaker, Sir, I welcome this Bill (*hear, hear*) because it would give immediate relief to the tenants and assure them of their security. I welcome this Bill because it will make the relations between the landlords and the tenants cordial which otherwise were becoming strained day by day. I welcome this Bill because it will create peace and tranquillity in the State which otherwise was being threatened. Sir air was thick with rumours for the last few months that an atom bomb was in the process of manufacture and would be exploded on the landowners in the State. But Sir, thanks to the intervention of the hon. Chief Minister that nothing of the kind has

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happened. The hon. Chief Minister was anxious that the landholders of the State should not be killed and he was also anxious that the tenants should be given the maximum relief and security. He has succeeded in his mission and I would take this opportunity of paying him tribute on his wisdom and statesmanship (*hear, hear*). As regards the working of this Bill, it has been working in the State for the last few months in the shape of an Ordinance and it has been a great success in the State generally and I can say so about Karnal District, definitely, where to my personal knowledge the relations between the landowners and the tenants have improved considerably and it has produced a very healthy effect on both the parties. There was a time when the Government had ordered that the tenants who had been ejected should be re-instated on their respective lands. At that time there was a threat to the peace in the various parts of the State. I know of one particular place where the Revenue Assistant under the orders of the Government went with the help of the police to get back the possession of land to the tenants who were refugees. As those people had nothing with them they offered peaceful Satyagraha with the result that the Revenue Assistant had to go back and a critical situation arose. With the intervention of Mr. Randhawa and Mr. Thapar the crisis was averted. Now the relations between the landlords and the tenants are very cordial unless again efforts are made by the interested parties to exploit the situation and thereby creating conditions which might lead to trouble again.

Sir, I have one grouse against this Bill and that is about the permissible area which is fixed up to 100 standard acres. I think this area too little because when a farm is to be mechanized there ought to be economic unit for it and 100 acres for mechanized farming is not sufficient. If you look round and see what is happening in the other States you will find that over there they have decided that an economic unit for mechanized farming is 400 acres. In the present state of affairs when the Government of India and the Punjab Government is very anxious to grow more food I do not understand what would be done with a unit of 100 acres. If we really wish to make the grow more food scheme a success we must mechanize our agriculture but with 100 acres as a unit we will not be able to achieve as much success in this direction as is desired. We agreed to this figure because we do not want to create conflict and want to move with the spirit of the times. We can read the writing on the wall and this consideration weighed with us in accepting this area.

Sir, I am reminded of the remarks of Shri Bhim Sen Sachar and it was a surprise for me to know that he is making 24 thousand rupees a year from his company. I can say with full conviction that a landlord with 500 acres cannot make so much and at that he calmly and meekly says that he is making only 2,000 rupees per month and at the same time he is objecting to our getting 100 acres.

Sir, I have stated time and again that our State is of peasant proprietors and not of big landlords, as such we cannot rigidly follow in the foot steps of the other States like U. P. and C. P. One fundamental difference between those States and our State is that there the Englishman gave them these lands and created a class of Talukadars but here our ancestors purchased these lands, they worked on them and we are working on them as a profession and industry. If my Friends want the tenants to enter upon our lands from the back door and become virtual owners of land and keep the landlords just in name then I can tell them that they cannot succeed in that effort because we will oppose it as much as we can. This I see is happening here but we will not let them become landlords by these methods.

During the last few days I have been noticing that our Jat brothers have been in the first line to kill their own brothers and I cannot resist the temptation of quoting a Punjabi proverb ; which is as follows :—

कां कमबोइ कबुतर कबीला पालदा जट संडा संसार कबीला गालदा
 कां कमबोइ कबुतर कबीला पालदा जट संडा संसार कबीला गालदा

Sir, through you I would like to tell the hon. Members of this august House and through them to the world outside that we treat our tenants not as tenants but just like colleagues. We don't treat them as our subordinates but as fellow workers. We want to pull on with them and carry on with them our profession of agriculture nicely. We want to live and let live and when I say this I say from the bottom of my heart and I mean what I say. With these words I thank you and resume my seat.

Sardar Ujjal Singh (Ex-member, West Punjab Assembly, representing Western Towns, Sikh Urban) (*Punjabi*) : Sir, I have not stood up to speak in favour of a particular interest. I think, this Bill should be dispassionately considered because the need of the hour is that the

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relations between the tenants and the landlords on the one hand, and the workers and the industrialists on the other, should be improved and not spoiled. This is necessary in view of the present economic condition of our country. My hon. Friend Sardar Partap Singh who is also the President of the Provincial Congress, has said that the Congress always thinks of improving the economic condition of the State. But the manner, in which he has placed the tenants on the one side and the landed aristocracy on the other cannot but strain their relations. We find that there is paucity of capital in our country at this time. On the one hand production from land is less than before and on the other, industrial production has gone down. We see that the Government desires capital investments, indigenous or foreign, in our industry, so that the production may increase. The economic condition should, therefore, be so improved as to increase the production. And production can be increased only if the relations of the workers and the capitalists remain cordial.

Sardar Bachan Singh : What about the absentee landlords ?

Sardar Ujjal Singh : I have no sympathy with them nor have I any sympathy with professional agitators. I am one of those who adopted agriculture as his profession. After receiving high education, I took to this profession at the time when it was thought that the educated youngmen do not like to go near land. At that time, I brought under cultivation that kind of inferior land on which not even a blade of grass could grow. I tilled that waste land with the help of machinery and tractors and improved the entire area. It was then that I handed over that land to the tenants. At the time when there were conflicts between the landlords and the tenants in the Nilibar, I can say with some pride that not a single tenant on my land took part in that agitation. I think, so long as agriculture is not put on industrial footing in our country, there cannot be any progress. The time when agriculture was considered just a way of life is gone. If we want to increase our agricultural production, we shall have to not only invest capital and to adopt scientific methods, but also to treat the agricultural workers sympathetically and generously. The people who want to exhort the tenants to rise against the landlords, lose sight of the fact that poverty cannot be converted into riches in a day. There is so much poverty in our country

that according to Government estimate, Rs. 1,860 crores will be required for carrying out various development projects while we may be able to find only Rs. 1,000 crores from private and Government sources within the country, the remaining Rs. 860 crores will have to be raised from outside the country. Unless this money is forthcoming our industry and agriculture cannot make any progress. What is required is to improve the economic condition of the people who are poor and not to starve those who are well off. We should not snatch away the bread from the rich to give it to those who have not. What is required is that we should increase wealth and then make an equitable distribution of it. But what is to be distributed at present. There is no wealth; there is only starvation and poverty in the country. So the prime need of the hour is to increase wealth. Government is making efforts in this direction in its own way. The people should also make effort for this purpose by investing capital, by making enterprises and by using technical skill. It is in this way that we can banish poverty from the country and not in the way in which classes of the exploited and the exploiters are sought to be created. The latter way goes against the interests of the country and to do that would be a great disservice to it. For instance take the case of the textile strike which has been sponsored by the party to which my hon. Friend Sardar Bachan Singh belongs. As a result of this strike, the workers have lost their wages amounting to several crores of rupees and the loss suffered by the nation is much more. That is why I say that such talk cannot serve the national interests. This Bill seeks to give security of tenure up to four years to the tenants. As a matter of fact, no landowner likes to eject a good tenant. I, for one, did not eject any tenant from my land during the last 15 to 20 years. If at all I had to eject any tenant in a solitary case, it was done on the charge of theft or inefficiency.

Sir, my submission is that if the tenants are good and honest and they work with diligence, there would be no need for changing them. An intelligent landlord who has interest in his land and who wants his production to increase would not do so. It is only the absentee landlords who do so. That is why most of the cases of ejectment have occurred in Ferozepore and Hissar where there are many absentee landlords. As a matter of fact those persons who have any interest in

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agriculture pay full attention to agricultural operations. They in fact, consider it as an industry in itself. Such landlords do not eject their tenants provided the tenants are hard working and honest. I think the lot of the tenants under such landlords is not unsatisfactory. Such tenants at-will by hard labour and with the system of profit sharing can make agriculture a lucrative industry. There are some who hold that the condition of the tenants is worse than the under trial workers. But they do not seem to know that the tenants have a share in the profits but in the case of under trial workers—the Government of India is now thinking of introducing legislation for a suitable system of profit sharing. If production increases due to the introduction of scientific farming and artificial manures by the landlords and a proper distribution of profits is made the tenants also stand to gain and their condition would be better than that of the industrial workers. I have already stated that we should try to make agriculture an industry. It is only thus that progress can be made, agricultural production in India is at present one-fifth per acre of that in Egypt. The other countries of the world are also far ahead of India in this matter. If we do not treat agriculture as an industry no increase in production can be hoped. Russia and other advanced countries have adopted modern systems of farming. They make use of new implements and manures, proper rotation of crops, etc., and therein lies the secret of their success. We should also follow their example and adopt modern farming. For such a farming it is essential that small uneconomic units should be abolished. A plot of four hundred acres is an economic unit for this purpose. In Bhopal the Central Government recently issued a pamphlet on the subject. It was written therein that four hundred acres are an economic unit for mechanical farming. Now it is a matter of common knowledge that having a few landowners individual proprietors under the conditions prevailing in India cannot resort to mechanical farming. In such cases co-operative or collective farming are desirable in order to achieve higher production. Small cultivators cannot afford to purchase the implements required for modern cultivation. My submission is that in our own way we should try to adopt modern methods of cultivation wherever we can. Modern farming should be encouraged. But unfortunately the policy that is being followed tends to discourage it. There is a danger that by allowing the landlords to have hundred acres only for self cultivation our Government will create uneconomic

holdings for them and they will not try their hands at mechanical cultivation. On the other hand there is a fear that progressive and educated farmers who are interested in farming will run away from farming and go to more lucrative professions. The present uncertain policy of the Government is not in the interests of increased production just as the uncertain policy of the Central Government with regard to industry has created undesirable trends therein. On the other side there are persons who indulge in loose talk and who without thinking of the consequences go on exciting the ignorant people. They do not feel that their ways have bad repercussion on the country as a whole. Such persons hold that the permissible limit should be reduced even below hundred acres. For them my argument is that their views could easily fit in, in a country which is governed by the law of primo-geniture. But here in India if we give twenty five or thirty acres to a person who has about four or five sons the division of the holding after the death of the father will make it extremely uneconomic. Such friends should think before they say such things because if such uneconomic holdings are created our agricultural production which is already low, will sink down to the lowest level. Some of my hon. Friends have remarked that we should learn a lesson from other countries who have abolished Zamindari. Even some of the States of India have taken effective steps in this direction. To such hon. Members I would like to point out that Zamindari as it exists in U. P. and other States of India does not exist in Punjab at all. In other States Zamindars are big rent collectors. British Government created such rent collectors long ago in order to facilitate their work of revenue collection. From those early days such big Zamindars came into existence. There are very few persons in the Punjab who pay even five or six thousand rupees as land revenue. But among the big Zamindars there are persons like Maharaja of Dharbhanga whose income runs into crores of rupees. Similarly there are big Zamindars like those of Rampur and Mahmudabad. Their income is lakhs of rupees. In the united Punjab a Land Reform Committee was constituted. According to its report only seven persons in whole of Punjab paid more than ten thousand rupees as land revenue. Three of these were in East Punjab. But now they have also left. I think one was Nawab of Mamdot and the second that of Skimere's Estate. At present there is none in East Punjab who may be called a Zamindar in this sense. There are only thirty or forty persons who pay more than five thousand as land revenue. It would be more in the fitness

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of things not to call them Zamindars at all. Only some absentee landlords may be included in the category of Zamindars because they do not take any interest in their profession. But so far as the so called landlords in Punjab are concerned they should be encouraged to adopt mechanical farming and serve their country in this manner. Moreover the land in the possession of the owners in the Punjab was purchased by them or their fore-fathers and is the result of hard labour and long investment. Besides this, the House should keep this fact in view that so far the Punjab has remained the sword arm of India and even after partition it is the middle class Zamindars who have rendered and will continue to render military service to India. I am, therefore, of the opinion that if you will reduce agriculture to such a low level that the tiller of the soil becomes totally engrossed in his holding only then the middle class agriculturist is bound to disappear. The middle class agriculturist is one who is agriculturist by profession but enjoys sufficient leisure to study and impart education to his children who could usefully employ their knowledge for bringing about improvement in the methods of agriculture. If the progressive farmer is altogether done away with, the position of the peasants both economically and socially will not become any whit better than the wage-earners. I admit that it is necessary to improve the hard lot of the **labouring classes** and I also wish that there should be no feuds and disputes among the landlords and the tenants. But what I want to urge upon the Government is that they should not adopt such measures for bringing about improvement in the condition of the kisans, as a result of which agriculture as a profession should vanish, and no educated person should like to take to this profession. If that happens then agriculture as a profession will be finished, and productivity of land will be reduced considerably. This will be an act of great disservice to the country if a measure of this kind is passed. The situation in the country will deteriorate to such an extent that it will become impossible for the Government to improve it for a long time to come.

Chaudhri Matu Ram (Ludhiana and Ferozepore, General, Rural, Reserved Seat) (*Hindustani*): Mr. Speaker, I rise to make a mention of those Harijans who have been looking with great expectations to the day when our country would be free and the Congress Government would come into power. They thought that with the advent of

independence their miserable lot will improve and that they would be able to make their both ends meet. Similarly the Harijan tenants who are the actual tillers of the soil, hoped that their position in the Congress Raj will become more secure than before, and the landlords will not be able to oppress them. They thought that they would get enough food to eat and sufficient cloth to cover their bodies. It is a thousand pities that they have nothing to eat and nothing to wear and to crown all they have been and are being deprived of their livelihood. They have been ejected from their lands by the landlords. This was the only source of income for them and that too, has been taken away by the landlords. My heart melts when I see these poverty-stricken Harijans when they come to me to help them to secure some livelihood for them. As a matter of fact their condition is so miserable that it can better be imagined than described. Do I take it that the intention of the Government is to see the Harijan tenants who have no land to till, no house to take shelter in and nothing to fall back upon, should become characterless? Do they want that these Harijans the actual tillers of the soil, after having been deprived of their lands by the landlords, should indulge in dacoities and commit other crimes just to keep their body and soul together? This will be the obvious result of their ejection from their lands. Naturally as the proverb goes '*marta kia na karta,*' they will resort to unfair means for making their living. I am constrained to remark that the present state of affairs in the province indicates that no efforts are being made by the Government to better their lot. The Harijans are being compelled to take to some evil activity. Their hopes have been shattered and hearts broken to see that the Congress Government have failed to make their life worth living. I, therefore, submit that Government should adopt measures first to improve the lot of those Harijans, who actually till the land but have been ejected by the landlords.

Chaudhri Sahib Ram: (Hissar North, General, Rural) (*Hindustani*): Sir, I, too, would like to make a few observations in connection with the Bill under consideration. I think that the object of the Government, namely, the improvement of the lot of tenants by conferring security of tenure on them, will not be achieved by this measure. I rather feel that whatever lacuna, adversely affecting the interests of the tenants, was left in the old Tenancy Act, will be made up by this Bill, which seeks to suppress the tenant further in every possible way.

[Chaudhri Sahib Ram]

You are perhaps aware, Sir, the Governor in his address remarked that his Government had given evacuee lands to the tenants for purposes of cultivation. This is a wrong statement inasmuch as it relates to the district which I represent. There was a considerable amount of evacuee land in my district and the Government issued instructions to the district officers to distribute the same first among the refugee tenants and then the remaining land among the local tenants who have been ejected by the landlords. It is a pity that the latter part of the order of the Government has not been carried out by the officers. I may also point out that the hon. Minister for Rehabilitation Dr. Lehna Singh, issued orders on the subject, but the officers concerned have not cared to give effect to them. But where lands had been restored to the ejected tenants, they have again been dispossessed of them. Government may be feeling complacent that they have passed orders for the restoration of lands to the ejected tenants, but the fact remains that in the whole of the State not more than 40 ejected tenants have been given back their lands. But in their cases, too, the trouble is not yet over. Those zamindars who are in possession of the lands, have made over only half the lands to the ejected tenants and are keeping the remaining land still with themselves. Despite this state of affairs, the Government say that the ejected tenants have been restored to their former lands.

In July last I wrote a letter to the Chief Secretary informing him how the concerned officials were receiving bribes from the people at the rate of Rs. 2/- to Rs. 7/- per bigha while allotting one lakh bighas of land. In spite of the fact that the land has already been brought under cultivation, no action whatsoever has so far been taken in this connection.

It is provided in the Bill, now before the House that when a landowner seeks to have his tenant ejected before the completion of the sale of his land he has to intimate to the Revenue officer in writing about his intention to sell his land. In this way he can succeed in securing the ejection of his tenant through the Revenue Officer who is the competent authority to order this ejection. It is clear from this that the intimation of mere intention on the part of the landlord is quite sufficient ground to secure the ejection of his tenant. Last year it was decided in the presence of the hon. Minister and the Financial Commissioner at Hissar that the permissible limit should be 50 acres. It was decided in the presence of the landlords and it is crystal clear that this decision has been ignored by the Government.

It is also clear from this that we have failed to fulfil the promises which we have held out to people about 10 years ago when we were elected to this Assembly. This is not all. Even in the United Punjab we used to cry from our house-tops and held out assurances to the poor tenants that the first thing that we would do at the time of coming into power would be to take steps to ameliorate their hard lot. Now that we have come into power we do not hesitate to make fun of what we had said a few years ago. I would like to bring this point home to those of my hon. Friends who happen to be the old Members of this Assembly that they should take stock of the situation and see for themselves how under the changed conditions when we have already attained freedom, things are happening here in this State. They should also make it a point to see whether the Government is actually acting according to the principles and ideals of the Congress. I am really constrained to remark that if facts and realities are placed before the Government on the floor of the House, strong objection is taken to this attitude of the hon. Members afterwards. So far as the proposed Bill is concerned, Government have thought it fit to do what they liked according to their own sweet will. Very recently 38 Members of this August House placed a few points in writing before the Government and the result of all that is already known to my hon. Friends. Parliamentary Secretaries were appointed from amongst the hon. Members overnight. (*Voices shame, shame*). After resorting to such uncalled for actions, allegations are made against my hon. Friend Shri Bhim Sen Sachar and my other hon. Friends. Since I happen to be a zamindar, I know if this Bill is passed into law, it will affect me and my relations more than any of my hon. Friends of this House. (*Interruptions*). It is said that I am saying all this for the sake of getting votes in the next elections. I may assure them that it is not so. I am a self-respecting person and I am not a person to be led away by these irrelevant talks. As it is obligatory on our part to submit to the whips issued from time to time, I have to submit to this whip otherwise, I feel something else in the heart of my hearts. What I mean to say is that I want to oppose this Bill but as I have already stated I have to support it. (*An hon. Member : The cat is out of the bag*). One of my hon. Friends has pointed out that by saying this I am responsible for encouraging the Opposition. I wish the hon. Member were a true Congressite.

Shri Kedar Nath Saigal : There is nothing in the Bill which can stop the hon. Member to sell his land privately.

Chaudhri Sahib Ram : If the Government wants to act according to the principles of the Congress then certain necessary amendments will have to be made in the Bill. I am of the opinion that the methods adopted by the Government would not continue long. The next Budget Session is approaching and the hon. Members at present responsible for the administration would not find themselves on those Benches at that time.

(At the stage Mr. Speaker vacated the chair and it was occupied by Mr. Deputy Speaker).

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural) (*Hindustani*):— Mr. Deputy Speaker, the way in which this Bill is discussed on the floor of this House is sure to create some misunderstanding both in and outside this House. I have been really surprised to hear the arguments advanced by my hon. Friend Sardar Ujjal Singh in the course of his speech. While hearing his speech I was really surprised and could not ascertain whether he was advancing arguments in support of the abolition of zamindari or against the policy of the Government in giving protection to tenants. At present the question before us is this that the tenants should have the proprietary rights over those lands which they till with their own hands and which is not being brought under cultivation by the landlords themselves, and that only those lands should be owned by the landlords which they cultivate themselves. My hon. Friend Sardar Ujjal Singh has in the course of his speech advanced the argument that we should look at this problem from industries' point of view, or in other words from the point of view of agricultural production. He has also stated in the course of his speech that holdings less than 400 standard acres are sure to prove uneconomic or in other words he means to say that holdings of 400 standard acres can prove economic. The arguments advanced by my hon. Friend Sardar Ujjal Singh in the course of his speech on this Bill have reminded me of a saying which runs as follows :—

ਨ ਨੌ ਮਨ ਤੇਲ ਹੋਗਾ ਨ ਰਾਧਾ ਨਾਚੇਗੀ

न नौ मन तेल होगा न राधा नाचेगी

What I wish to point out is this that this Government, which claims to be the well-wisher of the common people of this State, and which also claims to be the custodian of the democratic rights of the people,

does not hesitate to employ tactics to rush through this Bill. On the other hand the hon. Members of this House are not given time even to go through this Bill. I really fail to understand the idea underlying the policy of the Government in rushing through this Bill. The Punjab Municipal (Amendment) Bill which was discussed on the floor of this House, was not placed on the Statute Book and we know nothing about it. After finishing the discussion it has been confined. Similar is the case with the Punjab District Boards (Amendment) Bill. In spite of the fact that this Government claims to be the well wisher of the poor people of the State and held out promises to the people that efforts would be made to do away with the system of making nominations to the district boards it has thought it fit to bring in a legislative measure, discuss it and then put it in the cold storage.

Mr. Deputy Speaker : The hon. Member is not relevant. He should try to be relevant.

Sardar Bachan Singh : Sir, my submission is that Government wants that the Bill now before the House should be considered at once and my contention is that it should be thrown out. What I wish to submit is that the Government had held out promises to the people that in future nominations would be done away with.

Mr. Deputy Speaker : I would again ask the hon. Member to be relevant.

Sardar Bachan Singh : Sir, what I wish to submit is that it is the intention of the Government to rush through this Bill and I want to bring it to the notice of the Government that it is not fair on its part to take such hasty steps. Government did not dare to introduce the Punjab Development of Damaged Areas Bill which is already placed on the agenda. The same is the case with another Bill, namely, the Punjab Local Authorities (Government Control) Bill. After all what has necessitated the Government to rush through the Bill, now before the House. I would like to quote a few lines from the statement of Sardar Trilok Singh, who was working as the Director General of Relief and Rehabilitation. He has stated about the owners of land in Pakistan who have migrated to India :—

It was found that more than 80 % of the claimants had less than 10 standard acres and about 95 % less than 30 and more than 98 % less than 60 standard acres.....

Sir, I am speaking on the authority of this book. Sardar Trilok Singh has further mentioned that the Zamindars in the West
1 P.M. Punjab had possessed big holdings of land. Now the Government has worked in such a manner that the number of people

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possessing small holdings has become very large. The number of persons possessing big holdings was larger in the West Punjab and there 98 % of the people were such who owned 60 acres of land. There are very few big landlords in our State and their number may be at the most three or four thousand. I have already stated that there may be 98 % of such Zamindars who owned sixty acres of land but in spite of this there would be only one per cent of such Zamindars who owned one hundred standard acres there. My hon. Friend Sardar Jagjit Singh has remarked that the landlords have always shown good treatment towards the tenants and it can only be for the persons like Sardar Partap Singh who commit tyrannies or harassments on the tenants class. But such people as a matter of fact want to consume the smaller fry. It is the opinion of the general public that such a measure should not have been brought forward by the Government. I have always been in favour of small land-holders as I myself belong to that class of people. In fact the whole State consists of small landholders. The Government intends to give all sorts of privileges to the big landlords and impose no restrictions on them. These big landlords try to retain their hold on thousands of acres of land by transferring it in parts in the name of their relatives. My hon. Friend Sardar Ujjal Singh has remarked that the disputes between the landlords and the tenants are mostly confined to Hissar and Ferozepur districts. But if I were to describe where big zamindaris exist it will perhaps take a very long time of the House. My hon. Friend Chaudhri Sahib Ram is today cursing his own party as the problem of landlord and tenant is very acute in his own district. Out of 1100 villages there are about 350 villages which are owned by big landlords. My hon. Friend Sardar Ujjal Singh who is not a plier of plough himself belongs to such a class of Zamindars which sucks the blood of poor kisans. There is a need for imposing restrictions on the big Zamindars who exploit the poor small peasants. My hon. Friend Sardar Partap Singh has made a good speech in favour of the tenants. He has said that the Congress wants to fix the permissible limit at 50 acres and the State Congress wants to set up Arbitration Board. I would say that the past Unionist regime was much better than the regime of the present Government. That Government had set up Arbitration and Conciliation Boards in every district. But our Congress President said that he wanted to express the sorrows of a distressed heart. It appears that he is also dissatisfied with the present Government. He is right in saying that if the Government has raised the limit of tenure from three to four years it has done nothing for the tenants. When the erstwhile Unionist Government introduced agrarian Bills in the Assembly the Congress people used to

call them as black Bills. They held the opinion that the Government was representative of big landlords. At that time our hon. Chief Minister who was then the leader of the opposition used to make exhortatory speeches in favour of the tiller of the soil.

Here, Sir, I may quote from a speech delivered by Dr. Gopi Chand Bhargava in the Assembly of the United Punjab on 23rd June 1948.

Have they taken any steps to relieve the tiller of the soil who was not born in an agriculturist family but is living on the produce of his land? Is he not poor? Does he not suffer from the same liabilities as the man born in a zamindar family? You are prepared to help the rich landlord but you are not prepared to help the tiller of the soil who lives on land as a real agriculturist.

This is how our hon. Chief Minister used to arraign the Unionist Ministry for their neglect of the tiller of the soil. But then he was in the opposition. Now that he is at the head of the Government, the tiller of the soil seems to have escaped his memory; where are now those promises to relieve the tiller of the soil of his misery and suffering? My hon. Friend Sardar Partap Singh has well said that the Congress had held out golden promises to the poor in general and the peasants in particular and when the era of independence was ushered in, his eyes were watching wistfully for any steps towards the fulfilment of those promises, on behalf of the Congress Government. As he himself has said, the golden ray which he wanted to show to the poor and the downtrodden people has failed to appear, and his eyes have become weary with watching. Sir, while he was looking for a golden bill to appear before this House, a 'black bill' is before us instead. His manifest helplessness in the matter reminds me of a headstrong and defiant wife, whom her weak husband fails to subdue and instead of trying to settle the dispute at home or failing that resorting to divorce, comes out to the roadside and starts weeping and bewailing about her attitude. In this case, State Congress may be regarded as the weak husband and the Government the quarrelsome and defiant wife (*laughter*). Now either the husband should become henpacked or else divorce the shrewish wife. But instead of doing either of these, our friend has started bewailing the recalcitrant attitude of the wife.

Then, Sir, this Bill is neither meant for those 90 % who own less than 10 acres of land, nor for those 85 % who own less than 30 acres of land, nor those who own less than 60 acres of land. It is applicable to only those who own more than 100 standard acres of land *i.e.*, those who hold only 2 percent of the total land. Our landlord friends like Pandit Durga Chand Kaushish say that they are prepared to accept 'one acre' as the permissible limit. This is really strange-saying one thing and doing exactly the opposite, professing to give Ganges in charity but contesting over a single draught of water.

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Except increasing the minimum period of tenancy to four years, there is nothing in this Bill which can be interpreted in favour of the tenants. So long as the landlords are in a position to eject the tenants on one pretext or the other, what purpose will this Section serve, even if the period is fixed at 100 years. And then how few the landlords, to whom this will apply. To tell the tenants that this measure will provide them security, is nothing short of playing a joke with them. And then what is to become of those tenants who were ejected after 15th August 1947, but before promulgation of the ordinance. How are they expected to earn a living and feed their hungry children. Where shall they find a house to live in? I may remind Giani ji of Guru ji, saying that an ant's woeful supplication reaches the Divine Court earlier than the elephant's. Instead of safeguarding the interests of the down-trodden, the poor and the underdog, you are showing favours to those jagir-holders of the British days, those landlords who were the 'yes men' of the foreigners and helped them to perpetuate their rule in the country.

My hon. Friend Sardar Jagjit Singh Mann has stated in a very naive manner that possession of five hundred acres of land to-day means just two thousand rupees. What an argument? Tenants who are hankering after every acre of land are willing to pay a rent of fifty rupees for each acre, and the rates of wheat and other agricultural produce have risen manifold and here my friend asserts that an acre of land these days just yields four rupees and no more. Sir, my question is simple. Is this measure intended to give the much deserved security to the tenants or is it meant to protect the landlords and leave them free to exploit the former?

(At this stage Mr. Speaker resumed the chair.)

When the Congress was fighting the battle of freedom it held out promises not to Zamindars and the millowners but to the poor and the down-trodden. So this Swaraj was bad not for the landlords and the rich factory owners but for the poor kisans, poor mazdoors and the poor shopkeepers who did not get two square meals a day. Here I may refer to a very important incident which fortunately or unfortunately involves the name of Mahatma Gandhi in whose footsteps many of my hon. friends claim to follow. I also claim to be a disciple of that great man of India. When Louis Fisher came to India, he met this great man and asked him whether any compensation could be given to the landlords in India if Zamindari was abolished. The great Mahatma replied that the poor men of India had not even a pie on him which he

could give by way of compensation. He unequivocally said that when power came to his people, Zamindari would be abolished and no compensation would be paid.

Pandit Durga Chand Kaushish : Can the hon. Member quote the interview ?

Sardar Bachan Singh : I shall quote everything if and when it is required. (*Pandit Durga Chand Kaushish :* You are talking non-sense). Anyhow it is not time to discuss abolition of Zamindari or payment of compensation and we should leave them alone. We have to deal at present with the interim relief which is to be granted through this Bill. I am of the opinion that it is most inadequate.

Sir, the Prime Minister of India says that the problems of India are connected with the problems of Asia and in case we are not able to solve our problems they may spell danger not only to our country but the whole of Asia. A similar thing was today voiced by our Congress Chief Sardar Partap Singh. According to him our failure to solve our problems might cause the destruction of our country and may be the whole of Asia. I think a little differently from these personages. In my opinion nothing in the world can bring about the destruction of the poor men. They have remained and will remain. If anybody should fear destruction it is the rich aristocrat who is not prepared to reform and mend his ways. Sir, it is not possible to make out any thing from the name of the Bill. I am inclined to name it as the Punjab Landlords (Security of Tenure) Bill. It appears to be a case of a blind man having been named 'keen eyed.'

ਬਰਅਕਸ ਨਿਹੰਦ ਨਾਮ ਜੰਗੀ ਕਾਫ਼ੂਰ ।

बरअक्स निहंद नाम जंगी काफूर ।

But it may also be called the Punjab Tenants (Security of Tenure) Bill as it also deals with tenants. So it is difficult to make anything out of it. This reminds me of a cartoon by Shankar which was published a few days ago. In that cartoon Shankar had tried to illustrate that white is black and black is white. Exactly the same is the case with this Bill. It is all confusion. I wonder why our hon. Ministers did not think fit to learn either from others or from the signs of the times. We know that after all, all people of this world are not possessed of very keen intelligence. But there is one thing and it is this that they do not and cannot afford to ignore the circumstances around them. They cannot shut their

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eyes to facts. When the sun rises everybody can see things for himself only if he cares to open his eyes. But it is a pity that the bat and the owl will not open them. Let everybody know and know fully that India is completely free and a political democracy has been established. When this is the case there is no reason why this political democracy should not transform itself into an economic democracy. This political democracy has not been set up for the benefit of the rich and the wealthy. These are not the days for a plutocracy to take root. The days of the aristocrats are over. Moreover the Congress is honour bound to rule in the interests of the poor people. This organization was successful in overthrowing the foreign Government only because it had the moral strength of the poor masses behind it who thought that this body if and when in power would put an end to poverty and helplessness from their midst. I feel that mostly it were good intentions on the part of the Congress which made it victorious. But what is happening in the Congress Raj? The answer to this question is perhaps strikes in Bombay and ejection of tenants in the Punjab; was this the treatment that the masses expected from this organization? Some body has rightly said that sacrifice and service brings rule but rule brings hell. So far as attainment of rule by the Congress is concerned, I congratulate it, but.....

Mr. Speaker : Leave the congratulations.

Sardar Partap Singh : Sir, I wish to explain what the time requires. The time requires that substantial help should be afforded to the small Zamindars and the landless tenants. About 98% of the Zamindars in this State are small Zamindars.

Mr. Speaker : The hon. Member should not indulge in generalizations.

Sardar Bachan Singh : Sir, I was developing an argument. I wanted to bring out that my hon. Friend Sardar Partap Singh who is the Congress Chief of this State and who attempted to take up cudgels on behalf of the tenants has been given a very bad treatment.

Mr. Speaker : The hon. Member need not bother about Sardar Partap Singh. He will take care of himself.

Sardar Bachan Singh : At any rate the Congress men should not have given this treatment to their Chief.

Sardar Kartar Singh : You were also a Congress man some time.

Sardar Bachan Singh : That is of course a fact but I am not prepared to partake of the traits of the Congress men now. If I tell the hon. Member that he was nude when he was born he will not put off his clothes now.

Sir, I wish to invite the attention of the Congress men to a very important decision that was taken at the Nasik Session.

It was declared in that session of the Congress that the Government aimed at establishing welfare state in the country.....

Mr. Speaker : I would ask the hon. Member to be strictly relevant because when he wanders about on other points, a closure might be moved and thus other hon. Members might be deprived of their right to have their say.

Sardar Bachan Singh : In the course of his speech which lasted more than 45 minutes, my hon. Friend Sardar Partap Singh, made propaganda for the Congress Party.

Mr. Speaker : As soon as Sardar Partap Singh started making propaganda in favour of the Congress Party, I warned him and asked him to wind up.

Sardar Bachan Singh : So far as I am concerned, I do not want to use this House for propaganda purposes but when one party does that it becomes my sacred duty to reply to that propaganda.

Thakur Beli Ram : Question may now be put, Sir.

Mr. Speaker : I promised to allow half an hour to the hon. Member on the understanding that he would be strictly relevant and that he would not touch upon his amendments or the various clauses of the Bill.....

Minister for Public Works : On a point of order, Sir. The hon. Member need not do any propaganda for the Socialist Party because he will leave that party also just as he left the Congress.

Mr. Speaker : Order, order. The hon. Member must know the rules that when I am on my legs he should not get up and begin to speak. Moreover this is no point of order that he has raised. (*Interruptions*) If the hon. Members start interrupting in this way I shall adjourn the House.

Sardar Bachan Singh : I am not one of those persons who are always loyal to the Government in power, whether it is the British or the Congress Government.

Mr. Speaker : Order please, I will not tolerate that sort of dialogue. The hon. Member should proceed with his speech.

Minister for Public Works : My hon. Friend has not been loyal to the Congress on whose ticket he was elected nor will he be loyal to the Socialist Party for whom he is making propaganda in this House.

Mr. Speaker : Order, order. I have already warned that if this sort of dialogue and interruption go on I shall have to adjourn the House.

Sardar Bachan Singh : Our Government is so unprincipled that it has not yet held election for the seat vacated by Pandit Mohan Lal Dutta.

Mr. Speaker : Again the same thing.

Mehta Ranbir Singh : On a point of order, Sir. When an hon. Member is interrupted, is he not entitled to reply to those interruptions ?

Mr. Speaker : No he cannot, he can simply draw my attention to those interruptions. Hon. Members, I have ruled more than once that they should always address the Chair and should not indulge in direct dialogue. When one Member replies to an interruption, another gets up and makes some remark and then another gets up and this sort of thing goes on which is against the discipline and decorum of the House.

Sardar Bachan Singh : I was submitting, Sir, that this Bill has been brought for the benefit of the landlords on whose support the stability of the Government depends.

Mr. Speaker : That is an insinuation. He should restrict himself to his point regarding the reference of this Bill to a select committee.

Mehta Ranbir Singh : If the hon. Member can move an amendment for referring a Bill to a select committee, he is also entitled to give reasons which prevented the Government from doing so.

Mr. Speaker : He should not be irrelevant and wander about on this point and that point, make this insinuation and that insinuation.

Sardar Bachan Singh : I was submitting, Sir, that this will provide an opportunity to the landlords to dispose of their lands at high prices. While landlordism has been regulated in other States by paying five or six times the rental value as compensation, the landlords in our State are going to be enabled by this Bill to collect as much money by selling their lands as they like. The Bill has not been referred to a select committee on account of some committal made by the Government for reasons best known to them.

Mr. Speaker : I find that the hon. Member is touching one point and then another and still another and all these points have no bearing to the motion before the House. When I gave him half an hour, it was strictly on the condition that he would not be irrelevant. When he is irrelevant, other hon. Members interrupt him and then he goes on replying to those interruptions. Yesterday when the hon. Lady Member was interrupting, although she was pressing and pressing, I did not call on her to speak.

Shrimati Sita Devi : You should ask the Ministers also not to interrupt and if they do, you should not hesitate to ask them to withdraw from the Chamber.

Mr. Speaker : Certainly, I will not hesitate to do so.

Sardar Bachan Singh : I was saying, Sir, that there are certain clauses of this Bill which would enable the land-lords to sell their land and get the maximum price for it. The purpose of clauses 11 and 12 of this Bill is to empower the Zamindars to sell their land and to eject the tenants. And then no provision has been made in it to safeguard the interests of the tenants in the event of a suit for pre-emption filed by a collateral of the land-lord, or of a Benami transaction. This Bill seeks to give the maximum benefits and advantages to the land-lords. Although we are in minority and thus are not in a position to reject this Bill, yet it is our duty to point out to the Government the pitfall if we see any. In this case, it wants to help the land-lords at the cost of the tenants. It may do this, but it should not forget the pledges held out to the peasants by it. This Bill would give no protection to the tenants. On the other hand, it will empower the land-lords to eject even those who have not been ejected so far. I, therefore, submit, Sir, that this Bill helps the land-lords, rather than the tenants.

Pandit Durga Chand Kaushish (Ambala Division, Landholders) : Sir, much has already been said on the Bill. The main feature of the Bill is that it has been sponsored more for political reasons than for any other and it has been brought forward in the absence of agricultural planning in the State. Everybody including my hon. Friends Shri Bhim Sen Sachar, Sardar Bachan Singh and the State Congress Chief have said that there have been a very large number of ejectments of tenants in the State during the past years. I shall quote facts and figures which will disprove what they have said.

[Pandit Durga Chand Kaushish]

The number of notices of ejectments served during the year ending Rabi 1945 was 4521 and the actual number of ejectments that took place in that year was 2009. Now the total number of villages in the State is 20007 which means that on the average there has been one ejectment in every ten villages. I fail to understand how by any stretch of imagination can anybody call it a precarious situation or that the tenants are being pushed out of their lands wholesale. Only an idiot or a lunatic can make that sort of assertion.

Shri Bhim Sen Sachar : Why not a knave ?

Pandit Durga Chand Kaushish : I will leave him alone.

Sardar Sajjan Singh : The words 'idiot' and 'lunatic' are unparliamentary.

Mr. Speaker : These are strong words, and I would ask the hon. Member not to use them.

Pandit Durga Chand Kaushish : If they have hurt the feelings of anybody, I withdraw them. Sir the holdings in this State are not big so that the problem is not so acute as it has been shown to be. I shall give facts and figures to prove my contention. I might add that these figures were quoted by the hon. Chief Minister himself. The percentage of owners who own less than 5 acres is 59.2% and the land they own is 14.1% of the total area of land in the State. Those holding from 5 to 15 acres, the figure is 28.1% and the land they hold is 31% of the total area of land. The figure is 7% in the case of those who hold 15 to 25 acres, the area being 16.6; from 25 to 50 acres the figure is 3.7% and the area is 16.6% and those holding 50 acres or above are 2% and the total area owned by them is 19.1% of the total area in the State and if you further split up this figure and for which again I have the evidence of Government records, it comes to 14.2% for those holding between 50 and 100 acres and above hundred acres it comes to only 4.9% of the total area of land in the State. Obviously, Sir, this piece of legislation has been sponsored at the instance of the State Congress, the Socialist Party or God knows what.

When you look at the facts you will find that the Bill is not at all warranted according to these figures. What should have been done, irrespective of the size of the holding was, that ejectments should

have been banned where the owner was not cultivating the land, but if the owner wanted the land for personal cultivation then only to a certain figure he should have been allowed to exercise that right. I made an offer to our Congress Chief that I am willing to accept only one acre. He refused that offer saying that he was for the small owner. Why is he for the small owner? Because small owner owns land up to 80%, he knows that if he were to put restriction on that small owner he would be voted down in the coming election. That is the reason that nobody is prepared to look at things from a rational point of view, they are all going after slogans. Such a measure is warranted neither on facts nor on figures and I do not know whom is it going to do any good.

Next I come to the aspect of food production which is so many times dragged into this kind of legislations. If you place restriction on the areas one can hold and make the units small then you cannot expect any scientific methods of cultivation to be employed in this State. Even our Constitution has also made a mention of these methods. People will go on using the old methods of cultivation, methods which they have been using from times only God knows when. What in fact is needed is that our agriculture should be mechanised and the labour which is being wasted on small farms, and by such legislation it is going to be kept at that and only God knows for how long, should be absorbed in subsidiary industries. But this the capitalists will not let you do. If it is said that oil pressing be done in the villages to afford work for the agricultural labour this will mean that permits for this work will not be issued and the whole lot of capitalists will rise like one man and say this cannot be done. If you say that the dairy business be done in the villages the capitalists will say no this cannot be done because they are minting money out of this. They do not keep as much as a single goat and they go on selling milk in the cities, they buy it at very cheap rates in the villages and make huge profits, the people who keep milk cattle do not get proper price for their milk. People in whose hands this trade now is won't let dairy farming be done on co-operative basis. The need of the day is that the agricultural population, the country side population should be absorbed into subsidiary industries but the capitalists want that the industries should be left to them. Only this class of people advance the argument that if we mechanise cultivation people will get out of employment; but if they are given subsidiary industries they will

[Pandit Durga Chand Kaushish]

not go out of employment. This kind of argument was advanced by the people in America who were in favour of slavery. They used to say if we set these people free what will become of them, now we are responsible for looking after them, we give them food and shelter but who will provide them with these things if they are set free. How a capitalist thrives at the cost of a common man, a fine example of it was provided by our friend Shri Bhim Sen Sachar. He gave a pathetic description how his managing agency has gone away and how his managership has been taken away and that he was left with a paltry sum of Rs. 2,000 per month.

Shri Bhim Sen Sachar : No. It is more than that.

Pandit Durga Chand Kaushish : Sir, in addition to this two thousand a month he gets a commission of 5% on the whole business and this comes to only about 5 lacs a year. And further he can employ a host of relatives in his company, a brother, a cousin, a brother-in-law, another in-law of the brother-in-law and Sir, at whose cost ?

Mr. Speaker : Please don't be personal and speak to the motion.

Pandit Durga Chand Kaushish : I am speaking to the motion but I am sorry if I have annoyed you Sir.

When I say this I do not mean Shri Sachar, I am giving you an example of a capitalist and one capitalist or exploiter is no better than the other. Money in the industries is invested by the common man, the little fellow in service, it is his money when he purchases a share in the concern and there is profit it is he who should get the benefit and not the man who is paid two thousand rupees a month.

Mr. Speaker : Avoid personal remarks.

Pandit Durga Chand Kaushish : I am just keeping in mind a capitalist while making these remarks if these apply to Shri Sachar also it is not my fault.

It is the same capitalistic trend which keeps a large portion of the population-of course the country-side population-unawakened so that they may not prove a menace. If this population is awakened and if agriculture is developed on the basis of agro-industrial set up as is done in other advanced countries of the world like the U. S. A. where the average wages of the agro-industrial worker is much more than the

meagre wages of our agricultural labourer, the state of affairs that are prevalent in our country will be greatly improved and the country-side labourer will no longer be exploited as he is done today. On the other hand what is sought to be done by this Bill will instead of improving their lot worsen the situation. Take the typical case of a landowner who has say 450 acres of land and a very good land at that which you might call 18 annas according to your standard acre. Supposing there are 150 tenants working on that land and the income in a year comes to about 10,000 rupees. Now if you distribute that land to those very 150 tenants that will give them 3 acres per head and the income per year to every tenant would roughly be Rs. 70. Now what are his commitments? In an average family there are at least 6 heads, the man himself, his wife, and four children, there can be an aged father or a mother or a widowed sister or a sister-in-law and of course two bullocks. Now if you confiscate those 450 acres of land what is the poor tenant to gain? Rs. 70 per year with ever and souls to feed, cloth and to attend to other necessities of the life-marriage, illness and the like. How is that going to improve his lot? Would he be able to give education to his children? Will he have better housing? Will he have better clothing? Will he be able to improve his land? The answer is an emphatic no. The improvement and the betterment of his hard lot lie elsewhere and that is that agriculture must come out of its old methods of operation. The agricultural labourer must get his due share and that due share has to be taken from the capitalist who is holding the monopoly, the monopoly in cloth trade, the monopoly in cement trade, steel trade and what not. The real and the only solution of the problem is that the agricultural labourer should be made to come out of the restricted sphere because a much more wider sphere is open to him.

This Bill, if I may be permitted to say so, Sir, is full of empty promises. Had the State chief of the congress organization gone into the figures that I have quoted and that which are based on Government records he would not have said that since the elections are coming, they must have some sort of stunt.

Mehta Ranbir Singh : Is the hon. Member allowed to impute motives?

Pandit Durga Chand Kaushish : They go after slogans .They are only after sensationalism whether it is the Tenants Security Bill.

[Pandit Durga Chand Kaushish]

whether it is the District Boards Bill or whether it is Municipal Amendment Bill. I do not wish to take more time of the House and will conclude by repeating that the real salvation of the tenants does not lie in such Bills, it lies elsewhere. (*Hear Hear*)

Mr. Speaker : Question is. That the question be now put.

The motion was carried.

Minister for Revenue (The hon. Sardar Kartar Singh) (*Punjabi*) :

Mr. Speaker, I may point out at the very outset that much 2 P. M. of the discussion that has taken place on this Bill, had no bearing at all on the principles underlying this measure. As a matter of fact some of my hon. Friends have availed themselves of this opportunity more to give vent to their pent up feelings rather than to submit their constructive suggestions or considered views on the subject. They have tried to shed crocodile tears while expressing their sympathy for the tenants. Well, Sir, this matter was also considered by the Sachar Ministry.

Shrimati Shanno Devi Sehgal : But the hon. Minister was not a member of that Government.

Minister for Revenue : No, but I was here in the capacity of Member of this House.

Sardar Gurbachan Singh Bajwa : But we do not give credence to what transpired at that time.

Minister for Revenue : This is really a matter of surprise for me to hear that from the hon. Member. It appears that whatever opinion one expresses while occupying treasury benches, is renounced by him when he no longer remains a Cabinet Minister. Well, Sir, I was submitting that this matter came under the consideration of the previous Government and it was decided by it to promulgate an ordinance to stop the ejection of the tenants.

Sardar Bachan Singh : On a point of order, Sir. Is the reference to the actions of the previous Government relevant to the motion under discussion?

Mr. Speaker : May I tell the hon. Minister that it would be better to avoid that reference?

Minister for Revenue : I am perfectly relevant, Sir, as the matter refers to the then Cabinet of which I was not a member.....

(*Interruptions*). At that time it was proposed that the 'permissible limit' should be fixed at 300 standard acres.

Sardar Bachan Singh : Is it relevant to refer to one of the provisions of that ordinance in this House ?

Mr. Speaker : This was a proposal and he might have heard it from somebody.

Minister for Revenue : At that time it was suggested that the permissible limit should be 300 standard acres. This is not all. It was decided that the evacuee property should not be touched at all. In other words the lands left by the Muslims in our State were also left out of the purview of that Ordinance. Besides this the lands of the military men were also to remain untouched. I am of the opinion that by comparing that Ordinance with the present Bill, my hon. Friends simply expose themselves and not the Government. In this Bill provision has been made to fix the 'permissible limit' at 100 standard acres. My hon. Friend from Hissar who expressed great sympathy for the tenants and vehemently opposed this provision approached the Government at that time with the request that the permissible limit be fixed at 300 standard acres. It does not really behove him to blow hot and cold in the same breath. On the one hand he wanted this limit to be fixed at 300 at that time, while on the other he opposes this Bill in which provision has been made to fix this limit at 100 standard acres with a view to sympathising with the tenants. I think, that it would have been in the fitness of things if he had requested the Government to reduce the permissible limit instead of agreeing to keep it at 300 standard acres. At that time he did not think about the poor tenants but now when he finds that it has been decided by the Government to fix the permissible limit at 100 standard acres, he feels dissatisfied and takes great pains in espousing the cause of the poor tenants. Here I am reminded of a couplet from 'Hir' which runs as under :—

ਅਖੀਂ ਦਿਸੇ ਨ ਤੇ ਨਾਮ ਨੂਰ ਭਰੀ । ਹਥੀਂ ਦੇਵੇ ਨ ਤੇ ਨਾਮ ਕਰੀਮ ।

ਅੱਖੀਂ ਦਿਸੇ ਨਾ ਤੇ ਨਾਮ ਨੂਰ ਭਰੀ, ਹਥੀਂ ਦੇਵੇ ਨਾ ਤੇ ਨਾਮ ਕਰੀਮ

Those who are in favour or against this motion have so far expressed themselves fully in the course of their speeches. I, therefore, do not intend to take much time of the House. Before concluding my

[Minister for Revenue]

remarks I wish to relate a short story. Once a person asked a hunch-backed hag to tell him whether she wanted her hunch-back to be straightened or desired that every body should become like her. She told him that every one should become hunch-backed (*laughter*). Here also we are faced with a similar problem. Most of the hon. Members who are in favour of the passage of this Bill are of the opinion that the hunch-back of this old hag should be straightened or in other words the interests of the poor tenants should be safeguarded while my hon. Friend Sardar Bachan Singh and others belonging to his school of thought want that every body should possess a hunch-back and that no efforts whatsoever should be made to safeguard the interests of any-body.

With these words Sir, I conclude my remarks and resume my seat.

Mr. Speaker: Question is—

That the Punjab Tenants (Security of Tenure) Bill be taken into consideration at once.

The motion was carried.

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

CLAUSE 1

Mr. Speaker: Question is—

That sub-clauses (2), (3) and (4) of clause 1 stand part of the Bill.

The motion was carried.

CLAUSE 2

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural)
(*Hindustani*) : Sir, I move—

That in Sub-clause (3), for the figure '100' wherever it occurs, the figure '30' and for the figure '200' wherever it occurs, the figure '50' be substituted.

Sir, I would like to say a few words in support of my amendment. My hon. Friend Pandit Durga Chand Kaushish has in the course of his speech said that the old methods of cultivation should be changed and that mechanized farming should be adopted instead. He laid emphasis on the point that agriculture must come out from its old rut. Further my hon. Friend Sardar Ujjal Singh has also laid too much stress on the point that if land less than 400 acres is brought under mechanised form of cultivation, then such holdings cannot prove economic in the sense that

the yield will not be commensurate with the amount of effort put in. If we take the present permissible limit of 100 standard acres or 200 ordinary acres into consideration we will find that it is not possible to bring this land under mechanised form of cultivation. What to talk of this, even 100 standard acres of canal or chahi land cannot be brought under mechanised form of cultivation. Then the Government has surveyed as to how much land is required to be brought under plough by means of a pair of bullocks and on the basis of this survey 25 acres of barani land, 15 acres of chahi land and 20 acres of canal land are sufficient for a pair of bullocks to plough. It is clear from this that holdings can prove economic only if we follow the above-mentioned old system of cultivation. Here I cannot help saying that a zamindar should get at least double of what is possessed by a tenant. That is if a tenant has 15 acres of chahi land then the land lord should possess 30 acres and if the former has 25 acres of barani land then the later should possess 50 acres.
(Interruptions)

Sardar Jagjit Singh Mann : What a sound argument !

Sardar Bachan Singh : From the point of view of cultivation we cannot definitely say as to whether old method of ploughing the land by bullocks or modern methods of mechanised cultivation can be profitably resorted to in the area of one hundred standard acres or two hundred ordinary acres of land. Previously the Government had made a provision for the reservation of land but according to the present Bill such reservation can only be made for self-cultivation and for no other purpose. If this is so, then I do not think there is any need for conferring such a right on the land-owner. There are many instances where the land owners would not allow the tenants to cultivate land. Even many responsible persons in the Government dislodged their tenants and kept that land uncultivated. Now the Government has conceded the principle of reservation. This principle is of fundamental importance and the landowner must be allowed to exercise the right of selection of land for self-cultivation. The hon. Minister has unnecessarily blamed me along with Shri Durga Chand Kaushish, Sardar Ujjal Singh and Shri Bhim Sen Sachar. I have never been a party to any conspiracy. Without going into such details, I would like to make it clear that so far as I am concerned, I always supported that the permissible limit be fixed at 300 acres or 200 acres or 100 acres. If zamindars wanted to get more land for cultivation then they will have to employ methods of mechanised co-operative farming. But co-operative methods are difficult to introduce. When cultivation is to be done by means of bullocks then the permissible limit should not be fixed at a higher level.

[Sardar Bachan Singh]

The status of zamindars is naturally very high as compared with the tenants. My experience is bitter and also opposite to that of my hon. Friend Sardar Partap Singh. Zamindars have a superiority complex and they never tolerate any tenant to sit by them on the same charpoy. I congratulate the hon. Minister for Revenue for having sympathy with the tenant class. But if he has any real sympathy for them, he should give a concrete proof by translating it into action. If we fix 30 standard acres or 50 ordinary acres as permissible limit, then we will have to see if a zamindar would be able to satisfy his ordinary needs of milk, vegetables, etc., out of his land. I can say by experience that generally peasants cultivate land by two pairs of bullocks and the number of such peasants who cultivate land by one pair of bullocks is very small. A minimum equipment of one pair of bullocks and a plough can yield better results in production only if the holding is economic. In this connection I would submit, Sir, that All India Congress Committee has also decided that every zamindar should be in possession of an economic holding. Apart from this, it has also suggested that the land with the zamindar should not, however, exceed three times the economic holding. I am saying this on the authority of the report of the All India Congress Committee which has been distributed by it. The Congress has admitted the principle that no landholder should have more than three times of the economic holding. In the Planning Commission Report it has been mentioned that cultivation done by hired labour does not yield the same results as that done by ones own hands. The report says that there is even no need for consolidation of land holdings. The land in a village should be distributed among the cultivators and the landlords will not be entitled to eject them from the land. Sir, this is the report of All India Planning Commission.

Sardar Jagjit Singh Mann: May I know whether cultivation done by tractor would be deemed to have been done by hired labour or by one's own hands ?

Sardar Bachan Singh : It is just possible that my hon. Friend may have a tractor to cultivate his own land. But so far as I know there are very few persons in India who started cultivation of land by tractors. Generally speaking, cultivation is done here by hired labour. Perhaps my hon. Friend Sardar Jagjit Singh Mann will not be able to tell me of any zamindar in the Punjab who may be carrying out agricultural operations without the help of hired labour.

Then, Sir, Mr. Durga Chand Kaushish was saying that it was necessary to mechanize agriculture in order to increase production and

that so long as all the tenants were not ejected from land, agriculture could not be mechanized.

Pandit Durga Chand Kaushish : I have never said that. That is a mischievous remark. ✓

Sardar Bachan Singh : Is not the word mischievous, unparliamentary? ✓

Mr. Speaker : I would ask the hon. Member to withdraw that word, if he has used it. ✓

Pandit Durga Chand Kaushish : I am sorry, Sir, but I thought that it was not an unparliamentary word.

Sardar Bachan Singh : Well, Sir, if as my friend says, agriculture is completely mechanized, what will be its effects on the economy of the Province? Already our Government is finding it hard to rehabilitate the displaced Urban people who have come from the West Punjab, and unemployment is rife every where. Where will the displaced tenants be absorbed, in case it is decided to mechanise agriculture? Have the towns any occupations to offer them — towns where there is already so much of unemployment? Should it then be the policy of the Government to let a few big landlords reap immense fortunes by cultivating land with the help of tractors, leaving millions of people to face starvation? Have we here any industries to absorb millions of such displaced tenants?

Now, Sir, we have to consider what the position of tenants is at present. So far as my information goes, there are to-day as many as 3 lakhs of landless tenants in the province. And then eighty per cent of the land owners are such as possess less than 10 acres of land each. Further, according to Mr. Kaushish himself, sixty per cent of the landlords are such as own less than 5 acres of land. Now, Sir, according to Government's own estimate in order to earn bread for himself and his family, a man requires twelve acres of land, if it is 'chahi', twenty acres, if it is 'nahri' and twenty-five acres if it is 'barani'. This means that even those who own five or ten acres of land cannot earn a living income from it and must manage to get some additional land, whether on 'batai' basis or on cash rent if they are to avoid starvation. Now, Sir, if agriculture is mechanized, and all these small-holders are compelled to sell their lands, you can well imagine the proportion that the problem of unemployment will assume in this province. Will not displacement of lakhs of people lead to a great upheaval?

If they are thrown out of their hereditary occupation, will they not be compelled to take to beggary or robbery or else selling their

[Sardar Bachan Singh]

honour ? Will this be calculated to increase contentment among the people of this province ? Sir, the need of the hour is that we should be able to provide land to all who want to till it with their own hands. The pity is that we have not enough land to give to the tenants who form the back bone of this province's economy. What we need most is a happy and prosperous peasantry and not enriched landed aristocracy. According to Government statistics, there is in all one crore and 60 lakh acres of culturable land, out of which 25 lakh acres of land is culturable waste and 'current fallow' which means land lying uncultivated for the last three years, extends over an area of 15 lakh acres. Thus the area of land under actual cultivation is only one crore and twenty lakh acres which converted into standard acres means eighty to eighty five lakhs. Taking twelve such acres to constitute one economic holding, only seven lakh families can in this State have an economic holding each.

Sir, in my opinion the permissible limit should not exceed 12 or 15 acres. If exemption is given to land holders up to a limit of 100 or 200 acres, lakhs of tenants will be displaced and swell the number of unemployed in the State. Some of my hon. Friends have remarked that 12 or 15 acres mean an uneconomic holding and that the limit should be at least 50 acres. But my point is that we should try to bring about the greatest good of the greatest number. If we fix the limit at 12 or 15 acres we will be able to make a provision for a very large number of tenants who are already earning their livelihood through cultivation. It will be cruel if we do any thing to throw them out of work. Some of the hon. Members suggested that we should not create un-economic holdings and should try to follow the example of America. My hon. Friends appear to lose sight of the fact that our circumstances are totally different from those of America. When mechanized agriculture was introduced in America it had a population of 30 lakhs and its area was about two and a half times that of India.

So America cannot be compared with India.

Pandit Durga Chand Kaushish : The population of America was 30 million and not 30 lakhs.

Sardar Bachan Singh : I think I know history more than the hon. Member and, therefore, am in a position to say that at the time of War of Independence the population of America was 3 million and not 30 million. America had much greater area of land and much less population in comparison with India. What could be done in

America may not be possible here. After all we cannot afford to throw lakhs of tenants out of work.

Mr. Speaker: Clause under consideration amendment moved—

That in Sub-clause (3) for the figure "100", wherever it occurs the figure "30" and for the figure "200" wherever it occurs the figure "50", be substituted.

Shri Ram Sharma (Southern Towns, General, Urban) (*Hidustani*): Sir, clause 2 is the soul of the Bill which is, under consideration clause by clause. If a suitable alteration is made in this clause the Bill will surely become very effective and in case no such thing is done it is not likely to serve any useful purpose. Hon. Members. will agree with me when I say that after the achievement of Independence our people expect from us useful and helpful laws. They are fed up with the old laws which were passed during the old regime when the object of making laws was to create trouble for the poor and enjoyment for the rich. The poor people were waiting for the day when the Congress would come into power and pass laws to bring about the greatest good of the greatest number. So now Congress is fortunately in power and we are running a Congress Government. We should see that we do every thing we can to fulfil their expectations.

Sir, we in this State have a population of about 1.25 crores and we possess 1.75 crore acres of land. In such a circumstance we have to be very careful about land and its cultivations. No doubt that this State is largely the State of the peasant proprietors and the small zamindars, and a considerable area is cultivated by poor tenants who have never been well treated. These tenants are of three categories. Firstly there are landless tenants who worked for others in the West Punjab and are now here in this State. The second category comprises those tenants who are landless and belong to this State originally. Thirdly there are tenants who are owners of small areas and are forced for their livelihood, their own holdings being insufficient, to cultivate land of the big zamindars.

Now, Sir, about three lakh families have come from the West Punjab and about 60 per cent of them own less than 5 acres of land.

So the question arises as to what is the number of those persons who will be benefited by this Bill? The number of those persons who own more than 100 standard acres or 200 ordinary acres is not more

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than 600 or 700. According to the provisions of this Bill this small number of big landlords will not be able to eject their tenants from their lands exceeding 100 standard acres or two hundred ordinary acres, till after the expiry of four years of tenancy. Lakhs of poor tenants had been expecting to get some protection from the State since long, but we find that this Bill is meant for the benefit of a handful of tenants. So far as district Rohtak is concerned, not a single person will be benefitted. Their condition will be the same whether this Bill is passed or not. Three or four landlords of that district, who owned more than the permissible limit prescribed by this Bill, have already transferred their lands in the names of their wives, sons, brothers and other relatives. In the light of these facts, the total number of tenants who will be benefitted by the Bill can be easily assessed. This is not a State of big landlords like Uttra Pradesh or Bihar. The size of holdings here is very small and the majority of persons are tenants in one way or another. By fixing the limit at 100 standard acres or 200 ordinary acres, the Government has not given proof of its desire to help the general public. If the Government was really anxious to help the poor tenants, it should have fixed the permissible limit at one hundred or two hundred kucha bighas. The tenants of those landlords who owned areas more than those comprising economic holdings but less than two hundred or three hundred Bighas of land should have been provided security of tenure. My hon. Friends Sardar Ujjal Singh and Pandit Durga Chand Kaushish advocated mechanisation of cultivation. In this connection, I beg to submit, that the committee of experts appointed by the Congress have arrived at the conclusion that this would not be practicable for another twenty or thirty years. Mahatma Gandhi was opposed to mechanisation of agriculture on principle. He believed that the population of this country was so large that the use of machinery should be avoided as far as possible. I can say from my personal knowledge that in several cases the lands of those landlords who own less than two or three hundred acres of land are lying uncultivated. This is due to the lack of security of tenure. When the tenants know that they can be ejected at the sweet will of their landlords, they do not pay proper attention to their work. Sometime back when I was passing by a small village, I could not make out whether the land in front of me was cultivated or not. I thought it to be baren but was told that it belonged to a landlord of Sonapat, who had leased it to tenants but they did not pay any

attention to it for want of security of tenure. These big landlords who speak of mechanised farming, are in reality disposing of their lands. They know what the future structure of society is going to be. The world forces are going to bring about an economic revolution, which no power can resist. Even if the Government decides to fix the permissible limit under the Bill at 500 or 1000 acres, the forces at work in the whole world cannot be checked. The same persons who talk of tractors and mechanisation of agriculture are aware of these facts. They are selling their lands at a rapid speed. Now this Bill as it stands, is quite meaningless. It can become of some use if the clause under discussion is amended. The greatest need of this State is the grant of security to tenants of those landlords who own more than economic holdings. Those whose holdings are not economic have to lease out their lands or take those of others. In the whole world, the real dispute is between the 'haves' and 'have nots' ; We should act upon the principles laid down by the Congress as sometimes the people have the feeling that we are going counter to those principles. May I ask as to where the spirit of Congress ideal is indicated in this clause or this Bill. The resolution passed at the Karachi and Nasik sessions of the Congress appear to have been completely forgotten.

Again when we go out, people tell us that inside the House we speak against certain Bills but still we pass them. I am not talking of those hon. Members who have become Parliamentary Secretaries or who aspire for those offices. They, no doubt speak for the motions. But all the other hon. Members who make speeches in the House, speak against the Government. In spite of this when it comes to the passing of the Bills, we vote for them. People outside, are surprised to see that the Bills which are opposed by the hon. Members in their speeches are actually passed afterwards. Such a thing happens in a democracy, because sometimes people have to mark time to win the support of others. Till such time, such people have to suppress their views. As a matter of fact, I find that during these debates, the Members of the opposition demonstrate a greater measure of the spirit of Congress than the Members of the Congress party itself. I find that fundamentally 50 per cent of those six Members are Congressites and not even 6 per cent of the Congress members are genuine Congressites. But it is hoped that a time will come when real spirit of Congress will dawn on the hon. Members belonging to this party also otherwise those who are genuine Congressites will be obliged to leave the party. Time is a

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hard task master ; it does not favour anybody. I, therefore, request the Government to reduce this permissible limit of 100 acres, to a considerable extent. If this is not done, I am sure, we would not be able to face the poor peasants to whom we have held out pledges for helping them. How shall we go to them in the presence of such enactments, at the time of the coming elections? I would warn the Government to read the writing on the wall. It serves no purpose if it is said that the previous Government had fixed the permissible limit at 300 acres. I, therefore, request the Government not to disappoint the masses, the peasants and especially the landless tenants by fixing the permissible limit at 100 acres. This limit should be considerably reduced so that the people may see that we have honoured our pledges.

Chief Minister (The hon. Dr. Gopi Chand Bhargava) (*Hindustani*): Sir, I oppose the amendment under consideration, which seeks to lower the permissible limit proposed in the 3. P. M. Bill. This limit applies to this Bill at two places. Firstly, it determines as to whom this Bill would be applicable and secondly a landlord can reserve land up to the permissible limit for the purpose of self cultivation. I do not want to say any thing at this stage regarding clauses of the Bill which are to follow. Under this clause, the landlords possessing less than 100 acres of land will not be empowered to eject the tenants before the expiry of one year. But in the case of landlords possessing 101 acres, the time limit will be 3 years provided the whole of such land is cultivated by the tenants. Then, Sir, some of the hon. Members have explained the principles of the Congress *vis-a-vis* the tenants problem. It has been said that the Provincial Congress has conceded the demand of the tenants, but the Government here is not agreeable. I would like to submit that the Congress outside this House and the Government are not two parties. We are also the followers of the same Congress and the members of the same party. In a party Government it is the party and not personalities that really matter. The whole discussion regarding economic holdings and our facing the electorates in the coming elections, as stated by my hon. Friend Pandit Shri Ram Sharma, was beyond the mark. All this discussion was with regard to the abolition of Zamindari. So far as the problem of tenancy goes, we have to see as to what land can be given to the tenants. All this discussion

about giving economic holdings to the tenants would have been proper and relevant if the matter under consideration had been the abolition of Zamindari. Then, Sir, reference has been made to the Agrarian Reforms Committee. I would like to read out a few lines from its report for the information of the House about the size of an economic holding :—

Regarding the size of an economic holding, Provincial Governments in their replies to our questionnaire have advised different sizes for different provinces. It is common ground that an economic holding must vary according to the economic condition of the agriculturists and their standard of living. According to the data at our disposal we are not in a position to lay down any exact size of an economic holding for different provinces. This is possible only on the basis of an exhaustive information on the present data about a family budget, soil condition and the nature of cultivation in different parts of the country. We, therefore, recommend that the economic holding should be determined regionally on the following principles :—

1. It must provide a reasonable standard of living.
2. It must provide full employment to a family of normal size and a pair of good bullocks.

So whenever a mention is made of the holdings and a definition of economic holding is given, it is said that a holding should not be more than three times the area fixed for an economic holding. As regards tenants, it is said that they should have enough of land to enable them to make their both ends meet. If a maximum of three times is fixed a tenant cannot cultivate it himself. He will have to employ sub-tenants. The employment of sub-tenants and this sort of sub-letting will create certain difficulties which will complicate the matters still further. The small landlords and peasant proprietors who have less than five acres of land number 23,627,00 and they constitute 59.2 per cent of the agriculturists. Those who have a little more than five acres are 13,776,152 in number. Thus those who have about five acres must become sub-tenants. The small proprietors of land must get more land on lease from others; otherwise they cannot maintain their families. The tenants can only work if they are given proper security of tenure which we have attempted to give them by means of this Bill. We have provided that the landlords can keep hundred acres of land from his estate for self cultivation and he cannot eject the tenants from lands above this permissible limit. Then so far as land reserved by him, is concerned, if he does not resort to self cultivation in one year he will have to restore it to the tenants who were ejected from it. In this way we have

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tried to improve the relations between the tenants and landlords. As regards their relations I can give figures to show, the real position. In the years 1946-1947, 1947-1948 and 1948-1949 the following ejectments took place.

Name of District	1946-1947	1947-1948	1948-1949
1. Hissar ..	2051	1010	693
2. Rohtak ..	307	..	35
3. Gurgaon ..	240	212	193
4. Karnal ..	214	20	129
5. Ambala ..	243	87	209
6. Simla ..	..	..	..
7. Kangra ..	73	52	101
8. Hoshiarpur ..	289	351	40
9. Ludhiana ..	132	..	78
10. Jullundur ..	213	92	144
11. Ferozepore ..	105	54	110
12. Amritsar ..	298	185	155
13. Gurdaspur ..	501	435	104

Figures for 1949-50 are not yet available. Sir, it can be seen from these figures that the average for 1948-49 is far less than that for the year 1946-47. Except for the one or two districts the figures in other districts for the year 1946-47 are more than those for the year 1948-49. This shows the improvement in the position. After the issuing of the ordinance about 93 tenants have been reinstated in Ferozepore district. Now I wish to give the history of this problem in our State briefly. In 1946 the then Revenue Minister of the Punjab Government stated in Simla that the tenancy problem had become grave in the province. At that time the Muslim League agitation was also going on. Shri Bhim Sen Sacher was the Finance Minister. He said that this problem should be solved. The talks were started with tenants and the landlords. The tenants stated that the real conflict was not between the tenants and the landlords but between the landlords themselves and that they had nothing to do with it.

Nothing happened in the year 1947. In 1948 the problem was taken up again. The Financial Commissioner himself went to the spot and decided the matter except for one or two places. In 1949 the conflict again started when we received a report that many landlords had forcibly ejected some of the tenants from their lands. The Financial Commissioner and the Commissioner themselves visited the places and tried to settle the disputes. I was asked to get the dispute decided by means of arbitration or by some other method. An arbitrator was appointed who gave his decision in the matter and I was asked to write to the Deputy Commissioner concerned to get the decision implemented. Then, Sir, after a few days they began to feel the necessity of getting rid of the right of the landlords to make five per cent ejectments. So it was announced in the press by the Government that the landlords should altogether stop ejecting the tenants. If they persisted, then the Government would promulgate an ordinance nullifying the ejectments. But that ordinance did not see the light of the day and I cannot say why. Then, Sir, pressing demands were put on us to decide the matter in one way or the other or we should issue some ordinance to stop the landlords from ejecting the tenants. In this connection the President of the State Congress also placed his proposals before the Government. We got these proposals thoroughly examined by our departmental officers and obtained their considered opinion on the subject. Afterwards we had a free and frank exchange of views with the State Congress Executive on this matter. It was the intention of the Government to bring forward a Bill during the previous session but this could not be done as the party failed to come to an agreed decision. Then, Sir, after some time I called a meeting of 30 legislators at Ambala to discuss the provisions of the ordinance which the Government intended to promulgate to ease the situation which had arisen as a result of the ejectment of tenants. There it was decided to put the 'permissible limit' at 100 standard acres or 200 ordinary acres of land. After this unanimous decision, the necessary ordinance was promulgated. When this matter again came in for discussion in the party, the majority of the members were in favour of this 'permissible limit' being retained in the Bill. I think it is not proper to say that abolition of landlordism is the only way to express our sympathy for the poor tenants. We have to consider the matter from this point of view as to how best an amicable settlement can be brought about among the landlords and tenants who have after all to

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deal with each other. It is obvious we cannot bring about this rapprochement with a rod. So long as the system of tennancy continues to exist or till the cultivator becomes the owner of the land, he is tilling now, the question of ejectment will also continue, in one form or the other.

Then, Sir, in accordance with the decision of the Planning Committee, appointed by the All India Congress Working Committee, I formulated a proposal and sent it to all the hon. Members of this legislature irrespective of the fact whether they belonged to the Congress Assembly Party or not. The proposal is this. The Government should undertake to get all the land in the State cultivated. I may point out in this connection that Government are not concerned with the proprietary rights of the landowners. They do not want to acquire these. The aim of the proposal is to get the whole land cultivated and the basis of working will be like this. The owner who would not like to till it himself, would submit the estimated income he is likely to get from his land. Government will then distribute the land among the actual tillers of the soil and in a quantity which each can efficiently manage to cultivate. The cultivator will be paid his due share in cash or kind as a remuneration for cultivation. The owner will also get his share and the Government will also retain a percentage of the income to meet the expenditure incurred on the organisation maintained for getting the land cultivated. As you are aware, Sir, under the provisions of the Constitution of India, Government is required to pay compensation for any land acquired by them, and in all those States where zamindari has been abolished, due compensation has been paid to the landlords. But if we pay compensation in instalments, for the land acquired, it should be to such an extent as may enable the landlord to pull on easily. But if the instalment paid does not serve this purpose, then this tantamounts to acquisition of land without payment of any compensation. If an amount of 1,000 rupees was credited into the Bank in the account of the landlord, as compensation, he would earn an interest sufficient to maintain him. But this meant a provision of lot of money for the Government. If, on the other hand, the Government paid the compensation in kind, every year, instead of cash, to the Zamindar, Government will also be saved of the botheration of arranging a colossal amount of money. So this is the proposal on

which we have sought the opinion of the Revenue Commissioners and have also asked the hon. Members to express their considered views on the matter. You will be surprised to hear, Sir, that so far only three or four hon. Members have sent in their opinions. This was an opportunity for those who are not tired of expressing their sympathy for the poor cultivators, to say whether they approved of the proposal to make every cultivator to work as a tenant of the Government. But they are keeping mum over it. I may point out that this proposal is very beneficial to the people who want to work. They can get better remuneration in this way than if the Government should fix wages under some law. Under this proposal every cultivator will receive a uniform treatment. But what do we find in every day practice? The tenants are made to pay the landlords different amounts for leasing the lands. The Government cannot brook such state of affairs in the State as may result in the disturbance of the peace. So the object of the Government is to make such tenancy laws as administer even-handed justice both to the tenants as well as landlords and bring about contentment among them. But the landless tenants or the actual tillers of the soil can be kept contented only if the Government can provide them with sufficient land for cultivation and the Government can do this when the whole of the land is placed at its disposal by the landlords for distribution among the tenants for cultivation. But this is possible only if all are prepared to become the tenants of the Government. However, this proposal has not found favour with my hon. Friends. I think, we should examine this proposal from the Congress point of view and see whether the principles laid down by the Planning Committee are fully covered by it. We should also see whether under this scheme joint co-operative farming is possible? Now the tenants want security so that they may develop more interest in their work and thus improve their conditions. We have already made a provision in this Bill to provide security of tenure to them. If the State Congress Committee agrees to this principle, I am sure, we can go ahead in implementing the Congress principles in the true sense of the word. But after keeping in view the interests of the tenants and also the grow more food campaign our State Congress Committee has come to the conclusion that the permissible limit should be fixed at 50 standard acres. Government have their own views on the subject. They have fixed the proposed permissible limit after considering the pros and cons of the whole matter. The House will agree that it is no use fixing

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such a limit as would result in the deterioration of law and order position in the State and also that so long as the tenants and the landlords are not on good terms with each other, the conditions of both of these would not improve.

The need of the hour is this that we should devise ways and means so that relations between tenants and landlords may become happy and not estranged. If the tenants cease to have any confidence in the landlords and *vice versa*, the conditions of both of these would grow from bad to worse. If my hon. Friends are of the opinion that the tenants and landlords should not be on good terms and that they should not repose any confidence in each other, then of course it can be said that there is some justification on their part in asking for the reduction in the permissible limit. But I would like to bring this point home to them that the result of all this would be that neither the landlord nor the tenant would take interest to increase production or improve their conditions. Under the circumstances, any reduction in the proposed permissible limit is not going to do any good to the actual cultivator. Some data should have been supplied on the basis of which it could be said that the proposed permissible limit should be reduced by 50 standard acres. I really fail to understand as to why in the absence of any data, they want the permissible limit to be fixed at 50 standard acres, and not at 75 standard acres. We have fixed the permissible limit at 100 standard acres with a view to enabling the landowner to specify some land for self-cultivation. It goes without saying that a landowner can very easily afford to bring his land under mechanised form of cultivation. He can also afford to construct as many tube wells as he may think fit. He can get his land cultivated by means of small or big tractors.

It has been said that the Congress Agrarian Reforms Committee had recommended that the permissible limit should be fixed at 50 standard acres. Perhaps my hon. Friends holding this view are not aware of the fact that in the State of Bihar where landlordism is being abolished, the permissible limit has been fixed at 400 standard acres. In that State, too, the landowners have been permitted to reserve land for self cultivation. I repeat that the creation of better relations between the landlords and the tenants is the need of the hour and it will definitely be in the interests of the tenants if this is done.

But if we remove the landowners from the picture, then the tenants would not be in a position to make any improvement in their land. This is not all. If the period of tenancy is extended by 10 years even then they are not going to make any headway in this direction, because they cannot and would not afford to adopt scientific methods of cultivation. If we look at this subject from the point of view of the tenants, we will find that it has nothing to do with the abolition of zamindari. This is rather a simple question relating to the interests of the tenants and the landowners. Let me, however, make it clear that the abolition of zamindari and the security of tenants are two quite distinct subjects.

If some of my hon. Friends oppose the proposed legislative measure simply because they have found it convenient to stick to certain slogans in the public meetings, then I can only say that mere slogans will not carry them far. Legislative measures are not enacted by means of slogans. The maintenance of law and order is not dependent upon slogans. Again it is not the slogans which can decide the matters relating to the interests of the tenants. Can any Government carry on its day to day work if it pays any heed to slogans? All such issues cannot be decided by means of slogans. As a matter of fact Government has to see as to what measures are actually worth taking in the interests of the people.

Further, I would like to point out that the two representative bodies of our country like the Congress Parliamentary Board, and the Congress Working Committee of which my hon. Friend Sardar Partap Singh is a member can test the proposed legislative measure and see whether or not it is really in the interests of the tenants. If it is pointed out by them that this legislative measure is against the interests of the tenants of our State, then I make bold to say that I am prepared to resign from the office of Chief Ministership and am also prepared to undergo any punishment that may be given to me. I fully understand the principles and the ideals of the Congress and I act according to them as any other Congress-man does. If my hon. Friend Sardar Partap Singh is a delegate to the Nasik Congress Session, then I too, have been elected as a delegate by the Congress-men. (*Interruptions*). Sir, I am going to explain that this Government is not going against the principles of the Congress. That objection has been levelled against us. I am going to justify the action of the Government.

Pandit Durga Chand Kaushish : Sir, I fail to understand what the Congress and its leaders have to do with the clause under consideration.

Chief Minister : However, I have no hesitation in saying this and I say it with all the emphasis at my command that I fully understand the principles of the Congress and act according to them as any other Congressman does. I admit that being a true soldier of the Congress and keeping in view its ideals and principles, I do my duty to the best of my ability.

Shrimati Sita Devi : (Ex-Member West Punjab Legislative Assembly representing Lahore City, General, Women, Urban) (*Hindi*) :— Sir, there is an amendment standing in my name too, so far as clause 2 is concerned. Through this amendment I propose to reduce the permissible limit from 100 to 25 standard acres. So far as the provisions of this Bill are concerned, I am reminded of a saying in urdu which is like this :—

खोदा पहाड़ निकला चुहा और वह भी मरा हुआ ।

ਖੋਦਾ ਪਹਾੜ ਨਿਕਲਾ ਚੁਹਾ ਔਰ ਵੇਹ ਭੀ ਮਰਾ ਹੁਆ ।

Right from the time I was born I have been working for the Congress. It was the same spirit working among all of us namely that we were looking for the day when India would be free from the British domination. As a matter of fact our Chief Minister has said the same thing in his speeches.

Mr. Speaker : It is very astonishing that even though the British have quitted India yet every speaker mentions them.

Sardar Ajit Singh : On a point of order, Sir. It is really surprising indeed that the hon. Lady Member who has not thought it fit to surrender the building of her school to the Government has now risen from her seat to espouse the cause of the tenants.

Shrimati Sita Devi : I am not discussing any party politics.

Shrimati Shanno Devi Sehgal : On a point of order, Sir, I would submit that the hon. Members of this House make so much interruption that I would suggest that a school may be opened where they should be taught how to behave.

Mr. Speaker : I quite agree that the hon. Lady Members should be heard patiently and whenever any lady Member is on her legs the Members should behave in a dignified manner.

Shrimati Shanno Devi Sehgal : There are only three lady Members and I would request the hon. Speaker that if any lady Member gets up to speak she should be allowed to do so uninterrupted.

Shri Prabodh Chandra : Provided they are relevant.

Mr. Speaker : When they are irrelevant, my attention should be drawn.

Shrimati Sita Devi : Sir, I was submitting that I should be allowed to proceed with my speech without any interruptions from the hon. Members.

Mr. Speaker : The hon. Member should discuss the Bill before the House.

Shrimati Sita Devi : Very well, Sir, I leave that and come to the Bill. I have to mention the name of the Congress as it is the Congress Government and I am also the member of that organisation. The leaders of the Congress had held out great assurance to the public.

Mr. Speaker : He is not a leader of the Congress, but here he is a member of the House.

Shrimati Sita Devi : Sir, the leaders held out assurances that as soon as the Congress Government came into power, it will give due rights to the Kisans and the labour classes. The common man will also get enough food to eat and clothes to wear. The Government has put forward this Bill and the hon. Chief Minister is saying that it is in the interests of the tenants.

Mr. Speaker : It is not the Bill that is under consideration, but a clause.

Shrimati Sita Devi : Sir, under this clause "permissible limit" means 100 standard acres of land occupied by an occupancy tenant. My amendment is that it should be 25 standard acres instead of 100 standard acres. The hon. Chief Minister has stated that the limit has been fixed at 100 standard acres so that the peasants may be able to carry out cultivation of land on scientific lines. My hon. Friends who are landlords have raised much hue and cry over the fixation of 100 standard acres as the permissible limit. But I can say that there is

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not one amongst them who may be doing self-cultivation. If permissible limit is fixed at 100 standard acres, I think much of the area of land will remain uncultivated especially at those places where the tenants are in large number. I do not know why the Government feels shy when Utter Pradesh has already enacted law for the abolition of zamindari. It would have been much better if this Government had also followed in the foot-steps of other States, and had gone ahead with the scheme for the abolition of zamindari in our State as well. When this Government came into power, I had asked the hon. Chief Minister that the Government should follow the golden principle of *jo wahe so khai* that is whosoever tills the soil should have the whole agricultural produce for himself.

Sardar Gurbachan Singh : Then what will you do ?

Shrimati Sita Devi : If this was done, it would have given hope and exhilaration to the tiller of the soil and he would have come to the fore front. The hon. Chief Minister did not then favour the idea of doing it swiftly but he promised that he would bring in such reforms gradually. There are certain Members of this House who are landlords but at the same time there are others who have no interest whatsoever in land, such as Seth Sudershan, Shri Behari Lal Chanana and Shri Dev Raj Sethi. This Bill has been sponsored by the Government through the combined efforts of such hon. Members who have vested interests in the landlords and the tenants. The hon. Chief Minister does not like to offend such Members of the House though in his heart of hearts he might be feeling that there is absolutely no need of bringing such a measure before the House. He is helpless because the landlord Members are pressing him hard to bring forward such a Bill before the House. Such hon. Members, I would say, are averse to the good of tenants and kisans and also to the well-being of the State. They are primarily prompted by the motive of satisfying the needs of few people in the State.

Then, Sir, everybody seems to look to the interests of his own class. Sardar Ujjal Singh was saying, 'What does the Government want? Does it want that the middle-class zamindars should face starvation? Should they not be able to make both ends meet'? Well, Sir, nobody wants to snatch bread from the middle class zamindar. What we want is that the poor tenant should also be

allowed bread for himself and his family. We do not want that some people should have so much to eat and over eat that they may often be in need of appetising medicines, and on the other hand there should be others who do not get even one square meal a day.

Sir, this process of ejection of tenants has been continuing for the last one year and a half. The hon. Chief Minister has given figures of ejections from various districts but about the restoration of ejected tenants, he has given figures regarding one district only and their number, too, is quite insignificant. I wonder, Sir, that a Government which has such veteran Congressmen as Dr. Gopi Chand Bhargava and Dr. Lehna Singh as its Ministers, should fail to render any substantial aid to the tenants and is instead sponsoring a Bill like this in the House—a Bill which can grant no protection worth the name to the tenants. We, who are under a party whip, are helpless in the matter and so this Bill will be passed as the Government desires. I am, however, moving my amendment, which aims at the benefit of the tenants. If this Bill is passed as it stands, it will be no wonder if it comes to be looked upon as a 'Black Bill,' by the tenants.

Chaudhri Sahib Ram (Hissar North, General, Rural) (*Hindi*): Sir, I feel that the 'permissible limit,' which has been fixed at 200 ordinary acres, too much narrows down the applicability of this Bill. It will apply to only a few landlords. Then, Sir, there is a very great danger of land being left fallow by the big landlords, just to avoid the applicability to them of the provisions of this Bill. This will result in loss in production. It stands to reason that nobody can cultivate 100 or 200 acres of land without the help of tenants, even if he has got a high-quality tractor. So those landlords who reserve so much land for self cultivation, will not be able to cultivate the whole of it, and a portion will remain fallow. On the other hand tenants will be thrown out of employment and will die of starvation. In my opinion, Sir, if the hon. Minister who understands the whole position, keeping in view the conditions prevailing in the country and the need for increasing production, adopts some measures to stop ejections for a period of four or five years, there is absolutely no necessity of passing this Bill. He would, thereby earn the lasting gratitude of thousands of tenants and this would also be helpful in making the grow-more-food campaign a success. This Bill, as it stands, would do no good to them. On the other hand, there is a danger of the relations of landowners and tenants worsening after its enactment. It is

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no use saying, as one of my hon. Friends has remarked that he is willing to accept one acre as the 'premissible limit.' No tenant can pull on with one acre of land. Let him agree to make it twenty, forty or fifty acres, so that it may result in the good of the maximum number of people.

Then, Sir, the hon. Chief Minister has adduced figures of ejectments from various districts. But I am afraid these figures did not give a correct picture. The number of notices of ejectments given in all these districts was much greater. Though they were later on withdrawn as a result of the good offices of the hon. Ministers and public workers. The hon. Chief Minister has himself stated that he and his colleagues were responsible for bringing about many compromises. In our district alone, the number of such notices was in the neighbourhood of ten thousand, though the cases of ejectment were not so many.

I am in complete agreement with Dr. Sahib's proposal and I regard it as embodying a very good solution of the tenancy problem. But mere words cannot afford satisfaction to the people as many proposals are mooted and passed here but they never get a practical shape. As regards the scheme of land consolidation, it will yet take a very long period to materialize. Bhakra Dam is yet far from being completed. Keeping these facts in view, it would be better if we accept Dr. Sahib's proposal.

Shri Amar Nath Vidyalkar (Non-Union Labour) (*Hindustani*) :

Sir, this Bill is an important piece of legislation and is designed 4 P. M. to embody much-needed agrarian reform. But the clause under consideration is really the corner-stone of this legislation, and, therefore, if it is defectively drafted, it will defeat the very purpose of this measur. I seriously feel that this clause has been deliberately so drafted as to provide an escape for the landlords, and what the Government claims to be conceding with one hand, is indirectly being withdrawn by placing a very high limit of exemption in this clause. If this clause, as it stands, is passed, then I think in my opinion. the Bill will become devoid of any interest. Therefore, Sir, I urge upon the Government not to try to rush through this measure, and give sufficient time and opportunity to the members to express their views on this most vital matter affecting the whole agricultural

community. As I have already stated clause 2, which is under consideration, is the keystone, so to say, of this Bill. But by insisting on to keep up the exemption limit so high, as 100 standard acres or two hundred ordinary acres, the Government is trying to defeat the whole purpose of this Bill. It is because the Government, in fact did not want to pass such a law, and it is only to appease the very much agitated public opinion that they have been obliged to bring some measure which should have a little semblance of a tenancy reform legislation. Now the object of this measure was to give an adequate protection to the landless cultivators who hire the land on payment of rent. But this Bill falls far short of this objective, thanks to the exemption limit of 200 acres, provided in this clause. Almost all the non-cultivating land holders would get exemption, and will be at liberty to evict their tenants at their sweet will. The occupancy tenants have already got exemption through clause (i), which we have already passed. The occupancy tenants, too, sublet their lands and many of them do enjoy lot of unearned income. Many of them cannot be distinguished from the absentee and non-cultivating landowners. While the idea is and that is for what the Congress Party stands for, that self cultivating agriculturists should be encouraged and given full protection. Then, Sir, my hon. Friend Shri Durga Chand Kaushish was pleased to remark that the tenants need entertain no fears because hardly two per cent land holders possess more than 50 acres of cultivable land in the Punjab and that goes in support of my contention. I could understand my hon. Friend although I could not agree with his views. He had, however, tried to prove by his argument the futility of this legislation. He represents the landlords and he must prove faithful to them. I could understand him if he had said, why pass this legislation at all, because it hardly affects even the two per cent landlords who possess more than 200 acres of land, or if you mean to give this protection only to their tenants, whose number is quite an insignificant percentage of the total number of tenants-at-will in the Punjab. Here, I quite agree with him. If at all a legislation is passed, it ought to cover a good number of tenants, who deserve protection. Therefore his argument in fact goes in the same direction as mine. This House has already agreed to the principle of the Bill, and it has decided that the tenants will get adequate protection. But as Shri Kaushish argues, this Bill affects a very few and, therefore, this is worse than useless. If you amend this clause materially and bring down the limit of exemption, say to 30 acres

[Shri Amar Nath Vidyalankar]

or at the most to 50 acres, you will have an effective piece of legislation which will give protection to a large number of tenants. It is a matter of common knowledge that a very large number of tenants is being exploited in the Punjab and it is wrong to say that most of the land in the Punjab is cultivated by the zamidars themselves. I can quote figures to show that about 50 per cent of the cultivated land in the Punjab is being tilled by the tenants. Here I have the Darling Committee's Report in my hands which gives out figures for certain select villages in various districts of the Punjab where the Board of economic enquiry Punjab, had conducted test enquiries. The figures give the percentage of the non cultivating owners, out of the total number in the respective villages.

(1) Gagar Bhana, Amritsar	..	39.9	Per cent
(2) Gitajhi, Rohtak	..	22.7	„
(3) Naggal, Ambala	..	47.2	„
(4) Bhadas, Gurgaon	..	20.9	„
(5) Suner, Ferozepore	..	33.3	„
(6) Jamalpur, Hissar	..	24.0	„

According to the same report out of those land-holders who paid Rs. 5 or less as land revenue, 9,01,000 landholders were cultivators and 2,86,239 landholders were non-cultivators. So these figures show that the non-cultivators form at least one-third of the cultivators. These non-cultivators get their lands cultivated through tenants whom they try to exploit to the utmost. This exploitation of the tenants is not only confined to the Punjab but is rampant throughout India and to illustrate it I would read a passage from "Indian Agriculture."

There is greater exploitation of the cultivating tenants in those areas where crop sharing is prevalent. The area cultivated under this system is 20 per cent of the total sown area in Bengal and Bihar, 25 per cent in the United Provinces and nearly 50 per cent in the Punjab. The position in Sind and N. W. F. P. is very similar to that in the Punjab. The share-croppers are generally landless labourers, ex-proprietors or occupancy tenants with unduly small holdings. The proportion of the landlord's share in the crop varies, but one-half is the rule. The landlord thus saves the cost of cultivation, avoids all risks in the enterprise and is yet assured of some return from his lands. In a country of small holdings averaging hardly four acres in size, such proportions of

rent payments definitely impoverish the cultivator in as much as a large proportion is taken away from the crop which is already insufficient to feed the tenant and his family.

Sir, further, a survey of 27 representative farms under tenancy in the United Punjab revealed that.

Of the net income of cultivation, less than 18 per cent is enjoyed by the worker and the rest goes to the non-working owner of the land.

I think hon. Members will be surprised to find that even in the face of these things hon. Sardar Ujjal Singh remarked that the tenant got a share out of the profits of the landlord whereas the industrialist gave nothing to his factory worker from his profits.

Sir the hon. Chief Minister was in a position to deal with the subject at a great length as he had sufficient time at his disposal. We the members get only ten minutes each, and how could it be possible to refute all the arguments advanced on behalf of the treasury benches. I have a lot of material and facts and figures at my disposal to refute each of the contentions. But unfortunately, I have an extremely limited time at my disposal. I am very much afraid, I shall not be able to do justice with my subject nor shall I be able to answer all the arguments advanced by my friend on the floor of this House. The hon. Chief Minister was pleased to say that ejectments did take place, only in 1947, because at that time the landlords feared abolition of zamindari and that no such thing is in existence at present. If it was so, what was the necessity of passing this legislation at all? I submit that if you mean business, do it thoroughly and fairly. The truth is that the hon. Chief Minister is still unconvinced of the utility and necessity of this measure. He is doing it under compulsion, and that is why the legislation is not a thorough going one. He further went on to say that the problem of the tenants was not so serious as it was being made out by those who wanted the abolition of zamindari. Here is again something which is rather strange. The Government itself has given out in its statement of objects and reasons that it ultimately wished to abolish zamindari. So, our ultimate aims are absolutely identical. The object of this Bill was to give an interim protection to the tenants. That itself shows that the problem does exist and that can wait neither the submission and consideration of the report of the Land Reform Committee nor the subsequent legislation for the partial and total abolition of the zamindari.

Then at the time of enacting tenancy legislation we should keep in view the objections laid down by Economic Programme Committee

[Shri Amar Nath Vidyalankar]

set up by the Congress. It has said in its report that.—

All intermediaries between the tiller and the State should be eliminated and all middlemen should be replaced by non-profit making agencies such as co-operatives.

Further on it says.—

Land should be held for use and as a source of employment. The use of lands of those who are either non-cultivating landholders or otherwise unable for any period to exercise the right of cultivating them, must come to vest in the village co-operative community subject to the condition that the original lawful holder or his successor will be entitled to come back to the land for genuine cultivation.

It means that we should aim at protecting the genuine cultivation. We should prevent their exploitation by the big landlords. We must put a stop to their ejection. My hon. Friend Sardar Ujjal Singh said that the tenants were very happy and got their due share in the produce. He was an old unionist, and let me remind him what his, then chief, the late Sir Chaudhri Chhotu Ram has said on this subject. Speaking on the land reforms amendment bill in the late Punjab Council, the leader of the Zamindar party had remarked, "that the landlord takes excessive share of the produce and the tenant does not get any thing like the share to which he is entitled as a result of the labour and expense which he incurs on cultivation". A very small number of tenants will be benefitted by fixing the limit at 200 acres. In reality most of the tenants do not get their due share from the land which they cultivate. A majority of the tenants who needed protection will not be covered by the provisions of this clause. By fixing the limit so high we will be perpetuating the exploitation of a very large number of these poor tenants who also deserve protection. The hon. Chief Minister stated that if the permissible limit was lowered, the number of land holders affected would be so large that there would be a serious apprehension of breach of law and order in the State. He rightly did not wish to take any risks with regard to the law and order. He is very much afraid that the land owners, who possessed money as well as considerable influence would raise the banner of revolt, if their interests were affected. But has he tried to ponder over the position that is likely to arise if a very large number of actual cultivators will remain dissatisfied. If the demands of the land holders are acquiesced to, that would be just like putting a premium on the breach of law. If it is the threats that are to be needed, then the tenants are capable of wielding that weapon with greater strength and they can do incalculable mischief, if so invited. Already

we know what great unrest has been prevailing in the State, for the last one and a half years. Satyagraha was offered by the tenants and many of them went to jails. In fact to say that affording of security of tenure to the majority of the tenants would affect the conditions of law and order, was tantamount to inviting trouble from the other side. We should view the entire problem from economic point of view. As stated by the Economic Programme Committee, we should afford minimum protection to the tenants, who tilled the soil with their own hands. The absentee land-lords should be deprived of the power of ejecting them. The hon. Chief Minister said that if the limit was reduced to one hundred acres, it would not be possible to do cultivation with the help of the tractors. While hon. Sardar Ujjal Singh, who has personal knowledge of agriculture has said just now before this House that it was unprofitable to cultivate a piece of land which was less than 400 acres. I personally do not wish, at the present stage to encourage cultivation of the land by tractor. Large scale agriculture requires large farms. If to-day cultivation is done with the help of tractors, a large number of persons would be rendered unemployed. What will be the situation of law and order then, when a host of workless agricultural labourers would be knocking at our Chief Minister's door in a mood of desperation. To day the position in fact is that instead of cultivating their lands with the help of the tractors, the big landlords are busy selling their lands. The only method of checking this tendency is to lower the permissible limit and to consolidate the un-economic holdings. The hon. Chief Minister said that he would welcome that day when all the land was nationalised and every cultivator got an equitable share in the produce. Does he think that that day is very far off? No, that day is much nearer than many of us can even imagine. Then let us prepare for that day. Let us boldly face our present day problems and solve it with an eye on the future. The conditions which will be created after the passage of this Bill would not be conducive to the situation visualised by our hon. Chief Minister. I shall, therefore, request him to remove obstacles in the way of realisation of the conditions referred to by him.

Pandit Durga Chand Kaushish (Ambala Division, Landholders) :

Sir, I shall take very little time in just explaining to you how wrong are the arguments that are given in opposition of this clause. Two things have been mainly brought about before the House. That is, if the reservation limit is kept lower than 100 standard acres, the tenants would benefit economically and that it would also be beneficial in the sense that the country would be able to produce more food. Now, Sir, both these arguments are incorrect. How is the tenant

[Pandit Durga Chand Kaushish]

going to benefit ? As stated previously, land in possession of people who own more than 100 standard acres is just 4.9 per cent of the total area of the province and the people who are mainly benefitted by this Bill are about 80 per cent of the population of the State. So imagine, Sir, 4.9 per cent. of land going to 80 per cent. of the population. How it is going to benefit them economically, I fail to understand. On the average it comes to less than one inch per person, if you put it that way. So far as the question of greater production is concerned, I am very doubtful if the reduction of the limit would help it. It does not matter a bit if a few bighas of land more are given. But then land as a whole does not expand. The total area remains the same and the method of cultivation is the same, so the food production as a whole is not going to increase. If you really want to increase the yield—I do not wish to repeat my arguments—you have to do cultivation on the modern methods and not in the old way as my socialist friends or Members on this side want. I have gone through the figures that have been quoted to you by Pandit Vidyalankar. They are very unreliable. They are at least 15 years old. I did not expect from him that he would give such misleading figures to the House. There are some recent reports, reports of 1946, published by the National Planning Committee set up by the Congress. The figures and facts given by that Committee on this subject have also been superseded by the Congress Agrarian Committee report published last year. When I studied the figures and facts given by the Planning Committee I found that even the figures of the Agrarian Reforms Committee were out of date for that purpose. Therefore, to mislead the House is highly objectionable. It gives a wrong impression to the people. If you rely on these figures, it comes to this that your food production is doomed to remain low or might go down lower and so far as the lot of the peasant is concerned, it might become worse because shortage of food results in the prices going up and naturally the peasant has got to pay very high prices for every thing excepting the food which he produces himself. Therefore, the only logical thing to do is to make the best possible use of the area available. I do not have the bigger owner in mind but the smaller one and for that I would quote the authority of the report of the Planning Commission published in August of this year. They have said that the smaller peasants should be made to combine into one and they should make provision for that one plot and the rest of the labour should be released and utilised elsewhere. If you are going to lower down the limit, naturally you cannot utilise that surplus man-power which is going to be wasted and wasted very miserably. Therefore, all those who are

advocating the lowering down of the limit are doing a very great dis-service to the State.

Minister for Revenue (The hon. Sardar Kartar Singh) (Punjabi) : Sir, no hon. Member has so far drawn the attention of the House to the real object of fixing the limit at 100 standard acres. The fact of the matter is that there has been of late some trouble in the State on the tenancy question and thanks to the efforts of the agitators, the situation became critical. As a result of this, even small zamindars, not to speak of big landlords, stopped leasing out their lands to the tenants. And then, it appears that the reduction of the holdings of the big landlords cannot be delayed for a very long time. It was, thus, with a view to giving the sense of security to the petty and middle class zamindars that this limit was fixed. The object was to allay the fears of the lower class land-holders so that they should start giving their land on lease. In this way, the land-holders possessing land up to 99 acres have started giving their land on lease as a result of the fixation of this limit. The fears of the big landlords are still there and would continue to be there for sometime, thanks to agitator friends. So the purpose of fixing this limit is to remove the fears of the land-holders possessing land up to 99 acres and it is hoped they would be allayed.

Mr. Speaker : Question is—

That in sub-clause (3) for the figure "100" wherever it occurs, the figure "30" and for the figure "200" wherever it occurs, the figure "50" be substituted.

The Assembly divided : Ayes 3, Noes 29.

Ayes

Bachan Singh, Sardar.
Ranbir Singh, Mehta.

Sajjan Singh, Sardar.

Noes

Ajit Singh, Sardar.
Amar Nath Vidyalkar, Shri.
Behari Lal Chanana, Shri.
Beli Ram, Thakur.
Durga Chand Kaushish, Pandit.
Gopi Chand Bhargava, The
Honourable Dr.
Gurbachan Singh, Sardar.
Harbhaj Ram, Chaudhri.
Ishar Singh Mujhail, Sardar.

Man Singh Jathedar, Sardar.
Matu Ram, Chaudhri.
Narinder Singh, Sant.
Narotam Singh, The Honourable
Sardar.
Piara Singh, Sardar.
Prithvi Singh Azad, The Honour-
able Shri.
Ranjit Singh, Captain.
Rattan Singh Gill, Sardar.

Noes—concl'd.

Jagdish Chander, Chaudhri.	Sahib Ram, Chaudhri.
Jagjit Singh Mann, Sardar.	Samar Singh, Chaudhri.
Kabul Singh, Sardar.	Shanno Devi, Saigal, Shrimati.
Kartar Singh, The hon. Sardar.	Shiv Saran Singh, Sardar.
Kedar Nath Saigal, Shri.	Tara Singh, Sardar Sahib Sardar.
Lehna Singh Sethi, The honour- able Dr.	Virendra, Shri.

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural) (*Hindi*):
Sir, the explanation appended to this clause is like the under saying :—

ਬੜੇ ਮੀਆਂ ਸੋ ਬੜੇ ਮੀਆਂ ਛੋਟੇ ਮੀਆਂ ਸੁਬਹਾਨ ਅਲਾ ।

बड़े मियां सो बड़े मियां छोटे मियां सुबहान अल्ला ।

In the clause itself, I have already stated, there is the scheme of standard acres by which hundred acres can be converted into two hundred acres for purposes of finding out the permissible limit. But the explanation goes still further in favour of the landlords. It runs as follows :—

Explanation.—For the purpose of ascertaining the permissible limit, it is immaterial whether land is entered in the record of rights in the name of a land owner as an individual or as a shareholder in a joint holding, so long as the area which he is entitled to hold can be ascertained on the basis of the record aforesaid.

In this connection I wish to state that the interests of the tenants have been thrown to the winds by this explanation. The poor tenants are uneducated. They are unable to understand the technicalities of law while the landlords are educated and well informed. They can take advantage of this Explanation and will try to find out the loopholes in order to extend the permissible limit. This Explanation provides them with such an opportunity. Those of the landlords who hold more than five hundred standard acres of land will try to distribute their land among the members of their family. Hundreds of acres will be given to their wives, sons, daughters and other relatives. In this way they will get advantage of five hundred acres instead of one hundred acres. If an argument had been put forth that these members of a joint family have been living and cultivating their lands separately for a long time though their records of right were somehow kept undivided, it could be understood. The records

of rights could be rectified in such cases. If such landlords can prove that for all practical purposes they were separate their cases could be understood. But this provision in the Bill gives a wide scope to the landlords for getting more land than the permissible limit. It is wrong to say that some agitators are unnecessarily exploiting the sentiments of the tenants. The fact is that the Government does not seem to realise that often a thief is cleverer than a policeman, this is because when the policeman understands one of his tricks, he attempts another. Similarly the landlords are cleverer than the laws that the Government tries to make for them. They find loopholes in them and take advantage of them. The hon. Minister has given the argument that the object of this Bill is to provide relief to those who have less than one hundred acres. If such is the intention of the hon. Minister then why does he give the same relief to his wife, his children and brothers also. How did it come into the head of the Minister that even his relatives should also be exempted? Why should such a thing happen? Sardar Tarlok Singh has already provided the hon. Minister with a standard acre scheme with which to deceive the tenants by converting hundred acres into two hundred acres. The hon. Members are aware that, as a matter of fact, the intention of Sardar Tarlok Singh was quite different. But a very clever attempt has been made by the Government to conceal the permissible limit of 200 acres of land. They have brought in the term of 100 standard acres just to put the public off the scent. This has been done so that the people may not raise a hue and cry for allowing the landlord to select such a big area of land. They can say, well they have put the figure at 100 standard acres only. I may point out that the term 'standard acre' is full of ambiguity, as my hon. Friend Sardar Kartar Singh used to call it. It does not give any clear idea of the area of land.

Mr. Speaker : Please speak to the motion, which is to the effect that the explanation be deleted.

Sardar Bachan Singh : Well, Sir, what I wanted to drive at was that the explanation under this clause has been retained by the Government solely with a view to benefitting the landlords. It is obviously to the great detriment of the tenants. Suppose there are four brothers having a joint holding in a village. Now under the provision of the Bill each brother is permitted to select 200 acres of land for himself. It means that 800 acres of land will be earmarked by them. Now generally a village covers seven or eight hundred acres. In other words

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it also means that no land will be left for the tenants. They will be ejected automatically. Then the explanation to clause 2 also shields the land-owner as it is immaterial whether the land is entered in the record of rights in the name of a land-owner as an individual or as a shareholder in a joint holding. If this explanation has not been there, the tenant could move the court that 800 acres of land stood in the name of the landowner and he was entitled to select any 200 acres and so the remaining land would be available for the tenants. So this is a clear hardship to the tenants. Then take an other case. Suppose there is a landlord who has only one son. What will he do? He will reserve 200 acres of land not only for himself but for his son, brother-in-law and sister-in-law also and thus again 800 acres of land will be reserved for the landlord and the tenants will be thrown out. Here again the explanation to clause 2 helps the landlord.

Sardar Jagjit Singh Mann : Why does the hon. Member bother? It is the business of the landlord to distribute his lands.

Sardar Bachan Singh : I may tell the hon. Member that time has advanced so much that now no one can do anything according to his sweet will and pleasure, particularly in matters like the disposal of lands etc. If the landlord were to have a free hand, then there was no need for bringing in this measure. Under the present conditions Governments have to place certain restrictions in certain matters concerning the society as a whole, and all such restrictions which aim at benefitting the society are always welcome, otherwise they prove baneful instead of being beneficial. Now the question is this. We have to see that if in a village comprising 500 or 700 acres of land, the whole of the land is reserved by the landlord, then will it be possible to accommodate any tenant on that land or will he be compelled to shift to some other place? Now this Bill does not solve this problem. But all the same, strange to say, it is meant to provide for the security of tenure to the tenants. It appears as if the hon. Minister in charge asked some of his departmental officer to frame a Bill on this subject, and he thought that the hon. Minister was interested in some person and so he put in this explanation. But in this way the landlords have stood to gain a lot, while the poor tenants have been made to suffer heavily. I may sound a note of warning that if the villages are cleared of the tenants in this way, there is bound to be a great agitation among the tenants. Government should realise that wholesale ejection of

tenants, as I envisage under this Bill, is fraught with dangerous consequences.

Then, Sir, it has been stated that agitation was started by some interested persons in 1946, for the protection of rights of the tenants. I may point out that no such agitation was started. Only after the achievement of Independence the tenants began to entertain the idea that now they will become the owners of land which they had got on lease. They will be given proprietary rights under the law made by the Government. Then, Sir, the hon. Chief Minister was pleased to state.....

Sardar Shiv Saran Singh : On a point of order, Sir, I respectfully draw the attention of the Chair to the fact that the hon. Member is not relevant to the motion. Time and again he is indulging in irrelevancies. Now he is going to make a reply to the proposal which the hon. Chief Minister mentioned in an earlier speech. He should speak on the amendment put forward by him, namely, the deletion of the explanation. There will be no end to his speech if he is allowed to bring in any other matter. I, therefore, request that either the hon. Member should be asked to speak to the motion or he should be asked to resume his seat, if he persists in irrelevancies.

Mr. Speaker : I would ask the hon. Member to confine his remarks to the discussion of the deletion of explanation.

Sardar Bachan Singh : I was going to say only this that the hon. Chief Minister had told us nothing new. That proposal was rather sent by the Planning Commission to the Government for expression of views but so far our Government have not indicated their attitude towards it. Now coming to the point and taking up the thread where I left it, I may point out that deletion of explanation is very essential if the Government are really serious about providing security of tenure to the tenants. I feel that the retention of the explanation is a clever way of bringing about the wholesale ejection of the tenants, as it enables the landlords to reserve as many as eight to ten hundred acres of land in a village.

Then, Sir, my hon. Friend Shri Kaushish has remarked that the percentage of such landlords in the State, as own 100 standard acres of land, is only five per cent of the total number of acres of land. If this

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argument is accepted, then according to five per cent of total acreage, it comes to seven lakhs of acres of land.

(At this stage Mr. Speaker vacated the Chair and it was occupied by Mr. Deputy Speaker.)

Mr. Deputy Speaker, you can very well imagine that if out of 7 lakh acres of land each landlord owning more than 100 acres of land were to reserve 500 acres for his own use in some way or the other then we require about 1,400 persons to reserve all this land to themselves. And if 1,400 such landlords actually manage to reserve five shares each of 100 acres of land for themselves, then there will be no land left for the tenants. I would, therefore, request the hon. Minister-in-charge of this Bill to kindly let me know as to how land would be provided to the tenants. It is crystal clear from the provisions of the Bill that there is no final permissible limit and the result of all this would be that no land would ultimately be left for the tenants. It will not be out of place to mention here that the zamindars would not hesitate to enter their land in the names of their relatives in the record-of-rights. There will hardly be any zamindar who will not resort to this practice. May I know from the hon. Minister the number of those zamindars who have got their land entered in the record-of-rights in the names of their relatives since 1947. I move—

That the explanation at the end of sub-clause (3) be omitted.

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

That the explanation at the end of sub-clause (3) be omitted.

Minister for Revenue (The hon. Sardar Kartar Singh) (Punjabi) : Sir, it seems that my hon. Friend Sardar Bachan Singh is in favour of fixing 100 standard acres as the final permissible limit.

Sardar Bachan Singh : No. I am not at all in favour of it.

Minister for Revenue : And it also seems that he has no objection if in a joint holding the landowner and his brothers happen to be the shareholders, and in that case he is also in favour of the proposed explanation. But I would like to bring this point home to him that there seems to be no objection if the landowner gets some portion of his land entered in the record-of-rights in the name of his brother or his nephew. I quite agree with my hon. Friend that it is just possible

that while anticipating the danger of their lands going to the tenants some landowners may have tried to get their lands entered in the record-of-rights in the names of their near relations. At present it is not possible for me to find out the number of such landowners who might have abused the provisions of this ordinance, and thus started entering their land in the record-of-rights on a large scale in the name of their relatives. After all this is not the last measure of Government to settle the questions related to land. Amendments of Bills passed in this House into law are often made from time to time. If it is found that a large number of landowners resort to such irregularities, then this matter would receive due consideration at the hands of the Government. I do not think that there is any justification on the part of the hon. Members to raise such objections at this stage. Let me however assure my hon. Friends that we are making it obligatory on the part of the landowners to cultivate the land in excess of the permissible limit themselves. It will not be out of place to mention here that self cultivation is not an easy task. A person can cultivate the land himself to a certain limit only. If a landowner in anticipation of the danger of his land in excess of the permissible limit being taken away by his tenant has given it to somebody else then according to that clause he would be stopped from doing so. And if in spite of this, land owners resort to large scale irregularities, then steps can be taken to check them. Under the circumstances I am of the opinion that there should be no objection whatsoever so far as this matter is concerned.

Mr. Deputy Speaker : Question is—

That the explanation at the end of sub-clause (3) be omitted.

The motion was lost.

Thakur Beli Ram (Kangra East, General, Rural) : I move—

That in sub-clause (5), part (ii), line 2, for the figure '3', the figure '4' be substituted.

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

That in sub-clause (5), part (ii), line 2, for the figure '3' the figure '4' be substituted.

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural) (*Hindustani*) : Sir, I would like to submit that Government has done well in changing the proposed term from 3 years to 4 years but at the same time I cannot do without saying that the tenants do not stand to gain

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anything. According to my amendment I have proposed to substitute the proposed term of 4 years by 5 years. My object in proposing this term of 5 years is that it is just possible that during this period of five years if landlordism is abolished or if any land reforms are announced by the Government then at that time some of them may derive some benefit. Under the circumstances I request that the proposed term of 4 years may be changed into 5 years.

Mr. Deputy Speaker : Question is—

That in sub-clause (5), part (ii), line 2, for the figure '3', the figure '4' be substituted.

The motion was carried.

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural) (*Hindustani*): I beg to move—

That at the end of sub-clause (5), the following explanation as proviso be added :—

That it includes the person who was recorded a tenant on 15th August 1947, in record-of-rights and has not abandoned or relinquished the tenancy by expressing his consent in writing or ordered ejectment by an order of or a decree of Court on suit instituted before 15th August 1947.

Sir, this amendment is of fundamental importance and by moving it I 5 P. M. feel that I am drawing the attention of the Government to a very important question. I may say at the outset that August 15 was the day of our liberation from the foreign yoke. After that there was a manifestation of the spirit of rejoicing and exhilaration around in the State but unfortunately there was a section of people in the State who had disturbing and depressing feelings in their hearts as they found themselves in the grip of a strange situation. This was the tenants class. The naked sword lay hanging over their heads because the landlords were using pressure tactics to eject them from their lands. It is an admitted fact that there had not been as many ejectments before as were witnessed after the 15th August 1947. In this connection the statement of the hon. Chief Minister is self-explanatory and the figures given by him will show the number of tenants who were ejected from the lands after the 15th August 1947.

Sardar Jagjit Singh Mann : Does the hon. Member entertain any doubt about the accuracy of these figures ?

Sardar Bachan Singh : No, certainly not. But I would say that these figures relate to such persons who were ejected by the civil courts. Yet, the number of tenants is still greater who were tyrannised, harassed and forcibly evicted out of their land. These unfortunate people had neither money nor influence to get their grievances redressed by the Courts. In their utter dismay they are almost hovering between life and death and are bewailing their lot. The events preceding and following the partition of the State has already led to an immense suffering of millions of our countrymen. The hon. Minister incharge can well realize what a hard lot has been in store for the persons who were displaced. Whereas the landlords have been enabled to get about three-fourth of the lands left by them in Pakistan but, these poor displaced tenants have been going from pillar to post in the expectation of being rehabilitated but they have failed in their pursuit. The Government has always been showing step-motherly treatment to the tenants. Experience has shown that whereas it has always safeguarded the interests of landlords its response to the approach of tenants problems has not been satisfactory. Its proof is distinctly visible in part (2) of Section 5 of this Bill which only protects the interests of landlords. I would have certainly given due credit to the Government if it had allotted lands to the tenants who were ejected after the 15th August 1947. The hon. Chief Minister has frankly admitted that thousands of tenants were ejected by the law courts after the 15th August 1947. It appears that Congress has now absolutely forgotten the promises it had made with the tenants class, namely, that they will be made the proprietors of the lands occupied by them. These simple folks took these promises in all seriousness and had thought that the Congress Government will introduce agrarian reforms with a view to enable them to enjoy their due and legitimate rights. But what has happened is that the Congress Government has not cared to fulfil its own promises, on the other hand the mighty legion of landed aristocracy tried to eject the tenants out of their lands. It was, I should say, an indirect challenge to the Congress Government which had held out assurance to the tenants in the Congress Election Manifesto. We find that many State Governments like Madhya Pradesh, Bihar and Assam have already undertaken legislation for the abolition of zamindari. The U.P. Government has also introduced a Bill to this effect in the Assembly. The legislation in other States is on the anvil or in later stages of preparation. The tenants class had been thinking that our State will also

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follow the foot-steps of other States but Punjab is the State which ploughs a lonely furrow. I also remember the days when Congress leaders used to come from outside in the Punjab and the Police officers used to say. "This is Punjab"—a province with a difference. While all other States are making headway in land reforms, our State is still treading on the same old beaten path. If the Government is reluctant to help the tenants who were ejected before the 15th of August 1947, it should at least come forward to the rescue of those who were ejected after the 15th August 1947. I know that during the last year the hon. Minister for Revenue tried to bring about amicable settlement between the landlords and the tenants. The Ministry at that time felt their responsibility and saved the tenants from the high-handedness of the landlords. It is, therefore, the duty of the Government to reinstate the tenants, who have been ejected, on the same terms and conditions on which they were working previously. If the Government displays half-heartedness to do so, I am afraid, thousands of tenants more will be ejected. I would, therefore, again appeal to the Government that if it is really anxious to give hope and security to the tenants, it should take necessary steps to reinstate unconditionally the tenants who were ejected after the 15th August 1947. In case the Government fails to do so, I can only say that no tenant will be seen on the land of landlords in future.

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

That at the end of sub clause (5), the following explanation as proviso be added :—

That it includes the person who was recorded a tenant on 15th August 1947, in Record-of-Rights and has not abandoned or relinquished the tenancy by expressing his consent in writing or ordered enjunctment by an order of or a decree of court on suit instituted before 15th August 1947.

Minister for Revenue : (The hon. Sardar Kartar Singh). (*Punjabi*) : Sir, the amendment that has been moved by my hon. Friend Sardar Bachan Singh does not appear to be sound. The number of tenants who have been displaced after August 1947, is not very large. They have been able to get land for themselves somewhere. If efforts are made by the Government to bring them on the same land it will not serve any useful purpose. In fact such

an effort will mean uprooting them once again. I would submit, Sir, that the agitation that was launched in favour of the tenants in Hoshiarpur was ultimately withdrawn. I think the present measure will afford necessary relief to the tenants-at-will.

Now, Sir, I would like to give an instance in order to show what sympathy my hon. Friend has in his heart for the tenants, notwithstanding his loud professions about it. The question of disposal of evacuee agricultural land was finally settled on the basis of the recommendations of the Rehabilitation Board, of which both of us were Members. During one of the meetings of this Board, a suggestion was put forward that land should be allotted to the displaced tenants also. At this, both of us raised a voice of dissent and urged that land should be allotted only to those who owned land in West Punjab. My hon Friend who to-day claims to be a champion of the interests of tenants, in fact, does not have any real sympathy for them. He is only making a parade of it.

Mr Deputy Speaker : Question is:—

That at the end of sub-clause (5) the following explanation as proviso be added :

That it includes the person who was recorded a tenant on 15th August, 1947, in Records-of-Rights and has not abandoned or relinquished the tenancy by expressing his consent in writing or ordered ejection by an order or a decree of court on suit instituted before 15th of August, 1947.

The motion was lost.

Mr. Deputy Speaker : Question is :

That clause 2, as amended, stand part of the Bill.

The motion was carried.

Clause 3.

Sardar Bachan Singh : (Ludhiana Central, Sikh Rural) (*Hindustani*):

I move :

That in sub-clause (1), line 6, for the word "intimating" the word "an application" be substituted.

That in sub-clause (1) line 7-8, the word "to the patwari of the estate in which the land is situated or" be omitted.

That in sub-clause (1), line 8, the word "other" be deleted,

Sir, all the three amendments of which I have given notices are related to sub-clause (1) of clause (3), which provides that any land-

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owner who wants to reserve land for self-cultivation shall have only to intimate to the patwari of the estate, in which that land is situate. Now, Sir, keeping in view the reputation that patwaris enjoy, especially after their latest performance, namely the rehabilitation work and the opinion that the hon. Members of this House in general hold about this class of officials, would it be fair to leave this business of reserving land for a landowner entirely to their care, without any supervision or check by a competent authority? Then it is a question of reserving two hundred acres of land. Will a patwari be able to ascertain all the relevant facts, for instance how much land is already being cultivated by the owner, how much more he wants for self-cultivation, to how much would all of his reserved land come, if converted into standard acres? Is it not considered desirable to grant some competent authority such as the Tehsildar or the Revenue Assistant, powers to authorize reservation of land or just to verify the facts stated in his application by a landowner? But it appears our Government is so much favourably disposed towards the landowners that it does not want to put them to the least amount of inconvenience. Hence it has been provided that a landowner who wants to reserve land for himself should just intimate his selection to the patwari, no matter he misrepresents the facts or gives completely incorrect information to the patwari. He simply cannot be called to account. And the patwari may do anything he likes to please the landlord. There is obviously going to be no check on him. He may without caring to verify the facts acquiesce in, after having been intimated by the landowner of his intention to reserve such and such portion of his land. Thus, Sir, this provision of intimating only to the patwari, is liable to great misuse and will result in many irregularities. Already so many concessions have been shown towards the landowners in this Bill. The fear that the patwaris will collude with the landowners and inflict hardships on the tenants is not at all groundless. So it is essential, Sir, that provision should be made for some competent authority in this section of the Bill and patwari alone should not be trusted to do the work, otherwise there is every likelihood of injustice and hardship being done to the tenants.

Mr. Deputy Speaker : Clause under consideration, amendment

moved—

That in sub-clause (1), line 6, for the word "intimating" the word "an application" be substituted.

That in sub-clause (1) lines 7-8, the words "to the patwari of the estate in which the land is situated or" be omitted.

That in sub-clause (1), line 8, the word "other" be deleted.

Minister for Revenue : (The hon. Sardar Kartar Singh) (*Punjabi*) Sir, this amendment that has just been moved, is quite unnecessary. Clause 3 does not provide for intimation only but intimation in the prescribed form and manner, as may be set down in the rules which under Section 17, the Government may by notification make for carrying out the purposes of this Act. So, I feel that my hon. Friend is wrong in thinking that complete powers have been vested in the patwari or that everything has been left to his discretion. No doubt, patwari is the most easily accessible official to the rural people, due to his nearness to them and we do not want to put them to unnecessary inconvenience and difficulty. For the information of my hon. Friend I may here quote one of the rules that have been framed to carry out the purposes of this Act.—

The patwari shall after verifying all the particulars given in the forms which relate to estates in his own circle retain one copy and forward the other copy to the Tehsildar with his report as to the correctness of the particulars referred. The Tehsildar shall retain such copy received by him and forward a copy only of the report made by the patwari with his own remarks, if any, to the Revenue Assistant or Sub-Divisional Officer concerned of the district or for his information and such other action as may be considered by him necessary in the circumstances of each case.

Sir, this rule which I have just read had been framed in connection with the ordinance. When this Bill becomes an Act, a similar rule will again be made and hon. Members should have no fears on that score.

The amendment was by leave withdrawn.

Clause 3

Sardar Bachan Singh : (Ludhiana Central, Sikh, Rural) (*Hindustani*) Sir, I beg to move : That at the end, the following new Sub-clause be added :—

Where the landowner who has secured the reservation of permissible land for the purpose mentioned in sub-section (1) fails to cultivate the land within a year from the date of ejection of the tenant, he

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shall, on conviction, be punished with fine which may extend to fifty rupees per standard acre of the land from which the tenant has been ejected and the tenant shall be put in possession of the land on the same terms and conditions on which he held the land at the time of his ejection, and the Court shall when passing sentence of fine under sub-section (4), order the whole or any part of the fine recovered, to be paid as compensation to the tenant so ejected.

Sir, the principle of fining a landlord if he does not give a receipt to the tenant has been conceded by the Government. Clause 8 (2) says that "any land-holder who fails to comply with the provisions of sub-section (1), shall on conviction, be punished with fine which may extend to one hundred rupees." I wish to point out that if a landlord is to be fined when he fails to furnish a receipt, there is no reason why he should not be punished when he ejects a tenant under the false pretext that he wants to cultivate land himself. It is true that the Bill provides for the restoration of the land to the ejected tenant when the landlord fails to bring it under self-cultivation without "sufficient cause." But I ask, does this provision do full justice to the poor ejected tenants? It does not. Suppose for a moment that the hon. Minister-in-charge is the landlord and I am his tenant. He ejects me on the ground that he wishes to cultivate the land himself. He does not do so and I am kept out of work for full one year. After the expiry of one year the land is restored to me. But I say what about the hardship that I had to undergo? I think I am certainly entitled to some damages from him as I have suffered on account of ejection and have undergone considerable hardship and inconvenience. Not only that no damages have been provided, there is another thing quite interesting which I wish to point out to the hon. Members. I would in this connection read clause 3(4) of the Bill. It is as follows :—

3(4) If the landlord who has made his reservation under sub-section (1) fails, without sufficient cause, to bring the land under self-cultivation within one year from the date of intimation, the ejected tenant, if any, shall, on application, be restored to possession of the land on the same terms and conditions on which it was held by him at the time of ejection.

I would ask the hon. Member to mark the words "without sufficient cause". Only God knows what this phrase means and what latitude is intended to be given to the zamindars, whereas damages for ejection

have been denied to the poor tenant who has been going from pillar to post for a year's time. Such things can only be done by an unjust Government that we have to-day. To allow a zamindar to eject a tenant with a wrong statement and then not to subject him to damages is nothing short of injustice. If the zamindar is guilty of a false statement, he must be made to make amends and my amendment is calculated to remove this defect. According to my amendment the court will have the discretion to inflict fines on the wrong doers upto a sum of Rs. 50 per acre. If my amendment is carried it will go a long way in deterring the landlords from ejecting the tenants unreasonably. It is necessary to place some checks and restrictions on the rich people lest they should exploit the masses too much.

Minister for Education : The hon. Member is exploiting the masses without riches.

Sardar Bachan Singh. Perhaps the hon. Minister has a jaundiced eye. Sir, I wished to submit that provision must be made for compensation to the tenants who are unreasonably ejected.

If a provision for fine at the rate of fifty rupees per acre is incorporated, no landlord will try to eject his tenant on the basis of a false statement. The Government cannot encourage people to make false statements. On the other hand, it has to punish anybody who commits an offence. Under the present Bill, it may so happen that a landlord may make a false statement that he proposes to cultivate the land himself. Afterwards he might not actually do so. This would result in great hardship to the tenants. What might be a joke for the landlord would mean much to the tenants. If the law is such that a landlord can eject his tenants by making a false statement, without any fear of penalty for so doing, then what will be the result of this? It was the duty of the Government to consult its experts before introducing this Bill. What actually happened was this. A party meeting was held and the suggestions made by the members were given the shape of a Bill. Even the Legal Remembrancer was not consulted. The hon. Minister said that if some defects were discovered these would be set right by an amending Bill. He humorously remarked that he and I were in favour of giving proprietary rights to the tenants. I wish to make it clear that I have not said so in my amendment. I do not wish to

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discriminate between those displaced persons who had come from Pakistan and others. I want everybody to be treated alike and believe in the principle of abolition of landlordism. I would like the hon. Minister to assure me that if a landlord ejected his tenant by making a false statement but did not cultivate the land himself, not only would he be punished but the aggrieved tenant would also get compensation.

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

That at the end, the following new sub-clause be added :—

Where the landowner who has secured the reservation of permissible land for the purpose mentioned in sub section (1) fails to cultivate the land within a year from the date of ejection of the tenant, he shall on conviction, be punished with fine which may extend to fifty rupees per standard acre of the land from which the tenant has been ejected and the tenant shall be put in possession of the land on the same terms and conditions on which he held the land at the time of his ejection, and the court shall when passing sentence of fine under sub-section (4), order the whole, or any part of the fine recovered, to be paid as compensation to the tenant so ejected.

Mehta Ranbir Singh (Ludhiana and Ferozepore, General, Rural) (*Hindi*) : Sir, I support the amendment moved by my hon. Friend Sardar Bachan Singh. I do not wish to repeat the arguments already advanced but would like to draw the attention of the House to a very important matter. There is already scarcity of food in the country and it is our duty to see the food grains produced to the greatest possible extent. If the proposed amendment is carried, landlords will not be able to eject their tenants by making false statements. If they are not prevented from doing so, they might keep their lands uncultivated for a year or so. This will mean great loss to the country. Land is an asset of the nation and the landlords should not be at liberty to eject their tenants whenever they like. If a landlord ejects his tenant but fails to bring the land under self-cultivation, it would not be enough to restore the possession of land to the ejected tenant. The landlord should be punished for his having done so and the tenant should get compensation. This amendment will save the tenants from remaining jobless for one year. I shall request the hon. Minister-

in-charge to realise the difficulties of the tenants and to accept this amendment for safeguarding their interests.

Minister for Revenue (The hon. Sardar Kartar Singh) (*Punjabi*): Sir, the arguments advanced by the mover of the amendment have not been able to convince me of its utility. It is already provided in the Bill that if a landlord who has made his reservation fails without sufficient cause to bring the land under self-cultivation within one year, the ejected tenant will be restored to the possession of land. My hon. Friend said that the landlord should be punished for having kept the tenant jobless for one year and that the latter should be paid compensation. It means, that according to my hon. Friend if the landlord cultivates the land, the tenant will not remain jobless but if he fails to do so, the tenant would remain idle. I have not been able to understand this reasoning. Why should a landlord deprive his tenant of the tenancy rights, merely for the sake of harassing his tenant and should then not cultivate his land for one year.

If the land of a zamindar remains uncultivated for a year, I think, it is a greater punishment for him than a fine of fifty rupees. There can be reasons for his not being able to cultivate his land. For instance, a landholder has two sons, one of them falls ill and dies. Consequently he is disabled from cultivating the land for a year. The same would be the case if his bullocks die during the year. I, therefore, think that, if the land of a landholder remains uncultivated for a year, no greater punishment can be inflicted on him. If such a thing is done, it would be tantamount to taking a revenge on him and to crushing him to death. I, therefore, request the House to reject this amendment.

Mr. Deputy Speaker : Question is—

That at the end the following new sub-clause be added :—

Where the landowner who has secured the reservation of permissible land for the purpose mentioned in sub-section (1) fails to cultivate the land within a year from the date of ejectment of the tenant, he shall, on conviction, be punished with fine which may extend to fifty rupees per standard acre of the land from which the tenant has been ejected and the tenant shall be put in possession of the land on the same terms and conditions on which he held the land at the time of his ejectment, and the court shall when passing sentence of fine under sub-section (4), order the whole or any part of the fine recovered, to be paid as compensation to the tenant so ejected.

The Assembly divided : Ayes 3, Noes 31.

Ayes

Bachan Singh, Sardar.
Ranbir Singh, Mehta.

Sajjan Singh, Sardar.

Noes

Ajit Singh, Sardar.
Amar Nath, Vidyalkar Shri.
Badlu Ram, Chaudhri.
Beli Ram, Thakur.
Dalip Singh, Thakur.
Durga Chand Kaushish, Pandit.
Gopi Chand Bhargava, The
honourable Dr.
Gurbachan Singh, Sardar.
Harbhaj Ram, Chaudhri.
Ishar Singh Mujhail, The honour-
able Sardar.
Jagjit Singh Mann, Sardar.
Jiwan Lal, Pandit.
Kartar Singh, The honourable
Sardar.
Kedar Nath Saigal, Shri.
Lehna Singh Sethi, The honour-
able Dr.

Man Singh Jathēdar, Sardar.
Matu Ram, Chaudhri.
Narinder Singh, Sant.
Narotam Singh, The honourable
Sardar.
Piara Singh, Sardar.
Prithvi Singh Azad, The honour-
able Shri.
Ranjit Singh, The honourable
Captain.
Rattan Singh Gill, Sardar.
Samar Singh, Chaudhri.
Sant Ram Seth, Dr.
Shanno Devi Sehgal, Shrimati.
Sher Singh, Chaudhri.
Shiv Saran Singh, Sardar.
Shri Ram Sharma.
Tara Singh, Sardar.
Waryam Singh, Sardar.

Mr. Deputy Speaker : Question is—

That clause 3 stand part of the Bill.

The motion was carried.

CLAUSES 4 AND 5.

Mr. Deputy Speaker:—Question is—

That clauses 4 and 5 stand part of the Bill.

The motion was carried.

CLAUSE 6.

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural): I beg to move—

That in sub-clause (1) for the word "regularly" the words "continuously for two harvests" be substituted.

Sir, in Section 6 of this Bill it has been provided that a landlord can eject a tenant if the latter fails to pay the rent 'regularly'. So far as the definition of the word 'regularly' is concerned, it is given in the explanation appended to this clause:—

For the purposes of clause (i) a tenant shall be deemed to pay or to have paid rent regularly—

- (a) where rent is payable in kind, if he pays it either at the thrashing floor or where according to the nature of the crop or custom of the locality it is payable on any other date ; or
- (b) where rent is payable in cash, if he pays it on or before the date on which it falls due.

It means that if the tenant does not pay the rent at the thrashing floor or on the date on which it is payable he is liable to be ejected by the landlord. If we look at the condition of our peasants we can easily know under what straitened circumstances they have to live. In most of the cases they are not even in a position to pay their land revenue. The hon. Revenue Minister can bear me out when I say so. He knows that there are always large arrears of land revenue standing against the names of the villagers in the Tehsil records. Sometimes due to some unforeseen calamities, like floods etc, they are unable to pay the rents at the proper time. If this clause is not amended it will mean that the landlord would be in a position to eject the tenant in such cases. Even the laws made by the British Government were not so strict as we find today. During the British regime if a farmer could not pay his land revenue in time no action except of course the imposition of a nominal fine was taken against him. My submission is that the tenants should be given the concession for paying rent at the second or the third crop if he could not pay at the first crop due to famine or some other causes. Due to the recent flood situation, the Government is at present considering the question of remission of land revenue and grant of other aids in the form of Taccavi loans etc. but the Government does not take any steps to show any leniency towards the poor tenants. This is tantamount to leaving the tenants at the mercy of the landlords in spite of the fact that the relations between them are strained. The Government is fully aware of this fact but it does not make any efforts to protect them. Is it possible for the tenants to get justice from the landlords when a representative Government refuses to afford them any protection. As the saying goes, 'might is right', the landlord will not spare any pains to exploit his tenants in all possible ways. As a matter of fact, it is the duty of a Government to give concessions to deserving persons. When there is a selection to be made between the strong and the

[S. Bachan Singh]

weak in the matter of granting concessions, it is always the weak who ought to be chosen. But here the concession is being given to the stronger party. This practice should in no case be followed. In my amendment to the proposed explanation I have stated that after the words 'regularly' the following be added :—

If on an application for ejection by the landlord the tenant pays in court or the officer concerned on the first hearing due share of rent in kind or cash as the case may be.

My opinion on this matter is that the tenant should be given a chance to pay the rent for at least two crops. In the case of landlords where anything is proposed to be done against their interests it is generally stated by our hon. Ministers that "sufficient cause" should be put forth. But in the case of poor tenants there seems to arise no question of any 'sufficient cause'. Supposing some misfortune befalls a tenant, his son dies, or his bullocks die, and he is thus unable to pay the rent in time. Is this not a sufficient ground for giving him a chance to pay the rent at some future date? The fact is that our Government appears to be paying no attention to the inconveniences of the tenants. It is but meet and proper that the weaker party should be afforded adequate protection. I do not demand any remission of rent or such other thing for the tenants, what I say is that they should be given an opportunity to pay their rent in two crops. If they fail to do so, they can be brought to the court and even then if they do not pay their rent, then the Government may allow the landlords to take whatever action they may deem fit. This minimum concession in the matter of time should be given to the tenants. If it is the desire of the Government to improve the present strained relations between the landlord and the tenant then it is but necessary to give some concessions to the latter who constitute a weaker party. At present there is a great unrest and discontentment prevailing among the tenants. They demand that they should be freed from the clutches of their landlords. They are agitating for concessions and justice. But what does our Government give them? It does not provide them with any protection against the excesses committed by the landlords. On the contrary what we find is this that the axe of the laws falls upon those who seek protection.

Well, Sir, my amendment does not ask for the moon. It only says that if the tenant fails to pay his rent on account of certain calamity beyond his control, he may be permitted to pay it at the next harvest. This is a most reasonable demand. I still go further and that is if the landlord must move the court, then the tenant may be permitted to pay his dues in the court so that his ejection may not be brought about. This is quite a harmless amendment and I hope the hon. Minister will see his way to accept it, if he really feels any sympathy for the poor tenant.

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

That in sub-clause (i) for the word "regularly" the words "continuously for two harvests" be substituted.

Pandit Durga Chand Kaushish. (Ambala Division, Landholders) (*Hindustani*) : Sir, I have not been able to follow the amendment put forward by my hon. Friend Sardar Bachan Singh. He has not told us anything as to what is at its back.

Sardar Bachan Singh : The difficulty is that the hon. Member does not try to understand it.

Pandit Durga Chand Kaushish : At least I understand him very well. Sir, this amendment is unnecessary as the law is quite clear and there is no likelihood of any disputes arising between the landlords and the tenants. The only object of the mover, that appears to me, is that he wants to make the law more involved and complicated, so that he may get more time or further opportunities to start agitation among the people against the Government and let loose the forces of disruption and chaos in the State. Now, Sir, if the tenant is given the right to pay his rent at any time or at his own sweet will and pleasure, it means we are giving him a long rope to put the landlord to trouble. The matter does not stop here. My hon. Friend says that if in case of his failure to pay the rent, a case is instituted against him, he should be permitted to make his payment in the Court. Now what will be the consequence if the amendment is accepted? The agitator will certainly approach the tenant and advise him to defer the payment of rent to the landlord as long as he desires, because if the latter goes to the court, the tenant will have an opportunity to pay his rent in the court and thus avoid his ejection and at the same time prove very troublesome to the landlord who

[Pandit Durga Chand Kaushish]

would be goaded into giving more concessions to the tenant. It is obvious, Sir, that the poor landlord would be put to great harassment. *An hon. Member*: Landlord is a Shylock). There is no question of the landlord being a Shylock. He is to get the rent which has been settled with the tenant. I think a Shylock is that person who purchases a car for ten thousand rupees and then sells it in the black-market for 18 thousand rupees.

There will be another difficulty if the amendment is accepted. The poor tenant will be persuaded by the agitators not to pay the rent. He will certainly utilise it for some domestic purpose. But since we know the ways of the tenants, it will not be possible for him to pay the amount even in the court and the ultimate result will be his ejection which in fact would be brought about by the wrong advice of the agitator.

Sardar Sajjan Singh (Patti, Sikh, Rural) (*Punjabi*): Sir, my hon. Friend Pandit Kaushish has remarked in his speech that the object of the amendment moved by Sardar Bachan Singh is to provide an opportunity to agitators like him for making agitation among the tenants. This presumption of his is absolutely wrong. I may tell him that it is not an easy job to start an agitation as it costs a tenant much. Besides, he will be a very brave man if he starts an agitation in the face of Detention Act and other repressive laws made by the Congress Government. May I ask him as to how many times has he started agitation in his life time? But I may tell him that if for the sake of upholding a just cause of the people, agitation has to be started then there will be no way out of it, and we are not afraid of that.

Sardar Ajit Singh : Because it is your profession.

Sardar Sajjan Singh : But it is welcome to us. Well, Sir, the hon. Minister for Revenue has suggested that he would be prepared to add the words 'without sufficient cause'. These words appear to me to be ambiguous. They lack clarity. I wish the hon. Minister would elucidate them. It is all the more necessary because the dispute will be between the tenant and the landlord. Since the latter wields great influence because of his riches, he will carry the scales of justice with him and the poor tenant will suffer on account of his poverty. Besides, the gazetted officers, administering

justice in the courts, belong to rich class of people, naturally the poor tenants will not get even-handed justice. What I, therefore, want to drive at is that the hon. Minister should have clarified the words he wants to add to the sub-clause. Since it will not be possible for him, I think it would be advisable to accept the amendment moved by my hon. Friend Sardar Bachan Singh, which is very clear and admits of no ambiguity in it. I hope he will see his way to accept it.

Mehta Ranbir Singh (Ludhiana and Ferozepore. General, Rural) (*Hindustani*): Sir, I rise to support the amendment moved by my hon. Friend Sardar Bachan Singh. It is quite clear and unambiguous. Well, Sir, when Sardar Bachan Singh was making his speech, the hon. Minister for Revenue was nodding his head, indicating that the arguments advanced by the former were going home. Being impressed by the reasonableness of the demand as laid down in the amendment, he approached his Chief and discussed something with him. He came forward with an offer that he was prepared to go beyond the words 'without sufficient cause' being added after the sub-clause (i) to clause 6. I feel if the hon. Minister has really the good of the tenants at heart, he should have shown his courage by accepting the amendment moved by Sardar Bachan Singh, so that the tenants may be saved the hardship to which they would be subjected by the landlords. I think the hon. Minister incharge of the Bill possesses a kind heart and he should realise the difficulties of the tenants which they have to experience on account of certain customs prevalent in the villages in regard to the payment of their rent in the form of produce. Supposing the tenant is ill or his son is ill or for some other reason beyond his control, he refuses to carry the produce to the house of the landlord and is adamant not to render any 'begar' (forced labour) to the latter, he can be compelled by the landlord to carry the produce to his house. This in reality is a great hardship for him. If this part of the Clause remains unamended, I am sure the landowners will not hesitate to harass the tenants. This is not all. They will stick to the age-old customs and force them to pay their rent in kind according to their own sweet will. I hope the hon. Revenue Minister who has a soft corner for these poor tenants will accept this amendment.

Minister for Revenue. (The hon. Sardar Kartar Singh) (*Punjabi*): Sir, if the object of my hon. Friends will be achieved

[Minister for Revenue]

by the addition of the words 'without sufficient cause' after the word 'regularly' in sub-clause (i) of clause 6, then I would be prepared to accommodate them and a formal amendment to this effect will be put forward shortly. But this must precede by the withdrawal of the amendment put forward by my hon. Friend Sardar Bachan Singh.

Mr. Deputy Speaker : Question is—

That in sub-clause (i) for the word "regularly", the words "continuously for two harvests" be substituted.

The motion was lost.

Sardar Shiv Saran Singh (Parliamentary Secretary) : I move—

That in sub-clause (i) after the word "regularly", the words "without sufficient cause" be inserted.

The motion was carried.

Mr. Deputy Speaker : Question is—

That clause 6, as amended stand part of the Bill.

The motion was carried.

CLAUSE 7.

Mr. Deputy Speaker : Question is—

That clause 7 stand part of the Bill.

The motion was carried.

CLAUSE 8.

Sardar Bachan Singh (Ludhiana Central Sikh, Rural) (Hindustani) : Sir, I move—

That in sub-clause (i) between the word 'receipt' and the word 'for' the words "attested by two persons of neighbouring fields" be inserted.

Sir, it is crystal clear from my amendment that two persons of the neighbouring fields should certify on the receipt that the value of the rent has been paid by the tenant to his landlord in their presence. I hope the hon. Minister of Revenue will have no objection if this amendment is accepted in the larger interests of the poor tenants.

Sardar Shiv Saran Singh : In my opinion the words 'valid receipt' are quite clear and it is not necessary to add the words as is being suggested by my hon. Friend. Valid receipt means that the receipt will be given in the person's own handwriting and if not, it should be attested by some-one else as a witness. The meaning is

quite clear in the Negotiable Instruments Act and the addition of the words as suggested by my hon. Friend Sardar Bachan Singh seems unnecessary.

Sardar Bachan Singh (Hindustani) : Then I will not press my amendment. I would move the next amendment. I move—

That in sub-clause (2), line 4 for the words "one hundred" the words "two hundred and fifty" be substituted.

Sir, this is a very important clause. The main idea underlying this clause is this that if a tenant fails without sufficient cause to pay his rent in time then he is liable to ejection or in other words his landlord will file a suit against him in the court and secure his ejection. For instance if a landlord files a suit against his tenant for non-payment of his rent, and it is proved by the court that the former has intentionally abstained from giving the receipt to the latter then in that case the proposed punishment seems to be quite inadequate. There is one thing more in this connection to which I would like to draw the attention of the Government and that is this. For instance if a landlord refuses to give a receipt to the tenant and the tenant also sticks to his guns and refuses to pay him the rent so long as he is not given the receipt then the whole affair results in a deadlock. If this tenant files a suit in the court against his landlord for not accepting the rent from him and for his having refused to give a valid receipt of his rent, prays that he may be permitted to deposit it in the treasury, the treasury authorities would naturally refuse to accede to his request. The poor tenants would have no other alternative except knocking at the doors of the court with a view to seeking redress. They want the receipt of the amount they pay to their landlords as their rent.

Sir, if any landlord refuses to give a receipt to the tenant then the latter will be compelled to go to a court of law. He will have to incur an expenditure of Rs. 300 or Rs. 400 in the court. The court, while deciding the case, can under the provisions of this Bill, impose a maximum fine of Rs. 100 or even less. I would say that the tenants should be given due protection. They will have to go to the court in case the landlords do not give them the receipt. If any tenant fails to go to the court for not getting the receipt he will be served with a notice of ejection. In both the cases the tenants will be put to a great difficulty. I, therefore, think that the clause should provide for a more deterrent punishment to the landlords in the event of their refusal to give the proper receipt. If the amount of fine is raised, it may help the tenants to some

[Sardar Bachan Singh]

extent. The present clause, is, therefore, contrary to the interests of the tenants-at-will.

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

That in sub-clause (2), line 4, for the words "one hundred" the words "two hundred and fifty" be substituted.

Minister for Revenue (The hon. Sardar Kartar Singh) (*Punjabi*) : Sir, I oppose this amendment which has been moved by my hon. Friend Sardar Bachan Singh. If he had made such a suggestion that a part of the fine so realised should be given to the tenant as compensation, I would have found some force in the argument. But the assertion of my hon. Friend that the tenants will be dragged into litigation and will be put to much trouble does not seem to be convincing as landlords will have also to undergo the same worry and expense. The very feeling that they have been fined by the court for not furnishing a receipt will injure their self respect. They will stand sufficiently condemned in the eyes of the public. I do not, therefore, think that there is any need for raising the limit of fine which, I think, is quite reasonable.

Mr. Deputy Speaker : Question is—

That in sub-clause (2), line 4 for the words "one hundred", the words "two hundred and fifty" be substituted,

The motion was lost.

Mr. Deputy Speaker : Question is—

That clause 8 stand part of the Bill,

The motion was carried.

CLAUSE 9.

Mr. Deputy Speaker : Question is—

That clause 9 stand part of the Bill.

The motion was carried.

CLAUSE 10.

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural), (*Hindustani*) :
I move—

That for the existing clause, the following be substituted :—

Every transfer or disposition of land, whether by act of parties or by operation of law or by or in execution of a decree unless duly completed or deemed to have been completed before the 1st May, 1950, save in the case of lands acquired under any law for the

time being in force shall be void and unenforceable in so far as it tends to reduce or has the effect of reducing the minimum period of tenancy hereinbefore specified.

Sir, there are two things which come up before us for consideration in this connection. This clause provides that subject to the provisions of Sections 11 and 12, every transfer or other disposition of land, whether by act of parties or by operation of law or by or in execution of a decree, unless duly completed before the 1st May 1950, will be void and unenforceable. According to this clause the tenants' rights will not be affected if any transfer or disposition of land is made after the 1st May 1950. This clause, however, does not protect the tenants' rights if the land-owner has transferred the land in favour of of his sister-in-law or niece or for that matter to any of his relatives before the 1st May, 1950. This provision of law will not safeguard the interests of the tenants in case the landowner has been clever enough to dispose of or transfer the land before the 1st May, 1950. It would have been much better if instead of 1st May 1950 it should have been enforced with retrospective effect from the 15th August, 1947. Under Section 11 of this Bill a tenant is liable to be ejected from the land if the landowner intends to sell the land in good faith. Whereas according to Section 10 any transfer or disposition of land made after the 1st May, 1950 will be unenforceable and void but Section 11 of this Bill confers right upon the landowner to eject his tenants by selling the land thereby making Section 10 almost ineffectual. Instead of transferring his land to his relatives he would now sell it in order to pave his way for ejection of his tenant. Such a transfer or disposition of land made after 1st May 1950 may be void and unenforceable but the law does not provide any restriction on the sale of land. It would thus be clear that all those rights which have been conferred upon the tenants in Section 10 will be taken away under Section 11 of the Bill. In this connection I am reminded of a story.

It is said that a rich man and a poor man entered into partnership, on the condition that the former would only invest the capital and the latter would do all the work involved in the business but would receive one-third of the profit while the remaining three parts would go to the share of the rich man. The poor man worked very

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hard and the business began to flourish. His friends advised him that he should ask his partner to allow him three parts of the profit instead of one, since he was doing so much work while the latter was doing nothing. Well, the poor man went to his wealthy partner and demanded three parts of the profits for future. The capitalist at first remained quiet but after a few minutes said 'All right, you shall have three parts but I will then have thirteen.'

So, Sir, it is not easy to get any concession from the capitalists. What they will appear to give with one hand, they will surely take with the other. And this is exactly what has been done in connection with this Bill. It will not apply to land which has after the 1st May, 1950 been transferred by a landowner to the name of any of his relatives. Section 10 makes every transfer of land void but Section 11 permits its bonafide sale, in which case the tenant may be ejected even before the completion of the sale. So this is just like giving the illiterate and the ignorant people, who till the soil, three parts of the profit and retaining the thirteen parts. Of what consolation is Section 10 to the tenant, when it is 'subject to the provisions of Sections 11 and 12'. Then he cannot claim to be restored to the land which has been sold after the 1st May, 1950. So all those tenants who were ejected from land as a result of its sale after 1st May, 1950, must go to the towns and either work as labourers in the factories of friends like Pt. Durga Chand Kaushish and help capitalists to grow richer and richer or face starvation.

(At this stage, Mr. Speaker resumed the chair)

Mr. Speaker : Clause under consideration—amendment moved :

That for the existing clause the following be substituted :

Every transfer or other disposition of land, whether by act of parties or by operation of law or by or in execution of a decree unless duly completed or deemed to have been completed before the 1st of May, 1950, save in the case of lands acquired under any law for the time being in force, shall be void and unenforceable in so far as it tends to reduce or has the effect of reducing the minimum period of tenancy hereinbefore specified.

Minister for Revenue (The hon. Sardar Kartar Singh) (*Punjabi*):
Sir, the object of the amendment that has just been moved is to hinder the sale of the land by the landowners willing to sell them in order to get rid of certain tenants. In other words, this amendment would result in undoing the good effect of clauses 11

and 12, which as they are, give them encouragement to sell away their lands. Sir, it is really strange that my hon. Friend who is such a great opponent of zamindari system should be opposing the provision for the sale of land. Instead of letting the revolutionary conditions of China be created here, conditions of which our friend reminds us so often, and letting landlordism be ended by violence and bloodshed, would it not be better to let it die a natural death in this manner? (*cheers*) What better solution of this problem can there be, than that the zamindars sell away their lands and that they are purchased by those who are really in need of them? It appears that our friends on that side want that the lands should continue to remain in the hands of zamindars. If it is true, I am afraid, they are not actuated by good motives. So, Sir, this amendment should not be accepted and the clause should be passed as it is.

Mr. Speaker : Question is :—

That for the existing clause the following be substituted :—

Every transfer or other disposition of land whether by act of parties or by operation of law or by or in execution of a decree unless duly completed or deemed to have been completed before the 1st of May, 1950, save in the case of lands acquired under any law for the time being in force, shall be void and unenforceable in so far as it tends to reduce or has the effect of reducing the minimum period of tenancy hereinbefore specified.

The motion was lost.

Mr. Speaker : Question is :—

That clause 10 stand part of the Bill.

The motion was carried.

CLAUSE 11.

Mr. Speaker : Does the hon. Member Sardar Bachan Singh wish to oppose the clause ?

Sardar Bachan Singh : Yes, Sir.

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural) (*Hindustani*): Sir, this clause provides that if any land is sold or intended to be sold, of course in good faith, the tenant who will be the subject matter of such sale shall be liable to ejection, unless the unexpired period of tenancy is accepted by the vendee. Now, Sir, this is something really strange. You are aware, Sir, that

[Sardar Bachan Singh]

to-day in the towns of the Punjab the Urban Rent Restriction Act is in force and under its provisions no tenant can be ejected from any house or shop unless the owner requires it for personal use and is not occupying any other similar accommodation. I wonder why a different principle should be adopted in the case of agricultural tenants and why should they be liable to ejection in case the land they are holding comes into the possession of a new owner even though by *bonafide* sale, when this is not the case in towns, whether the tenant is occupying a house or a shop. Under the Urban Rent Restriction Act, so long as the landlord does not succeed in proving that he needs certain premises for his personal use and he cannot do without them, he cannot be allowed to eject any tenant. If I am occupying a shop owned by Sardar Sajjan Singh who also owns some other shops in the town, he cannot under the law get it vacated from me nor can Lala Kidar Nath if he buys the same and owns other shops also at the same time.

Sir, owing to war, shortage of houses increased in the cities and the house proprietors wished to exploit that situation. They wished to charge higher rents. But the Government came in to protect the urban tenants and passed the Rent Restriction Bill. By virtue of this Bill the urban proprietors were barred from exacting higher rents. I say when Government was good enough to protect the urban tenants, why should it not adopt the same attitude in regard to the rural tenants. Why should a preferential treatment be given to the urban tenants and a differential treatment to the rural tenants? Apparently there is no reason for distinction. The rural tenants belong to the same country to which the urban tenants belong and both are entitled to the same rights. The only reason for giving better treatment to the urbanites, to my mind, is that these people being educated and well-to-do are in a position to organise themselves and agitate for their rights. The ruralites cannot do that and have consequently to suffer. If and when the relations between the tenant and the landlord are strained the latter may eject the former by telling him that he wishes to sell his land. This is nothing short of playing with the rights of the tenant. The landlord under the Act is not required to appear in any court and prove that his land has to be and must be sold. The Act simply says that "nothing contained in Section 10 shall apply to a

sale made or intended to be made". The tenant has been thrown altogether at the mercy of the landlord for whom our Government appears to have a very soft corner. So Section 11 is another weapon by which the landlord may be able to eject a tenant.

Sir, to me it appears that powers are being given to the landlords to eject tenants for the reason that they may be able to sell their lands easily and at exorbitant prices. This is not fair to the public at large. We all know that a sort of land-hunger prevails in our State particularly and the landlords should not be allowed to exploit the situation. They should only be given compensation as has been done in Bihar and C.P. In Bihar compensation was given equal to eight times the land revenue and in C. P. the compensation was only three times. Our Government should emulate the example of these States and should itself fix the compensation, otherwise the landlords will charge very high prices and rob the people. I may tell the Government that the disease of land-hunger exists in a very severe form and nobody should be allowed to take an undue advantage of it. In my district, one Kacha Bigha is being sold at Rs. 500 to Rs. 600 and in Jullundur a Kanal of land was being sold at Rs. 500 or so. When this is the position the landholder, if given a free hand, will be able to raise huge sums from the sale of his lands and will thus be enabled to establish big factories and enslave thousands of workers.

Sir, some hon. Members have praised the provision regarding pre-emption. In my opinion no praise is due. If and when the tenant was not acceptable to the vendee, the tenant was to exercise the right of pre-emption subject to the right of other pre-emptors as provided in the Punjab Pre-emption Act. As a matter of fact it tantamounted to giving the tenant no right of pre-emption at all. I would have found some sense in this provision if the tenant were to be given the first right. So from this trend of the Government, I feel that steps are being taken to enable the landlords to sell their lands and transform themselves into big industrialists.

Chaudhri Badlu Ram (Rohtak Central, General Rural) (*Hindi*):
Sir. I am thankful to you for providing me an opportunity of speaking on this important legislative measure. It has been said that as there is shortage of land in the State, if landlords are permitted to sell their lands, they would be able to get high prices for these. I would

[Chaudhri Badlu Ram]

request that there should not be complete freedom in this respect. It should, therefore, be laid down that a landlord owning more than 100 acres of land can sell his land in excess of this at a rate not exceeding Rs. 100 or Rs. 200 per bigha. The maximum price in these cases must be fixed.

Mr. Speaker : Question is —

That clause 11 stand part of the Bill.

The motion was carried.

CLAUSE 12.

Sardar Bachan Singh (Ludhiana Central, Sikh Rural) (*Hindi*): Sir, according to this clause, if a landlord intends to sell his land, he will intimate his intention along with the name of the intending purchaser to the Revenue Assistant, who will then proceed to pass orders for the ejectment of the tenants. If the vendee already owns more than 50 acres of land, the tenants will be entitled to retain possession of the entire land. If a landlord intends to sell 50 acres to a vendee who already owns 2 acres, the tenant will be able to retain possession of land exceeding 48 acres. In other words, a landlord owning 150 acres will be able to get 100 acres reserved for self-cultivation and then he can sell the remaining 50 acres to some of his relatives. In this manner he will be able to eject all his tenants. By this method, the tenants will be deprived of all the land. Is this the kind of security which is proposed to be afforded to the tenants? I know that in Hissar some landlords have already started making 'benami' transactions. This Bill will enable the landlords to eject their tenants by two different methods. The Revenue Assistant has no discretion under clause 12. He has only to ascertain the area of land already owned by the vendee. If he owns two acres, the Revenue Assistant will pass orders for ejectment of tenants with respect to 48 acres of land. Then he will try to find some other relative of his, who might be owning only 5 acres. By selling 50 acres to that person, he will be able to eject tenants from another 45 acres of land. In this way he can eject all his tenants. Is this the kind of security which the Government is going to give to the tenants? I am of the opinion that before the Government brings some other measure regarding the tenants, they will have lost all their rights.

Pandit Durga Chand Kaushish (Ambala Division, Landholders) :

Sir, Sardar Bachan Singh has taken very strong exception to the sale clauses of the Bill and the burden of his speeches has been throughout that the land prices are high and the landowners are likely to get market prices. He wants the landowners to be deprived of market prices and wants certain restrictions to be put on the sales. The clause, as it stands, of course I accept it, is a very big curtailment of the rights of the landlords. I would like to draw your attention to the Constitution, the relevant articles.....

Mr. Speaker : I think, it would be better if the hon. Member reserves these arguments for the 3rd reading of the Bill, now he should speak to the clause under discussion.

Pandit Durga Chand Kaushish : All right Sir, I will abide by your ruling and say that the tenant has been sufficiently protected. When land is to be sold, you know that application has got to be made to the Revenue Officer with full particulars of the intending purchaser and the price for which the bargain has been struck. And that application would be treated as an application of ejectment and the Revenue Officer has a perfect right to accept or reject the application, you can imagine what restriction it would be for getting market value of the land when one has got to go through that procedure. It is not so easy as my hon. Friend Sardar Bachan Singh thinks, who in his own sphere of influence, easily succeeded in getting a Civil Supply shop for his brother.

Sardar Bachan Singh : Sir, what the hon. Member says is quite incorrect. I never got a shop for my brother.

Pandit Durga Chand Kaushish : I can prove it from Government records and challenge Sardar Bachan Singh to disprove it.

Mr. Speaker : Order, Order, Question is—

That clause 12 stand part of the Bill.

The motion was carried.

CLAUSE 13.

Mr. Speaker : Question is—

That clause 13 stand part of the Bill.

The motion was carried.

CLAUSE 14.

Sardar Sajjan Singh (Patti, Sikh, Rural) (Punjabi) : Sir, I beg to move—

That in line 2, for the words and figures "1st and the 13th of May 1950", the words and figures "1st May and 15th June 1950" be substituted.

Sir. This is not a controversial point. I just want to say that the period for cancelling the ejections and restoring the land to the ejected tenants should be from 1st May to 15th June instead of 1st May to the 13th May, as provided in the Bill. The period as proposed by me is already provided in Punjab Tenancy Act. I see no reason, why distinction should be made among the tenants. I hope that the hon. Minister-in-charge would accept my amendment.

Mr. Speaker : Clause under consideration, amendment moved—

That in line 2, for the words and figures "1st and the 13th of May 1950", the words and figures "1st May and 15th June 1950" be substituted.

Minister for Revenue (The hon. Sardar Kartar Singh) (Punjabi) : Sir, the amendment proposed by the hon. Member is not fit to be accepted, for the reason that the Ordinance was promulgated on 7 P.M. the 13th May. I know that tenants have been ejected during the period from 1st May to the 15th June. Under the Ordinance, the tenants ejected before the 13th May would be again given possession of the land. Consequently, the amendment is un-called for.

Sardar Sajjan Singh : I beg leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mehta Ranbir Singh : On a point of personal explanation, Sir. Shri Durga Chand Kaushish has just made an allegation against me in his speech that I had sold my car in black market for Rs. 18,000. This very allegation was made against me by another hon. Member on the floor of the House before and I explained that it was a baseless charge, I also asked the hon. Chief Minister to take legal action against me if there was any such case. It is regretted that a baseless charge is repeated on the floor of this House. I say with all the force at my command that this allegation is as baseless as saying by somebody that Shri Durga Chand Kaushish has sold away his wife.

(Voices : withdraw, withdraw)

Pandit Durga Chand Kaushish : I do not want him to withdraw, I shall reply to it.

Mr. Speaker : In such matters we must always cultivate the habit of patiently hearing criticism. That will be the best thing.

(Voices : withdraw, withdraw)

Mehta Ranbir Singh : Withdraw, what? I have not used any unparliamentary word and I do not think the hon. Member has sold away his wife.

Hon. Members : The last portion of your speech.

Mehta Ranbir Singh : I withdraw if it hurts my hon. Friends' feelings.

Pandit Durga Chand Kaushish : I can prove it.

Mehta Ranbir Singh : I can conclusively prove what I have stated.

Mr. Speaker : You may or may not prove. But Members are not supposed to make such remarks.

Sardar Bachan Singh (Ludhiana, Central, Sikh, Rural) (Hindustani) : Sir, under Clause 14, the tenants ejected within the period between the 1st and the 13th May, 1950, if they apply within 30 days, would be restored to the land. Now, Sir, the question is that, if a tenant is ejected between this period and he is replaced by another, what would become of the latter if the former is restored to the land by the order of the court or the officer. What is the fault of the new tenant for which he should be punished? The fault, in fact, lies with the landlord who put him on his land. In this way, he would be put to trouble and inconvenience for no fault of his own. I want that some sort of machinery should be set up for giving adequate compensation to the new lessee. According to this Bill, landowners will be at liberty to bring in one tenant and turn out another, but poor tenants will be helpless. To guard against this, I have suggested the appointment of conciliation cum arbitration boards, so that the new tenants may be able to get some compensation from persons held responsible for causing inconvenience to them. But who should give the compensation to the new tenant? Government cannot do that. It should,

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necessarily, be given by the landlord, otherwise the new tenant would be victimized for no fault of his own.

Sir, my submission is that the new tenant might be quite an innocent person. Does the Bill provide any relief to him in case the ejected tenant applies for restoration and is restored to his land on the basis of this application ? The sword of ejectment hangs over the head of the new tenant also. Has anything been done for safeguarding his interests ? It has been stated that he will be restored to his land. But what I wish to know is this as to how and when lands will be restored to such tenants ? Sir, the hon. Members on the Government benches may take these things lightly and say such irresponsible things but so far as I am concerned I cannot believe that the tenant should be allowed to suffer.

Mr. Speaker : Question is —

That clause 14 stand part of the Bill.

The motion was carried.

CLAUSES 15 TO 18,

Mr. Speaker : Question is—

That clauses 15 to 18 stand part of the Bill.

The motion was carried.

CLAUSE 1.

SUB-CLAUSE (1)

Mr. Speaker : Question is—

That sub-clause (1) of clause 1 stand part of the Bill.

The motion was carried.

TITLE.

Mr. Speaker : Question is—

That the Title be the Title of the Bill.

The motion was carried.

Minister for Education (The hon. Sardar Kartar Singh) :
I move—

That the Punjab Tenants (Security of Tenure) Bill, as amended, be passed.

Mr. Speaker: Motion moved :

That the Punjab Tenants (Security of Tenure) Bill, as amended, be passed.

In speaking on the third reading of the Bill, it would be better to speak on the general principles of the Bill and not discuss the details. The Bill has been considered clause by clause and there is no use suggesting any amendments at this stage. The hon. Member must oppose the Bill as a whole.

Shri Amar Nath Vidyalankar (Non-union Labour) (*Hindi*): Sir, I had every expectation, especially after hearing the speech of the hon. Chief Minister, that when this Bill would be considered clause by clause, a shape would be given to it which would make it acceptable and that I would be in a position to say that our State has framed a Bill which is in no way inferior to the legislation on the subject in other States of India and elsewhere. But I am sorry to remark that my expectations have not been fulfilled and I find many defects in the Bill as it has emerged in its final form. There are at least three or four major defects which should have been removed. If we compare the Bill with those placed on the statute books of other States of India such defects come glaringly into prominence. For instance in Madras it was decided to provide relief to the tenants. In 1947 an Act for stopping eviction of tenants was passed. All proceedings against them were also stopped; and rents of estates were also fixed.

Minister for Revenue: Sir, the hon. Member is irrelevant because rents are outside the scope of this Bill.

Shri Amar Nath Vidyalankar: My submission is that the present Bill is defective as it does not contain any provision with regard to the fixing of rents etc. If we study the Act passed in Orissa in the year 1946 and which was subsequently amended

Mr. Speaker: The hon. Member is not relevant.

Shri Amar Nath Vidyalankar: Sir, what I wish to submit is that in the third reading of a Bill the defects of the entire Bill can be pointed out. I am opposing the form in which this Bill has been brought before the House for its third reading by comparing the tenancy legislations of the other legislatures, I wish to convince the House, that the Bill that they are going to enact is very much defective, halting, and below the common expectations. I was saying that there are certain important omissions in this Bill. It is due to these omissions that the Bill fails to satisfy some of us. In this

[Shri Amar Nath Vidyalkar]

connection a comparison with similar legislation in other States of India becomes necessary. I was referring to the Act of Orissa legislature which provided security of tenure to the tenants and effected a reduction in rents.

Another thing which I wish to say is that the definitions of landlords and tenants should be such that subletting might be discouraged.

In my opinion, such subletting is a harmful institution and so restrictions should have been imposed upon it. If we study the legislation in U. P., we will find that the powers of the landlords have been restricted to a very large extent.

Now, Sir, if you just refer to the U. P. Tenancy Act, you will find that it is more liberal to the tenants than the measure which we are going to pass. Under this Act, if a tenant fails to pay his rent, he is not ejected forthwith. But even if his ejection is brought about, he is restored to his tenancy, if he manages to pay the rent within one month of his ejection. Then strict restrictions on subletting of land have been imposed barring one or two cases. For instance a widow or a minor tenant is permitted to sublet her or his land but other tenants are totally prohibited from doing that. Similarly the Bombay Act on this subject makes liberal provisions for the betterment of the tenants. It provides ten years as the minimum period of tenancy while a provision to this effect exists in our Bill for a period of four years only. The Bombay Act goes still further. It is laid down therein that the share of the landlord will be one-third of the whole produce in the case of irrigated lands and one fourth in the case of non-irrigated lands. If any landlord makes bold to charge more than the prescribed limit, he is made to refund that additional amount to the tenant under the law. Besides, the 'permissible limit' laid down in the Bombay Act is 50 acres of land to be selected by the landlord but here in our own Bill we have given him a great latitude and he is permitted to reserve land for himself to the extent of two hundred acres. There is yet another State which has legislated on the subject of tenancy. It is the State of Bihar. The Bihar Act, besides being liberal, provides several facilities to the tenants. It permits the tenants to grow trees in their lands, but here we have not encouraged them in this respect although we make strenuous efforts to persuade the people to grow more trees to ease

fuel situation. In Bihar the tenants can sink wells and burn bricks in their lands and even cultivate lac, but I am constrained to remark that our tenancy legislation is conspicuous by the absence of such wholesome provisions. I have no mind to take much time of the House in quoting tenancy laws of other States since we have already sat very late and I am particularly mindful of the difficulties of the poor peons who will not be getting more than four annas for the overtime even if we prolong our sitting till midnight or even till the next morning. So I cut short the matter and submit that whereas an endeavour has been made in Acts of other States to protect the rights of the tenants and create their interest in the land, we have cared more to safeguard the interests of the landlords than those of the tenants. Then, Sir, a short while ago the hon. Chief Minister was pleased to remark that the agrarian conditions of the Punjab were such that any drastic changes in the tenancy legislation were likely to lead to economic crises. But I respectfully submit that the Bill which we are going to place on the Statute Book will not prove very helpful. The disputes between the tenants and the landlords, which the Government intend to put a stop to by making this legislation, will increase still further because so many loopholes have been left in the Bill which help the landlord in bringing about the ejection of the tenants. I, therefore, feel that this will not in the least solve the agrarian problem with which our State is faced, but it will rather aggravate it. This will certainly adversely affect our 'grow more food campaign' because if the danger of ejection is ever lurking in the mind of the tenant, he will not wholly devote himself to the task of cultivation. As I stated early, fifty percent of the total land in our State is being cultivated by the tenants. My point is that if they are not satisfied, they would not care to improve the farming of their lands and consequently production will suffer. It is, therefore, highly desirable that such facilities be offered to the tenant as encourage him to cling to and take more pains for the intensive cultivation of his land. In other words we should create his interest in the land so that he may not think of leaving it. But what do we find in this Bill? Government appear very keen to look after the rights of the landlords rather than those of the tenants

It is a matter of gratification that the landlords intend to effect improvement in their lands but the fact remains that it is the tenant who will continue to be the actual tiller of the soil and naturally it is advisable that we should take steps to encourage him to take more interest in the land. As you are perhaps aware, Sir, the tenant gets only 18 percent of the net income from the land and the remaining portion goes

[Shri Amar Nath Vidyalankar]

into the pocket of the landlord. (Voices : question). I think if the hon. Members who raised the dissenting voices, had read the relevant economic date of which I can quote chapter and verse, they would not have expressed their disagreement on the point. I may tell them that it is a fact that the tenant's share in the produce is much less than that of the landlord and that he lives on a starvation income. If my hon. Friends would just care to make a perusal of the debates of the United Punjab Legislative Assembly they would find that even late Sir Chhotu Ram was opposed to the fifty per cent 'batai' being realised from the tenants by the landlords. He was in favour of one third share of the landlord in the land leased out to a tenant.

Well, Sir, what I wanted to drive at was that since the number of the tenants far exceeded that of the landlords, it is desirable on the part of the Government to legislate such a measure as may ensure the proper safeguarding of the rights of the tenants and also encourage them to take keen interest in their land. Then and then alone will the agrarian problem of the State will be satisfactorily solved. The present measure has, in my opinion, miserably failed in this respect, and therefore I have been left no enthusiasm to support it. With these remarks, Sir, I resume my seat.

Sant Narindar Singh (Ex-Member West Punjab Assembly representing Montgomery East, Sikh, Rural) (*Punjabi*) : —Sir, this is an age of revolution and it is but natural that during this period one class of people should begin to nurse ill feelings against an other class. The upheavel through which we have passed, led the tenants to feel like becoming the owners of the lands occupied by them and set the landlords to think of making an effort to deprive the tenants entirely of the lands they were tilling. Thus a cleavage between the landlords and the tenants had taken place and it was widening every day. It is, however, a matter of gratification that Government has brought forward this measure which seeks to remove the difficulties of both the parties to a considerable extent. Under this Bill neither the landlord can coerce the tenant to abandon the land nor can a tenant put the landlord to any trouble by refusing to pay the legitimate dues of the former. I think that Government has taken a commendable step in bringing this Bill on the Statute Book.

Now, Sir, if we cast a glance at the general condition of the country, we find that the people are in the grips of an acute poverty,

which I think is a great curse. Nobody cares for the poor, rather everybody tries to browbeat him. Why go afar? If I were not a member of this honourable House and if the people knew that I owned only a very small area of land, then I am sure, nobody would have any regard for me. I admit that affluence raises the prestige and status of a country but at the same time it becomes a curse for the poor as the wealth is concentrated into the hands of the few. The poor cannot tolerate that the rich should eat, drink and make merry while the former may not have a morsel of food to satisfy the pangs of hunger. This is exactly the position of the tenants. They cannot brook the passage or concentration of all lands into the hands of the landlords and allow them to be starved and ejected from the lands by the latter. This is the general feeling in the tenants, though I have my own ideas about this ejection affair.

I belong to a family of occupancy tenants of a very long standing. The landlord of our village refused to lease out even a small strip of land to me. If I wanted I could create trouble for him, but I thought that since it was not his pleasure to see me tilling his lands, I would not thrust myself upon him as a tenant. I would not even look at his land. My revered father had told me that the relation between a landlord and a tenant should be that of a father and a son and the subsistence of such a relation alone makes cultivation a pleasurable affair. He further told me that if the landlord ill-treated the tenant, then the latter should avoid to go near former's land even. But there is a limit to everything. If the landlord continues to subject his tenant to severe suffering or privation, then a time comes when the latter comes into open conflict with the former. Strictly speaking, it is my fervent desire that both the landlord and the tenant should lead a happy life so that the grow more food campaign may receive a greater impetus than before. The production of foodgrains may thus be stepped up and our country saved of the starvation staring us in the face. I may also point out that the tenant harbours no ill-will against the landlord because in times of difficulty, it is the landlord who comes to his rescue and to him he looks for help. But if he is now up to safeguard his rights it is because of the undue harassment to which he has been subjected to by the landlord in the form of ejection from his land. It is, however, a matter of gratification that the hon. Sardar Kartar Singh has endeavoured to put an end to the disputes among the landlords and the tenants by putting forward this measure. I hope that with the passage of this Bill

[Sant Narindar Singh]

tenants will feel contented and satisfied. They will put in every ounce of effort to cultivate their lands intensively and will produce enough foodgrains for their own as well as others consumption. With these words, Sir, I close my remarks.

Chaudhri Badlu Ram (Rohtak Central, General, Rural) (*Hindi*): Sir, after hearing the arguments advanced both in favour and against the Motion, now before the House, I have arrived at this conclusion that the stand taken by some of my hon. Friends in support of the landlords, cause is quite different rather poles apart from the one taken by those who have expressed themselves fully in favour of the tenants. I can draw this conclusion from it that those of my hon. Friends who speak in favour of the landlords are intimately connected with them in some way or other. The condition obtaining at present in our State is this that the tenants are not satisfied with their lot. Perhaps they do not know that after all the existing landlordism is not going to continue for a long time. As a matter of fact the day is not far off when the zamindars would not continue to possess big tracts of land. The poor tenants feel in the heart of their hearts that the lands that they till with their own hands should belong to them. They want to become the rightful owners of the lands where they work from morning till evening. Here I cannot do without saying this that the landlords have also grown suspicious about the continuance of the ownership of their land. They feel that they would have to wash their hands off their land soon. On the other hand Government fear lest any catastrophic change may take place and which may affect adversely both the landlords and the tenants and it is because of this fact that Government want to save both of them from such a catastrophe. Keeping all these facts in view Government have thought it fit to bring in the proposed legislative measure.

If the prescribed limit is fixed at 50 standard acres, and which I think is quite sufficient, then the proposed legislative measure will really result in some good to the tenants. Some of my hon. Friends have in the course of their speeches laid too much stress on the point that if the prescribed limit is fixed at 50 standard acres then the landlords would not afford to give adequate education to their children and also bring their land under tractor cultivation for increased food production. They have gone to the extent of saying this that by fixing 50 standard acres as the prescribed limit there would no more be lawyers amongst the landlords as it would be well nigh impossible for them to give such education to their children. Here I cannot do without saying

this and it will not be out of place to mention here that my hon. Friend Professor Sher Singh who owns 15 bighas of land in my village and about 56 bighas in another village, receives rent from his tenants. He can easily afford to incur adequate expenditure to improve his land with a view to stepping up food production. But in spite of these small holdings it is possible for him to pull on quite nicely.

Further, my hon. Friend Sardar Ujjal Singh has in the course of his speech pointed out that our holdings cannot prove economic unless adequate amounts are spent in this direction and that the setting up of new industries is the need of the hour. I would like to bring this point home to him that only those who have big bank balances to their credit can invest their money in these directions. While advancing this argument he has perhaps lost sight of the fact that so far he has never tilled land with his own hands nor would he ever be prepared to be a tiller of the soil. He should bear this fact in his mind that now is the time for the poor people to come into the fore-front. Those old days are gone when the cry of the poor was a cry in the wilderness. I am of the opinion that at present the poor tenants who work in the fields from morning till evening and earn their livelihood by the sweat of their brow are not satisfied with their lot at all.

Now about the Bill, now before the House. It is provided in the Bill that a tenant can be ejected for non-payment of his rent. In my opinion such a provision should not have been made in the Bill as it amounts to gross injustice to the poor tenants. The poor tenants have no time to make payment of their rent to their landlords particularly during the sowing season. How can they stop their work in the fields and cover long distances to see their landlords simply to make them the payments. Even if they manage some how or other to go to the landlord for paying their rent, they are really at a loss to know what to do and where to go in case they refuse to accept rent from them. How difficult would it be for a tenant to travel long distances to meet his landlord in person with a view to making the payment of his rent. For instance, if a landlord resides in Delhi, how difficult, troublesome and at the same time expensive would it be for a tenant to go there simply for paying rent to his landlord. I would like to suggest that a board should be set up to devise ways and means for settling disputes between the tenants and the landlords to their entire satisfaction. If a landlord files a suit against his tenant for non-payment of rent, the latter knowing full well that he was not to

[Chaudhri Badlu Ram]

blame for it, cannot afford to engage a lawyer to plead his case. The setting up of a board, as referred to by me, would, I am sure, go a long way in settling such disputes between the tenants and the landlords without filing suits in the law courts or in other words without spending any amount what so ever in this direction. At present the position in our State is this that a poor tenant who cannot afford to incur even the journey expenses from his village to the place where his landlord resides, is really at a loss to know what to do and where to go. Imagine a poor tenant covering a long distance in the month of June under the scorching sun. He cannot find any place where he can take shelter. He has to bear all these inconveniences only for the sake of making payment of his rent to his landlord. (*Interruption*) I would like to make this point clear that so far as the proposed legislative measure is concerned, I will support it whole-heartedly, so long as I continue occupying my seat on these benches on the Floor of this House.

So far as the clause regarding the sale of land is concerned I wish to make a few submissions. It is an open secret and my hon. Friends will also subscribe to my view that tenants do not possess any money. They do not own any houses nor do they own even a pair of oxen meant for ploughing their lands and for other sundry purposes. They secure loans and make the necessary purchases and thus earn their livelihood. Tenants can purchase land upto Rs. 500 or Rs. 600 as this amount they can easily get on loan. Here I have a word of warning for the tenants. They should not be under the impression that they can become the owners of land, they till at present with their own hands, by paying a very paltry sum of money for it. After all there is nothing in the world which can be had free of charges. (*Interruptions*) Time is not far off when the poor people would come into the fore-front and carry on the administration of the State. That Government would be the Government of the poor by the poor and for the poor. That Government would be run by persons like my hon. Friend Shri Buja Ram Bhagat. I would like to bring this point home to my hon. Friends once again that the tenants have not been benefited in the least and consequently they are not satisfied. It is, therefore, but meet and proper on the part of the Government to give them all possible satisfaction. After all what have they done. How are they to blame? The hon. Ministers who are at present adorning the Treasury Benches do not know whether they would be occupying those very seats to-morrow or the day after. The same is the case with the landlords. They also do not know whether they would continue to own their lands. They are under the

impression that the continuance of the ownership of their land is dependent upon the longevity of the tenure of the office of the hon. Ministers. Landlords should rest assured that no body wishes to take possession of their lands.

Shri Buja Ram Bhagat (Loharu, Dujana and Pataudi States) (*Hindi*): Sir, I take this opportunity of appealing to the hon. Members of this House that all our efforts should be made to settle the disputes between the landlords and the tenants. So far as the tenants are concerned, they are facing untold hardships and miseries. One of the difficulties that the poor tenants are faced with is this that the landlords do not give them the receipts of their rent. If the latter refuse to give a receipt, the former also refuse to make any payment of the rent. What happens afterwards is this that the landlords file suits against them for non-payment of rent. The hon. Chief Minister has in the course of his speech pointed out that during 1948-49-50 no ejectments of tenants were ordered by the courts. But I would like to bring this point to his notice that so far many tenants have been ejected without any rhyme or reason. This is not all. In many cases poor tenants have been harassed and maltreated by the police. Instances in this connection are not wanting. There are 20 such cases in the district of Hissar only where police officials have harassed the poor tenants without any rhyme or reason.

Sir I would submit that in Hansi Tehsil people are experiencing great difficulty. The land in that ilaqa is such that in spite of the fact that all trees in the land have been cut down and the cultivation has been made with tractors, there is no production in that land. There are no irrigational facilities and the Government has not taken any steps to sink tube-wells for irrigating the land. This Bill will create many disputes between the landowners and the tenants. It is the duty of the Government to put an end to such disputes. If the landowner fails to give receipt to his tenant, the latter will have to deposit the money in the Tehsil Treasury and it is just possible that the authorities may refuse to accept such payment. In this way, the tenants will be put to a good deal of trouble.

Sardar Sajjan Singh (Patti, Sikh, Rural) (*Punjabi*): Sir, when I look towards this Bill, I begin to find in great degree the same spirit which was once noticeable in the declarations made after the Mutiny of 1857 in the reign of Queen Victoria. Though assurances were held out that equality of treatment to all citizens would be shown under the laws of the Government but in actual practice we had rather different experience

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of this during the British regime. I am opposed to the very fundamental principles of this Bill because it makes discrimination between the urbanites and the ruralites. I find that whatever protection has been given to the tenants in the urban areas under the Punjab Urban Rent Restriction Act is being denied to the tenants of lands in the rural areas under this Bill. It has been clearly stated in the Constitution of India that the State shall not discriminate against any citizen or in other words there will absolutely be no distinction between a jat or a non-jat, but what we actually find is that the present Government has under the influence of power thrown all these accepted principles to the wind. After the framing of the Constitution of India the ruralites had begun to feel that they would also enjoy all rights and privileges as are now conferred under the law upon the people residing in the urban areas but now they have realised that the Government has done little to safeguard their rights even after the attainment of Independence. They have formed an impression that it is perhaps because of being a backward class of people or a disorganised body that such an indifferent treatment is being shown to them. It is idle to expect any good out of this measure if it is enacted into law but I would rather go to the length of saying that it will adversely affect the mutual relations between different sections of people thereby making it difficult for the Government to maintain law and order in the State. Such a measure will create a wide gulf between the urbanites and the ruralites. I think that by bringing forward such a measure before the House, the Government has not contributed anything towards the well-being of the State but it has violated those very principles for which we were actively opposing the British Government. As a matter of fact, I believe that the Government has done great dis-service to the State by introducing such a Bill in the House.

Sardar Ajit Singh (Ex-member, West Punjab Assembly Representing South West Punjab, Sikh, Rural) (*Punjabi*): Sir, I would like to say one or two things at this stage of the Bill. When an Ordinance in this behalf was promulgated, some parties actually hatched up a conspiracy to drive a wedge between the tenants and the landlords.

Mr. Speaker: Please do not use the word 'conspiracy'.

Sardar Ajit Singh: Sir, as a matter of fact there is no problem of tenants and landlords in the State. In the districts of Jullundur, Amritsar and Hoshiarpur the so-called well-wishers of the tenants class

have often expressed their concern and anxiety in the difficulties of the tenants in order to win their sympathy. Such persons, who pose themselves as their friends and well-wishers by shedding crocodile tears, have always their own axe to grind. It suits their purpose to create a wide gulf between them so that this problem should assume serious proportions. I would say that such a conflict is in fact a reaction of those people who felt aggrieved during the regime of the erstwhile Unionists Party. These are only political devices to set the tenants class against the landlords. Such a class war has already had an adverse effect on the "Grow more Food Campaign". This conflict also created serious misgivings in the minds of the soldiers that they would be deprived of their land in the State. The result was that even the small landholders were not willing to give their land to the tenants. In view of this situation our Government promulgated an Ordinance which inspired hope and confidence in the minds of the landowners. The good effect of this Ordinance was visible in the fact that the landowners who were previously reluctant to part with their land were now willing to give it for cultivation to the tenants. The tenants class also felt satisfied as they could now get land from the landowners. When this Bill is passed into law it would provide security of tenure to the tenants for four years with the result that they would be able to put in their best efforts to increase the production of land. The zamindar who owned only one 'ghamaon' of land would now be able to get his livelihood from the land by giving it to the tenant.

These 'unwise' friends of the tenants had by their words and deeds created many doubts in the minds of the land owners. We welcome this measure, as it will help in improving the strained relations of tenants and landlords. I would request my friends sitting on the opposite benches not to create disaffection against this measure among the tenants in order to win cheap popularity, when they go back to the plains.

Pandit Durga Chand Kaushish (Ambala Division, landholders): Sir, while speaking at this stage, I must first of all make it perfectly clear that this Bill is hitting rather hard on the land owners. But the landowners should accept it in the interest of the State and in the interest of the uncertain conditions at present prevailing in our State and which must be removed. In spite of the voluntary acceptance of the curtailment of their rights by the land owners, the fact that some land has been

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allowed to be kept by the land owners for their own cultivation has been severely criticised and that has been compared with the Rent Restriction Act. That is a very wrong analogy. A house owner in a town is allowed to keep a house for himself and if he moves out of that town and does not want it then it is given to a tenant but if the owner comes back to that town then that tenant is ejected and the house restored to the owner. It is crystal clear from this that certain basic requirements of the owner are recognised by law. Similarly if a land owner wants to fall back upon agriculture as his profession, it is incumbent that he should also be given a chance up to a certain limit whereby he can make a decent living according to the standards which he was keeping before. I do agree that some sort of protection and some sort of sense of security should be given to the tenants but that could have been done even if part (iii) of sub-clause (4) of clause 1 had been deleted.

Mr. Speaker. : The hon. Member is referring to a certain clause of the Bill. At this stage he can neither support nor oppose any clause of the Bill. He should speak on the general principles of the Bill as a whole.

Pandit Durga Chand Kaushish : Sir, I am taking this as an illustration to prove my point I am neither supporting nor opposing this particular clause, because I know that at this stage this clause is out of discussion.

Mr. Speaker : Then proceed with the Bill and not discuss the clauses.

Pandit Durga Chand Kaushish : If this clause had not been in the Bill the principal of the Bill would have been altered and it would have provided security to every tenant irrespective of the area of land he was holding. Any way Sir, what is done is done and whatever there is we must accept it in the interest of the State as a whole and I would appeal to all sections of the House to try to implement this Act as best as we can in the interest of all the people living in the Punjab. With these words I thank you Sir, for giving me an opportunity to speak at this stage on the Bill, now before the House.

Sardar Bachan Singh (Ludhiana Central, Sikh, Rural) (Hindustani) :
Sir, this tenancy problem was responsible for creating numerous complications in the past and if this Bill is passed without material

amendments, I am sure, these complications will increase rather than diminish. So far as the interpretation of the term 'tenant' is concerned, some people are of the view that it implies only the landless tenants. But the fact of the matter is that those who own ten or less acres of land, have perforce to get some extra land to till, whether on 'batai' basis or cash rent *i. e.* 'lagan,' in order to eke out a living for themselves. Thus even they have to work partly as tenants on others' land. Then, Sir, as you know, in our State 80 % of the landlords are such as are proprietors of ten or less acres of land. Those who own between fifteen to thirty acres of land can, of course, pull on with it. But those who own fifty standard acres of land or more have necessarily to get a good portion of it cultivated on 'batai' or 'lagan' basis. Now, all those landlords who own ten or less acres of land are also to be counted in the category of landless tenants.

We have then to see whether this Bill, if passed into law, would result in any advantage or benefit for this class of tenants. So far as I think, this Bill has been framed with an eye to satisfy and reassure the landed aristocracy and not those tenants who own a small holding and also have to work on others' lands.

Sir, I am at this time reminded of a case, which in several respects bears similarity to the situation that has been created by Government's insistence on passing this Bill. It was the year 1919—the occasion of the passing of the Rowlatt Act when Lord Chelmsford was bent upon getting this measure passed. Knowing well that the Government was anxious to assume arbitrary powers with a view to crushing the nationwide demand for Home Rule, powers against the exercise of which there could be no appeal, powers intended to suppress the liberties of the people, the late Vitthalbhai Patel and Pandit Madan Mohan Malviya made a firm resolve to hinder the passage of this Bill by tabling as many amendments as possible. And this patriotic attempt on their part not to let the retrograde Bill be passed was dubbed as a conspiracy.

Sir, at that time patriots like Shree V. J. Patel and Pandit Madan Mohan Malviya were straining every nerve to reduce the rigour of that Bill. Today we have tried to follow in their footsteps. As they wanted to get whatever concessions they could for Indians in general, we to-day want to secure some benefit for the poor tenants against whom this Government is so heavily weighted. I fail to understand the wisdom which led the Government to neglect important Bills like the Gaon Panchayat

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Bill and the Damaged Areas Bill and rush through the Tenants Bill with a break-neck-speed. Only God knows why it has placed the Bills regarding the District Boards and the Municipal Committees in the cold storage.

Mr. Speaker : The hon. Member should confine himself to the Bill under consideration and avoid reference to other Bills.

Sardar Bachan Singh : Sir, I wish to say that this Government has tried to pass this Bill with all possible speed and neglected some very important business which would have stood the public at large in very good stead. Despite the fact that we have today spent about eleven hours on this Bill, I feel that we have rushed through it and have not been able to do justice to it. Controversial measures like this Bill should be passed after proper consideration. That this Bill was very controversial is obvious from the fact that the Congress Chief and some other hon. Members of this august House thought it fit to oppose it. The authors of this Bill may indulge in praises for it but I strongly condemn it because it contains some provisions which in no case can be palatable to the well-wishers of the suppressed and the depressed. By no stretch of imagination can I be made to believe that the provisions relating to the exemption of owners is 100 or 200 acres of land and self cultivation are good for the tenants. According to this Bill a tenant who has been unreasonably ejected and is after a period of one year restored possession of land will not be entitled to any compensation or damages from the landowner. And then whatever little benefits this Bill is capable of conferring, will not in many cases be conferred on those tenants who were ejected between the 1st and the 13th of May 1950.

Sir, concessions are being given to the big landlords under the pretext that they would cultivate land by means of tractors and would encourage mechanized agriculture. This is all show. The fact is that steps are being taken to enable these big landholders to sell land at high prices and in the very near future we will see that they will not be in possession of a single marla of land. I fail to follow as to how they will mechanize agriculture in the absence of any land. (Some hon. Members: How can the refugees sell land allotted to them.) It is true that the refugee landlords may not be able to sell but the owners will certainly do so.

Sir, we have been dubbed as agitators. It is said that we create unrest and egg the people on to start satyagrahs and court arrests.

There does not appear to be even an iota of truth in this allegation. Everybody possesses a head on his shoulders and no one will, therefore, go to jail simply because another man tells him to do so. A man will only subject himself to an operation or swallow a bitter medicine when he is ill and never otherwise. I consider that these poor tenants are suffering from the cruelties which the rich have inflicted on them. In this state of suffering they cry and the well-to-do gentlemen complain that their strikes disturb them in their sleep. They wish to stop their cries and stifle them. But this cannot be done now as the times have changed and everybody has become aware of his rights.

Sir, a right approach has not been made to solve the problem of the tenants in this Bill. To me it appears as if the ways of this Government are very undemocratic and it has tried to strengthen the hands not of the progressive forces but of the reactionaries. If it likes, it can avoid the disasters, which have overtaken China, through constitutional means. But I am afraid the constitutional means are being misused and disasters would be the inevitable result. Warning to this effect was given by my hon. Friend Pandit Shri Ram Sharma and others. The old order has got to change and the great Congress organization is aware of it. It wishes to abolish Zamindari throughout India. Similar programme will have to be adopted in this State during the course of time and whatever was being done through this Bill was by way of interim relief only.

After the Congress had decided to abolish landlordism, our Government brought forward this Bill for the interim period. Instead of giving any relief to the tenants, this Bill, I am sure, will aggravate their difficulties. Some time back the Government passed Anti-Black Marketing Bill. We know whether it helped in eradicating that evil or led to its increase. The same is the case with regard to this Bill. If the Government did not wish to ameliorate the condition of tenants by granting them security of tenure, it should not have worsened their existing position.

Minister For Public Works (The hon. Captain Ranjit Singh) (*Hindi*): Sir, I have listened to the speeches made by the hon. Members since this morning but I feel that not even five per cent of them have studied this problem. Some of those who claim to suggest a solution of the problem of tenants are engaged in business

[Minister for Public Works]

while others are either insurance agents or own cloth-looms. This does not mean that I do not respect their views. I have said so because I feel that this is a very important problem for the whole of our country and if we do not examine it on its merits, we will be complicating it all the more. There is no doubt that the Congress Government which is running the administration of this State is committed to the abolition of landlordism. When the Congress has decided to abolish it no power will be able to keep it in existence. The question before the House today was not the abolition or maintenance of landlordism in the State. In this connection, I wish to narrate a brief history of the tenancy legislation. At the time of elections, we promised the tenants that when India attained freedom, they would be given their proper share. If some political parties had not tried to make capital out of the situation, it would have been possible to bring this Bill much earlier. In that case it would have yielded better results. After the 15th August, 1947, some agitators went to the villages and told the people that it was no longer necessary for them to pay batai or rent to the landlords. Before we could enact any legislative measure, these persons who could be described as foolish friends of the tenants, stirred up trouble. They brought about a conflict between the landlords and tenants and consequently the relations between them became very strained.

Now let us see as to which were those villages in which conflicts took place. Whether these conflicts occurred only in villages owned by sole proprietors or in those villages where the number of landowners was small (?). No dispute or conflict arose in those villages where the number of landlords was large, say about hundred, and each holding was not more than thirty or forty acres of land. It means that these disputes arose only in such places where very big landlords owned land and their holdings exceeded one hundred acres each. The Government tried to find out the source of this trouble, so that it might be suitably remedied. Hence in the ordinance which was promulgated to meet the situation, a landlord owning one hundred standard acres was not regarded as a big zamindar. It would be noticed that these persons cannot be regarded as big landlords in the real sense of the term. The Congress Governments in several other States have decided to abolish landlordism. If the condition in those States, in which it has been abolished, is

examined, it would be noticed that the landlords there had nothing to do with cultivation. The British Government had authorised those persons to collect land revenue on behalf of the Government with respect to large areas of land. They were known as 'Talukadars, or Rajas. Some of these persons had by the collection of land revenue for the Government an income of ten thousand rupees per month from land. This was not the condition in the Punjab, especially in that part in which we live *i.e.*, Punjab (India). If, however, there are some landlords in this State, whose holdings are so large that they cannot manage to cultivate their lands themselves, the Government will have to take action in such cases. We assembled today with a view to finding some solution of the problem which faced us at the present moment.

The problem in our State is different from that in other States. When we saw that the trouble occurred in those villages which had landlords each possessing more than 100 acres, the ordinance was applied to such landlords. Some of our friends say that this Bill would not benefit the tenants. I do not agree with them. I think it will benefit them immensely. When the slogan, that the land is the property of the tiller and when the movement of non-payment of rent to the landlords was becoming popular in the rural areas, it created fears in the minds of not only the big landlords who started ejections of the tenants, but also in the minds of petty landholders who possessed such small holdings as five to ten acres. Consequently, a large number of tenants became jobless on account of the ejections. Added to them, there was a large number of those landless tenants who came hereafter the partition from Pakistan. As soon as this ordinance was promulgated some four months back, I can say with certainty that the landholders owning less than 100 acres at once started leasing out their lands to the tenants. In this way the landless tenants began to be absorbed in the economy of the State. It is, however, a fact that unless there prevails a satisfactory atmosphere in which both the tenants and the landholders possessing less than 100 acres feel satisfied and contented, they cannot hope to live peacefully. It has been said by some of my hon. Friends that even the Chief of the Punjab State Congress has been helpless in this matter. When the question of reducing the limit of 100 acres was raised, one of my hon. Friends said that he did not want to touch the peasant proprietors.

Sardar Bachan Singh : The hon. Minister is right.

Minister for Public Works : My hon. Friend should know that he and his colleagues have been trying their utmost for the last four days to check the referring of the Bill to a Select Committee. They want that this Bill may not be placed on the Statute Book during this session so that the Ordinance may lapse and they may continue their merry-making by enjoying their Halwa (pudding) at the cost of the villagers. If the hon. Members would co-operate with the Government in this matter and would explain the implications of clause 8 of the Bill to the public, I am sure, they would help in ending the landlord-tenant disputes and would thus help in increasing the food production. Our State became a surplus State in food in a short period of three years. But unfortunately this position has now been upset by the floods. In spite of this calamity, I am sure we can make good all the loss in a short time if the hon. Members of this House extend their cooperation to us.

Again, Sir, it has been said that the Ordinance has done nothing for the abolition of zamindari. I do not agree with this view either. As a matter of fact, this Bill will kill two birds with one stone. On the one hand, the tenants have got security of tenure for four years, they would be freed from the fear of ejection for four years. The "mukhtars" of the absentee landlords sometimes put the tenants at some places to a great trouble to achieve their selfish ends. But now the tenants need have no fears from them. On the other hand, opportunity has also been given to those landlords who became owners of land somehow or other but who now want to dispose of the land. I think it is always better to allow a desperate person to run away, if he so wishes, rather than compel him to attack you by trying to catch him. That is why the door has been left open for the exit of the landlords. They have been advisedly permitted to dispose of some of their land by and by.

As regards the criticism that they would charge high price for their land, I would say that nobody will be prepared to buy this disease. It would be purchased only by those who do not consider it a disease and who would till it with their own hands.

And then, Sir, there is the limit of 50 acres for the vendee. The prices have also been controlled in a way. They would go up only if there is competition among the capitalists, who in this case have been eliminated by fixing the limit at 50 acres. Besides, the

tenants have been given the rights of pre-emption under this Bill. If this remedy does not prove sufficient to check the disease, doses of some other mixture will have to be administered. But it is not right to criticise a thing before it has actually been tried. Conditions have got to be improved and for this purpose, we require the cooperation of the hon. Members of this House. It is another thing that we may not have been able to give special advantages to any one and it is possible that we might have even displeased most of the people. But because of that we cannot shirk our responsibilities. We won't leave the party and run away just as some of my hon. Friends have done. The Government fully realizes the duty that it owes to the State. It is with a sense of such responsibility that we are passing this Bill. And we hope that it will do good to the people at large.

Chaudhri Sahib Ram (Hissar North, General, Rural) (*Hindi*): Sir, the Bill under discussion which the House is going to pass in a short time is considered by some of the hon. Members to be a good piece of legislation. But I beg to differ from them. In my opinion, it is not a useful measure. But still if it is implemented with just intentions and in a correct manner it can do some good to the people. So with this hope I request the hon. Members to let the Government experiment with this measure. As a matter of fact this Bill is already in force in the form of an ordinance which was promulgated about six months back. In this Bill there is a provision to the effect that the landlords must bring the land reserved by them under self-cultivation within one year. The tenancy problem has been a very acute in this State for the last three or four years and some of the landlords have already got their lands reserved in the names of all the members of their families. It is provided in the Bill that if the landlords fail to bring the land under self-cultivation within one year the tenants can be restored to its possession. But the difficulty is that the landlords have given such land to other tenants for cultivation although the land is in the name of the landlords. Now if the old tenants are to be restored, the new tenants will have to be ejected. This creates complications. But still if our leaders try to solve the problems with honesty of purpose and sincerity much can be achieved. So I am of the view that if the provisions of this Bill are enforced with justice and honesty they can go a long way in helping the tenants. My only fear is that generally the voice of the poor is weak. But if our administrators try to bear that voice in mind and act in a manner which is just and honest then the hardships of the tenants can be removed and much good can come

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out of this Bill. So I would request the Government to inculcate a spirit of honesty and sincerity among its officers so that this legislative measure may be instrumental in doing some good to the tenants.

Mehta Ranbir Singh (Ludhiana and Ferozepore, General, Rural) (*Hindi*): Sir I am not going to point out the defects of this Bill because it will be a mere repetition of what has already been said in the House by most of the hon. Members. Moreover, the defects are so many that it is not possible to mention them in such a short time.

Now I only wish to draw the attention of the House to the problems which face our country today. Let us see if this Bill tries to solve any of these problems. The most important problem before our country is about the abnormal rise in prices and decrease in production. Unemployment is also on the increase. In Bombay due to the policy of the Government there is a general strike in the Textile Mills as a result of which the country as a whole is suffering a heavy loss. The production of cloth will naturally decrease. If we look at this Bill from this aspect we find that the object of some persons appears to be that the lands may go out of cultivation with a consequent decrease in agricultural produce. It may be that some interested persons desire to take advantage of the helplessness of the poor people. If such is the object then I would like to sound a note of warning to the Government that the results of this policy will be disastrous. I am also a citizen of this country. I am saying it again and again that those in power today should act and think in a manner which may result in the decrease of unemployment and misery. They should realize that the labourers have a power which no Government can suppress. This power should be utilized in a proper and beneficial manner. Absentee landlordism should be abolished. It is only by doing so that we can increase production.

I frankly admit that there is one good point in this Bill. I am a dispassionate observer, and so I can say that the landlords have been given a chance of bringing their land under self-cultivation. If they do so it will be for the good of their country. But I would request the Government, which claims to be the benefactor of the poor, to see that the absentee landlords do not abuse this provision. With these words, Sir, I resume my seat.

Minister For Revenue (The hon. Sardar Kartar Singh) (*Punjabi*) :
Mr. Speaker, the problem of landlords and the tenants has been agitating the minds of the people for the last two or three years. Even the ordinance which the Government promulgated to meet the situation arising out of the ejection of the tenants and consequential disputes, has been before the country for the last so many months. In other words a good deal of time and thought has been devoted to consider the matter thoroughly. So it is incorrect to say, as has been argued by some of my hon. Friends, that an attempt has been made by the Government to rush this measure through and that it has not received that amount of careful and active consideration at the hands of the legislators as it deserved, in view of the gravity of the situation. I am rather of the view that if my hon. Friends have failed during this long period to fully consider the matter, then they will never succeed in arriving at any tentative decision about it. As a matter of fact previously the intention of the Government was to move for the immediate consideration of the Bill. But with a view to accommodating Sardar Bachan Singh, we decided after consulting him, to refer the Bill to a Select Committee.

Then an objection was raised that the hon. Minister for Labour or some Harijan Member should also serve on the Select Committee. Even then his objection was entertained and he was accommodated. At his suggestion the name of a Harijan Member was included in the Select Committee. But I am constrained to remark that despite our liberal attitude, he tried to adopt dilatory tactics with a view to obstructing the passage of this important measure. But the Government meant business and they were bent upon bringing this vital Bill on the Statute Book unmindful of the fact that they may have to sit longer hours and subject themselves to the ordeal of the boring oratory of my hon. Friends. (*Laughter*)

Then, Sir, this measure was dubbed by my hon. Friend over there, as a Black Bill. He further stated that this Bill was neither likely to cause any benefit to the tenants nor will it put a stop to the disputes of the landlords and the tenants. May I just remind my hon. Friend that when agitation was being carried on in full swing by persons of his ilk in Hoshiarpur District among the tenants, what salutary effect the Ordinance had upon the situation after we had promulgated it. The Ordinance providing security of tenure to the tenants proved so helpful that

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the agitation was withdrawn altogether. The tenants considered it their success in the promulgation of the Ordinance by the Government.

They were fully satisfied with it. Now when a thing has been declared satisfactory, how can it be considered to be otherwise if it is presented in a much more improved manner? Similarly if the Ordinance was acceptable to the people, how can we believe our hon. Friends that this Bill, which is decidedly an improvement upon that Ordinance, will be unacceptable to them? (*Cheers*).

Then, Sir, the success of the Ordinance can be measured from the fact that almost all the tenants who were without any employment have been absorbed. (*Cheers*). I assure the hon. Members that it is the fervent desire of the Government to provide land to each and every tenant. My hon. Friend Sardar Bachan Singh has averred that still a large number of tenants remain to be provided with land. I ask him to give me the list of those unprovided tenants and Government shall see that they are absorbed on the land. (*Cheers*). Now, Sir, the same Ordinance which brought satisfaction to the actual tiller of the soil, is being given the shape of law and I assure the House that Government will be careful to see that no party takes undue advantage of the other under this Bill, after it has been passed into law. I may also declare that Government feel great sympathy for the tenants and every endeavour will be made to provide land to those who are still without it. I am sure, Government will succeed in this provided the tenants are not adamant to get lands at a particular place or in a particular ilaqa. What I feel is that the tenants should accept land wherever it is available and that they should not make a fetish of a certain place. Thus every tenant will be ultimately absorbed and will feel contented.

Then, Sir, some of my hon. Friends remarked that this Bill would not succeed in ending the dispute among the tenants and the landlords, and that this was a rotten measure as a result of which the straitened relations of the tenants and the landlords will continue as ever. I do not see eye to eye with my friends. There may be a dispute here and there but such cases will not become the order of the day as has been the case before the promulgation of the Ordinance. I may point out one interesting thing in this connection. There is a practice in the Punjab that if a big man bemoans for a certain thing, the illiterate people on seeing him begin to weep loudly without thinking what the cause is.

similar is the case with my hon. Friends. (*Laughter*). If some tenant who has not so far been provided with land, come their way, they begin to think that the tenants of the whole State are without any land. Then, Sir, the disputes among the tenants and the landlords will be amicably settled provided the proverbial aunt Sobhi whose only job is to instigate people for agitation, keeps away. (*Laughter*). I think that these so-called disputes will not arise if my hon. Friends leave off the business of agitators.

Then, Sir, another major objection that was raised by my hon. Friends, was regarding the permission granted to the landlords to sell their lands. I may tell the hon. Members that the aim of the Congress or the Government is that the land should not remain in possession of the few but it should be distributed among the tillers of the soil. Now if we provide that the land should go out of the hands of the big landlords and be possessed by the small holders, our hon. Friends want that this should not be done. The way in which they think, does not help solve the problem of the tenants. As you are already aware, Sir, we have declared a good many castes as statutory agriculturists. The object of the Government that those people who previously did not enjoy the right of owning land and tilling it, should now obtain it and cultivate it. Now where is the land to come from and how are these newly declared agriculturists to take to farming? The only way is that the big landlords should release the land by offering it to them for sale, and that is the reason why we have made this provision in the Bill, giving the landlords permission to sell out their lands. As a matter of fact, we want to give full opportunity to these people who have been declared as agriculturists, to show their mettle as zamindars.

I may also point out that the tenancy legislation in the form of this measure is not the last word on the land reforms which the Government want to introduce in this State. We have already appointed a Land Reforms Committee which will submit its recommendations in the form of a report in due course. We have yet to tackle and solve many an agrarian problem and I hope this Government would succeed in accomplishing this stupendous task. But if despite these assurances and genuine efforts to improve the lot of the tenants, my hon. Friends are adamant in saying that Government are doing or have done nothing in this regard, then Government cannot help it. In other words

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if my hon. Friends insist on saying that the colour of the milk is black, it is not the fault of the buffalo. (*Loud laughter*), I, therefore, request the House to pass this measure so that it may be given effect to without any avoidable delay and bring about contentment among the tenants.

Mr. Speaker: Question is—

That the Punjab Tenants (Security of Tenure) Bill, as amended, be passed.

The motion was carried.

PROROGATION.

Mr. Speaker: I have to read out a message from His Excellency the Governor, It says:

In pursuance of the powers vested in me by Article 174 of the Constitution of India, I Chandulal Madhavlal Trivedi, Governor of Punjab, hereby direct that Punjab Legislative Assembly do stand prorogued until such date as shall be hereafter fixed.

The Assembly was prorogued accordingly.

Chief Reporter
Punjab Vidhan Sabha
Chandigarh

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