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INDIAN STATUTORY COMMISSION

VOLUME X

MEMORANDUM

SUBMITTED BY THE GOVERNMENT OF

THE PUNJAB

TO THE INDIAN STATUTORY COMMISSION

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VII.— Do. do. Bombay.

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XI.— Do. do. Burma.

XII.— Do. do. Bihar and Orissa.

XIII.— Do. do. Central Provinces.

XIV.— Do. do. Assam.

XV.—Extracts from official oral Evidence.

XVI.—Selections from memoranda and oral Evidence by non-officials (Part I).

XVII.— Do. (Part II).

See also

(1) Report of the Indian Central Committee—issued as Command Paper No. 3451 of 1929; and

Supplementary Note by Dr. A. Suhrawardy, M.L.A.—issued as Command Paper No 3525 of 1930.

(2) Review of Growth of Education in British India by the Auxiliary Committee appointed by the Commission—issued with Interim Report by the Commission as Command Paper No. 3407 of 1929.

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PREFACE.

THE Memorandum which the Punjab Government presents to the Indian Statutory Commission in response to its invitation of the 6th March, 1928, is prepared in five parts. Part I of the Memorandum issued in a provisional form in June, 1928, and in its present final form on 17th August, 1928, is entitled " Descriptive Matter " and is designed to give an account, roughly on the lines of the appendix to the invitation, of the actual working of the Reforms. In this part it has been the intention of the Punjab Government to confine itself as strictly as possible to the recital of facts and to avoid all debatable matter of opinion or policy. This part has been reviewed by His Excellency the Governor sitting in consultation with the Members of his Executive Council and his Ministers and issued with their collective approval.

2. The proposals contained in Parts II, III and IV of this memorandum, dated 6th August, 1928, represent the views of the official Members of the Punjab Government—His Excellency Sir William Malcolm Hailey, G.C.I.E., K.C.S.I., Governor of the Punjab, and the Hon'ble Sir Geoffrey Fitzhervey de Montmorency, K.C.I.E., K.C.V.O., C.B.E., Member for Finance. These proposals have been framed after discussion with the unofficial Members of Government, but no attempt has been made to arrive at a joint conclusion. On the contrary, it was considered that the object of the Commission would best be served by the unfettered expression of opinion on the part of each unofficial Member of Government. The views of the unofficial Members on the official proposals, and their additional contributions to the discussion will, therefore, be found in Part V of the Memorandum.

NOTE.—Parts II to V are paged continuously, separately from Part I which ends at page 296.

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CHAPTER I.—Introductory.

SECTION A.—History.

For the purpose of this Memorandum it will suffice to note briefly, first the stages by which the Punjab Province, as at present constituted, came under British rule; secondly, the various changes in the administration of the province prior to the Reforms of 1921. South of the Sutlej the area which had by the treaty of Anjangaon, dated December 30th, 1803, fallen within British influence was, except for the Sikh States, taken under administrative control in 1819, and by 1837 six districts, corresponding roughly to the existing Ambala Division, had been formed and included in the North-West Provinces, as the United Provinces were then known. As a result of the First Sikh War of 1845 two great changes took place. One of these was the confiscation of the territories of many of the cis-Sutlej Sikh States which had taken the part of the Lahore Government, out of which four districts were formed. Nine States only survived, of which six are still in existence, *viz.*, Patiala, Nabha, Jhind, Maler Kotla, Faridkot and Kalsia. The second consequence of the First Sikh War was the cession by the Lahore Government of the area between the Sutlej and the Beas in the plains and of Chamba and Kashmir in the hills. The ceded territories in the plains became the districts of Jullundur, Hoshiarpur and Kangra, while the Chief of Kapurthala maintained the independent position of his State. In the hills their positions were secured to the Chiefs of Mandi and Suket, and Chamba, which was at one time assigned to Kashmir, was declared independent in 1848. Kashmir, it may be noticed, was subsequently declared an independent State in return for the payment by Raja Ghulab Singh of part of the indemnity exacted from the Lahore Darbar by the treaty of 1846.

2. The Second Sikh War completed the annexation of the Punjab. It finally brought within the British dominions all that territory now included in the Punjab and Frontier Provinces. The annexation was proclaimed on March 29th, 1849, and the newly formed province placed in charge of a Board of Administration. This was abolished in 1853 and in its place Sir John Lawrence was appointed Chief Commissioner. He was not only in charge of the civil administration but also in command of the Punjab Frontier Force, which had been formed during the time of the Board of Administration for service upon the Frontier. In 1859 the city of Delhi and certain attached territory on the right bank of the Jumna were added to the Punjab, which received its first Lieutenant-Governor in the person of Sir John Lawrence.

3. No administrative changes followed for over 30 years, which furnish a history of peaceful economic progress diversified with Frontier troubles culminating in the Second Afghan War. The arrangements under which dealings with the Pathan tribes of the Frontier were in the hands of the Punjab Government were not accepted as satisfactory by Lord Curzon's Government, and in 1901 nearly all the territory to the west of the Indus was cut off from the Punjab and placed under the administration of a Chief Commissioner; as also was the hill district of Hazara. The Punjab retained, west of the Indus only, the Dera Ghazi Khan district, of which more mention will be made, and the small area of Isakhel.

4. The history of the assumption of control over the hill tracts west of the Dera Ghazi Khan district deserves special note. This area is geographically a part of Baluchistan, and is inhabited entirely by Baluchis who, when the British rule came first into contact with them, owed a nominal allegiance to the Khan of Khelat. The British first approached Baluchistan through Sind at the time of the first Afghan War, and the early dealings with Baluchistan were conducted by the Bombay Presidency. After the annexation of Sind relations with Khelat were managed by General John Jacob, and it was not till his death (1859) that the Punjab seems to have taken much interest in anything beyond its close border. The first officer to penetrate into the hills west of Dera Ghazi Khan was Sir Robert Sandeman (Deputy Commissioner, 1866—1875): he made several expeditions, sometimes as far as Khelat, and these operations brought him into conflict with the Bombay authorities. The Government of India,

however, finally agreed to his forward policy and the establishment of the Quetta Agency. The advance into Baluchistan therefore came from era Ghazi Khan.

There was very little interference in the traditional administration of justice in the hills. Sandeman paid little attention to the northern tribes. The southern tribes from the Legharis downwards came within his ambit as being on the road to Khelat, and the British interference in the hills seems to have occurred first in the southern " tumans " when as a result of Sandeman's success a general control came to be exercised over the chief in important cases, though punishments continued to take the form of payment of compensation only.

It was not till 1887 that this loose control was regularized in any way. At that time the Pishin road, from Dera Ghazi Khan to Loralai, *via* Sakhi Sarwar and Fort Munro, was being made, and in order to provide authority for the punishment of offences committed by imported labour a notification issued extending the provisions of the Indian Penal Code, the Criminal Procedure Code (with certain reservations) and the Frontier Crimes Regulation to the Mazari, Gurchani and Leghari hills ; and about the same time a boundary was laid down between the Punjab and Baluchistan. In 1901, as the result of fighting between the Legharis and Bozdars the notified area was extended to include these tribes. The Kaisrani hills were also included either then or a little later.

5. In 1911, on the occasion of the Coronation Darbar held in Delhi, the decision was made to transfer the seat of the Imperial Government to that city, which thenceforward ceased to form part of the Punjab.

6. A later administrative change was the severance of the political relations which had hitherto bound the Punjab States to the government of the province. Since the formation of the Chamber of Princes, the 13 premier States have been taken into direct relations with the Governor-General in Council and an Agent to the Governor-General, serving directly under the Government of India, has been posted to the Punjab, who deals with these relations. So closely connected are the territories of the various States with the British territory, in which they form often enclaves of a few square miles, that in many administrative matters, such as control of crime, excise arrangements, public health, epidemics, development of irrigation, drainage of rural areas, etc., it was possible to act with greater co-relation and expedition when those States were in relation to the Governor-General in Council through the Punjab, than is possible under the present arrangements.

7. One more administrative change remains to be noticed, prior to the Government of India Act of 1921, namely, the development of a legislative body. Under the Indian Councils Act of 1861 a Council of nine nominated members was created in the Punjab from the 1st May 1897. The powers of the Punjab Council so constituted were purely legislative and were exercised subject to the control of the Governor-General in Council, to whom all Bills included under the provisions of section 43 of the Indian Councils Act, 1861, or containing penal clauses, were submitted for previous sanction, and to whom also every project of law was forwarded for transmission to the Secretary of State before it was introduced into Council. Before any measure carried through the Council could become law, it required the assent of the Lieutenant-Governor and of the Governor-General in Council. No rules or regulations were made under the Statute 55 and 56 Vic., Cap. 14 of 1892 (which amended the Indian Councils Act of 1861) authorising the discussion in Council of the Annual Financial Statement of the local Government and the asking of questions on matters of public interest, though rules and regulations had been made in other provinces.

8. At the close of 1909, the First Punjab Council came to an end, and a Morley-Minto Council came into being. It consisted of 24 members, 5 elected and 19 nominated. Not more than 10 nominated members might be officials, and in addition two expert members might be nominated. These did not include the Lieutenant-Governor, who was *ex-officio* President. The five elected members were elected, (1) one by the Punjab University, (2) three by municipal and cantonment committees, arranged in the cis-Sutlej, the Central and Western groups, (3) one by the Punjab Chamber of Commerce. A Vice-President was appointed and the non-official members had the privilege of electing from among their number a representative to serve on the Imperial Council. In 1912, the

constitution of the Council was altered, three members elected by District Boards being substituted for three nominated members.

9. The legislative powers of the new Council were exercised in the manner already described in the case of the old Council. The changes made, however, involved a very considerable enlargement of the Council, the introduction for the first time of a system of election of members, and the creation of a non-official majority. At the same time the rules regulating the procedure of the Council were so modified as to give it very much wider opportunities of expressing its opinion on administrative matters. Questions might be asked and resolutions moved on matters of public interest. Three non-official members sat on the Finance Committee, and in the discussions on the budget members were enabled to take an active part in shaping the financial proposals of the year.

10. Opinions may legitimately differ as to the extent to which the Punjab at large had, in the period immediately preceding the War, advanced in political consciousness or given proofs of a widespread desire for political advance. Those who look back on that period in the light of their own official experiences have the impression that the chief interest of the province as a whole was in problems of other than a political nature. They remember that they had to deal with a population, many of whom had seen the evolution of law and order out of the conditions which followed the termination of Sikh rule. In their own work they were brought into close contact with questions of revenue and settlement administration which were obviously of the highest importance to the people in the then physical conditions of the province. They recall that at the end of the last century the Punjab was still subject to recurring periods of scarcity, which frequently demanded measures of famine relief; and they have seen the development of the scheme of irrigation which has in their official lifetime changed the physical aspects of the province and brought to it a solid measure of material prosperity. It would seem to them that it was in problems of this nature, and in the capacity of the administration for initiating fresh schemes of improvement. that the attention of the province was mainly centred, rather than in questions of constitutional advance. As compared with some other provinces, the Punjab was backward in education; in all-India politics, its representatives were at that period less conspicuous than those of many other parts of India, and this fact tended to confirm their impression of a lack of active interest among the people at large in regard to political activity.

11. That impression does not of course amount to a belief that the province was devoid of political life. No one could be oblivious that in the larger centres there were many sections which took interest in political matters, sections which became very prominent in the troubles of 1907. It is true that in some cases political thought appeared to take the form of a general cavilling at the administration rather than adherence to any constructive programme of political advance: but there were other quarters in which activity followed more consistently the lines which distinguished the Congress programme. Nor could those, who were under this general impression of the state of thought in the Punjab, be oblivious that rapid changes were taking place in the social aspects of life in the province. The process of material and economic improvement was producing its own psychological effects. There was a general elevation of the standard of living, a quickening of consciousness among the agricultural classes, an enquiry among the trading classes for new outlets for the investment of their realized resources. These social changes brought in their turn reactions which were very apparent in the general life of the province. The sentiments of apprehension entertained by agriculturists generally against the monied and urban interests, long inchoate and lacking in organized expression, had gained direction by the passing of the Land Alienation Act. In proportion as the material security of the agriculturists increased, and their class consciousness was quickened, that Act became at once a rallying point and a fixed article of faith with them; indeed the economic effects which might follow its cancellation have perhaps been less canvassed by many of its supporters than the fact that this step has long been an object of desire to the money-lending and professional classes. We appeared to have here, even before the days of the Reforms Scheme, the makings of a division which possessed both force and reality. There had been a second result in the political sphere. The widespread change in the conditions of life,

and its resultant disturbance of a static mentality, intensified thought on communal lines. There followed among the Muhammadans of the Punjab, and later among the Sikhs, an awakening to their claims as communities, and a more forcible assertion of their position. A quarter of a century ago, the local Government had been obliged to take cognizance of the unimportant part borne by Muslims in the public services of a province which was predominantly Muhammadan. To this extent it had already anticipated the articulate opinion of that community; but as time passed, these feelings achieved full expression, and passed from the administrative to the political sphere.

12. It could hardly be expected that impressions such as these, based on experiences of official life, would be held to be a complete picture of pre-War period by those who have known the life of the province from a different standpoint. They for their part see far more proofs of genuine political interests and activity, and consider that even during this period there was in the province at large a widespread desire not only that Indians should attain to a large share in the administration, but that constitutional changes should be effected which would give Government a more representative character. They hold that there was, in the province, a larger and more convinced following of the Congress school of thought than the picture drawn above would suggest. The picture they would draw is best expressed in the following extract:—

> "Geographically open to attacks and influences from the North-West Frontier and from Baluchistan the Punjab is naturally virile, adaptable and practical. In the absence of strong Central Government in the past, Punjab villages and wider areas enjoyed a measure of local self-government, which is believed to have been considerable. British administration guaranteed peace, which the Punjab had not enjoyed for some time. Under that administration recuperative powers came into play, but the new system removed such agencies as then existed for imparting education and affording relief to the needy. The impact with modern civilisation weakened the village community, and in the course of time old institutions were altogether supplanted by those inaugurated under the British administration. It was in the eighties of the nineteenth century that there was a great fermentation of thought, religious, intellectual and political. It was in the eighties that the Ahmadiyya Sect and the Arya Samaj movement commenced. It was in the eighties that the D. A.-V. College and the Anjuman-i-Himayat-Islam were founded; as it was in the eighties that the Indian National Congress and the Aligarh movement took shape. It was in the eighties that political associations also came into being. These movements continued to develop, and the next landmark is to be found in the first decade of the twentieth century. It was in 1906 that we find a great deal of political fermentation in the Punjab. An English paper called the "Punjabi," representing the views of advanced political workers was started. It critised Government, the British administration and the actions of Government officers with great vehemence. It was prosecuted for defamation of two officers and the editor convicted. There was some rioting at Lahore and Rawalpindi and further trials. As a consequence political meetings on a large scale were being held, racial feelings sprang up; the Colonies Bill was passed by the Punjab Legislative Council and gave rise to widespread agrarian political agitation. Two deportations under the Regulation of 1818 took place and the 'Swadeshi' campaign with its proposed boycott of English goods was introduced to the Province. There were trials for sedition and the whole atmosphere was one of grave political excitement. This agitation led to the Governor-General refusing his assent to the Colonies Bill and having given impetus to political thought this chapter closed. It was in these days that the Muslim League came into being. There was then a lull for about 10 years."

13. Whatever the correctness of the picture drawn, from one side or the other, of the years immediately preceding the War, it is clear that during the period of the War itself the attention of the province was concentrated, under the leadership of Sir Michael O'Dwyer, in an unique degree on the organization of assistance to the Imperial cause. It is not necessary to enlarge here on the whole-hearted nature of that effort; there were at the outbreak of the War 100,000 Punjabis serving in the Combatant and other ranks of the Army; a further 380,000 men, of whom 231,000 were Combatants, were enlisted during the War, a figure which represents over a third of the entire contribution of India to the forces of the Empire. Of the male population of the Punjab one man in 28 was mobilized; in the rest of India one man in 130. The subscriptions to the first and second Indian War Loan were exceeded only by those of the wealthy provinces of Bengal and Bombay. Those who joined the ranks did not perhaps belong to the politically-minded class; but the consciousness of effort was general, and was not confined to the military classes; and if the declaration of 1917 was a recognition of the share taken by India in winning the War, then those who sought political advance claimed a special interest in a development which they might legitimately feel that their own province had done much to secure. But the year following the conclusion of the War was marked by great economic difficulty due to high prices; the influenza epidemic of 1918 had caused an appalling loss of life; the mercantile community, already hard hit by the restrictions incidental to War conditions, suffered from the complete stagnation of trade; the reaction from the feelings of the War period and the aspirations which its successful termination had encouraged, penetrated deeply into all parts of the population. In the political world, much attention had been attracted, during the War itself, to statements of general principles regarding political rights and to the claim for "Self-determination," and these discussions had led to renewed activity in Congress and League circles. The operation of the rules under the Defence of India Act, and special enactments such as the Seditious Meetings Act had, however, tended to restrict activity both in the press and the platform; and there existed a feeling among political workers (into the correctness of which it is not for this purpose essential to inquire) that the Punjab Government itself was averse from the extension to the Punjab of reforms on the same scale as was contemplated for other provinces. They complained that the termination of the War did not see at once the withdrawal of the restrictions under the Defence of India rules or the Seditious Meetings Act, and there is no doubt that, in this section, there was much bitterness of feeling on this account. It is to this feeling, in their view, that we must attribute the fact that there was in the Punjab exceptionally keen agitation against the Rowlatt Act, introduced in the autumn of 1918, at the moment when political India at large was expressing keen disappointment that the Montagu-Chelmsford report seemed to promise to India far less than had been anticipated from the declaration of 1917. The serious disturbances which broke out in March 1919 were not confined to the Punjab; but they affected the Punjab far more intensely than any other province. It is not necessary to detail here the very grave incidents which marked their course, nor to canvass the merits of the measures taken for their suppression. But the Jallianwala Bagh incident, the declaration of Martial Law, the measures taken under its regime to control students and to prosecute Political workers, the setting up of Martial Law Tribunals, the subsequent enquiries of the Hunter Commission, followed in turn by the amnesty granted to many of those convicted, all tended to give to the Punjab a position in the political world of India far more conspicuous than that which it had hitherto occupied. The attention which it had attracted by its efforts during the War now found its parallel in the interest shown to its attitude towards the reforms scheme, while political India placed in the forefront of its campaign a demand for the redress of the "Punjab Grievances."

14. The atmosphere, therefore, at the time that the reforms scheme was introduced was such as seemed likely to render its smooth working a task of exceptional difficulty in the Punjab. It must be counted as a tribute to the practical sense of the Punjab character and to the influence exerted by the first Governor, Sir Edward Maclagan, that the introduction of the scheme in January 1921 was not marked by the difficulties which might have been anticipated. Men who had taken a considerable share in Congress politics, and who had

indeed in some instances been involved in the troubles of 1919, showed themselves willing to take part in the new Council, nor was there, as occurred elsewhere, any disposition on the part of the press or the public to deny them a representative character. For the most part, the general spirit was one of co-operation with the new scheme, and a desire to explore its possibilities.

SECTION B—POPULATION.

15. The Punjab is close on 100,000 square miles in area and its population at the census of 1921 was 20½ millions. There is thus a population comparable with that of Spain contained in an area not much greater than half of that country. Compared with other provinces the Punjab comes fifth on the list, in the matter of population, having less than half the population of Bengal, Madras and the United Provinces and 2/3rds of that of Behar and Orissa, but rather more than that of Bombay. The density per square mile of the population is 183, which is very close to the mean density of the whole of India, which is 177 persons per square mile. But a more significant figure is that for the density of the rural population, which is 164. The more densely inhabited portion of the province is that which lies in or along side the submontane tract, where the rainfall is comparatively heavy and the sub-soil water-level is high. Here the density of the rural population is from 397 to 493. This is a portion of the province now rivalled in fertility by the newly colonised areas, but one which was the most fertile in years past before canals were dug, and which therefore has longest maintained a comparatively heavy population. The least densely populated portions of the province are those lying towards the west and south-west and the district of Hissar, which borders the Rajputana desert on the south-east. The border districts of Mianwali and Dera Ghazi Khan have no more than 61 and 56 per square mile. The population of the Punjab is predominantly rural and in the census of 1921 ninety per cent. of the population was returned as living in villages; nor is there any marked tendency towards growth of the urban at the expense of the rural population, for up to the present the movement of the population of the Punjab has been towards occupying the desert spaces which canal irrigation has rendered fertile; and as the expression town includes for census purposes every continuous collection of houses with not less than 5,000 inhabitants, it is easily seen that ninety per cent. is an understatement of the rural population as the expression would be understood in England. There are only two towns with a population of over 100,000 within municipal limits, Lahore and Amritsar, and only 5 more with over 50,000. Not more than 8 per cent. of the population live in towns of over 10,000 inhabitants.

16. Of the total population of 20½ millions, 6½ millions roughly are Hindus, 11½ Mussalmans and 2¼ Sikhs, the percentage being Hindus 31, Mussalmans 55 and Sikhs 11. Christians are over ¼ million with 1½ per cent. According to its distribution by religions the Punjab may be divided into three distinct areas. The first is that of the Western Punjab which may be roughly defined by a line following the Ravi to the western limit of the Lahore district and then dropping to meet the Sutlej close to the Lahore border. In all of this area, which covers 14 out of the 29 districts of the Punjab and comprises the Rawalpindi and Multan Divisions with the districts of Gujranwala, Sheikhupura and Sialkot with a part of Gurdaspur, with a population of nearly 9 millions, Mussalmans are in a majority of not less than 60 per cent.; in five of the districts on its eastern border the majority is between 60 and 80, in the remaining 9 it is over 80 per cent. Turning to the south-east region of the province we find a small area with a population of nearly 4 millions and comprising the districts of Hissar, Rohtak, Gurgaon and Karnal with a portion of Ambala, of which the western limit is roughly the Ghaggar river, in which the Hindus are in no district in a majority of less than 60 per cent.* In both of these areas the Sikhs are to be found, but in no district of either do they form more than 20 per cent. of the population save in the colony districts of the west. Midway between these areas of the west and east comes the Central Punjab. In the west of this area the Mussalman population is from 40 to 60 per cent.; to the east it varies from 20 to 30. Hindus vary in a similar manner, while the Sikhs comprise from 10 per cent. to over 40 per cent. of the population. This tract (from which

* Hindus are less than 60 per cent. of the population of Ambala District as a whole, but form that proportion of the portion east of the Ghaggar.

has been excluded the almost exclusively Hindu Himalayan district of Kangra) is of peculiar importance as containing the focus of the communal question in the Punjab. It comprises the districts of Lahore, Amritsar, Jullundur, Ferozepore, Ludhiana, Hoshiarpur and the greater portion of Gurdaspur and Ambala, with a population of 7 millions. Historically, as far as the history of the century preceding annexation goes, it is a Sikh country. It contains Amritsar, the religious centre of Sikhism, and Lahore, the capital of Ranjit Singh. It is the land of the 12 Sikh clans which broke the Mughal power, and it almost surrounds the territories of the Sikh States of Patiala, Jind, Nabha and Kapurthala. But for a long time before the rise of the Sikhs, Lahore " of Great Moghul " shared with Agra the position of capital of the great Mussalman Empire and it has historical associations no less intimate for the Mussalmans than for the Sikhs. Commercially it contains Amritsar the centre of trade in Northern India, in which Hindu interests are predominant. By religions the Mussalmans are the strongest in this middle kingdom, with 3 millions. Then come Hindus, with $2\frac{1}{4}$ millions and Sikhs, with $1\frac{1}{2}$ millions. If the Hindu district of Kangra were added it would raise the Hindu population to an equality with the Mussalman. Mussalmans are in an absolute majority in the City of Lahore, and are the most numerous community in Amritsar.

17. Of the total population of $20\frac{1}{2}$ millions in British territory in the Punjab, 12 millions or about 60 per cent. are supported by Agriculture, and of these 4 millions, or 33 per cent. are actually workers, male and female, and a large proportion of these are peasant proprietors, but the Punjab though characteristically a country of peasant proprietors is not wholly so, and there is an increasing tendency towards the growth of petty landlords living on rents. It has been estimated that no less than 900,000 are supported by the rent of agricultural lands. As between Hindu and Mussalman, the latter is to some extent more a countryman, 11·9 per cent. of Hindus live in towns as against 10·3 of Mussalmans, and the Muhammadan is still more preponderatingly agriculturist; 61 per cent. of Muhammadans are supported by agriculture as against 55 per cent. of Hindus. But the Sikhs are pre-eminently agricultural; only 5 per cent. live in towns and 77 per cent. are supported by agriculture. Of the occupations in which Hindus display a predominance out of proportion to their numbers the most important is trade. There are $1\frac{3}{4}$ millions supported by trade, of whom Hindus supply 1,110,000—13 per cent. of their numbers; while Mussalmans provide only 419,000, or less than 4 per cent. By all the occupations classified as Banking, from the village money-lender to the city Banking House, there are supported 128,000 Hindus to 11,000 Mussalmans; even Sikhs coming second with 16,000. Trade in foodstuffs supports 624,000 Hindus to 191,000 Mussalmans and 86,000 Sikhs. If we eliminate forms of trade which are peculiarly Mussalman, such as that of milk sellers, petty hawkers, or dealers in horses, cattle, sheep and goats, the Hindu preponderance is the more marked, and it becomes greater where the population is most strongly Mussalman. Broadly speaking, it is not unfair to say that the peasant whenever he requires to borrow money to finance his crop, or to sell the crop when he has grown it and with the proceeds to purchase the necessaries and luxuries which he does not produce himself, has to turn to a Hindu for the purposes.*

18. In the field of Industry we find that out of the $4\frac{4}{5}$ millions supported by Industries, $2\frac{3}{5}$ are Mussalmans. In textiles (chiefly weaving), wood industries, metal industries and pottery, which between them support two millions, $1\frac{4}{5}$ are Mussalmans. The artizan of the towns is chiefly Mussalman.

19. It would be misleading to attach too great importance to the existence of caste in the Punjab. No one would desire to underrate the esteem with which certain Brahman families are regarded who have for generations served the administration under Mughal, Sikh and British rule, nor the respect bestowed on many learned men of this body; and in the ceremonies which attend all the important occasions of a Hindu's life the Brahman has a well defined part. Nevertheless it is strictly true to say that the Brahmans of the Punjab do not as such exert any greater political influence than, for instance, that wielded by the Khatris, the Hindu trading and professional community of the Central Punjab;

*In considering the occupations of the members of the various religions we have to consider the distribution of the 25 millions living in the Punjab, including Indian States, as Census Table XX does not give separate figures for British territory.

and to speak of a non-Brahman party in the Punjab would have as little meaning as to talk of an ultramontane party in England. Not only is it the case that the Brahman has no practical pre-eminence among Hindus, but as between "caste" and "non-caste" Hindus the distinction is not so strongly marked as to create the political problems found elsewhere in India. It is difficult indeed to determine from the Census tables the exact numbers of those who though for Census of voting purposes described as Hindus, yet fall so far short of the full status of Hindu as not ordinarily to be admitted to Hindu temples. The Census of 1911 calculated that out of the total of 8,773,000 Hindus, some 2,268,000 might be technically regarded as belonging to untouchable castes; but untouchability was merely held to mean that food touched by them could not be eaten by high caste Hindus; it was only in the case of actual scavengers that bodily contact involved pollution. Access to the richer Hindu temples was closed to all the persons included in the figure given; minor temples were not closed to them; and in other respects there was a great variation in the degree of liberty given in social intercourse.* Nowhere in the Punjab do untouchables pollute merely by coming within the smallest distance. The problem in truth, if one exists, is rather of classes socially depressed (largely on account of their occupation or low standard of living) than of "out-castes" as such; while much remains to be done for the social uplift of some of these classes, they hardly present a separate political problem. The existence of a preponderance of Muslims in the Province; the fact that Sikhism is a non-caste religion; the fact that there is no real pre-eminence among Hindus themselves of any one superior caste; the fact that the lower castes are not confined to menial occupations, but take a very important part in agricultural operations, and are in considerable demand as tenants,—all tend to minimise the effect of the caste barrier which might otherwise operate against these classes.

20. The agricultural tribes form a definite part of the social economy whose position has been stabilized by legislation. The Punjab Land Alienation Act forbids a member of an agricultural tribe to sell his land, or to mortgage it, except under strict conditions, to anyone who is not a member of the same group of agricultural tribes in the same district. There is no statutory definition of an agricultural tribe, but a group of persons bearing a common tribal designation is registered as such in any district where they are found cultivating land as their main occupation. Chief of the agricultural tribes are the Jats.† There are 4½ million Jats in the Punjab, of whom 2¼ millions are Mussalmans, 1¼ million Sikhs and one million Hindus. Other important tribes are Rajput, Gujars and Arains, and there is a multitude of lesser ones: all have a more or less definite feeling of tribal consciousness and more or less definite tribal characteristics. But what is more important for the purpose of current politics is that there is a strong common bond in the existence of the privileged position of protection from the alienation of their land to non-gazetted tribes. The census returns do not tell us clearly what is the population of the agricultural tribes, but it has been estimated at something like ten million or half the population of the province. If this is correct, they form only five-sixths of the population supported by agriculture.

21. Next in importance to the agriculture tribes come the trading and professional tribes. The following are the principal Hindu tribes of this category:—Khatri—400,000 Arora—650,000, including 100,000 Sikhs, and Bania—237,000. These represent the chief trading classes of the Central, West and East Punjab, respectively. The Khatris rank the highest in the social scale and have in the past played an important part in the administration of the country. Brahmans number 734,000 and are chiefly occupied in religious professions. The only important Muhammadan trading community is the Khojas who number less than 100,000. The Sheikhs with 200,000 are of importance professionally.

22. We now come to the third category of tribes, which consists of those engaged in what are regarded as inferior and menial occupations. It is clear from the names which these tribes bear that their tribal classification is based on occupation. There are, for example, the *Jiwar* or water-carrier, the *Kumhar* or potter, the *Tarkhan* or carpenter, the *Lohar* or blacksmith and

* Census Report, 1911, Volume I, page 111.

† Pronounced to rhyme with *but* in the Punjab Proper: in the east the *a* is a broad *ah*.

so on until we get down to the bottom of the social scale with the *Chamar* or leather worker and the *Chuhra* or sweeper. Here we quite clearly get the hereditary occupation which has crystallised into a tribe. There is no reason on ethnological grounds to believe that the lowest of these tribes is racially different from the land-owning tribes to which it ministers, and the problem of untouchability so far as it exists in the Punjab is really based on occupation. The sweeper who gives up his occasion, the leather worker who abandons the use of undressed hide and works in tanned leather, or abandons the use of leather altogether and seeks another occupation, thereby quite definitely raises himself in the social scale. But all the industrial workers together are, or have been until recently, regarded as belonging to a socially inferior class. There are in the Punjab 600,000 *Chuhras* and 850,000 *Chamars*, both tribes being almost exclusively Hindu and both being without the pale of orthodox Hinduism. There are 500,000 *Kumhars* or potters, of whom the greater part are Mussalmans. There are 400,000 *Mochis* who are the Mussalman equivalent of the *Chamars*. There are 500,000 *Tarkhans* or carpenters, and 250,000 *Telis* or oil-pressers. These are merely examples of that great stratum of the population which is neither on the one hand classed as agricultural tribes, although the operations of agriculture are not carried out without it, nor finds its way in practice to the liberal professions.

SECTION C.—Administrative Features.

23. In its natural features the Punjab falls within four of the natural divisions into which India is divided according to their physical features, climate and rainfall. The districts of Simla and Kangra fall within the Himalayan, and eight districts within the Sub-Himalayan. Eleven districts fall within what is known as the Western Indo-Gangetic Plain, and the remaining 8 are in the north-west dry area. Outside the Himalayan and Sub-Himalayan areas the Punjab, east of the Indus, is one level plain diversified only by the rivers which flow in wide channels across it and by the various methods of irrigation. Irrigation indeed as it extends westwards has altered the whole characteristics of the portion of the dry areas which it has invaded. From the administrative point of view it is the existence or possibility of canal irrigation which is the most distinguishing feature.

24. The unit of administration for most purposes is the district, of which there are 29, with the average size of one of the larger English countries. A description of the district administration is given in Chapter VIII-A below, in dealing with the working of the executive Government. There are the following areas which present abnormal features. Part of the district of Kangra is composed of the Himalayan valleys of Lahul and Spiti, with a purely Tibetan population, separated from the Punjab by high passes, which only permit of travel in the summer. These isolated cantons present no administrative problems, their local affairs being sufficiently dealt with under a patriarchal dispensation. The district of Simla, like the county of London, does not quite succeed in containing the city bearing its name, which has spread into the territory of adjoining hill States. These States, in which there are two *enclaves* of British territory, besides that of Simla proper, are in the political charge of the Punjab Government exercised through the Deputy Commissioner of Simla.

25. A tract of peculiar and special importance is the Dera Ghazi Khan district west of the Indus, which presents a problem all of its own. On the east it is bounded for 210 miles by the Indus. On the west, for the purpose of the ordinary administration, its boundary is the eastern base of the Suleiman mountains, but the political control of the Punjab Government extends to certain of the Baloch tribes inhabiting these mountains. The country of these tribes is bounded on the west by the country of tribes administered from Quetta by the Governor-General's Agent for Baluchistan, and on the north by the territory of other tribes under the control of the Chief Commissioner of the North-West Frontier Province. A third of the population in the regularly administered territory and the whole of that in tribal territory belongs to the Baloch tribe. They are still largely under the feudal influence of their chiefs or tumandars, whose services are largely utilised in the administration. For the control of the Border the Deputy Commissioner has under his orders a semi-military force

called the Border Military Police, whose duties are to watch the Frontier, to prevent stolen property being conveyed across it, or to procure its recovery, and to inquire into all cases occurring across the Border. This force is recruited from Baluches of family and their protégés and the force is unique in performing *quasi*-magisterial, police, collector's and panchayat functions in the hill area. In addition to this force, the Deputy Commissioner has his staff for dealing with tribal affairs, a Political Assistant and a Political Tahsildar. The tumandars are represented in the Legislative Council by a member elected from their number. The Deputy Commissioner is armed with special powers under the Punjab Frontier Crimes Regulation, under which he is empowered to refer certain criminal and civil cases to a Council of Elders. A note on the working of this regulation will be found in the Chapter dealing with the Executive Government.

SECTION D.—Economic Features.

26. The Punjab is above all things an agricultural country. Its position as such is determined in the first place by the absence of coal and iron in important quantities; in the second by its geographical position, bounded as it is on three sides by countries which offer little market for its products and connected with the sea only by a great length of railway. Its only near market is the United Provinces on the east, and here the two areas being similar in economic and social features compete for the products of each other. The Punjab's chief port is Karachi, connected with it by the main line of the North-Western Railway, and there is a large and growing net-work of railways serving all the province except the Dera Ghazi Khan district. Road development is rapidly proceeding under a system by which the Public Works Department maintains the arterial roads, of which there are some 1,900 miles, while the others, mostly unmetalled, are kept up by local bodies; but much remains to be done. In such a position, with communications imperfect and a long lead to the chief port, industries tend to be limited to those which deal with the raw products of the country, and the greater part of its factories are for ginning cotton, though weaving is an industry which is showing some promise. But at present the chief handicrafts of the province are of the type of cottage industries. The development of hydro-electric power will, it is hoped, bring about marked progress on these lines. There are abundant resources of water power in the hills, to harness which one scheme developing 36,000 kilowatts is now under construction.

CHAPTER II.—Electorates and Elections.

SECTION A.—The Legislative Council.

1.—Electorate.

Brief description of qualifications.

1. Tabular statement No. 1 shows the qualifications of electors for various constituencies of the Legislative Council, Legislative Assembly and Council of State. For the Legislative Council the salient feature is that the franchise is given to owners or occupancy tenants of land assessed to land revenue of Rs. 25. Land Revenue may be half the annual value of the land, but is more likely to be a quarter, so this represents an agricultural income of about Rs. 100. The tenancy of immovable property not assessed to land revenue with an approximately equal rental gives the franchise. But the franchise is not given to the tenant-at-will of agricultural land. The chief differences between the Urban and Rural franchise lie—

(*a*) In the absence of any rural franchise based on the ownership of immovable property. Ownership of immovable property not assessed to land revenue to the value of Rs. 4,000 gives a vote, a practically urban franchise, but as the market value of agricultural land is about 200 times the land revenue, land which pays Rs. 25 land revenue is worth about Rs. 5,000. This, however, is an outside figure and it is improbable that granting a vote based on the ownership of land assessed to land revenue of the value of Rs. 4,000 would seriously effect the franchise.

(*b*) The franchise is not given to the tenant-at-will of agricultural land, whereas it is given to the urban tenancy of Rs. 96 a year.

(*c*) Assessment of income-tax, mainly an urban qualification, gives a vote.

(*d*) The tenure of certain village offices, being a Rural qualification, gives a vote.

Original estimates of the number of electors.

2. The original estimate of urban and rural electors for the Legislative council as prepared by the Franchise Committee and based on an urban rental of Rs. 120, and a land revenue qualification of Rs. 50, was 77,000 and 1,60,000, respectively; the changes subsequently effected in the Committee's scheme were calculated to bring the total to 400,000 excluding soldiers whose franchise subsequently added 100,000.

Voters on the roll first prepared.

3. The total number of voters on the roll first prepared for the general constituencies of the Legislative Council in 1920 was as under:—

Non-Muhammadans	161,148
Muhammadans	210,411
Sikhs	129,230
Total ..	500,789

The number of electors in the special constituencies was 4,572. Thus, the number of voters on the first roll stood at 505,361.

Growth of electorates.

4. The figures for the number of electors for the three elections of the Legislative Council are detailed below:—

——	General constituencies.	Special constituencies.	Total.
1920	500,789	4,572	505,361
1923	622,115	5,398	627,513
1926	696,979	6,849	703,828
Male	675,775	6,672	682,447
Female	21,204	177	21,381

By communities the distribution is as follows :—

—	Males.		Females.		Total.	
	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
A.—General electorates ..						
Muhammadans ..	296,821	43.92	8,282	39.06	305,103	43.77
Non-Muhammadans ..	216,757	32.08	7,220	34.05	223,977	32.13
Sikhs ..	162,197	24.00	5,702	26.89	167,899	24.10
Total ..	675,775	100	21,204	100	696,979	100
B.—Special electorates (community unspecified).	6,672	..	177	..	6,849	..
Grand total ..	682,447	..	21,381	..	703,828	..

122,152 electors were added in 1923 to the original list, and there was a still further addition of 54,934 male and 21,381 female electors in 1926.

Causes of the growth.

5. There has been no alteration in the qualification of electors since 1920, except the removal of the sex disqualification. With the collapse of the non-co-operation movement registration became somewhat easier in 1923. People began to attach value to their votes, and were no longer reluctant to give their names, whereas in 1920, the request was met with a point blank refusal in some cases. The increase is due mainly to greater accuracy of registration and to women franchise and not as far as can be seen due to any growth in wealth.

The present electorate.

6. The following statement shows according to the census of 1921 the distribution of the population of the Punjab by communities :—

—	Males.		Females.		Total.	
	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
Muhammadans ..	6,195,738	54.80	5,248,583	55.96	11,444,321	55.33
Non-Muhammadans ..	3,814,570	33.74	3,131,926	33.40	6,946,496	33.58
Sikhs ..	1,295,957	11.46	998,250	10.64	2,294,207	11.09
Total ..	11,306,265	100.00	9,378,759	100.00	20,685,024	100.00

Against the male population the total number of male electors in the Legislative Council according to 1926 electorates is 682,447, so that the number of voters is about 6.0 per cent. The female electors for the Legislative Council are 21,381 and the ratio of female electors to female population is .25 nearly. The percentage of total electors to the total population is 3.4. The small number of women voters is due to the laws relating to the succession of women to property. As a general rule in this province according to the customary law daughters inherit property only in the absence of male issue, and that only till their marriage. Similarly a widow succeeds to her husband's estate only in the absence of sons, and until she remarries. Thus for the most part only unmarried women can be voters and then only in special circumstances, and with a shortage of 2 million women the number of such voters is not likely to be large.

7. Statement No. 2 compares the qualifications of electors in the Punjab for the Council and for District Boards. One obvious difference is that the District Boards have no female franchise. The qualification of having

an income assessed at income-tax of Rs. 2,000 is the same for both, but the standard of agricultural rent is lower in the case of District Boards being only Rs. 15 land revenue.* On the other hand, in District Boards there is no vote given to the occupiers of immovable property not assessed to land revenue, but assessment of Rs. 2 on account of any cess tax or rate gives a vote. The principal qualification under this head is what has been earned by payment of what is known as haisiyat tax on non-agricultural income which, however, has recently been declared illegal. The result is that the number of electors to District Boards, 543,000, is nearly the same as the number of male electors for the Rural General Constituencies of the Legislative Council, *i.e.*, 552,000, and the percentage of electors to population, which is 3.1 in the case of District Boards, is 3 for rural general constituencies of the Council.

8. In Municipalities the qualification for the franchise varies according as whether the population is above or below 20,000. In the former case the land revenue qualification is Rs. 7-8-0 and the rent qualification Rs. 2; in both cases roughly a quarter of the electoral qualification for the Council. In municipalities of population below 20,000 the land revenue qualification is Rs. 5 and the rent qualification Re. 1. This is practically equivalent, if not to adult suffrage at any rate to universal sufferage to heads of families. We, therefore, find that the number of voters for Municipalities is 536,000, being 29.6 per cent. of the population. In Small Towns a standard of Re. 1 per mensem rental gives 96,000 voters being 22 per cent.

9. By religions the population and electorate may be compared as follows :—

		Male.	*Female.*	*Total.*
Muhammadans—				
Population	..	6,195,738	5,248,583	11,444,321
Voters	..	296,821	8,282	305,103
		4.8		
Non-Muhammadans—				
Population	..	3,814,570	3,131,926	6,946,496
Voters	..	216,757	7,220	223,977
		5.8		
Sikhs—				
Population	..	1,295,957	998,250	2,294,207
Voters	..	162,197	5,702	167,899
		12.5		

Thus taking males alone, Sikhs have a percentage of 12.5, while Non-Muhammadans have 5.8 and Muhammadans 4.8.

10. Taking Urban and Rural we find :—

		Male.	*Female.*	*Total.*
Urban—				
Population	..	997,116	675,284	1,672,400
Voters	..	123,546	2,030	125,576
		12.3		
Rural—				
Population	..	10,309,149	8,703,475	19,012,624
Voters	..	552,229	19,174	571,403
		5.3		

In considering the reasons for this difference the existence of the income-tax standard of Rs. 2,000 income may be ignored. It is mainly an urban qualification and is entirely masked by the Rs. 8 per mensem rental qualification. Any one assessed to Rs. 2,000 income would certainly pay rent more than Rs. 96 per annum. As has been said above, it cannot be proved that the absence in Rural areas of qualification based on the value of immovable property has any effect. What makes the difference is no doubt the absence in Rural areas of anything corresponding to the Rs. 96 tenancy of immovable property not

* The reduction of this to Rs. 5 was announced in March 1928.

assessed to land revenue. The house in which a tenant or labourer lives is not the subject of rent at all and as the tenant (other than the occupancy tenant) of land paying land revenue does not as such receive a vote, a large class is disenfranchised whose compeers in the town are voters.

11. The question of the enfranchisement of tenant was considered by an Advisory Committee appointed by the Punjab Government and consisting of the non-official members of the pre-Reform Council. This was divided in its opinion. The members of the Committee who represented rural interests were very strong indeed in their opposition and took the position that the enfranchisement of tenants might result in serious disturbance of rural conditions. The Punjab Government yielded to this feeling, and also influenced by the idea that the interests of tenants would be represented by many small land-owners, considered that the enfranchisement of tenants, as a whole, should be deferred, merely recommending that occupancy tenants should be given a vote.

12. The Advisory Committee expressed the opinion that special arrangements in the Punjab were not necessary for the representation either of the urban wage earning or of the depressed classes, and the Government of the Punjab agreed that no such special arrangements were necessary, especially in view of the proposals to include in the urban electorate all tenants of houses paying Rs. 8 per mensem as rent. As a matter of fact, one member of the Council is nominated expressly to represent labour interests.

13. If the franchise were extended in rural areas so as to make the qualifications in rural and urban areas approach equality the percentage of voters to population would tend to be the same, and consequently the number of rural voters would be doubled. This would bring out the following result (figures for male voters only) :—

	Existing.	Added.	Total.	Percentage.
Muhammadans	296,821	249,148	545,969	8.8
Non-Muhammadans	216,757	150,583	367,340	9.7
Sikhs	162,197	152,498	314,695	24.3

Thus an increase caused by doubling the rural vote would not affect the relative percentage of Muhammadans and non-Muhammadans, but it would accentuate the position of Sikhs.

Claims and objections on the preparation of the rolls

14. Statement No. 3 of claims and objections both for the Legislative Council and Legislative Assembly is attached. The small number is due to the apathy of voters. In 1920, 6,290 claims were lodged, out of which 1,810 were admitted. Owing to non-co-operation the majority of claimants allowed the claims to be struck off in default. In 1923 the number rose to 7,786, out of which 4,623 were accepted. In 1926, 4,690 claims were preferred and 3,178 were admitted. The percentage of claims admitted has been 29, 59 and 68, respectively, in three elections. In the matter of objections very few people challenged the electors' lists. At Amritsar a large number of persons were, however, entered twice or thice in 1920 as being qualified in different wards. The objections taken removed this duplication of names. In 1923 greater interest was taken by the public and there were 1,350 objections, out of which 862 were admitted. The figures of objections admitted again went down to 703 in 1926 owing, it is believed, to the greater accuracy of registration.

Interest taken by electors in registration.

15. Generally speaking, electors take little interest in registration, and leave it to the Government Agency employed for the purpose. In 1920 the registration of voters was difficult owing to non-co-operation, then in full swing, particularly in urban areas. In 1923 and finally in 1926 the position was greatly improved.

No political party, society or association has shown any interest in multiplying votes for any particular body, community or interests. It was only candidates who at some places in urban areas worked for themselves and were anxious to see that names of their supporters were entered correctly in the lists of electors.

Agency of maintenance.

16. No permanent staff is engaged for the preparation and the maintenance of the electoral rolls. It was arranged to have the voters list of villages prepared by the patwaris under the supervision of kanungos.* Patwaris and kanungos were awarded suitable honoraria for the extra work imposed on them. Temporary clerks were engaged for the preparation of town electoral rolls.

In 1920 complaint was general about the inaccuracy of the electoral rolls. A large number of these mistakes was due to misprints and omissions in printing. The work had to be rushed through so as to finish it in time and misprints were unavoidable. Another reason for the inaccuracy of the roll in 1920 was that the electors at the time of preparation of electoral rolls did not appreciate the meaning of the rolls or the consequence of leaving mistakes upon them uncorrected. They thought that the lists were being prepared for the assessment of new taxes and accordingly they falsified the names and the particulars they reported and deliberately under-valued their property. In many cases the men, or, when they concealed themselves, their women, drove off with abuse the clerks deputed to collect materials for the preparation of the rolls. Non-co-operation was very active and resulted in the refusal of some people to take any action to correct the rolls. The names of hundreds of soldiers were added hurriedly at the last moment, and this naturally resulted in mistakes.

The interest, however, of the people was aroused to some extent in subsequent revisions of the electoral rolls. The position changed in 1923 and 1926 to the extent that the clerks who made enquiries from house to house did not meet with the same difficulties as in 1920 and were supplied with correct information by the public. It is probable that the rolls of 1923 and 1926 were on the whole fairly correct.

2.—Constituencies.

Short account of basis on which constituencies have been framed.

17. In order to assist the Government in arriving at an opinion on matters connected with the establishment of the new Provincial Council under the Government of India Act, 1919, an Advisory Committee comprising of 18 non-official members of the then existing Council was appointed in 1920. The first question which presented itself for settlement was the division of the province into urban and rural electoral areas. On the one hand the complaint was made that the exclusion of towns from the urban electoral areas under-estimated the strength of urban opinion; on the other the inclusion of towns in rural electoral areas was strongly criticised in that it incorporated a foreign element in these electorates and introduced a danger to the proper representation of rural interests. On the recommendation of the Advisory Committee a population of 10,000 was taken as the line of division between urban and rural electoral areas according to the census of 1911. In the Punjab, towns with 10,000 or more inhabitants are essentially urban in their character and interests. Towns with such a population were all municipalities and all centres of trade and commerce with urban interests predominating in them. There was no exception to this rule. In addition to towns with a population of 10,000 or over, it was agreed that all headquarters of districts and all civil lines together with Cantonments should be included in the urban electoral areas. A small number of municipalities of the first class, such as Dharamsala, Dalhousie and Murree, although their census population was small, were also included in urban areas as they had a distinctly urban tone and character. Although this line of division excluded some towns with a population of less than 10,000 which nevertheless possessed distinctly urban characteristics, it

* Patwaris are subordinate revenue officials employed in the maintenance of village records, and kanungos the officials who immediately supervise their work.

was finally adopted as being the most convenient and practical. The proportion of seats allotted to urban and rural population by the Southborough Committee will appear from the following table :—

Area.	Population.	Proportion to total population.	No. of seats.	Proportion to Total number of seats.
		Per cent.		Per cent.
Urban	2,171,704	11	10	18.5
Rural	17,393,309	89	44	81.5
Total ..	19,565,013		54	

The Parliamentary Joint Committee regarded the rural representation thus given as disproportionately low and recommended that it should be increased. When the Joint Committee made this observation the figures before them were those given on page 53 of the Report of the Southborough Committee.

18. In deference to this opinion of the Joint Committee, the Punjab Government in 1920 proposed the following demarcation :—

(*a*) the rural population be given four more seats.

(*b*) that the whole Sikh population, with the exception of 81,274 living in towns with a population of 10,000 and over, be classed as rural.

(*c*) that municipal towns (excepting headquarters of districts, civil lines and Cantonments) of less than 10,000 population be regarded as rural.

19. The result of these changes will appear from the following table :—

Area.	Population.	Proportion to total population.	No of seats.	Proportion to total number of seats.
		Per cent.		Per cent.
Urban	1,487,030	7.6	10	17.2
Rural	18,047,681	92.4	48	82.8
Total ..	19,534,711		58	

The figures of population of urban and rural areas for the three main communities were as under :—

Abstract population according to Census of 1911.

Class.	Urban excluding Cantonments.	Cantonments.	Total Urban.	Rural.	Total.
Muhammadans	695,455	71,424	766,879	1,003,325	10,803,204
Sikhs	65,788	15,486	81,274	2,012,826	2,094,100
Others	514,833	124,044	638,877	5,998,530	6,637,407
Total ...	1,276,076	210,954	1,487,030	18,047,681	19,534,711

These figures formed the basis of the following division of the number of constituencies among the communities, which was recommended by the Punjab Government:—

Urban 10	General	..	6
	Muhammadans	..	4
Rural 48	General	..	14
	Sikhs	..	9
	Muhammadans	..	25

20. "The communal division was based on the Congress League agreement whereby the seats were to be divided equally between the Muhammadans on the one hand and Sikhs and general electors on the other. The Muhammadans of the Province showed some dissatisfaction with this agreement arguing that it would not give them the full representation to which they were entitled, but the Punjab Government felt that the effect was not inequitable, and that the task of re-considering the agreement would be very difficult. The proposal classified all Sikhs as rural, and with 29 general seats, of which 6 were allotted to urban areas, the question remained of distributing the remaining 23 between General and Sikh voters in rural areas. The Sikh community claimed a third of the total number of elected seats and this claim was persistently pressed. It was largely based on the fact that as Muhammadan elective seats proposed in other provinces were largely in excess of the figures which would result from a strict application of the corresponding proportion of the Muhammadan population, therefore, the same principle should be applied to Sikhs in the Punjab so as to give them elective representation far more in excess of their population than was proposed. The Sikhs who then formed 11 per cent. of the population were given, under the Punjab Government proposals, 9 out of 58 seats (over 15½ per cent.).

21. The urban area was divided among the ten seats so that a member on the average might represent a population of nearly 150,000. In rural areas either the revenue district or part of a district or districts combined, formed a constituency so that a member on the average might represent a population of 375,000.

22. In addition to the constituencies thus formed, 4 separate seats were allotted to the great landlords according to the intention of the Parliamentary Joint Committee as they formed a definite class, and their representation, it was anticipated, would form a valuable and steadying influence in the Council Chamber. Out of these four seats one was given to Baloch Tumandars and the remaining three distributed among the three communities.

23. The Punjab Government adhered to the proposal of Lord Southborough's Committee and recommended one seat for the Punjab University and two seats for Commerce and Industry as advised by the Advisory Committee. Thus a Council of 65 members was recommended.

24. The Government of India made some changes in the proposals and added three seats, one for each community, in urban areas and three seats in rural. Finally, in addition to 7 special constituencies, 64 general constituencies were sanctioned for the Legislative Council as below:—

Urban 13	General	..	7
	Muhammadans	..	5
	Sikhs	..	1
Rural 51	General	..	13
	Muhammadans	..	27
	Sikhs	..	11

25. This distribution gives, as before, half of the elected seats to Muhammadans. It gives 12 out of 64 to the Sikhs; thus increasing their representation to over 18½ per cent. To put it differently, they obtained 12 seats in place of 7 to which they were entitled by population. But the distribution did not and has not satisfied them.

Inequalities in areas, population and number of electors.

26. Statement No. 4 attached shows the extent of the constituencies, the population according to the census of 1921 and the number of electors registered in 1926 for each constituency, and is summarised below:—

Urban.

1	2	3	4	5	6
Name of community.	Number of constituencies.	Total population, including females.	Average of column 3 over column 2.	Total number of electors, including females.	Average of column 5 over column 2.
Non-Muhammadans .	7	728,149	104,021	67,267	9,609
Muhammadans	5	857,815	171,563	48,439	9,688
Sikhs	1	86,436	86,436	9,870	9,870
Total ..	13	1,672,400	1,286,400	125,576	9,659

Rural.

1	2	3	4	5	6
Name of community.	Number of constituencies.	Total population, including females.	Average of column 3 over column 2.	Total number of electors, including females.	Average of column 5 over column 2.
Non-Muhammadans ..	13	6,218,347	478,334	156,710	12,055
Muhammadans	27	10,586,506	392,093	256,664	9,506
Sikhs	11	2,207,771	200,706	158,029	14,366
Total ..	51	19,012,624	372,796	571,403	11,184

It will be seen that while the average urban population per constituency differs considerably in the various religions, the figure of urban electors per constituency in the three communities is remarkably close. The variation in voters from constituency to constituency is not really serious. The largest number of voters per urban constituency is 12,810 and the smallest 6,170. The range of population is greater, being from 67,550 to 243,442. Turning to the rural constituencies we find a very much larger population per constituency than in the case of Urban. Here again the Sikhs have the lowest population in the constituency—200,000 as against non-Muhammadans 478,000 and Muhammadans 392,000. If we consider the number of electors to constituencies, among Muhammadans it is much the same as in the Urban constituencies, *viz.*, 9,500, but non-Muhammadans—12,000 and Sikhs—14,000 are considerably more. The variation between constituencies in the matter of population is from 134,000 to 721,000, the number of electors from 2,000 to 21,000. The result of the constitution of the electorate and the constituencies is that the Council is on the whole predominantly representative of the larger land-owning classes; the legal profession is also well represented and to some extent overlaps the former class. The Punjab National Unionist Party is predominantly a party of land-owners, the National Reform Party, while not entirely divorced from the land-owning interests, is chiefly Urban and is very considerably composed of members of the legal profession. The legal profession predominates

in the Swaraj and Khilafat Parties. There are no plural-member constituencies in the Province and no seats are reserved.

The communal question.

27. In the preceding paragraphs the history of the existing communal distribution of constituencies has been given. It now remains to relate this distribution to the most recent figures of population and electors. This distribution may be compared (*a*) with the distribution based strictly on population, (*b*) with the distribution based on the number of voters, (*c*) with the distribution based on the arithmetical mean of the results of (*a*) and (*b*). The results are as follows :—

Urban.

—	Non-Muhammadans.	Muhammadans	Sikhs.	Total.
Present distribution	7	5	1	13
Distribution on population ..	5.6	6.6	.6	12.8
Distribution on voters	6.9	4.9	.9	12.7
Distribution on mean	6.25	5.75	.75	12.75

Rural.

—	Non-Muhammadans.	Muhammadans.	Sikhs.	Total.
Present distribution	13	27	11	51
Distribution by population ..	16.6	28.3	5.9	50.8
Distribution by voters	14	22.9	14.1	51
Distribution on mean	15.3	25.6	10	50.9

28. The result of the above figures is that in the Urban constituencies there is little to be said in criticism of the existing distribution. The Sikhs would be entitled to their one seat in any case, though mathematically they are entitled to rather less than one. On voters the existing distribution is almost precise. On population, the Muhammadans should receive one at the expense of non-Muhammadans and the same would be the result of distribution on the mean of these two methods. Turning to rural constituencies, the distribution on population would deprive the Sikhs of five seats, of which one should be given to Muhammadans and four to non-Muhammadans. On the other hand, by voters the Sikhs are entitled to three more and non-Muhammadans to one more—Muhammadans being reduced by four. On the mean of the two results the Sikhs and the Muhammadans each lose one and non-Muhammadans gain two. It must be remembered that these figures relate only to general constituencies. The addition of special constituencies, which have all practically a pre-determined communal character, affects the problem considerably.

29. Apart from the question of the distribution of seats is that of communal electorates. This is a matter that is strongly debated. Broadly speaking, Muhammadans are unanimous in demanding the retention of communal electorates, while Hindus are generally in favour of their abolition, though ready to offer as a compromise reserved seats for communities in joint electorates. The Sikhs, if we can accept a resolution passed recently at Amritsar, have declared themselves as prepared to accept joint electorates, but it is not at the moment possible to speak of this as authoritative.

30. Besides the communal question, as between the various religious communities, there is also the situation arising out of the Land Alienation Act. Under this Act no one can purchase land from a member of an agricultural tribe unless he is himself a member of the same tribe or group of tribes. It, therefore, follows that certain classes of persons are debarred by their birth from obtaining what is the most general of the qualifications for a vote. This differentiation would to some degree be relaxed if tenants of agricultural land were enfranchised. There is a further disability not due to the Land Alienation Act but to custom which prevents in most villages the village menial from acquiring the site of his house. This operates to prevent the lower classes from acquiring the franchise on the grounds of ownership of property not assessed to land revenue.

31. Of smaller communities, Indian Christians are represented by a nominated member. Their number is 329,000 and their voting strength 5,000, which is larger than several general constituencies, but their views on the subject of communal electorates have been somewhat diversely expressed. The Ramdasia and Mazhbi Sikhs, in numbers about 250,000, have applied for a separate constituency.

3.—Candidates.

Nominations.

32. The number of candidates that have been nominated in the three elections are detailed in statement No. 6. The number of nominations in the different kinds of constituency does not show any marked variation. In the Legislative Council the number of candidates was—

In 1920	..	..	..	..	..	207
1923	..	..	..	..	..	174
1926	..	..	..	..	..	152

Nomination by parties or interests.

33. The nomination of candidates depended, in the elections of 1920, mainly on the initiative of the candidates themselves. There appears to have been no party organization of any sort and no selection by the leading men of any constituency, of the person whom they wished to have nominated. The result was in many cases that candidates who had no chances of election came forward, while others stood by virtue of an agreement with one of the candidates to withdraw. Non-co-operation resulted in the abstention of a large number of gentlemen of extremist views who at one time or another had declared in the press their intention to become candidates.

34. In 1923 the political atmosphere affecting the nominations had cleared and the residential qualification was removed. The Shiromani Gurdwara Parbandhak Committee and the Swaraj party of the Indian National Congress put up 10 and 15 candidates, respectively, of which 8 and 13, respectively, were elected. Khilafatists put up 5 candidates, out of whom 3 were successful. In the Council of 1923, therefore, unlike its predecessor, every school of thought had its share of representation.

35. In 1926 the interest centred chiefly on the struggle between the Hindu Sabha and Congress who had 13 and 7 candidates, respectively. This resulted in victory for the Hindu Sabha; 9 Hindu Sabha and 2 Congress candidates were successful. Among Muhammadans, Khilafatists again nominated 5 candidates, but only 3 were successful. The Sikh League nominated 11 candidates, out of whom 10 were successful.

Status and quality of candidates.

36. There is no doubt that owing to non-co-operation a section of the advanced politicians did not come forward in 1920, particularly in urban areas. But except in two cases, where a barber and a sweeper were put forward, the candidates were men of good social position. The sweeper did not succeed, but the Lahore city urban (non-Muhammadan) constituency succeeded in getting the barber in. In 1923 the candidates were more widely representative of all schools of thought. All but two were literate. In 1926 the standard of education and culture was somewhat higher than in the Council of 1923.

37. The number of candidates who have failed to secure more than $\frac{1}{8}$th of the total number of votes polled and have forfeited their deposits under rule 12 (3) of the Electoral Rules is as under :—

Effects of deposits and their forfeiture.

Year.	*Number.*	*Amount forfeited.* Rs.
1920*		
1923	30	10,500
1926	19	6,750

38. There have been no cases in which nominations were not presented. In the general election of 1920, however, all the candidates who had been nominated in the Amritsar City (non-Muhammadan) constituency withdrew by reason of non-co-operation. A second date for scrutiny of nominations was fixed which allowed the elections to take place on the same date as other urban elections, and the constituency secured a member.

Absence of nominations.

39. The objections commonly made and generally accepted are on the grounds that the candidate was not identical with the person entered on the electoral roll, as required by regulation 4 (1) (*iv*) of the regulations for nominations and elections, or that the nomination paper was not completed, as required by sub-rule 3 of rule 11 of the Punjab Electoral Rules.

Interest displayed in the scrutiny of nominations.

40. The above remarks regarding objections apply equally in the case of the Legislative Assembly. The Returning Officers for 11 out of the 12 constituencies are Commissioners and the chances of acceptance of flimsy objections are comparatively few. In one instance, the nomination paper of a candidate for the West Punjab (non-Muhammadan) constituency, who was also an elector of the Punjab Legislative Council, was rejected by the Returning Officer on the ground that he was not an elector of the Legislative Assembly. This was a mistake as the decision was against Rule 6 (1) (*a*) of the Legislative Assembly Rules.

41. Withdrawals generally were not due to any adjustment of political programme; except perhaps in one case (mentioned hereafter) in 1926, candidates in the Punjab who have withdrawn at the last minute have been those who know that they have not much chance of success. There was only one withdrawal of candidates by reason of non-co-operation. This was in the Amritsar City (non-Muhammadan) constituency and has been referred to in paragraph 38 above. In 1926 in Gujranwala (Muhammadan) constituency it was alleged that the successful candidate had paid cash in order to get rid of his opponent, but the allegation was held to be not proved by the Election Petition Commission.

Withdrawals.

42. The figures for uncontested elections are given below :—

Uncontested elections.

Year.	Legislative Council.	Legislative Assembly.
1920	9	2
1923	18	2
1926	17	2

For 80 constituencies of the Legislative Assembly and Legislative Council 11 members were returned as unopposed in 1920. Twenty and 19 members were returned uncontested in the years 1923 and 1926, respectively.

43. There are no plural member constituencies in the Punjab.

Plural member constituencies.

44. There were some instances in 1920 in which candidates stood for two or more constituencies, but they generally worked seriously for one constituency. Thus one gentleman, though a candidate for the Council of State, the Legislative

Multiple candidature.

* The deposit rule was not introduced till after 1920.

Assembly, the Lahore Urban and Industries constituencies of the Legislative Council, devoted his attention largely to the Industries constituency and was elected. Similarly, another was a candidate for the Council of State and for the Lahore non-Muhammadan rural constituency, but he devoted his attention to the Council of State, and was elected. There were no cases in 1920 in which the same member was elected for a Central Legislature and the Legislative Council. There was one case, however, in which a member was elected for two constituencies of the Legislative Council. In 1923 a candidate stood in the West Punjab constituency of the Legislative Assembly and in the Lyallpur (Sikh) constituency of the Legislative Council, but failed in both. In 1926 a candidate stood in Legislative Assembly Jullundur Division (non-Muhammadan) constituency and Jullundur-*cum*-Ludhiana (non-Muhammadan) constituency of the Legislative Council and succeeded in the latter. Another stood for the two non-Muhammadan constituencies of the Legislative Assembly, *viz.*, Jullundur and West Punjab; and succeeded in both.

Administrative machinery and its difficulties.

45. The scrutiny of nominations is done by Returning Officers. There is a separate Returning Officer for each constituency and no difficulty is felt in checking the nomination papers. Objections are made by the candidates, their agents and sometimes lawyers engaged for the purpose by the candidates.

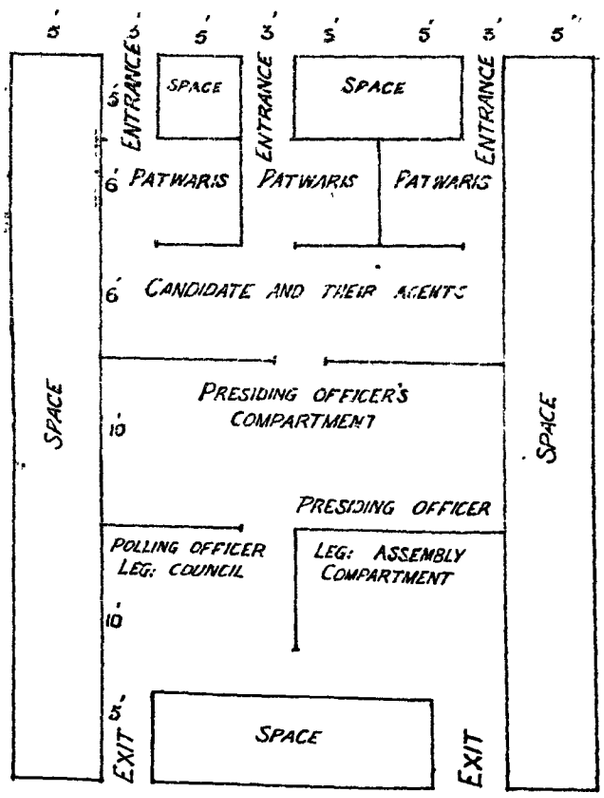
4.—Elections.

Arrangements made regarding polling areas.

46. *Elections.*—In the Punjab it was necessary to deal with the electors of three communities, Muhammadans, non-Muhammadans and Sikhs. Police Stations in rural areas and Municipal wards or other subdivisions of a town were taken as units for the purpose both of the preparation of the electoral rolls of all communities and for polling arrangements. Thus the electors of the different communities came to their respective police stations or towns for polling where a number of polling booths were arranged. There were no other polling areas.

47. For the proper understanding of the arrangements the standard plan of a polling station, as arranged in 1920, is reproduced below :—

Sketch of Polling Station, 1920.



The plan shows three entrances, one for Muhammadans, one for non-Muhammadans and the third for Sikhs, but wherever possible separate polling stations were arranged for different communities. Moreover, to avoid confusion ballot papers of different colours were adopted for different communities. Two patwaris were put in charge of the electoral rolls at each polling station for each community. An elector was first furnished by the patwaris with an identity voucher from a bound register having a foil and a counterfoil. He affixed his signature or thumb impression to the counterfoil, and his electoral number for the constituency concerned was entered on both. The identity voucher had the same colour as the ballot papers for each community. With this identity voucher the elector presented himself to the Presiding Officer who deposited the identity voucher in a locked and sealed box provided for the purpose and handed him the voting paper after noting on its counterfoil the electoral number of the elector. With the voting paper he came to the Polling Officer and marked his paper if literate or asked the Polling Officer to mark it for him and then put it into the ballot box. All the voting papers were put into the same box. In cases where constituencies extended over more than one district and where the Deputy Commissioners were not the Returning Officers, the ballot papers of different colours were sorted by them at the district headquarters and packets were made separately for each Returning Officer. These packets were sent to the respective Returning Officers through special messengers. This saved the expense and trouble of sending ballot boxes from long distances to their proper quarters. The polling for Legislative Assembly was carried out at the same time and the same procedure was adopted in the compartment of the polling station reserved for the Assembly.

48. From the experience gained in 1920, identity vouchers were done away with in 1923 and much simpler arrangements were made. An elector, as soon as he appeared, was given the ballot paper after his thumb impression had been taken on the counterfoil of the ballot paper. The same procedure was adopted with regard to the Legislative Assembly. This arrangement was further simplified in 1926 and only one Presiding Officer acted both for the Legislative Council and the Legislative Assembly. The Punjab procedure, though somewhat complicated as compared with that of other provinces, has worked smoothly.

Polling Agency.

49. The agency for polling consisted of a Presiding and a Polling Officer with four to six patwaris at each polling station. Sub-Judges and Extra Assistant Commissioners acted as Presiding Officers in 1920. The High Court could not spare their Sub-Judges in 1923. In 1926, the work was done by the Officers of the Education and other Government Departments except those of the Executive, Judicial and Medical Departments.

Times of polling.

50. The period prescribed for voting was from 8 A.M. to 4 P.M. in 1920. Voters generally did not appear before 10 A.M. or after 3 P.M., and on the complaint of officers working at the polling stations to the effect that in addition to long hours they had no break for food, and that they had to do a lot of account work after the close of the poll, the time of polling was changed to 9 A.M. to 4 P.M. with an interval for half an hour from 1 P.M. to 1-30 P.M. This timing was quite successful in the 1923 and 1926 elections.

51. It was found that at an average about 100 voters passed through the polls in an hour. The standard adopted as regards the maximum number of registered voters for each polling station was 750 per day in rural areas and 500 in urban areas. This was taken to be the standard in later elections also and has worked satisfactorily. At places where more than one community polled together, more than one elector was disposed of at a time by different sets of Patwaris. In cases of rush at any particular hour, two or more ballot books were used at a time. Polling in rural areas generally takes four days and is held on alternate days so as to enable the polling officers to travel from one polling station to another in good time. In urban areas the polling is completed in one day.

Means of securing attendance of voters.

52. In 1920, when the Council election was not understood by the electors, the candidate had to work hard to secure votes, especially in rural areas. In urban areas, especially in Lahore and Amritsar cities, the non-co-operation movement kept the candidates back from canvassing and those who polled, did so of their own accord. Besides, the terrorism of gangs organised by the non-co-operators reduced the effect of canvassing, if any, to a minimum. No speeches or addresses were given, nor were posters or hand bills exhibited except the usual ones, "Vote for so and so." In rural areas there was keener individual canvassing of the elector. It continued in places up to the entrance of the polling station, and candidates attempted to influence the voters up to the last moment.

53. With the cessation of non-co-operation, canvassing methods were revised. Paid canvassers were employed by candidates, and lectures were given. Posters against a rival candidate were posted up or distributed in the form of a booklet containing a blank sheet of his services to the country, and all lawful means were adopted by the supporters of a candidate other than those employed or connected with him as agents, to reflect discredit on his rival. In rural areas, the agents of the candidates as far as possible visited every village of the constituency of the Legislative Council for canvassing. In one district where the candidates for the Legislative Council were influential landlords, large parties of canvassers on horseback went from village to village. Their business was to go and sit "Dharna" until they had extracted promises from the villagers to vote for their candidate. No sooner had they left then the other party arrived. Such parties visited the villages frequently and according to oriental custom not only the food for men had to be provided by the villagers but also fodder and gram for horses and camels. The villagers towards the end, it is said, were so wearied of these proceedings that as soon as they heard the parties of canvassers coming, they came out of the village and promised to support the candidate concerned in order to avoid entertaining the party. They did the same to the rival party. There is, however, an awakening of more real interest among the masses and it is not infrequently that merits and demerits of candidates are discussed in the village "Chaupal."

54. In the case of the Legislative Assembly where the constituencies extend over vast areas, candidates do very little canvassing in rural areas. They generally depend on the candidates for the Legislative Council or their agents. Canvassing is generally done through influential landlords or village headmen. Patwaris and other Government officials were prohibited from using their influence in securing votes. A good deal of canvassing was also done by post, and manifestos were sent to individual electors.

Voting *en bloc*.

55. Tribal relationships play an important part in elections; a Gujar often votes for a Gujar candidate, a Rajput for a Rajput, a Pathan for a Pathan; at the same time tribal relationship is often found to yield in importance to personal or sectional connections. In rural areas the electors come to the poll by villages unless there are factions supporting different candidates when they come in parties. In Attock district in 1923 when competition was very keen between the rural candidates the electors marched to the polling stations in procession with bands playing.

Use made of votes.

56. In the election of 1920, where there was no canvassing there was no polling, and canvassing failed in many urban areas owing to the terrorism employed by the party of non-co-operation to induce voters to refrain from making use of the franchise. But non-co-operation was not generally an important reason for abstention in rural areas. The indifference of the villagers combined with their agricultural work kept them away. Some refused to vote as it was not obligatory. Cases, however, came to light in which cordons on the roads turned back voters going to the poll and the threat of injury or the loss by theft of their cattle frightened them from polling. The Khalsa Dewans held during the polling days attracted Sikh voters to places other than the polling station. Voters with double votes came to the poll and voted for the Legislative Council, but

put in blank votes for the Legislative Assembly remarking that none of the candidates were of any use to them.

Proportion of electorates voting.

57. In 1923 and finally in 1926, with the cessation of non-co-operation there was a change. Statement No. 7 shows the total number of votes polled in contested constituencies. In the year 1920 the strength of electors was 505,361 and 122,152 electors were added to this in 1923, making a total of 627,513. In 1926, 54,934 male and 21,381 female were added further. The total numbers of votes polled were 130,152, 249,367 and 305,873 in the three elections, respectively, giving a percentage of voting in the contested constituencies of 32, 49·3 and 53·7, respectively, which went as high as 78 in one constituency in the last election. Females polled only 1,190 votes in the Legislative Council, giving a percentage of 6·8 on the total female electors in contested constituencies. It is interesting to note that in the Sikh Gurdwara elections out of a total electorate of 849,762, 120,000 polled, giving a percentage of 14·12.

Conduct of voting.

58. The majority of voters in this province, particularly in rural areas, are illiterate. Provision has, therefore, been made in the regulations for the presiding officers to mark the ballot papers if required to so do by the electors. In 1920 dots of different colours and numbers were placed against the names of different candidates in order to help illiterate electors to mark the ballot papers themselves. Specimen ballot papers were posted at each polling station in order to enable the candidates to instruct the electors to mark a cross against the name of the candidate having a certain number of dots of a certain colour, but this experiment did not prove a success. The electors generally requested the polling officers to mark the ballot papers for them. This system was, therefore, abolished in the later elections of 1923 and 1926, leaving it to presiding officer to mark the ballot papers when required to do so.

Female voters.

59. The franchise was not granted to women till 1926. Out of 17,626 female electors, only 1,190 exercised their right of vote in the Legislative Council. No special arrangements were made for the recording of their votes. No reports of any difficulty was received in this behalf.

Free entertainment.

60. It is frequently stated that in rural areas, specially in the western districts, electors are given free food at polling stations. The practice may be undesirable, but it is difficult to prevent or even strongly to condemn. Polling booths are frequently situated at a very considerable distance from the voters' villages, and there are no facilities for obtaining food on the spot. Moreover, free entertainment of friends and relatives is the common practice of the country, and the provision of food in such circumstances is regarded less as an inducement to the voter than as an essential condition to securing his presence at the poll. Such entertainment is of course arranged usually by relatives or supporters of the candidate rather than by the candidate himself.

Personation.

61. There was very little personation in 1920. In some cases attempts were made to vote by proxy. A brother or a son would present himself as the registered elector. In consequence of the inaccuracy of the rolls, it was noticed that in many places electors had been instructed to give, not the correct particulars regarding themselves, but the particulars which were printed on the roll. They generally forgot their coaching and were detected. In subsequent elections the figures of tendered votes below show that there was personation, but the figures are not high.

Tendered votes.

62. Votes are given in open polling stations and in the presence of patwaris and others who are generally acquainted with the electors. The possibility of tendered votes is, therefore, very limited. Figures for the three elections for the Legislative Council and Legislative Assembly are given below :—

Year.	*Legislative Council.*	*Legislative Assembly.*
1920	55	11
1923	227	19
1926	204	21

Election Agents.

63. The necessity and the reasons for appointing election agents have not been generally understood. There has, however, been only one instance in which a nomination paper was accepted without the appointment of an election agent and the necessary declaration required under the rules. The following are the figures of the number of election agents employed in the three elections :—

Year.	*Legislative Council.*	*Legislative Assembly.*
1920	Figures not available.	
1923	58	9
1926	22	4

Candidates generally appoint themselves as their election agents.

Rowdyism.

64. In 1920 there were no reports of rowdyism, except in towns, especially in Lahore and Amritsar, where there is no doubt that terrorism was exercised by gangs organised by non-co-operators. According to the estimate of the candidates whose canvassing was vigorous a good poll, some 20 per cent., was expected inspite of non-violent non-co-operation, but owing to intimidation the poll was reduced to the following percentage :—

	Non-Muhammadan.	*Muhammadan.*
Lahore City	3·5	6·5
Amritsar City	4·9	2

In Amritsar a number of non-co-operators voted in order to defeat a co-operator candidate. The few voters who went to the poll were so insulted and indeed assaulted that their example in voting was not followed by numbers who wished to vote. In Lahore a candidate, and a polling officer, were seriously injured.

65. Although there was no rowdyism in rural areas cordons were placed on the roads, particularly where non-co-operators were active who turned back voters, some of them coming in carts provided by candidates for their supporters; and also in many places non-co-operators had lecturing parties near the polling stations and in others arranged meetings at a distance to attract voters from the polling station.

66. In 1923 the elections were more satisfactory than in 1920. The practice of intentional abstention which had been the considered policy of many electors was no longer approved and some 250,000 votes polled against 130,000 on the last occasion. There was little or nothing to complain about in the way of violent interruptions and the organisation of polling worked with extraordinary smoothness. The case was similar in 1926.

Invalid votes.

67. Statement No. 8 shows the number of votes held invalid in the three elections. It will be interesting to note that out of 146,378 votes polled in 1920 both for the Assembly and the Council, 3,887 were held invalid. This gives a percentage of 2·7 for the province. There was a decrease in invalid votes in 1923 by a little more than 800 in the Legislative Assembly and about 800 in the Council, reducing the percentage of 2·7 to ·8. In 1926 the percentage of invalid votes both in Legislative Assembly and Council works out to ·8. As already pointed out ballot papers are generally marked by Presiding Officers.

Postal voting.

68. In 1920, besides the four Council of State constituencies the following constituencies of the Punjab Legislative Council voted by post :—

(1) Punjab University.

(2) Punjab Chamber of Commerce and Trades Association.

(3) Punjab Industries.

In 1923, three landholders' constituencies of the Punjab Legislative Council and one of the Legislative Assembly were added to the postal voting constituencies. The average percentage of voting by post is as under :—

Punjab Legislative Council.

Year.	*Number of contested constituencies.*	*Percentage of voting by post.*
1920	2	44
1923	3	83
1926	2	81

Legislative Assembly.

Year.	*Number of contested constituencies.*	*Percentage of voting by post.*
1923	1	84
1926	1	88

Statement No. 9 shows the number of voters registered and the number of those who voted together with the percentage of voting.

69. The method which was employed for the conduct of voting by post is detailed in regulations 43 to 51 of the regulations for nominations and elections for the Legislative Council, Punjab, and 42 to 48 for the Legislative Assembly. There were one or two complaints to the effect that certain candidates took the postman in their carriages and accompanied him to the various addressees at the time of delivery of the registered ballot papers. But as each elector has to appear before a magistrate to get his signature to the forwarding letter verified, it is not necessary to think that the procedure has been defective. Considering the percentage of voting the system on the whole appears to have been successful, save in so far that it is practically impossible under this system to secure secrecy in the poll.

Residential qualification.

70. The general result of the elections is dealt with in a following chapter dealing with the character and composition of the Legislature. Only one other feature of the elections seems to call for comment here. In the evidence given before the Southborough Committee, considerable importance had been attached to the maintenance of the residential qualification for candidates, in order to protect the interests of the rural constituencies. This was removed with effect from the election of 1923, and on the whole, it is difficult to say that the step has led to any very radical change. There are a few cases in which non-resident candidates have been returned for rural constituencies, but the great majority of candidates have been residents of the locality.

71. There was only one woman candidate in 1926, who stood for the East and West Central Towns (Non-Muhammadan) constituency, but was not successful.

Election petitions.

72. The election petitions lodged in the three Council and Assembly elections are tabulated below :—

Council.

Year.	Total lodged.	Total successful.	Unsuccessful.	Total withdrawn.
1921	6	5	1	..
1924	8	4	4	..
1927	5	..	4	1

Assembly.

Year.	Total lodged.	Total successful.	Unsuccessful.	Total withdrawn.
1921	2	..	1	1
1924	4	1	2	1
1927	Nil	..	..	..

The main grounds of these election petitions were :—

(1) the election of a returned candidate has been procured or induced by a corrupt practice, such as, payment of consideration to a candidate to withdraw his candidature as in Gujranwala Muhammadan rural,

(2) the result of election has been materially affected by a corrupt practice, personation, criminal intimidation, undue influence, bribery, treating, etc., as in North-West Rohtak (Non-Muhammadan),

(3) a corrupt practice has been committed, such as, hiring of conveyances, bribery, exercise of undue influence, as in Kangra-*cum*-Gurdaspur (Muhammadan),

(4) treating in Karnal (Non-Muhammadan),

(5) return of election expenses false in material praticulars and not, in accordance with rules as in Gujranwala (Mudammadan rural),

(6) personation of voters, as in North-West Rohtak (Non-Muhammadan) and Jullundur (Muhammadan),

(7) votes not properly counted in Jullundur (Mudammadan),

(8) improper rejection of nomination in Rawalpindi Division and Lahore Division North (Non-Muhammadan) and South-East Town (Non-Muhammadan),

(9) improper—acceptance of nomination in Amritsar City (Muhamadan),

(10) extension of time by Presiding Officer which materially affected the result of election in Karnal (Non-Muhammadan),

(11) the election has not been a free election by reason of the large number of cases in which undue influence or bribery has been exercised or committed, as in North-West Rohtak (Non-Muhammadan).

Except in cases (2), (3), (6) (North-West Rohtak), (8) (Rawalpindi Lahore) (9) and (11), in which the election of the candidates were declared to be void, the allegations were not substantiated and the candidates were declared to be duly elected.

Cost of elections.

73. The cost of elections to Government in the three general elections in round figures compares as below :—

	Rs.
1920	4,75,000
1923	2,65,000
1926	2,58,000

This sum includes honoraria and allowances; etc., paid to patwaris, Kanungos, and others who assisted in the preparation of electoral rolls as well as the expenditure on the printing of rolls, ballot papers and all other papers connected with the Council and Assembly elections.

Cost of printing.

74. A good deal of economy in the cost of printing was effected after the election of 1920. The expenditure is compared below :—

	Rs.
1920	90,000
1923	31,488
1926	36,216

Expenditure incurred by candidates.

75. The total expenditure incurred by candidates in the Legislative Council as shown by the candidates in the return of election expenses has been Rs. 1,03,599 in 1923 and Rs. 1,90,964 in 1926. Figures for 1920 are not available. The average expenditure as returned by successful candidates was as under :—

	Rs.
1920	498
1923	595
1926	1,387

The highest expenditure incurred by a candidate was Rs. 6,730, Rs. 3,180 and Rs. 8,008, the lowest being Re. 1-2-9, Re. 1-7-0 and Re. 1-9-0 in the three elections, respectively. It is generally understood that the actual expenditure in many cases largely exceeds that returned by candidates ; in some instances large sums are reported, and indeed known, to have been spent. These sums, it is understood, have been incurred on the travelling allowance of agents, purchase of vehicles and the like. There is no general allegation of money having been spent on direct payment to voters or anything of a similar nature.

In the Legislative Assembly the total expenditure incurred by candidates amounts to Rs. 56,645 in 1923 and Rs. 60,445 in 1926. The average expenditure of all successful candidates was as under :—

	Rs.
1923	2,125
1926	2,972

The highest expenditure incurred by a candidate amounts to Rs. 8,675 and Rs. 9,831 and the lowest Rs. 171-10-3 and Rs. 55-5-0 in the elections of 1923 and 1926, respectively.

Statement No. 10 gives these details in a comprehensive form.

SECTION B—The Legislative Assembly.

Prefatory.

76. The elections of the Legislative Council and the Legislative Assembly in the Punjab take place simultaneously and the same electoral roll serves for both these houses—separate serial numbers being given for the Assembly electors in the same roll. The account of the Legislative Council gives a good deal which has relevance to the Assembly also. The following facts are worthy of separate record.

Brief description of qualification.

77. See statement I. The most important qualifications are for the general constituencies—

(*a*) Ownership of landpaying land revenue of the amount of Rs. 100, which we may call roughly of the annual value of Rs. 400.

(*b*) Ownership of immovable property of the annual rental of Rs. 326.

(*c*) Assessment to income-tax on Rs. 5,000.

Original estimates of the number of voters.

78. The Southborough Committee did not make any estimate of the probable number of voters. The Punjab Government in 1920 estimated the number of voters at 65,000 at least.

Voters on the roll first prepared.

79. The number of electors was as follows :—

General constituencies.

Non-Muhammadans	17,016
Muhammadans	20,635
Sikhs	14,538
Total ..	52,189

Special constituency.

Punjab Landholders	826
Grand Total ..	53,015

80. Numbers of the electors in the three elections are as under :—

Growth of electorates.

		General constituencies.	Special constituency.	Total.
1920		52,189	826	53,015
1923		63,306	957	64,263
1926		81,723	1,097	82,820
	Male ..	78,587	1,047	79,634
	Female ..	3,136	50	3,186

That is to say, 11,248 were added in 1923 and there was a further addition of 15,371 male and 3,186 female electors in 1926. There is nothing to add to what has been said in the account of the Legislative Council as regards the cause of the growth.

The present electorates.

81. The male electors for the Assembly number 79,634 and are about ·7 per cent. of the male population : the female voters 3,186 in number are ·03 of the female population. Taking both sexes together voters are 82,820 in number giving ·4 per cent. By religions the electorate may be compared as follows :—

	Male.	*Female.*
Muhammadans—		
Population	6,199,738	5,248,583
Voters	33,062	1,373
Non-Muhammadans—		
Population	3,814,570	3,131,926
Voters	26,200	875
Sikhs—		
Population	1,295,957	9,98,250
Voters	19,325	838

The roll.

82. As above stated one roll is maintained for the Council and Assembly. There is nothing under this head which needs special mention in the case of the Assembly, except that it is necessary to emphasise the fact that the much less interest has been taken in elections for the Assembly than in those for the Council.

2.—Constituencies.

Legislative Assembly.

83. The final proposals of Government of India allotted in the Legislative Assembly 12 elected seats to the Punjab. Of these, one seat—the landowners—was to be special and 11 were to be general. The figures of population according to the census of 1911 were as under :—

Muhammadans	10,803,204
Sikhs	2,094,100
Non-Muhammadans	6,637,407

On the population basis out of the 11 seats the Muhammadans were entitled to just over 6 and the Hindus and the Sikhs to just under 5.

84. On a population basis calculated separately for Non-Muhammadans out of 5 seats the Sikhs were entitled to more than one, while others were entitled to a little less than 4. It was agreed that between Muhammadans and others the distribution should be made on a population basis. As between Sikhs and others

it was considered appropriate in view of the special claims of the Sikhs to representation in excess of that to which they were entitled on a calculation based on census figures, to give them 2 out of the 5 Non-Muhammadan seats, leaving 3 over for others. The distribution of these seats formed the subject of discussion in the Advisory Committee. On behalf of Hindu it was suggested that the voting strength entitled them to more than the seats calculated on the population basis, and that since the electors would be largely landowners the voting strength of Muhammadans would compare favourably with that of Hindus. As no exact estimate of the voting strength existed and the number of electors was liable to variation with the rules, the argument for basing representation mainly on population applied with greater force to the case of the Legislative Assembly. This led to the formation of constituencies detailed in statement 5 on the recommendation of the Punjab Government.

85. As regards the special seat, it was argued on behalf of the Hindus that the landowner member would probably always be a Muhammadan. Since, however, the interests which this member was intended to represent were general to the whole body of the landowners of the Province, it was not considered appropriate in connection with the allocation of communal seats, to count the landowner seat as a Muhammadan seat. It will be interesting to note that a Sikh succeeded twice in this constituency. It is now represented by a Muhammadan.

86. Statement No. 5 shows the several constituencies, giving in each the population according to the census of 1921, and the number of electors registered in 1926.

3.—Candidates.

87. See table 6. The number of the candidates was—

Nomination.

In 1920	..	..	..	..	..	39
1923	..	..	..	..	..	36
1926	..	..	..	..	..	29

Nomination on parties or interests.

88. What has already been said of the Council applies to the Assembly. There was no party organization in 1920. In 1923 the two Sikh seats were secured by the Shiromani Gurdwara Parbandhak Committee and the three non-Muhammadan seats by the Swarajists. Khilafatists did not put forward any candidate for the Legislative Assembly. In 1926 the Congress put forward 2 candidates, out of whom one was elected. Lala Lajpat Rai defeated the other, Dr. Chaman Lal, but he succeeded in a by-election.

Status or quality of the candidates.

89. The candidates elected in 1920 were, on the whole, of good standing. Six of them had high educational qualifications. Out of 12 constituencies, 6 members belonged to the legal profession and the rest were landowners. In 1923, the elections resulted in getting 3 Swarajists, 6 Muhammadan moderates and 2 Shiromani Gurdwara Parbandhak Committee men. Seven belonged to the legal profession and the rest to the land-owning class.

In 1926, the Muhammadan candidates returned were again moderates. Among Sikhs the candidates belonged to the Shiromani Gurdwara Parbandhak Committee. Amongst the Hindus only one was a Swarajist. Out of the 12 members, there were 6 lawyers and the rest belonged to the landowner class.

90. If the intention of the higher qualification for the Assembly franchise was to produce a different type of candidate, it has failed of its effect. Candidates for the Legislative Assembly come from the same classes as those for the Council, and members of the Assembly do not occupy in the public view any preferential position over those in the Council. There is perhaps, on the whole, more genuine interest shown in the Council than in the Assembly elections, and it is generally felt that a member of the Council has more power to secure the interests of his constituents than has a member of the Assembly. That is certainly an argument which appeals to rural candidates, while the sacrifice of practice involved in proceeding for long periods to Delhi restricts the number of candidates who might otherwise be available from the Lahore Bar.

4.—Elections.

Elections.

91. Elections for the Legislative Assembly are carried on simultaneously with those for the Council and by the same agency, and there is little to add to the account of the Council elections. For the Legislative Assembly the figures of male electors in the three elections have been 53,015 ; 64,263 and 79,634, respectively. The polling figures 16,226, 35,255 and 39,244 for the three elections give a percentage of polling in contested constituencies as under :—

1920	33·6
1923	60·3
1926	65

The franchise was not given to women till 1926 when 150 out of 2,264 voted.

SECTION C.—The Council of State.

1.—Electorate.

Prescription of qualifications.

92. The qualifications of an elector in the Council of State are as follows :—

A person is qualified as an elector for a general constituency who resides in the constituency and who—

(1) is the owner or Crown tenant of land assessed to land revenue of not less than Rs. 750 per annum ; or

(2) is an assignee of land revenue amounting to not less than Rs. 750 per annum ; or

(3) was assessed to income-tax on an income of not less than Rs. 15,000, or

(4) is or has been a non-official member of either chamber of the Indian Legislature or has been a non-official member of the Indian Legislative Council as constituted under the Government of India Act, 1915, or any Act repealed thereby or is or has been at any time a non-official member of the Punjab Legislative Council ; or

(5) is a Provincial Punjab Darbari ; or

(6) is or has been the non-official President or Vice-President of any Municipal Committee having a population of 20,000 or over, or which is situate at the Headquarter Station of a District, or is or has been non-official Chairman or Vice-Chairman of a District Board ; or

(7) is or has been a fellow or an honorary fellow or is a member of the Senate or Court of any University constituted by law in British India or is a member of the Council of the University of Rangoon ; or

(8) is a non-official President or Vice-President of any Central Co-operative Bank or Union ; or

(9) is recognised by the Government as the holder of the title of Shams-ul-Ulama or of Mahamahopadhyaya.

Electorates.

93. The original estimate of the number of electors is not traceable. In 1920 the rolls were prepared by obtaining information from the districts. The voters on the roll first prepared were as under :—

Muhammadans	685
Non-Muhammadans	860
Sikhs	365
Total ..	1,910

94. In the election of 1925 the number went up to 2,639. The increase by 729 was mainly due to greater accuracy of registration. The interest taken by the electors can be judged from the number of claims and objections preferred. In 1925, 118 claims were admitted out of 177 preferred. Only 8 objections were made and 4 were admitted. The extent of enfranchisement enjoyed by 2,639 electors over the total population of 20,685,024 is only ·1 per cent. No special agency is maintained for the preparation of electoral rolls; the work is done by the ordinary district staff and consolidated in the Office of the Secretary to Government, Punjab, Transferred Departments.

2.—Constituencies.

Short account of basis on which constituencies have been framed.

95. The recommendation of the Punjab Government asking for four seats for the Province—2 for Muhammadans, 1 for Hindus and 1 for Sikhs—was accepted and resulted in the formation of the following constituencies :—

Name of constituency.	Extent.	Population census 1911.	Seat.
1. Non-Muhammadans ..	Punjab ..	6,637,407	1
2. Sikhs	Do. ..	2,094,100	1
3. East Punjab Muhammadans ..	Ambala Division and Lahore Division.	4,972,000	1
4. West Punjab Muhammadans ..	Rawalpindi and Multan Divisions.	5,831,000	1

The Muhammadan seats for the Punjab change from two to one at alternate elections.

Inequalities in population and number of electors.

96. The following statement will show the population according to the census of 1921 and the number of electors in 1925 in each constituency :—

Constituency.	Population Census, 1921.	Electors.
Non-Muhammadans	6,946,496	1,038
Sikhs	2,294,207	519
East Punjab Muhammadans	11,444,321	1,082
West Punjab Muhammadans		

3.—Candidates.

97. The number of candidates nominated in 1920 was 17, and 7 in 1925. No interest was taken by parties in nominating them. The persons standing for the elections in 1920 were all of education and social status. Similarly in 1925 all the candidates were men of good social standing, and with one exception of good education.

98. No deposit on nominations was required to be made in 1920. In 1923, however, when this rule was introduced no deposit was forfeited. There was one withdrawal in 1925 and none in 1920. The scrutiny of nominations resulted in the failure of one candidate in 1923 and there was no constituency which did not return a member. Only one seat was uncontested in 1920 and one in 1923.

4.—Elections.

Voting.

99. Under rule 15 of the Council of the State Electoral Rules the voting is done by post and no polling arrangements are necessary. The system has been successful. Canvassing is generally done through friends in different districts and by sending letters to the electors. But election agents are also appointed. No corrupt practices have come to light so far. Statement No. 11 shows the number of electors and the votes given in the contested constituencies in both elections. From the statement it will appear that 54 per cent.of the voters came to the poll in 1920 and 68 in 1925. Out of 828 votes given, 12 were invalid in 1920 and 1922 out of 1,092 in 1925. There were 63 tendered votes in 1920 and none in 1925. Eleven election agents in 1920 and 1 in 1925 were appointed, but there were no election petitions.

Results.

100. Statement No. 12 shows the results of elections in 1920 and 1925. The candidates returned were the same in the case of two constituencies as in 1920. The Muhammadans returned one in 1925, who did not know English. In both elections men of social standing were returned, but the anticipations that the higher electoral qualification would give an electorate more interested in the franchise, and that the influence of electors on the member would be real, cannot be said to have been justified.

Costs.

101. In 1920 the election expenses of the Punjab Legislature and Government of India Lagislative bodies were joint and cannot be given separately. The expenditure on the Council of State election in 1925 amounted to Rs. 4,748. The expenses of the candidates came to Rs. 8,632-4-3 in 1920 and Rs. 9,670-13-6 in 1925.

STATEMENTS.

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STATEMENT No. 1 —*Qualifications for Electors.*

(Paragraphs 1 and 77 of Chapter II.)

Serial No.	Qualification.	TO VOTE PERSONALLY.							TO VOTE BY POST.
		Council Legislative constituencies. General	Council Legislative constituencies. Landholders	Council Legislative constituency. University	Council Legislative constituency. Commerce	Council Legislative constituency. Industry	Legislative Assembly constituencies. General	Legislative Assembly constituency. Landholders	Council of State.
1	Ownership of immovable property not assessed to land revenue of the value of at least ..	Rs. 4,000	Rs. .	.	..	..	Rs. 15,000	..	Rs. --
	Or the annual rental value of at least ..	96	..	..	..	..	336	..	--
2	Ownership of land assessed to land revenue annually of at least ..	25	500		.	..	100	1,000	750
3	Enjoyment of assignment of land revenue annually of at least ..	50	500	..	..	..	100	1,000	750
4	Lease or tenancy of Crown land at a rent annually of at least	25	..	..	.	..	100	..	--
4-A	Lease or tenancy of Crown land assessed to land revenue annually at least ..	..	..	..	..	..	..	..	750
5	Assessment to income-tax on an income calculated at ..	2,000	..	..	..	..	5,000	..	15,000
6	Occupancy tenancy of land assessed annually to land revenue of at least ..	25	..	..	..	..	..	..	--
7	Tenancy of immovable property not assessed to land revenue of an annual rental value of at least ..	96	..	..	..	..	..	..	--
8	Assessment to direct municipal or cantonment taxation annually at least ..	50	..	..	..	..	..	..	--
9	Holding of the office of zaildar, inamdar, safedposh or lambardar ..	Yes ..	..	..	..	..	..	..	--
10	Being a retired, pensioned or discharged Commissioned or Non-commissioned Officer or Soldier of His Majesty's Regular Forces ..	Yes ..	..	..	..	..	..	..	--
11	Being a Baluch Tumandar ..	..	Yes—for Landholders Tumandar constituency.	..	..	..	..	..	--
12	Past or present membership of the Senate or Court of any Indian University ..	..	..	..	..	..	..	..	Yes.
13	Past or present Fellowship or Honorary Fellowship of any Indian University ..	..	..	..	..	..	..	..	Yes.
14	Fellowship or Honorary Fellowship of the Punjab University at time of preparation of rolls	..	..	Yes --	..	..	..	..	--
15	Not less than seven years' standing as a Graduate of the Punjab University ..	..	..	Yes --	..	..	..	..	--
16	Membership of the Punjab Chamber of Commerce or of the Punjab Trades Association	..	..	..	Yes --	..	..	..	--

Serial No.	Qualification.	To vote personally.							To vote by post.
		Council constituency. Legislative General tuencies.	Council constituency. Legislative Landholders constituencies.	Council constituency. Legislative University tuency.	Council constituency. Legislative Commerce tuency.	Council constituency. Legislative Industry tuency.	Legislative Assembly constituency. General tuencies.	Legislative Assembly constituency. Landholders constituency.	Council of State.
		Rs.					Rs.	Rs.	Rs.
17	Being the owner or representative of a factory subject to the Indian Factories Act, 1911, in which work has been carried on during the 12 months preceding the date of the preparation of the electoral roll ..	..	..	..	.	Yes ..	..	..	..
18	Nomination by a registered company with a paid-up capital of at least Rs. 25,000 and having a place of business in the Punjab ...	..	..	..	..	Yes ..	..	..	..
19	Present or past membership of a legislative body ..	..	..	..	..	..	..	..	Yes.
20	Being a Provincial Darbari ..	..	..	..	..	..	..	..	Yes.
21	Past or present non-official President or Vice-President of Municipal Committee with a population of 20,000 or at the headquarters of a district ..	..	..	..	..	..	..	..	Yes.
22	Past or present non-official Chairman or Vice-Chairman of District Board ..	..	..	..	..	..	..	..	Yes.
23	Non-official President or Vice-President of a registered Central Co-operative Bank or Union ..	..	..	..	..	..	..	..	Yes
24	Holding of the title of Shams-ul-Ulama or Mahamahopadhaya ..	..	..	..	..	..	..	..	Yes.

STATEMENT No. 2.—*Comparative statement of qualifications of Electors for the Legislative Council and District Boards.*

(Paragraph 7 of Chapter II)

Serial No.	Qualification of voters.	To vote personally.	
		Legislative Council General Constituencies.	District Boards.
	Every person shall be qualified to be an Elector if he—		
1	is a male of not less than 21 years of age ; and ..	Yes, and females also.	Yes.
2	is a zaildar, inamdar, sufedposh or lambardar, or ..	Yes	Yes.
		Rs.	Rs.
3	owns land assessed to land revenue annually of at least..	25	15
4	enjoys assignment of land revenue annually of at least ..	50	30
5	is a lessee or tenant of crown land at a rent annually of at least	25	15
6	is an occupancy tenant of land assessed to land revenue annually of at least	25	15
7	is assessed to income-tax or an income calculated at ..	2,000	2,000
8	is a retired, pensioned, or discharged Commissioned or Non-commissioned officer or soldier of His Majesty's Regular Forces	Yes.	Yes.
		Rs.	Rs.
9	is assessed to any tax, cess or rate annually at least ..	50 (Municipal or Cantonment tax).	2
10	owns immovable property not assessed to land revenue of the value not less than	4,000	..
11	is a tenant of immovable property not assessed to land revenue of an annual rental value of at least ..	96	..
12	has an income per mensem at least	..	..
	owns immovable property not assessed to land revenue of the annual rental value of at least	96	..
13	has passed the Punjab University examination ..	A graduate of not less than 7 years' standing (for University Constituency).	..

Punjab Legislative Council and Legislative Assembly.

STATEMENT No. 3.—*Claims and objections of Electors during the revision of electoral rolls.*

(Paragraph 14 of Chapter II.)

1	2	3				4				5				6				7
		NUMBER OF CLAIMS PREFERRED.				NUMBER OF CLAIMS ADMITTED.				NUMBER OF OBJECTIONS PREFERRED.				NUMBER OF OBJECTIONS ADMITTED.				
Serial No.	Year in which rolls prepared and verified.	Non-Muhammadans.	Muhammadans.	Sikhs.	Total.	Non-Muhammadans.	Muhammadans.	Sikhs.	Total.	Non-Muhammadans.	Muhammadans.	Sikhs.	Total.	Non-Muhammadans.	Muhammadans.	Sikhs.	Total.	REMARKS.
1	1920	3,734	1,201	1,355	6,290	646	179	985	1,810	193	47	41	286	169	50	37	256	
2	1923	5,481	1,744	561	7,783	3,607	572	444	4,623	307	1,176	153	1,636	242	492	128	862	
3	1926	2,091	2,322	277	4,690	1,392	1,653	133	3,178	686	1,176	90	1,952	265	387	51	703	

Legislative Council..

STATEMENT No. 4.—*Constituencies.*

(Paragraph 26 of Chapter II.)

Serial No.	Name of Constituency.	Population, 1921.			Number of Electors, 1926.	
		Total.	Male.	Female.	Male.	Female.
	NON-MUHAMMADAN (URBAN).					
1	Lahore City	119,904	79,668	40,236	11,169	95
2	Amritsar City	67,560	40,917	26,643	9,988	337
3	South-East Towns	134,008	74,656	59,352	8,381	175
4	North-East Towns	136,109	54,094	52,015	9,965	131
5	East-West Central Towns	87,251	52,262	34,989	6,472	98
6	North-West Towns	104,653	65,458	39,195	10,770	134
7	West Punjab Towns	78,664	45,698	32,966	9,429	123
	Total Urban ..	729,149	442,753	285,396	66,174	1,093
	NON-MUHAMMADAN (RURAL).					
8	Hissar	496,664	265,831	230,833	12,464	207
9	South-East Rohtak (the Jhajjar and Sonepat tahsils of the Rohtak district).	332,026	179,022	153,004	15,357	536
10	North-West Rohtak (the Rohtak and Gohana tahsils of the Rohtak district).	287,921	157,076	130,845	9,996	496
11	Gurgaon	448,293	242,459	205,834	17,143	843
12	Karnal	548,022	301,502	246,520	9,715	732
13	Ambala-*cum*-Simla	340,602	190,303	150,299	6,945	620
14	Kangra	721,399	368,817	352,582	12,581	376
15	Hoshiarpur	494,801	263,961	230,840	13,221	657
16	Jullundur-*cum*-Ludhiana	337,733	186,434	151,299	5,356	140
17	Lahore and Ferozepore-*cum*-Sheikhupura ..	560,595	313,728	246,867	7,448	176
18	Amritsar-*cum*-Gurdaspur	426,337	232,543	193,794	8,752	471
19	Rawalpindi Division and Lahore Division (North).	620,681	336,483	284,198	18,016	506
20	Multan Division	603,273	333,658	269,615	13,589	367
	Total Rural ..	6,218,347	3,371,817	2,846,530	150,583	6,127
	Total Non-Muhammadan ..	6,946,496	3,814,570	3,131,926	216,757	7,220
	MUHAMMADAN (URBAN).					
21	Lahore City	149,044	91,063	57,981	12,810	149
22	Amritsar City	71,180	41,673	29,507	8,088	90
23	West Punjab Towns	243,442	146,682	96,760	10,909	149
24	East and West Central Towns	206,655	115,389	91,276	9,696	164
25	South-East Towns	187,484	103,983	83,501	6,170	214
	Total Urban ..	857,815	498,790	359,025	47,673	760

STATEMENT No. 4.—*Constituencies*—continued.

Serial No.	Name of Constituency.	Population, 1921.			Number of Electors, 1926.	
		Total.	Male.	Female.	Male.	Female.
	MUHAMMADAN (RURAL).					
26	Gurgaon-*cum*-Hissar	393,420	207,487	185,933	11,222	48
27	Ambala Division (North-East)	465,693	250,945	214,748	9,507	57
28	Hoshiarpur-*cum*-Ludhiana	431,652	233,879	197,773	11,135	55
29	Ferozepore	454,070	246,745	207,325	4,592	18
30	Jullundur	324,325	175,620	148,705	7,045	34
31	Kangra-*cum*-Gurdaspur	437,973	240,254	197,719	8,128	21
32	Lahore	476,306	257,569	218,737	5,001	21
33	Amritsar	352,544	191,308	161,236	4,526	13
34	Sialkot	535,686	288,888	246,798	8,658	19
35	Gujranwala	409,561	227,519	182,042	8,208	37
36	Sheikhupura	329,004	182,486	146,518	8,505	38
37	Gujrat West (the Phalia tahsil of the Gujrat district).	230,412	129,761	100,651	6,905	29
38	Gujrat East (the Gujrat and Kharian tahsils of the Gujrat district).	454,791	235,231	219,563	16,508	13
39	Shahpur West (the Shahpur and Khushab tahsils of the Shahpur district).	258,883	134,766	124,117	7,881	17
40	Shahpur East (the Bhalwal and Sargodha tahsils of the Shahpur district).	310,436	173,892	136,544	8,772	35
41	Mianwali	303,829	159,662	144,167	3,715	31
42	Attock	460,808	236,863	223,945	14,076	17
43	Rawalpindi	420,492	215,025	205,467	20,723	16
44	Jhelum	405,287	202,574	202,713	21,394	19
45	Lyallpur North (the Lyallpur and the Jaranwala tahsils of the Lyallpur district).	280,106	152,712	127,394	12,609	48
46	Lyallpur South (the Samundri and Toba Tek Singh tahsils of the Lyallpur district).	303,695	165,775	137,920	15,037	48
47	Montgomery	506,415	276,308	230,107	9,546	22
48	Multan East (the Kabirwala, Khanewal and Mailsi tahsils of Multan district).	319,753	174,138	145,615	5,438	18
49	Multan West (the Multan, Shujabad and Lodhran tahsils of the Multan district).	355,988	193,108	162,880	4,319	24
50	Jhang	448,182	242,327	205,855	10,409	48
51	Muzaffargarh	491,213	267,037	224,176	3,037	17
52	Dera Ghazi Khan	425,979	235,069	190,910	2,252	4
	Total Rural Muhammadan ..	10,586,506	5,696,948	4,889,558	249,148	7,51
	Total Muhammadan ..	11,444,321	6,195,738	5,248,583	296 91	8,28
	SIKH.					
53	Sikh Urban	86,436	55,573	30,863	9,699	17
	Total Urban ..	86,436	55,573	30,863	9,699	17

STATEMENT No. 4.—*Constituencies*—concluded.

Serial No.	Name of Constituency.	Population, 1921.			Number of Electors in 1926.	
		Total.	Male.	Female.	Male.	Female.
	SIKH (RURAL).					
54	Ambala Division	151,470	85,125	66,345	8,427	412
55	Hoshiarpur and Kangra	134,254	73,963	60,291	9,059	182
56	Jullundur	203,444	116,105	87,339	13,824	465
57	Ludhiana	231,522	131,022	100,500	19,044	580
58	Ferozepore	299,462	168,522	130,940	15,014	760
59	Lahore	166,155	94,208	71,947	10,058	590
60	Amritsar	265,526	150,399	115,127	18,981	699
61	Sialkot-*cum*-Gurdaspur	207,323	117,981	89,342	15,750	455
62	Lyallpur	157,863	89,232	68,631	15,809	710
63	Multan Division and Sheikhupura (the Sheikhupura district and the Multan Division excluding the Lyallpur district).	207,242	115,741	91,501	13,962	449
64	Rawalpindi Division and Gujranwala ..	183,510	98,086	85,424	12,570	229
	Total Rural ..	2,207,771	1,240,384	967,387	152,498	5,531
	Total Sikh ..	2,294,207	1,295,957	998,250	162,197	5,702
	Total General Constituencies, Urban ..	1,672,400	997,116	675,284	123,546	2,030
	Total General Constituencies, Rural ..	19,012,624	10,309,149	8,703,475	552,229	19,174
	GRAND TOTAL LEGISLATIVE COUNCIL, GENERAL CONSTITUENCIES.	20,685,024	11,306,265	9,378,759	675,775	21,204
	SPECIAL CONSTITUENCIES.					
1	Punjab Landholders (General)	..	..	..	659	38
2	Muhammadan Landholders	..	..	..	1,524	82
3	Sikh Landholders	..	..	..	824	48
4	Baloch Tumandars	..	.	..	10	..
5	Punjab University	..	..	..	3,211	7
6	Punjab Chamber of Commerce and Trades Association.	..	..	..	94	2
7	Punjab Industries	..	..	..	350	..
	Total Legislative Council Special Constituencies.	..	..	..	6,672	177
	GRAND TOTAL LEGISLATIVE COUNCIL ..	..	..	..	682,447	21,381
	GRAND TOTAL OF ELECTORS ..	..	..	..	703,828	

Legislative Council.

STATEMENT No. 4-A.—*Extent of Urban Constituencies.*

(Paragraph 26 *et seq.* of Chapter II.)

Name.	Extent.
NON-MUHAMMADAN, URBAN.	
Lahore City	The municipality and cantonment of Lahore.
Amritsar City	The municipality and cantonment of Amritsar.
South-East Towns	The municipalities of Bhiwani, Hissar, Sirsa, Hansi, Rohtak, Sonepat, Jhajjar, Rewari, Panipat, Karnal, Kaithal and Shahabad and the notified areas of Karnal (Civil Station) Kaithal* and Hidayatpur Chhaoni (Gurgaon).
North-East Towns	The municipalities of Ambala, Jagadhri, Simla, Ludhiana, Jagraon, Hoshiarpur and Jullundur and the cantonments of Ambala, Kasauli, Dagshai, Sabathu, Jutogh and Jullundur.
East and West Central Towns ..	The municipalities of Kasur, Ferozepore, Fazilka, Gurdaspur, Batala, Dalhousie, Sialkot and Dharamsala and the cantonments of Ferozepore, Balun, Bakloh, Sialkot and Dharamsala.
North-West Towns	The municipalities of Gujrat, Jalalpur Jattan, Bhera, Khushab, Jhelum, Pind Dadan Khan, Rawalpindi, Murree, Mianwali, Gujranwala and Wazirabad and the cantonments of Jhelum, Rawalpindi, Murree, Campbellpur and Attock and the notified areas of Sargodha, Campbellpur and Sheikhupura.
West Punjab Towns	The municipalities of Montgomery, Lyallpur, Jhang-Maghiana, Chiniot, Multan, Muzaffargarh and Dera Ghazi Khan, and the cantonment of Multan.
MUHAMMADAN, URBAN.	
Lahore City	The municipality and cantonment of Lahore.
Amritsar City	The municipality and cantonment of Amritsar.

*NOTE.—Municipal committee and notified area of Kaithal is separately shown here, but not in the Census Report.

STATEMENT No. 4-A—*Extent of Urban Constituencies*—concluded.

Name.	Extent.
MUHAMMADAN, URBAN—*concld.*	
West Punjab Towns	The municipalities of Gujrat, Jalalpur Jattan, Bhera, Khushab, Jhelum, Pind Dadan Khan, Rawalpindi, Murree, Mianwali, Montgomery, Lyallpur, Jhang-Maghiana, Chiniot, Multan, Muzaffargarh and Dera Ghazi Khan, the cantonments of Jhelum, Rawalpindi, Murree, Campbellpur, Attock and Multan and the notified areas of Sargodha and Campbellpur.
East and West Central Towns ..	The municipalities of Kasur, Ferozepore, Fazilka, Gujranwala, Wazirabad, Sialkot, Gurdaspur, Batala, Dalhousie, Hoshiarpur, Jullundur and Dharmsala, the cantonments of Ferozepore, Sialkot, Balun, Bakloh, Jullundur and Dharmsala and the notified area of Sheikhupura.
South-East Towns	The municipalities of Bhiwani, Hissar, Sirsa, Hansi, Rohtak, Sonepat, Jhajjar, Rewari, Panipat, Karnal, Kaithal, Shahabad, Ambala, Jagadhri, Simla, Ludhiana and Jagraon, the cantonments of Ambala, Kasauli, Dagshai, Sabathu and Jutogh and the notified areas of Karnal (Civil Station), Kaithal and Hidayatpur Chhaoni (Gurgaon).
SIKH, URBAN.	
	The municipalities of Lahore, Amritsar, Bhiwani, Hissar, Sirsa, Hansi, Rohtak, Sonepat, Jhajjar, Rewari, Panipat, Karnal, Kaithal, Shahabad, Ambala, Jagadhri, Simla, Ludhiana, Jagraon, Hoshiarpur, Jullundur, Kasur, Ferozepore, Fazilka, Gurdaspur, Batala, Dalhousie, Sialkot, Dharmsala, Gujrat, Jalalpur Jattan, Bhera, Khushab, Jhelum, Pind Dadan Khan, Rawalpindi, Murree, Mianwali, Gujranwala, Wazirabad, Montgomery, Lyallpur, Jhang-Maghiana, Chiniot, Multan, Muzaffargarh and Dera Ghazi Khan. The cantonments of Amritsar, Ambala, Kasauli, Dagshai, Sabathu, Jutogh, Lahore, Jullundur, Balun, Bakloh, Sialkot, Dharmsala, Ferozepore, Jhelum, Rawalpindi, Murree, Campbellpur, Attock, Multan. The notified areas of Karnal (Civil Station), Kaithal, Hidayatpur Chhaoni (Gurgaon), Sargodha, Campbellpur and Sheikhupura.

Legislative Assembly.

STATEMENT No. 5.—*Constituencies.*

Census 1921.

(Paragraphs 84 and 86 of Chapter II.)

Serial No.	Constituency.	Population, 1921.			Number of Electors in 1926.	
		Total.	Male.	Female.	Male.	Female.
	NON-MUHAMMADAN.					
1	Ambala Division	2,662,248	1,458,867	1,203,381	6,490	293
2	Jullundur Division	1,932,597	1,033,656	898,941	4,597	203
3	West Punjab (The Lahore, Rawalpindi and Multan Divisions).	2,351,651	1,322,047	1,029,604	15,113	373
	Total Non-Muhammadan ..	6,946,496	3,814,570	3,131,926	26,200	875
	MUHAMMADAN.					
4	East Punjab (the Ambala Division and the districts of Kangra, Hoshiarpur, Jullundur and Ludhiana.)	1,893,267	1,021,935	871,332	2,875	224
5	East Central Punjab (the districts of Ferozepore, Lahore, Amritsar and Gurdaspur).	1,976,781	1,089,157	887,624	3,933	166
6	West Central Punjab (the districts of Sialkot, Gujranwala, Sheikhupura and Lyallpur).	1,949,476	1,069,938	879,538	13,137	359
7	North Punjab (the districts of Gujrat, Jhelum and Rawalpindi).	1,602,701	841,952	760,749	2,351	100
8	North-West Punjab (the districts of Attock, Mianwali, Shahpur and Jhang).	1,846,058	983,314	862,744	7,065	329
9	South-West Punjab (the districts of Multan, Montgomery, Muzaffargarh and Dera Ghazi Khan).	2,176,328	1,189,442	986,596	3,701	195
	Total Muhammadan ..	11,444,321	6,195,738	5,248,583	33,062	1,373
	SIKH.					
10	East Punjab (the Ambala and Jullundur Divisions).	1,037,861	586,737	451,124	2,941	190
11	West Punjab (the Lahore, Rawalpindi and Multan Divisions).	1,256,346	709,220	547,126	16,384	698
	Total Sikh ..	2,294,207	1,295,957	998,250	19,325	888
	Grand Total, General Constituencies ..	20,685,024	11,306,265	9,378,759	78,587	2,136
	Punjab Landholders (the Province of Punjab).	..	..	..	1,047	50
	GRAND TOTAL ..	..	..	..	79,634	2,186

Legislative Council and Legislative Assembly.

STATEMENT No. 6.—*Candidates.*

(Paragraphs 32 and 87 of Chapter II.)

Constituency.	Number of Candidates.		
	1920.	1923.	1926.
NON-MUHAMMADAN.			
Urban.			
1. Lahore City	6	4	2
2. Amritsar City	3	3	3
3. South-East Towns	2	2	1
4. North-East Towns	4	1	2
5. East and West Central Towns	4	5	5
6. North-West Towns	4	3	2
7. West Punjab Towns	4	3	3
Rural.			
8. Hissar	5	1	2
9. South-East Rohtak	2	3	3
10. North-West Rohtak	1	3	2
11. Gurgaon	5	2	2
12. Karnal	1	4	2
13. Ambala-*cum*-Simla	3	3	3
14. Kangra	5	2	3
15. Hoshiarpur	5	3	3
16. Jullundur-*cum*-Ludhiana	4	1	3
17. Lahore and Ferozepore-*cum*-Sheikhupura ..	2	3	2
18. Amritsar-*cum*-Gurdaspur	3	3	2
19. Rawalpindi Division and Lahore Division North ..	1	1	2
20. Multan Division	3	1	3
MUHAMMADAN.			
Urban.			
21. Lahore City	5	4	2
22. Amritsar City	2	3	2
23. West Punjab Towns	3	2	3
24. East and West Central Towns	1	3	4
25. South-East Towns	2	3	2

STATEMENT No. 6.—*Candidates*—continued.

	Constituency.	Number of Candidates.		
		1920.	1923.	1926.
	MUHAMMADAN—*concluded.*			
	Rural.			
26.	Gurgaon-*cum*-Hissar	4	2	3
27.	Ambala Division North-East	1	2	1
28.	Hoshiarpur-*cum*-Ludhiana	2	6	2
29.	Ferozepore	3	2	3
30.	Jullundur	3	4	4
31.	Kangra-*cum*-Gurdaspur	3	3	1
32.	Lahore	2	3	1
33.	Amritsar	4	1	3
34.	Sialkot	1	2	2
35.	Gujranwala	2	2	4
36.	Sheikhupura	6	5	2
37.	Gujrat East	3	1	2
38.	Gujrat West	2	1	4
39.	Shahpur East	3	3	2
40.	Shahpur West	2	1	2
41.	Mianwali	3	1	2
42.	Attock	1	2	2
43.	Rawalpindi	6	3	3
44.	Jhelum	1	2	2
45.	Lyallpur North	3	6	4
46.	Lyallpur South	3	5	3
47.	Montgomery	1	1	2
48.	Multan East	2	2	2
49.	Multan West	2	1	1
50.	Jhang	4	2	1
51.	Muzaffargarh	2	2	1
52.	Dera Ghazi Khan	3	2	3
	SIKH.			
53.	*Urban*	1	1	1
	Rural			
54.	Ambala Division	4	1	2
55.	Hoshiarpur-*cum*-Kangra	3	2	1

STATEMENT No. 6.—*Candidates*—concluded.

Constituency.	Number of Candidates.		
	1920.	1923.	1926.
SIKH—*concluded.*			
Rural—concluded.			
56. Jullundur	6	3	1
57. Ludhiana	4	2	2
58. Ferozepore	2	2	2
59. Lahore	5	2	2
60. Amritsar	3	3	2
61. Sialkot-*cum*-Gurdaspur	1	2	1
62. Lyallpur	2	2	2
63. Multan Division and Sheikhupura	2	5	2
64. Rawalpindi Division and Gujranwala	7	3	1
Special Constituences.			
1. Punjab Landholders' General	1	1	1
2. Muhammadan Landholders	2	1	1
3. Sikh Landholders	3	3	1
4. Baloch Tamundars	2	1	1
5. Punjab University	3	4	2
6. Punjab Chamber of Commerce and Trades Association.	1	2	1
7. Punjab Industries	3	1	3
Total ..	207	174	152
LEGISLATIVE ASSEMBLY.			
NON-MUHAMMADAN.			
1. Ambala Division	4	3	2
2. Jullundur Division	4	1	3
3. West Punjab	4	3	2
MUHAMMADAN.			
4. East Punjab	2	3	1
5. East Central Punjab	1	4	3
6. West Central Punjab	2	5	2
7. North Punjab	3	4	4
8. North-West Punjab	3	2	3
9. South-West Punjab	1	1	2
SIKH.			
10. East Punjab	4	3	2
11. West Punjab	9	2	1
12. Punjab Landholders	2	5	4
Total ..	39	36	29

STATEMENT No. 7.—*Votes polled.*

(Paragraph 57 of Chapter II.)

1	2		3		4		5		6
Year.	TOTAL NUMBER OF ELECTORS.		TOTAL NUMBER OF VOTES IN CONTESTED CONSTITUENCIES.		TOTAL NUMBER OF VOTES POLLED		VOTES PERCENTAGE OVER COLUMN 3.		REMARKS.
	Male.	Female.	Male.	Female.	Male	Female.	Male.	Female.	
				Legislative Council.					
1920	505,361	..	404,371	..	130,152	..	32	..	
1923	627,513	..	505,864	..	249,367	..	49·3	..	
1926	682,447	21,381	569,652	17,626	305,873	1,190	53·7	6·8	
				Legislative Assembly.					
1920	53,015	..	48,278	..	16,226	..	33·6	..	
1923	64,263	..	58,446	..	35,255	..	60·3	..	
1926	70,634	3,186	60,375	2,264	39,244	150	65	6·6	

Legislative Council and Legislative Assembly.

STATEMENT No. 8.—*Votes held invalid.*

(Paragraph 67 of Chapter II.)

Year.	Total votes polled.	Total invalid.	Percentage of invalid votes.
LEGISLATIVE COUNCIL.			
1920	130,152	2,303	1·8
1923	249,367	1,513	·6
1926	307,063	2,127	·7
LEGISLATIVE ASSEMBLY.			
1920	16,226	1,584	9·8
1923	35,255	728	·2
1926	39,394	804	·2
COMBINED LEGISLATIVE COUNCIL AND ASSEMBLY.			
1920	146,378	3,887	2·7
1923	284,622	2,241	·8
1926	346,457	2,931	·8

Legislative Council and Legislative Assembly.

STATEMENT No. 9.—*Electors and number of votes in special constituencies.*

(Paragraph 68 of Chapter II.)

Serial No.	Constituency.	Year 1920.			Year 1923.			Year 1926.					
								Number of electors.		*Votes given.*		*Percentage.*	
		Number of electors.	Votes given.	Percentage.	Number of electors.	Votes given.	Percentage.	Male.	Female.	Male.	Female.	Male.	Female.
	Legislative Council.												
1	Punjab University ..	1,984	838	42	2,398	2,025	84	3,211	7	2,573	7	80	100
2	Punjab Chamber of Commerce and Trades Association ..	89	..	..	109	86	79	94	2	..	..	..	..
3	Punjab Industries ..	175	106	61	294	..	..	350	..	324	..	92·6	..
4	Punjab Landholders (General) ..	542	Voting was not by post.		600	..	..	659	38	..	..	..	..
5	Muhammadan Landholders ..	1,116			1,274	..	..	1,524	82	..	..	..	..
6	Sikh Landholders ..	655			712	552	79	824	48	..	..	..	..
	Total contested ..	2,159	944	44	3,219	2,663	83	3,561	7	2,897	7	81	100
	Legislative Assembly.												
1	Punjab Landholders ..	826	Voting was not by post.		957	804	84	1,047	50	917	36	88	72

Legislative Council and Legislative Assembly.

STATEMENT No. 10.—*Election Expenses.*

(Paragraphs 75 and 101 of Chapter II.)

YEAR.	Total number of candidates.	Expenses incurred by candidates.	Highest / Lowest expenditure by only successful candidates.	Average expenditure of all successful candidates.	REMARKS.
		Rs. A. P.	Rs. A. P.	*Legislative Council.* Rs.	
1920	207	Figures not available.	6,730 11 6 / 1 2 9	498	
1923	174	1,08,599 8 7	3,180 11 6 / 1 7 0	595	
1926	152	1,90,964 11 11	8,008 12 0 / 1 9 0	1,387	
				Legislative Assembly. Rs.	
1920	39	Figures not available.	..	..	
1923	36	56,645 0 11	8,695 15 3 / 171 10 3	2,125	
1926	29	60,445 14 7	9,831 10 0 / 55 5 0	2,972	

Council of State.

STATEMENT No. 11.—*Table showing the total number of Electors, number of votes given in the Council of State, Punjab.*

(Paragraph 99 of Chapter II.)

Serial No.	Name of Constituency.	1920.			1925.			Remarks.
		Number of Electors.	Votes given.	Percentage.	Number of Electors.	Votes given.	Percentage.	
1	Punjab (Non-Muhammadan)	860	400	47	1,038	Uncontested	..	
2	Punjab Sikhs	865	Uncontested	.	519	379	73	
3	East Punjab (Muhammadan)	262	173	66	1,082	713	66	
4	West Punjab (Muhammadan)	423	265	63	..		..	
	Contested Total ..	1,545	838	54	1,601	1,092	69	

Council of State.

STATEMENT No. 12.—*Detailed Return showing the result of Elections to the Council of State in the Punjab.*

(Paragraph 100 of Chapter II.)

Nature and name of constituency.	Candidates nominated.	No. of votes on the electoral.	Number of votes polled.		Name of member or members returned.	Percentage of votes polled.
			Valid.	Invalid.		
	1920.					
Punjab (Non-Muhammadan).	1. The Hon'ble Rai Bahadur Lala Ram Saran Das, C.I.E., of Lahore. 2. Diwan Bahadur Lala Pindi Das, Sabharwal. 3. Rai Sahib Moti Sagar .. 4. Diwan Sant Ram .. 5. Rai Bahadur Dr. Hira Lal .. 6. Mr. Harkishan Lal .. 7. Dr. Nand Lal .. .. 8. Mr. Ganpat Rai .. .. 9. Rai Bahadur Hari Chand ..	860	399	1	The Hon'ble Rai Bahadur Lala Ram Saran Das, C.I.E., of Lahore.	47
Punjab (Sikh) ..	The Hon'ble Sardar Jogendra Singh of Iqbalnagar, Montgomery district.	365	..	..	The Hon'ble Sardar Jogendra Singh of Iqbalnagar, Montgomery district.	..
East Punjab (Muhammadan.)	1. The Hon'ble Khan Sir Zulfikar Ali Khan, Kt., C.S.I., of Lahore. 2. Khawaja Ahad Shah .. 3. Khan Bahadur Maulvi Inam Ali. 4. Chaudhri Sher Muhammad Khan.	262	173	..	The Hon'ble Khan Sir Zulfikar Ali Khan, Kt., C.S.I., of Lahore.	66
West Punjab (Muhammadan).	1. The Hon'ble Colonel Malik Sir Umar Hayat Khan, Tiwana, K.C.I.E., C.B.E., M.V.O., of Kalra, Shahpur District. 2. Khan Muhammad Aslam Khan. 3. Khan Bahadur Sardar Jamal Khan.	423	254	11	The Hon'ble Colonel Malik Sir Umar Hayat Khan, Tiwana, K.C.I.E., C.B.E., M.V.O., of Kalra, Shahpur District.	63
	Total ..	1,910	826	12		
	1925.					
Punjab (Non-Muhammadan).	1. Rai Bahadur Lala Ram Saran Das, C.I.E., of Lahore 2. Dr. Nand Lal, Bar.-at-Law, (withdrew).	1,038	..	..	Rai Bahadur Lala Ram Saran Das, C.I.E., of Lahore.	
Punjab (Sikh) ..	1. Sardar Jogendra Singh of Iqbalnagar (Montgomery). 2. Baba Kartar Singh, Bedi, of Montgomery.	519	368	11	The Hon'ble Sardar Jogendra Singh of Iqbalnagar (Montgomery).	73
East and West Punjab (Muhammadan).	1. Nawab Sayyad Muhammad Mehr Shah of Jalalpur (Jhelum). 2. Khawaja Ghulam Yasin, Bar.-at-Law, Amritsar. 3. Khan Sahib Raja Muhammad Ikram Ullah Khan, Wazirabad, district Gujranwala (Rejected).	1,082	702	11	Nawab Sayyad Muhammad Mehr Shah of Jalalpur (Jhelum).	66
	Total ..	2,639	1,070	22		

CHAPTER III.—The Legislative Council.

SECTION A.—Composition and Character.

Constitution.

1. Under the Punjab Electoral Rules the Legislative Council of the Governor of the Punjab is composed as follows :—

Nominated			23
(*a*) Members of the Executive Council ..	2		
(*b*) At least seven non-officials, including two representatives of the European and Anglo-Indian communities, one of the Indian Christian community, one representing the Punjabi officers and soldiers of His Majesty's Indian Forces and one representing the labouring classes	7		
(*c*) Not more than 14 officials	14		
Elected			71
Ordinary		64	
(*a*) Non-Muhammadan, Urban	7		
(*b*) Non-Muhammadan, Rural	13		
(*c*) Muhammadan, Urban	5		
(*d*) Muhammadan, Rural	27		
(*e*) Sikh, Urban	1		
(*f*) Sikh, Rural	11		
Special		7	
(*g*) Landholders, General	1		
(*h*) Landholders, Muhammadan	1		
(*i*) Landholders, Sikh	1		
(*k*) Biluch Tumandars..	1		
(*l*) University	1		
(*m*) Commerce	1		
(*n*) Industry	1		

The number of nominated members was increased from 22 to 23 in the third Council to provide for a representative of the labouring classes. This increased the minimum number of non-official nominated seats from six to seven, and as a matter of fact one more was added at the expense of the official *bloc*.

2. Thus communally there are 34 Muhammadan seats (counting Tumandars), 21 Hindu seats (counting non-Muhammadan constituencies and Landholders, General, as practically Hindu), 13 Sikh seats, and 3 indeterminate. These last have in practice been held by two Hindus and one European, and if we take these into account, and the non-official nominated members, the non-official seats are 34 Muhammadan, 23 Hindu, 13 Sikh and 4 Christian, with 3 (or in the last Council, 4) indeterminate. Reckoning the representatives of the University, Commerce and Industry as urban, and of the Tumandars as rural, the distribution of the elected seats as between rural and urban interests is 55 to 16.

The first Council.

3. In the first Council the representatives of 64 ordinary urban and rural constituencies were, as was to be expected, 32 Muhammadans, 20 Hindus and 10 Sikhs. The 7 other electoral constituencies were filled up as follows :—Hindus 3, Muhammadans 2, Sikhs and Christians 1 each. Out of these 71 elected seats, 39 were filled by land-owners and 24 by lawyers.

4. The 6 nominated non-officials were 2 Sikhs, 1 Muhammadan and 3 Christians. The Muhammadans thus had 35 non-official members, the Hindus 23, Sikhs 15 and Christians 4. One Muhammadan member, Khan Bahadur Mian Fazl-i-Husain, and one Hindu, Lala Harkishan Lal, were selected as Ministers, the latter being representative of Hindu urban and industrial interests. Of the elected members, about 50 out of the 71 belonged to tribes notified as agricultural. The Muhammadans in the Council formed an organised group which was on most questions prepared to follow the guidance of the Muhammadan Minister ; this group, when supported by the official *bloc*, commanded a majority in the Council. One item of his policy, namely, the fixation of a proportion of

Muhammadan entrants into certain educational institutions and services and the extension of the existing scheme of communal representation on local bodies, was opposed by the Hindus, and 18 Hindu and 8 Sikh members of the Council, out of 23 Hindus and 15 Sikhs, presented a memorial to the Governor, protesting against this application of the principle of communal proportions. This was followed up by a vote of censure moved in the budget debate of 1923, in a motion for the reduction of the salary of the Muhammadan Minister. This was defeated by 50 votes to 23. The majority was composed entirely of the official *bloc* and of Muhammadans, with the Hindu Minister and 3 Christians. The minority consisted of 13 Hindus and 10 Sikhs. The feeling aroused on this subject was accentuated by the effect of the Malabar disturbances and the communal rioting at Multan, Amritsar and other large cities, and the strength of the feelings aroused became manifest when the passing of Punjab (Courts) Amendment Act, 1922, was made the occasion for an attack by Muslim members on the High Court, where Hindu interests were alleged to predominate. This also appeared in the opposition of the Muhammadan members to a Bill put forward by the Hindu Minister to facilitate the acquisition of land for industrial purposes. The cleavage between rural and urban interests made itself apparent here, as the measure was represented as a covert attack on the Land Alienation Act. Another measure which had an interesting bearing on the composition of the first Council was that introduced in November 1922 in the hope of settling the problem of the Sikh Gurdwaras. The Bill was introduced by the Muhammadan Minister and was supported by all the Muhammadans except 2 and the official *bloc* : it, however, came forward at a time when the Hindus were anxious to obtain Sikh support and were prepared on that account to support Sikh objections to the Bill. The Bill was opposed by all the Hindus and Sikhs ; and the Sikh member of the Executive Council and the Hindu Minister abstained from voting on the final division, the Bill being carried purely by the official and Muhammmadan vote. At a later stage of the Council sitting, however, the Muhammadans assisted to support a resolution recommending the immediate release of certain Sikh prisoners which was passed against Government. The Sikh members in all questions affecting their community voted in accordance with the orders of the Shromani Gurdwara Parbandhak Committee, which was by this time recognized as leading the greater or at any rate the more active part of the Sikh community. In general matters affecting the administration the first Council was prepared to co-operate with Government, and could take credit for an attitude in dealing with certain questions, such as the release of martial law prisoners or the removal of the application of the Seditious Meetings Act, which showed readiness to take responsibility for an unpopular course.

The second Council (1924)

5. The composition of the second Council was as regards the 71 elected seats precisely the same communally as that of the first ; 31 were lawyers and 31 landowners. The nominated non-official seats were given to 3 Christians (as before) and 2 to Muhammadans and one Sikh, thus temporarily raising the total representation of Muhammadans by one at the expense of the Sikhs. The greater portion of the Muhammadans combined with certain agriculturist Hindus and some of the Sikhs to form a party which in 1923 became known as the Punjab National Unionists, and was pledged to support rural interests. Of the two Ministers one was, as before, a Muhammadan and one a Hindu ; the former being Khan Bahadur Mian Fazl-i-Husain, as in the first Ministry, but the latter, Rai Bahadur Lal Chand, was a rural Hindu and belonged to the Punjab National Unionists' party. On his being unseated in an election petition, his place was taken by Rai Sahib Chhotu Ram, also a rural Hindu, and a member of the party. Later, in 1926 when Sir Fazl-i-Husain took the place of Sir Sundar Singh, Majithia, as member of the Executive Council, a Sikh Minister, Sardar Jogendra Singh, was appointed, with the view of securing a representation of the Sikhs in Government. The Ministry now consisted of one Hindu, who led the Unionist party, and one Sikh. Of the remaining elected seats, 12 were held by professed Swarajists, 3 by Khilafatists, 9 by Sikhs, who were nominees of the Shromani Gurdwara Parbandhak Committee, and the balance by members who called themselves Independents. The small Swarajist group was practically the only new feature that distinguished the second from the first reformed Council.

In the second Council, as in the first, the Muhammadans, with the exception of the three Khilafatists, at the outset were practically solid in adherence to the Punjab National Unionists' party. During 1926, when the Ministry, as explained above, contained no Muhammadan, this party showed, perhaps, somewhat less cohesion, but most of the rural Hindu members and a few Sikhs usually voted with the Muhammadan rural members, constituting a Unionist majority which, generally speaking, gave ready support to the Ministry as representative of the rural interests, which the party upheld. The majority of members of this party were men of the yeoman type, on the whole conservative in their general outlook, shrewd in practical matters and consistent in their efforts to promote the interests of the small yeoman and land-owners' class. It may be said of the second reformed Council, as of the first, that it represented the more moderate current of public opinion in the province, and that its relations with the Executive were on the whole harmonious. Though occasionally led into a definite vote against Government, as for instance, in a resolution (carried by a large majority) recommending the release from jail of the extremist Zafar Ali Khan, it approached most questions in a spirit of moderation, though of course holding itself free to criticise Government measures affecting the particular interest of the predominant party in the House. For example, on the question of the enhancement of canal charges, the general feeling of the rural party was one of steady opposition, but the tone of the speeches was always moderate; it should be noted that as a result of this opposition, Government itself saw reason to make considerable reducations in the proposed scheme of enhancement. A non-official resolution urging the removal of the statue of Lord Lawrence at Lahore was defeated by a substantial majority after a lively but by no means heated debate. The proposals of the Muddiman Committee were condemned as inadequate after a debate in March 1925, but the speeches were restrained. The Council was always ready to support any scheme promising an improvement in the social or material conditions of the province. What may be called the regular opposition consisted of the Swarajists, the Khilafatists and a few other Hindu and Sikh members, but this coalition was not strongly organized and not always unanimous or consistent in its attitude. The growing feeling between the Muslims and Hindus had of course its effect on the proceedings of the Council, and there were towards the end of the Council few debates in which the communal tone was not prominent. It is true that to some extent communal differences were mitigated by the existence of another line of cleavage, namely, that between urban and rural interests. But on the other hand on many subjects "rural" has come to be broadly interpreted as connoting Muslim and "urban" as connoting Hindu interests, and where urban and rural interests clash the discussion is liable to take a communal tone. On most communal subjects the Sikhs ranged themselves on the side of the Hindus, as is natural, though their interests were not always identical, as, for example, in the matter of Gurdwara reform. Communal feeling in the Council probably reached its highest point in the debates that took place on the Money-lenders' Bill in July 1926, a few weeks after the rioting at Rawalpindi, which had resulted in many fatalities and much destruction of property.

The third Council (1927).

6. In the third Council communal representation in the elected seats was the same as in the second. The nominated unofficial seats were raised to seven to provide for a representative of labour, and were further strengthened by one at the expense of the official *bloc* and were held by three Christians, two Sikhs, one Hindu and two Muhammadans. Agricultural tribes were represented by about 50 members. Politically the change was considerable. The Swaraj party practically disappeared, and in its place appeared a Hindu party which was in much closer touch with Government; it may be said to have been representative mainly of urban interests. The Punjab National Unionist party, the formation of which has been explained in paragraph 5, returned to this Council in very nearly the same state as in the second Council; it included, as before, a small group of rural Hindus, but in reduced numbers. In view of changes in the composition of Council, and in particular of the changed attitude of the main Hindu party, the Ministry was now reconstituted on a basis of three instead of two Ministers. The National Unionist party was represented by a Muhammadan, Malik Firoz Khan, Noon; the former Hindu Member, Rai Sahib

Chaudhri Chhotu Ram, belonging to the small rural Hindu group in that party, gave place to Mr. Manohar Lal as a representative of the major Hindu party in the Council; the Sikh Minister, Sardar Jogendra Singh, who though not a member of the National Unionist party, had in the previous Council obtained general support from it, retained his post in the Ministry. A small body of Muslim, Hindu and Sikh members, representative of what had been known as the Khilafatists in the previous Council, some of the remaining Swaraj members, and some of the "Akali" Sikhs, now appeared under the name of the Nationalist party. It consisted of some ten to twelve members, belonging to the extreme wing of politics, and was consistent in its opposition to Government. A vote of want of confidence, moved by the leader of this party early in the session, did not meet with the necessary support to enable it to be introduced. The House, on the other hand, passed a resolution in favour of the unconditional release of the Akali prisoners. The communal disturbances of May 1927, as was to be expected, gravely exercised the minds of the Council in its summer session. The general tone of the Council was one of anxiety that Government should take the lead in putting an end to communal strife though, even during this discussion, there was still much insistence on communal points of view.

Formation of parties.

7. We may say with truth that the working of parties within the Council has not yet been developed on lines as definite as those attained in some European countries. The opposing claims of rural and urban interests, or even indeed policies inspired by the demands of different communities, form a basis for the foundation of a party system, and, indeed, the former has, as a matter of fact, resulted in the constitution of the party which has most consistently maintained its existence in the Council, namely, the National Unionist party. While, however, we have had the beginnings of a party system, its crystallization into the more rigid lines of division on the English model has been checked by other factors. Thus, for example, the Gurdwara agitation for a time prevented the Sikhs, absorbed purely in that issue, from definite association with any of the other main parties in the Council; the non-co-operation campaign had a somewhat similar effect for a time on many of the Hindus. There are besides two factors of considerable importance which have tended to prevent the development of a full party system. The existence of the official *bloc*, holding an important position in a Council which, at all events from the communal point of view, may be said to be somewhat evenly balanced, in itself militates against this development, since its weight is thrown into the scale to support Ministers when their policy is in accord with that of Government. Again, the fact that in the Punjab it has been thought advisable, on grounds of general policy rather than in the interests of Council working, to find representation either in the Ministry or the Executive Council for each of the three major communities, introduces a factor tending to check evolution on strict party lines, for Ministers in that case, though they may succeed in gaining the general support of the Council, and have in fact so succeeded, do not, as a body, necessarily represent any one predominant party in the House. It must however be observed that this would not necessarily preclude a Ministry representing all the three communities being constituted from one party. In a condition of party organisation still somewhat indeterminate smaller groups are constantly appearing and disappearing. On an important division a party can generally count on the vote of most of its members; but on less vital occasions "caves" are not unknown and absenteeism not uncommon. Party discipline is not yet as rigid as in the British Parliament. The most recent development of parties in the Council is one which took public shape on the occasion of the visit of the Indian Statutory Commission to Lahore. The Commission received in deputation 34 members representing the Punjab National Unionist party, of which 3 were Sikhs, 4 rural Hindus and the rest Muhammadans. It also received a deputation of 13 members as representing what would seem to be a newly constituted party, namely, the National Reforms party, of whom all were Hindus.

The official *bloc*.

8. The only party, if it may so be entitled, which is under really rigid discipline, is the official *bloc* of 14 votes. If the theory ever existed that official members

were at liberty to speak and vote as they pleased, it has passed away. On one occasion a Minister in charge of a department commented on the value of the statistics furnished by the department. The head of the department asked the chair if the Minister was in order, and subsequently voted against him. This was an exceptional case ; the action taken was contrary to the spirit of discipline regulating the conduct of the services, and no similar case has since occurred. The situation is more difficult when an officer is called on to vote against his convictions on a matter in which he is in no way officially concerned ; members of the technical services have in particular felt the position to be irksome ; on the other side the existence of a phalanx of votes impenetrable to argument has been a source of some irritation. Nevertheless, on the whole, the situation has been faced on both sides with good humour as an illustration of the difficulties of what is after all confessedly a transitional state. At any rate the practice of issuing official " whips " to the official members and requiring them to vote to order in particular cases, at first restricted to important cases involving a vote of censure on the Government, or a vital matter of policy, has finally become stereotyped and amounts to placing the official vote at the disposal of Ministers so long as their policy commends itself to the Governor.

The Punjab National Unionist party.

9. The Punjab National Unionist party, primarily organised to represent rural interests, grew out of the group, mainly Muhammadan, which as shown in paragraph 4, followed Mian, now Sir, Fazl-i-Husain, in the first Council. It was formerly organised during the elections of 1923, and from the first showed a greater sense of cohesion and continuity than any of the other parties formed from time to time in the Council. The party has been strong enough to secure that the interests of the rural community should be kept prominently before the notice of the Council and of the Executive Government and its pressure has undoubtedly influenced the policy of Government in its attitude to these interests. To a very considerable extent also Government has been dependent on the support of this party for such success as has been attained in Council working, for the combination of the votes of the party with those of the official *bloc* could always secure a predominance in the Council. While it is predominantly Muhammadan, it has since 1923 contained also a small group of rural Hindu members ; these were first under the leadership of Chaudhri Lal Chand and subsequently of his successor in the Ministry, Chaudhri Chhotu Ram, and came chiefly from the east of the province. In the second Council, this group found itself in opposition to the Hindu members who had come into Council under the influence of the non-co-operation movement : as time went on, however, and as the non-co-operation movement steadily declined in force, the rank and file of the Hindu urban party began gradually to abandon its attitude of non-co-operation with Government and to interest itself in administrative measures. At the same time communal bitterness began to assume prominence, both in the Punjab and in other provinces. Owing to these tendencies, the position of the small rural Hindu group became more difficult, for the line of cleavage with the major Hindu party naturally became less clearly defined. After the general election of October 1926 it became evident that the bulk of the Hindu members returned, who had dissociated themselves from the policy of non-co-operation, would not support Chaudhri Chhotu Ram in his policy of sympathy with the National Unionist party, and that his own small group of supporters would be very small in number. It was in these circumstances that Chaudhri Chhotu Ram gave place as Minister to a representative of the bulk of the Hindu party in the Council.

The Sikh Party.

10. The Sikh party at the inception of the Council was in alliance with the Hindu party in the House ; but the troubles arising from the Gurdwara agitation, which assumed an acute form in 1921, speedily forced it into a somewhat special position of its own. Henceforth, it became a strongly combined party, under firmer discipline, than any other group in the House ; but it was under the discipline of a power outside the Council which at times refused to recognise the elected members as representative of the Sikh community. This rendered the party practically impotent for the purpose of working on Parliamentary lines. The position of the Sikh Minister, who was appointed at the beginning of 1926,

was also one of some constitutional interest. He was able to maintain his position in the Council by his generally recognised keen interest in agricultural and rural development, which commended itself to the National Unionist party. The Sikh members alone could not have afforded him the support necessary for a Minister, nor were they in continuous agreement with the National Unionist party, from which the Minister derived his main support, and his position would have been difficult if had he not been able to secure support, as he succeeded in doing, from other parties as well. The Sikh group as a whole occupied an anomalous position. By origin and predilection they were in favour of agricultural and rural development, and on these questions were in sympathy with the National Unionist party. At the same time many of the members of the group on certain political issues had a greater affinity with the extreme Hindu group, and on the communal aspects of certain questions had a preferential leaning to the Hindu point of view. If the Sikhs had been able to give effect to these predilections, they would on many occasions have been asked to exercise considerable if not decisive influence on the voting in the Council ; but their obligation to follow the orders of the Shromani Gurdwara Parbandhak Committee prevented them from exercising a free judgment on matters of common interest. The passing of the Gurdwaras Act of 1925, which solved most of the problems which had arisen in the course of the Gurdwara agitation, did not entirely alter the attitude of the party ; it still remained under the influence of the Parbandhak Committee, but its discipline became somewhat looser, and several members were detached from it.

The major Hindu party.

11. The major Hindu party has appeared in various guises during the three Councils. In the first Council all that could be predicated of it was that it represented the urban side of Hindu politics drawing greater or less accession of strength from the rural members according as the issue raised was communal or involved rural-urban differences. Its general opposition to Government policy involved it also at times in antagonism to the Ministry. In the second Council we find the central place in this party taken by the Swaraj group of 12 members. At the beginning of the life-time of the second Council this group was consistent in its opposition to Government : in fact on the first occasion on which the Council met on the summons of His Excellency the Governor on January 2nd, 1924, the whole group, together with a few other Hindu and Sikh members, absented themselves as a protest against Sir Edward Maclagan's selection of Ministers. During the same session one of the leading Swarajist members explicitly advocated the rejection of all Government's supplementary demands for grants, in order to compel the Governor to employ his powers of certification. It must, however, be remembered that at this date (the beginning of 1924) the Gandhian policy of non-co-operation, though gradually declining, was by no means dead. As time passed on, the attitude of the Swarajist party underwent a gradual modification, possibly because it felt that there was but little sympathy among other parties in the Council with its policy or methods, and partly perhaps from a realisation that its attitude of hostility might result in forcing Government into the arms of the Punjab National Unionist party. From an uncompromising opponent of Government the Swarajist group, which possessed undoubted debating capacity, became first a destructive, and later a more discriminating critic. Certainly before the Council was dissolved, the policy of non-co-operation had practically faded out of sight. It is true that in March 1926 eight members of the party, acting on instructions from Pandit Moti Lal Nehru, " walked out " as a protest against the failure of Government to grant a further instalment of reforms. But as a political gesture this demonstration fell flat. The members returned to the Council in the following July. In the third Council the Swaraj group practically disappeared and the party returned to the position of one generally representing Hindu urban interest, and in communal issues representative of Hindu interests generally. The Hindus in the Council, therefore, at present are to be found in three groups, the majority being in the main Hindu party to which reference has been made in the above paragraphs ; a few rural members from the group allied to the National Unionist party which is referred to in paragraph 9, and there is a further small group which has joined the Nationalist party.

Connection of members with their constituencies.

12. The residential qualifications in force for the election of the first Council, whereby the members, rural as well as urban, had to reside within their constituencies, imposed some restrictions on the choice of candidates. And although the residential qualification has been removed, its effects have remained. To a very great extent the constituencies have continued to send to the Councils members in touch with local interests, and this is particularly the case in the rural constituencies. The urban members are for the most part lawyers, many of whom are also owners of land with a certain number of commercial men and retired officials. Political meetings at which candidates or representatives address their constituents are of rare occurrence, save on the eve of an election, while the election address is by no means universal. There is seldom a recognised opposition candidate for a constituency except at the time of election, nor is there as a rule anything corresponding to the operation known as nursing a constituency. The influence of electors on members is indirect in its operation. When communal feelings are aroused it is very strong. For example, during the long drawn negotitations on the subject of the Gurdwara Bill the Sikh members were unable to support any action which had not the approval of the Sikh leaders outside the House, and that on pain not merely of loss of their seats at the next election, but of condemnation on religious grounds. It would be very difficult at a time of communal tension for an elected member to record his vote against the feelings of his constituents. The same is true in other matters where interest is widespread. There is sufficient class consciousness among members of agricultural tribes to prevent the rural representatives doing anything remotely to awake the suspicion that the Land Alienation Act is being tampered with. On the other hand, the representative seldom canvasses the views of the constituency on any project of legislation before the Council. He knows what they are on the broad communal or sectional issues, or on projects of taxation ; we have not as yet arrived at the stage when he will seek to undertake the task of converting his constituency to an unpopular view, though this is being attempted now. The group with the most clearly defined political programme was the Swaraj group of the second Council, and the disappearance of that party may be attributed to the fact that its programme, largely an importation from outside the province, was somewhat of a burden in dealing with the communal issues which were at the moment of greater practical interest. There are no party funds in the ordinary sense of the word. The tie of the member to his constituency is then chiefly personal, although in some agricultural constituencies tribal considerations have weight. The number of questions and resolutions dealing with local and even personal matters is a sign of this relation.

The extent to which the Council represent and react on current public opinion.

13. The extent to which the proceedings of the Council react on current public opinion is not always easy to gauge, as except in the actual Council Hall, practically the only vehicle for the expression of public opinion that exists in the Punjab is the Press. With a few notable exceptions, the Press largely represents those elements in society generally marked in the past by hostility to the British Administration. Of recent years this hostility has to some extent yielded its place as the principal subject of public discussion to communal topics and the merits of matters under discussion, and of the Reforms procedure generally, have been tested largely by communal considerations. Indeed the criticism of the Administration itself and its actions turns largely on its attitude to communal questions. It would probably be correct to say that the Press has had more influence on the expression of opinion in Council than the debates in the Council have had on the Press. Nevertheless, public interest in the proceedings of the Council tends continually to increase. The area of political consciousness is rapidly growing, and though this consciousness so far as the Punjab generally is concerned often finds its interest rather in the problems of practical administration than in theoretical politics, it may justly be claimed that the Council has played an important part in stimulating the general interest outside its walls in those problems and in fostering the growth of the sense of political responsibility. It has proved to be a potent factor in focussing public attention on the many important schemes of development, both social and material, which the improving finances of the

province have enabled it to undertake in recent years. Whatever other results the Reforms Scheme may have attained, it has most certainly had an educative effect, and has interested in constitutional and political questions large numbers of persons who had hitherto held aloof from this sphere of activity. The access of these fresh elements, largely representing classes with a considerable stake in agriculture and commerce, must tend to have a healthy and steadying effect in politics.

SECTION B.—LEGISLATION.

Government legislation.

14. Up to the end of 1927 fifty-six Government Bills appeared before the House. Two are still pending: three were dropped or not proceeded with: leave was refused to introduce two: and two were lost. The remaining forty-seven became law, resulting in one Act of 1921, eleven of 1922, five of 1923, four of 1924, nine of 1925, fourteen of 1926, and three of 1927. Of the forty-seven Government Acts all except two were passed without a division. The exceptions were the Punjab Village Panchayat Act of 1921 which was passed early in the first Council after somewhat lukewarm urban opposition, and the Sikh Gurdwaras and Shrines Act of 1922 which was passed by a combination of official and Muhammadan votes, as has been already related. There were seven Government measures rejected or not proceeded with (1) leave to introduce the Punjab (Urban Property) Rent Regulation Bill was refused in August 1922, the measure being opposed, though on different grounds, both by rural and urban interests and (2) the Punjab Acquisition of Land (Industrial) Bill, a Bill to facilitate acquisition of a clear title to land bought for industrial purposes was dropped a little later on account of opposition from rural members. (3) A Bill to amend the Court-fees Act in order to raise the valuation of land was lost in 1924. Government did not proceed with (4) the Punjab Borstal Bill on account of an amendment carried against it deleting the punishment of whipping. This amendment was carried by 36 elected votes against 16 official, 3 nominated and 6 elected. In consequence of this action of Government an allied measure (5) to provide for the release of adolescent convicts was lost without a division being taken. (Government subsequently reintroduced in the third Council the Borstal Bill, accepting the amendment of the Council, while making a small compensating change and this Bill and the Probational Release Bill were carried). (6) The Punjab Land Revenue Amendment Bill was not carried to a final stage but was reintroduced in the third Council, and is now pending. Finally, (7) leave was refused in July 1927 to introduce a Bill to amend the Court-fees Act.

Private Bills.

15. The seven private Bills were really three: three of them being Bills amending others and one being dropped and reduced in another form. The first Council saw the introduction of a private Bill to reduce the period of limitation in suits to recover money lent to three years. This was carried with only four dissentient votes.

16. Two private Bills of great importance were introduced in the lifetime of the second reformed Council. The first of these, which was passed into law as the Sikh Gurdwaras Act, 1925, belonged to a transferred subject in charge of the Ministry of Education. This Bill, though in form a Bill introduced by a private member, was in fact the result of an understanding arrived at between Government and the Sikh members as regards the future regulation and management of Sikh shrines. It is a long and complicated measure of 148 sections and 4 schedules, and the services of the Government draftsmen were placed at the disposal of the private member in charge of the Bill. In fact its provisions owed much of their inspiration to the efforts for the settlement of this difficult question, which for several years had been a menace to the peace and prosperity of the province, of permanent officials who had interested themselves in the matter. The Bill was subjected to very close examination by a strong and representative select committee during the summer of 1925. The Sikh members of this committee for the most part represented the interests of the Sikh reforming section. Interests antagonistic to these views, *i.e.*, those of the *Mahants* or hereditary guardians of the shrines, were represented on the

select committee by certain Hindus, while Muslim members helped the Ministry and Government to uphold the general principles of what appeared to them to be a reasonable and fair settlement. The general principle of the Bill was that the control of Sikh religious buildings and their endowments should vest in the congregations. The atmosphere of the select committee was one of mutual good-will and tolerance, all parties making concessions in order that there should be no impediment to the passage of this measure, which was generally felt to be a satisfactory solution of an agitation which had continued for some years. Eventually the select committee presented a unanimous report and the Bill was passed in Council after a prolonged and occasionally acrimonious debate but without a single division. It is not too much to claim that it robbed the Akali agitation of most of its force. The Bill dealt with an extremely difficult subject and one in which the 'reserved' subjects of law and order and revenue as well as the maintenance of order were inextricably mixed. Its handling by the Council showed that the Council was prepared to act in close co-operation with the administration in meeting an extremely serious situation.

17. The second private member's Bill was one introduced by a member of the National Unionist party providing under penalties for the registration of money-lenders, imposing on them an obligation to keep their accounts in certain prescribed forms and limiting the rates of interest to be charged on loans. The Bill as originally proposed gave rise to very keen opposition on the part of the Hindu party especially those representing urban constituencies; but the support accorded to it by the National Unionist party was equally keen. The Bill was considerably modified after its first introduction and finally passed by the Council in the summer session of 1926 after a series of heated debates extending over several days. His Excellency the Governor felt himself constrained, after careful consideration, to withhold his assent to this measure, while acknowledging that a measure for regulating the keeping of accounts was necessary, and promising to bring in a Government Bill for that purpose.

Attitude towards taxation.

18. The attitude of the Council as regards measures for raising taxation will be dealt with in the section relating to the financial authority of the Legislature. It passed Bills raising Court-fees and other stamp duties in 1922, and in 1924 a further Act to impose special taxation on the transfer of immovable property in towns, and also an Act to impose a tax on motor vehicles in 1926. It further amended the Court-fees Act. On the other hand, it rejected (1924) a Bill to raise the rate of valuation of land for the purposes of Court-fees, and refused, in 1927, to allow another amendment of the Court-fees Act to be introduced. The object of the Bill was not fiscal, but it was rejected on fiscal grounds.

Attitude towards other matters.

19. As regards legislation dealing with other matters than taxation, out of fifty-six Government Bills only seven were defeated, so it is clear that there was no general desire to obstruct. Moreover, two out of these seven were only defeated on account of a difference of opinion between the Council and the Government on one particular matter, on which Government gave way and the Bills were subsequently re-introduced and passed. The two Bills concerning Rent Regulation and Acquisition of Land were defeated in the circumstances already noted in paragraph 14. Two of the remaining which were lost were taxation Bills and the third was lost on the ground that it was really fiscal. The only legislation of a communal character, strictly so-called, were the Bills dealing with the *Gurdwaras*, of which one was carried against the Sikhs by the Muhammadans supporting the Government and the other was passed unanimously. The opposition to the Regulation of Accounts Bill took a communal form, partly because the creditor is mainly a Hindu, and both the attack and defence felt that they were supporting the cause of their community. But the opposition also found many of its arguments in the acknowledged difficulty of working the provisions of the Bill in the form in which they were drafted.

Extraordinary legislative powers.

20. The Punjab has not had any resort to regulations, ordinances or other extraordinary legislative powers. It may, however, be noted that the Frontier Crimes Regulation, which applies to the Dera Ghazi Khan and Mianwali districts and

part of the Muzaffargarh district, was amended by the Frontier Crimes (Amendment) Regulation, VII of 1926. The amendment in question related to the interpretation to be put on section 337 of the Criminal Procedure Code regarding the tender of pardon in cases triable under the Frontier Crimes Regulation.

SECTION C.—RELATIONS WITH THE EXECUTIVE.

Control of legislation.

21. The control of the Government of India over provincial legislature is dealt with in a later chapter of this memorandum.

Power of certification.

22. There has been no case in which the Governor has exercised his power of certification under section 72-E., and the only Bill to which assent has been refused by the Governor is the " Punjab Regulation of Accounts Bill, " to which reference has been made in paragraph 17. Two Bills, the Sikh Gurdwara Bill and the Punjab District Board Amendment Act, were reserved by the Governor for the consideration of the Governor-General, who assented to both the Bills. The Bills were reserved as consent and previous sanction had not been specifically given under clause (3) of section 80-A.

Control of the Legislature over the Executive.

23. The power of the Legislature to control the Executive will be examined more in detail in the sections which deal with the financial authority of the Legislature and its influence, and it has of course been referred to in the preceding sections on the composition and character of the Legislature and Legislation. As regards the control of the Legislature over Ministers in " transferred " subjects, this also will be referred to at a later stage.

SECTION D.—FINANCIAL AUTHORITY OF THE LEGISLATURE.

The preparation of the Budget.

24. The Legislature of the Punjab is not in practice confined to the task of voting on the demands laid before it by the Executive Government. Through its Standing Finance Committee it takes an important, though advisory, part in framing these demands. This Committee consists of the Member for Finance as Chairman, the Member for Revenue, the Ministers and the Financial Secretary, *ex-officio*, and a majority composed of elected members of the Council chosen by such members. It has not been thought either feasible or necessary to place the whole of the Budget before this Committee. The Budget under each head is divided into two portions, comprising, respectively, ordinary and new expenditure. Ordinary expenditure is that which is required to maintain the existing operations of Government. It is not variable except as the result of a deliberate measure of retrenchment, an undertaking which cannot be carried out in the course of the preparation of the budget, requiring as it does a special examination of each department to be retrenched. The preparation of these estimates is therefore left to Finance Department working on the material supplied by the various departments. The portion of the Budget which is strictly volitional is that in which it is proposed to launch out in new directions or to extend the operations of Government in existing directions. Before placing any item of such new expenditure in the Budget it has become the practice to consult the Standing Finance Committee. The fact that the Committee advises in favour of a particular project does not necessarily imply that it will find a place in the Budget. That depends on the final calculation of the surplus available for new expenditure and its allocation between the two sides of Government. But what is ensured is that no new charge is normally placed in the Budget without the approval of this Committee. This is not an absolute rule. The functions of the Committee are strictly advisory, and the Executive Government retains the right to include an item of new expenditure in the Budget against the advice of the Standing Committee. But as the Standing Finance Committee usually contains representatives of more than one party in the House, there is, *prima facie*, a likelihood of general opposition in Council to any new item of expenditure which has been included in the Budget against its advice.

The presentation of the Budget.

25. The allocation of the available surplus having been determined in the manner described elsewhere, the new expenditure is then, as described in the preceding paragraph, placed before the Standing Finance Committee, and the Finance

Department completes the Budget for presentation to the Council by the Member for Finance. There is no statutory provision regulating the number of grants into which the Budget is divided, but in ordinary practice a separate demand is made in respect of the grants proposed for each department. Grants for Reserved and Transferred subjects are never included in the same demand. The Legislative Council rules provide that the Budget shall be dealt with in two stages (1) general discussion, (2) demands for grants. A number of days, generally 8, having been fixed by the Governor for the purpose of dealing with the Budget, it is presented by the Member for Finance with a speech which sums up its leading features and the financial situation generally. The debate is then adjourned for a few days in order to enable members to master the subject, after which it is resumed in the form of a general discussion which normally lasts two days. Finally, the demands for grants are laid before the Council by the Member or Minister in whose portfolio each occurs: and all demands not disposed of at 5 P.M. on last of the days fixed are put to the vote in succession without further discussion.

Attitude towards demands.

26. The attitude of the Council towards demands for grants has shown a marked development due to several causes. One is the growth of a Parliamentary sense. In the first four budget sessions of the Council there was a strong tendency for the Council in discussing the Budget to resolve itself, as it were, into a committee of the whole House and deal with it in detail. Innumerable petty reductions were proposed, most of which were negatived after explanation, and it was not until the Budget for the year 1925-26, that we find a change for the more Parliamentary procedure by which debates on the Budget are raised in the form of token reductions with a view to raising discussion on important matters of principle. Thus, while reductions were made of some 7 lakhs in 1921, 39 in 1922-23, 27 in 1923-24, and 16 in 1924-25, in the following years very few substantial reductions were made. At the same time it is proper to note that this change of policy coincided with the improvement in the provincial finances and also in the manner in which the Budget was prepared. In the first three years the provincial finances were clouded with embarrassment and difficulties; abnormal failure of the rains caused the receipts for the year 1921-22 to be short and seriously of the sum estimated; the year closed with a deficit of over 2 crores which swallowed up the balance with which the province opened; and in the following year a loan of 60 lakhs had to be taken on revenue account. The sketchy nature of the pre-Reform provincial financial system added to the practical difficulties of Government; there was no clear separation of Capital and Revenue accounts, and the materials for an accurate forecast were wanting. The Council, therefore, reluctantly consented to the imposition of fresh taxation, and believing that the administration was conducted in an extravagant manner cut somewhat at random in the hope that economy would result. In the description which will follow of the reductions made in the first four budgets, it would appear that this policy was not always unjustified. The Council on several occasions put its finger on that great bane of finance, the tendency of departments to over-budget, and lump reductions made by them from demands were more than once justified. Moreover, Government, determined not to resort to certification, except in the last resort, made strenuous efforts to retrench, with considerable success. The Council on its part was by no means unreasonable, and was prepared to be convinced that in particular directions there was no room for economy and to vote supplementary demands. The general effect of this co-operation was undoubtedly salutary. The measures taken to get a clearer view of the financial position and to extract the province from its financial embarrassment, were, in the first place, a separation of the revenue and capital accounts with their subsidiary famine insurance and sinking fund accounts. The next step was to introduce a system whereby heads of departments controlled their budgets: the third was to retrench expenditure and the fourth to increase revenue. The first two of these steps were the function of the Finance Department. In the third, that of retrenchment, the somewhat rough and ready process above described had its justification; and in the four years ending with 1924-25 expenditure charged to revenue dropped by a crore, although that on what are by convention known as the beneficent departments rose by over 20 lakhs.

Attitude towards taxation. The first Council.

27. As regards raising revenue, the first Council displayed the greatest reluctance to the extent of negativing a Government proposal to appoint a Committee to examine methods of raising new revenue. This may have been due to the belief that there was extravagance and that retrenchment would enable Government to balance the Budget. It did, however, in view of the undertaking to effect retrenchment carried out through the appointment of a Retrenchment Committee, accept amendments of the Court-fees and Stamp Acts, bringing in an estimated increase of about 26 lakhs per annum.

The second Council.

28. The second reformed Council came into being while the financial position was still obscure; for the marked improvement that occurred during the financial year 1924-25 was not yet manifest and there was no reason to anticipate the still greater improvement, which was to take place in subsequent years due partly to real improvement of revenues, and partly to remission of the provincial contributions. While the previous Council had, as has been seen, taken on the whole, a not unreasonable line in regard to fiscal measures that were placed before it, it had in its last session rejected the Court-fees (Punjab Amendment) Bill, on which Government did not move the Stamp Amendment and Motor Vehicle Taxation Bills. In the first Budget session of the new Council certain measures were introduced to improve the financial position; but before they could be passed the rejection by the Legislative Assembly of the Finance Bill of the Government of India and the consequent abandonment of the proposals for the remission of provincial contributions, made the financial proposals of the Punjab Government inadequate for the purpose of balancing the Budget, and it was decided to revert to the alternative scheme of the enhancement of the occupiers' rates on canals. This Government had power to do by executive action. The original proposal was to provide for 80 lakhs of additional revenue. The Council, which had been apprised of this proposal in the Budget debate, showed in the discussions that it was not satisfied that the financial position of Government was as serious as was represented, and an examination of its resources and liabilities by a mixed official and non-official committee, in fact, made it apparent that the requirements of Government could be met by a smaller increase in the occupiers' rates than had at first been contemplated. A new scale of occupiers' rates was, therefore, introduced which was estimated to yield 55 lakhs of new revenue and was brought into force, with effect from the autumn harvest of 1924. It was, therefore, natural that the early attitude of the Council should be characterised by a certain amount of suspicion towards the proposals of Government, and that with a view to the avoidance of further taxation, it should have pressed for economies in certain directions. As the change in the financial position and the policy of Government became apparent, the attitude of the Council gradually changed, and, with effect from the financial year 1925-26, their sympathies were divided between two conflicting objects. On the one hand, the majority of the non-official members desired to support the Ministers in the development of their departments. Their wishes in this respect reflected the views of their constituents who, although they had not yet appreciated the potentialities of expansion in Agriculture, Medical and Veterinary relief, Public Health and Communications, were favourably disposed towards expenditure in these directions and were hearty supporters of expenditure on Education. The tendency of individual members of the Council, was, therefore, to urge the claims of the constituencies they represented and the result was to enlarge the vision of the Council as a whole in regard to the immense scope of beneficial development. On the other hand, the members felt that some relief was due to their constituents from the substantial burden of new taxation which at the time had been imposed to meet a financial crisis and not to provide funds for the development of the province. They were also doubtful as to the accuracy of the Finance Department's estimate of the financial position, and the fact that for several years the budget estimates had under-estimated receipts and over-estimated expenditure increased their doubts. Their sanction to large demands for the beneficent departments was, therefore, accompanied by claims to fiscal relief, and the main difficulty of Government was to persuade them that their wishes could not be fully satisfied in both directions. Since the beginning of the financial year 1925-26,

the policy of Government has been the compromise, at the sacrifice of as little revenue as possible, of these rival claims; reductions were made, though on a minor scale, in the canal occupiers' rates and in court and registration fees; for the rest, Government has striven to educate the Council and the constituencies to an appreciation, firstly, of the great needs of the province, and secondly, of the impossibility of satisfying them if large remissions of taxation were granted. Generally, it may be said that the majority of the members of the last Council were convinced in their own minds that development was of far greater importance than remission, but in the June session of 1926, when the question was brought to a practical issue, the value of the debate was largely discounted by the fact that the elections were only a few months distant and as a consequence the Government supplementary demand for General Administration was rejected on the ground that the remission of taxation announced by Government was inadequate.

Retrenchment, 1921-22.

29. The following are some of the cases in which the Council made substantial reductions in the demands of Government in the Budget for 1921 22 :—

One and three-quarter lakhs for certain new settlements. This was a protest against the assessment policy of Government and was susccessful in securing the postponement of the settlement till the following year.

One lakh out of 2¼ lakhs on account of Public Prosecutors' fees. The Council subsequently recognised that the expenditure was inevitable and restored the provision by a supplementary grant.

Three and three-quarter lakhs on account of various buildings.

Retrenchment, 1922-23.

30. In the Budget for 1922-23 no less than 39 cuts were made in the pursuit of retrenchment. Many of these were for quite small items. The following are important :—

Rupees 16,000 general reduction of settlement charges. Reduction of the post of Personal Assistant to the Director of Land Records. Rupees 25,000 out of Rs. 50,000 proposed for construction and repair of offices for village revenue accountants. As a matter of fact, the whole of the provision left was not utilised.

Rupees 60,000 out of the provision for district charges of Land Records. The balance proved sufficient.

Over Rs. 50,000 petty items under Excise establishments. A supplementary grant of Rs. 1,000 was given, but there was an excess of Rs. 8,000 at the end of the year over what was voted.

Rupees 64,000, on account of the discount on sale of stamps. This was meant as a protest against the discount system of selling stamps. It was eventually ruled that the expenditure was non-votable. A lump deduction of 7 lakhs was made from the budget for Forests. This proved to be less harmful than might have been anticipated for, owing to the fall in the price of timber, operations were greatly curtailed and there still remained 6 lakhs in excess of what was needed.

Rupees 6,000 were cut from the provision for the establishment of Financial Commissioners. The cut was accepted by the Financial Commissioners, but they could not carry it into effect. A similar reduction of Rs. 3,000 under Commissioners was carried into effect. No less than 1½ lakhs was retrenched under District Administration, chiefly with a view to reduce travelling allowances and contingencies, but it was not possible to effect all the economies expected. An attempt was again made to reduce the provision for Law Officers' fees, but in the end the original provision was found insufficient. An amendment was moved cutting the whole provision for the Criminal Investigation Department, but subsequently the House confined itself to a cut of Rs. 25,000. The cut had to be restored. A cut of Rs. 5,000 was made with the consent of Government in respect of the Specialist in camel diseases. A reduction of Rs. 29,000 was made in the Budget for Fisheries. This is a department of which the Council has been always extremely suspicious. The reduction was accepted by Government as a compromise and the greater part was restored by a supplementary

grant. A lump reduction of 16 lakhs under Civil Works was accepted by Government. How little effect this had on the course of spending appears from the fact that although 10 lakhs were restored the actual expenditure was 20 lakhs below the Budget as it left the Council. A reduction of one lakh under Stationery and Printing was accepted by Government, but only Rs. 60,000 of this was made good. Finally, ten lakhs were cut out of Irrigation Working Expenses. This was as the result of a compromise agreed to by Government, and, as a matter of fact, the expenditure was less by 20 lakhs than the grant as reduced by the Council.

The retrenchment committee.

31. A retrenchment committee was appointed by Government shortly after the Budget of 1922-23. It reviewed all the various departments, and besides bringing about retrenchment estimated at 27½ lakhs it was instrumental in inducing a general sense of the necessity of economy, and expenditure was in point of fact substantially curtailed all round.

Retrenchment, 1923-24.

32. The following important or interesting reductions were made in the Budget of 1923-24. Rupees 15,000 were cut on account of the Pay of Establishment recently transferred from the Forest to the Revenue Department. The House possibly did not understand the issue and the grant was subsequently restored by a supplementary demand. A deduction of Rs. 1,000 was made from the provision for Settlements in order to draw attention to grievances. This is a form of vote which later took shape as a nominal reduction. A general attack was made on travelling allowance and Government agreed to a reduction which represented 25 per cent. on the figures shown in the revised estimate of the previous year.

Under Forests the Council reduced the provision by 5 lakhs, including the reduction under travelling allowance. Again the Council were well within the mark. The department spent 6 lakhs less than the sum left to them.

Under the head of Irrigation the Council made a similar cut of 6 lakhs and with similar success, the actual expenditure being ten lakhs below the amount left.

A reduction of Rs. 8,000 was made on account of pay of four Council Secretaries. The appointment of these Secretaries had been criticised on various grounds and the reduction was carried without discussion, as the Government did not oppose it. A motion for reduction of hill allowance directed against the move of the Punjab Government to Simla was lost, so also was a motion of reduction directed at the office of Commissioner. This was lost by 46 votes to 47. The result, however, was partly affected by the fact that the only positive effect of the motion would have been to make the Government replace a Provincial Service Commissioner by one whose salary was non-votable. A small reduction was made in order to prevent the proposed transfer of a tahsil headquarters from one place to another on administrative grounds. The effect of this reduction was to hold up the transfer till a subsequent vote of the House had been obtained in its favour. A reduction of Rs. 30,000 was made on account of the fees of Public Prosecutors but it was subsequently necessary to give a supplementary grant of Rs. 1,00,000 for this purpose. The Council cut out Rs. 15,000 on account of purchase of raw material for jails and this was justified, as expenditure on jail manufactures fell short by Rs. 80,000 of the provision left. Under similar heads a reserve which had been proposed by the Finance Department to provide for grain compensation allowance in the event of an unfavourable season was cut out by the Council as it was considered, and probably rightly, that it was not necessary to make any such provision, for if the contingency arose it could be met by a supplementary demand. A reduction of Rs. 2,00,000 in the Police Department on account of pay of constables was accepted by the Government on the ground that the situation which required the recruitment of additional police had so far improved since the budget was framed that these police could be dispensed with. As a matter of fact this hope was illusory and the police had to be recruited again and a supplementary grant of nearly 7 lakhs voted. A reduction of Rs. 71,000 under 'Education' was accepted by the Government. The distribution of this was decided by Government and it resulted

in the loss of a grant of Rs. 20,000 to the University for education. The Medical grant was reduced by Rs. 1,18,000 in addition to the reduction of travelling allowance. This involved the loss of the provision for the Lady Assistant to the Inspector-General and of Rs. 94,000 for pay of assistant surgeons. The latter reduction was well justified, as there is saving of nearly 1½ lakhs under 'Medical Establishment' in the reduced budget. In addition to the reduction under travelling allowance and grain compensation, reductions of Rs. 10,000 were made in the Public Health and Agriculture grants.

1924-25.

33. During the life-time of the second Council the following demands of Government were either refused or substantially reduced :—

(*a*) In the first session held in January 1924 a demand to obtain a re-appropriation of Rs. 17,000 to meet expenditure on account of Excise rewards was rejected by the casting vote of the President. The opposition of the Council was ostensibly based on objections in principle to the grant of petty rewards to excise informers; but the real reason was an impression that Government had failed to observe a promise given to the previous Council to reduce expenditure on Excise by 25 per cent. In future sessions the demands for Excise rewards were passed without opposition.

(*b*) In the budget session of 1924 a general cut of 25 per cent. was made in the provision for travelling allowance. Government opposed the cut when the first few demands were put to the vote, but, since the Council were resolved to make a general reduction, and in fact approved of a cut in their own travelling allowance, Government accepted the reduction in general on the understanding that the whole question of a revision of the rates of travelling alllowance would be referred to the Standing Finance Committee for advice and that the Finance Department, after considering the Committee's views, should frame suitable rules. The object of the Council was to enforce economy in a direction in which the members believed that the rates were too liberal, and the ultimate effect of their opposition was a reduction in expenditure on travelling allowance of about 10 per cent. The attitude of the Council was no doubt influenced by the belief that the finances of the province were still unsound, and, although the arbitrary cut of 25 per cent. and the subsequent stringent control over travelling allowance had an unfortunate effect on the efficiency of the administration, in so far as it curtailed necessary touring, the action of the Council on this occasion provides one of the few instances in which it has effected direct retrenchment.

(*c*) An attack was next made on Commissioners. The non-official members of the Retrenchment Committee, to which reference has already been made, had recommended a reduction in the number of Commissioners from five to three and the Council made an attempt to force Government to accept this recommendation. When the estimates were prepared, it was anticipated that the pay of one of the five Commissioners would be votable and the demand showed the item as votable. The Council rejected the demand for his salary. This action, was, however, ineffective, since later it became known that the pay of all the Commissioners would in fact be non-votable. The Council in order to secure its object therefore reduced by 2/5ths the demand for the votable pay of the establishment of Commissioners as a whole. The motion for reduction was passed by 40 to 22 votes; practically all the elected non-official members voting for the reduction. The demand was restored by His Excellency the Governor.

(*d*) The whole demand for the head-quarter establishment relating to Survey and Settlement Parties under the major head 'Land Revenue' was rejected. The object of the Council was to force Government to review the whole policy of land revenue assessment and to introduce a new Land Revenue Bill, under which the main principles of assessment would be fixed by statute. Had the action of the Council been accepted by Government, the result would have been to stop all land revenue settlements then in progress. The demand was consequently restored by His Excellency the Governor.

(*e*) Under the 'Land Revenue' demand a further cut of Rs. 13,000 was made in the temporary establishment under 'Forest Reserve and Grazing Lands,' the reason for the cut being the mistaken belief that the estimated expenditure represented an increase on the actual expenditure of previous years. This item was again submitted as a supplementary demand in the August session

of 1924, but was rejected, not on its merits; but as a protest against the transfer, which had recently been made, of the management of forests in the Kangra district from the Forest Department to the Deputy Commissioner.

(*f*) In the session of November 1924 the supplementary demand for travelling allowance under head "Land Revenue" was refused. By that time the Finance Department, acting mainly on the advice of the Standing Finance Committee, had fixed new rates of travelling allowance which, as already mentioned, effected a reduction of 10 per cent. in the total expenditure. The Council does not seem to have been completely satisfied that this reduction was adequate and it therefore rejected the first supplementary demand on this account that was presented to it. Later it reconsidered its attitude and voted all the supplementary demands for travelling allowance under other heads.

1925-26.

34. In the budget session of March 1925 the only specific cut made was in consequence of the action of the guillotine. Owing to lack of time no discussion was possible on the Land Revenue demand which was rejected *in toto*. It was re-submitted as a supplementary demand in the May sessions when the Hon'ble Member for Revenue gave an assurance that Government would introduce a Land Revenue Bill as soon as possible. On this assurance the whole demand was passed in full.

During this session there was an important debate on the question of remission of taxation. It was now apparent that great improvement had occurred in the state of provincial finances and for the first time, the rival claims of development and remission assumed importance. The rural party took a prominent part in the debate, urging a reduction in the newly enhanced occupiers' rates. The Hon'ble Member for Finance gave an assurance that the question of reduction in taxation and of expenditure on beneficent departments would be placed before the Council in the May session. In accordance with this promise, a remission of taxation was announced in the May session consisting of a reduction in occupiers' rates estimated to cost 17 lakhs in a full year.

In the same session large supplementary demands were voted, which related mainly to the beneficent departments.

1926-27.

35. In the budget session of March 1926 the only specific cut made was one of one lakh under head "Administration of Justice." The demand related to the provision for the pay of the special counsel engaged to represent Government in the Akali Leaders' trial. The Council objected to it on the ground that, having regard to the fact that a number of the accused had accepted the terms of Government, the arrangements for the prosecution were on an unnecessary lavish scale. Government accepted the view of the Council to this extent that it dispensed with the services of the leading counsel. Later it obtained a grant to meet the expenses of the prosecution on a smaller scale.

In the June session of 1926 supplementary demands, amounting in all to 57 lakhs on revenue account, were voted by the Council. Of this sum, 21 lakhs related to the beneficent departments and 15 lakhs to Communications. Consequent on a very marked improvement in the finances of the province, owing partly to accidental causes, partly to remission by the Government of India of provincial contributions of 26 lakhs and partly to permanent factors, the alternative claims of the tax-payers and of the development of the province were raised in a definite form. Remissions of taxation were announced which were estimated to cost 17 lakhs in a full year. They consisted of a further reduction in the occupiers' rates on fodder amounting to 8 lakhs and of a reduction in the scale of court-fees amounting to 9 lakhs. The Council, while it still insisted on the needs of development, professed to believe that Government was underestimating its resources and influenced by the coming elections pressed for a reduction in taxation of 40 lakhs. This was opposed by Government. The Council chose the supplementary grant under "General Administration" to initiate a general discussion on the subject and its original intention was to express its views through a token cut. The motion for a token cut, however, was not submitted in time and the Council therefore rejected the whole supplementary demand although it approved of most, if not all, of the items constituting it.

The demands for some of these items were presented in the October session and were duly passed.

1927-28 and 1928-29.

36. Only token reductions were made in the budgets for 1927-28 and 1928-29.

General review of retrenchment initiated by the Council.

37. The foregoing paragraphs illustrate the point already made that after the session of 1924-25, the direct interest of the Council in direct measures of retrenchment waned. One reason for this omission of the Council to take direct action was the fact that it was content to leave that part of its financial functions in the hands of the Standing Finance Committee. The schedules of new expenditure were critically examined by that Committee and cases were not uncommon in which it advised against particular schemes either on the ground of extravagance or unsoundness. Not intrequently it advised in favour of reduction in an item of a particular scheme on the grounds of economy. On the whole and with rare exceptions, the advice of the Standing Finance Committee was sound and, since it has been the policy of Government in all ordinary cases to accept such advice, the Council has come to regard approval by the Committee as a strong *prima facie* proof that the expenditure proposed is worthy of acceptance. From time to time the Finance Department sought the advice of the Committee on particular questions. For instance, the allowances granted to the officers and establishments of the various departments were reviewed by the Committee, which took a very reasonable view in regard to them. While it advised in favour of the reduction of allowances which were excessive or out of date, it did not attempt to make arbitrary cuts and it refrained generally from introducing communal or racial considerations.

38. The first example of a token cut was the reduction of Rs. 1,000 in the Settlement budget of 1923-24 in order to draw attention to grievances.

Token cuts.

In the March session of 1924 token cuts were made under Police and Jails, the object in both cases being to invite the attention of Government to the alleged defects in these departments.

In the budget session of 1925 token cuts were made in the demand under 'Police' on account of the "Baloch Levy" and in the same demand under "Expenditure on Railway Police." The object in both cases was the same, namely, to impose on central revenues charges which the Council considered ought not to be borne by the provincial revenues. In the same session a token cut was made under "General Administration" to urge the separation of the Judicial and the Executive; and a token cut was made under "Debt Service" as a protest against the appropriation of part of the revenue surplus to capital expenditure, the view being that the surplus should be devoted either to the reduction of debt or to expenditure on beneficent departments.

In the December session of 1925 a token cut was made in order to urge the release of prisoners connected with the Akali movement.

In the March session of 1926 a similar cut was made to urge the exemption of swords from the provisions of the Arms Act and to urge an increase in the pay of chaprasis employed in the Civil Secretariat.

In the budget session of 1927 token reductions were made to urge (1) the revision of land revenue assessment in irrigated lands, (2) the adoption of a policy of prohibition, (3) the exemption of swords from the provisions of the Arms Act, (4) the extension of compulsory primary education, and (5) of more extensive measures for charitable relief.

Similar reductions were made in the budget session of 1928 to urge the separation of judicial and executive functions, and the better treatment of political prisoners.

Financial discussions and general policy.

39. The general discussion on the budget and the specific discussion on particular demands were freely used to express the views of the Council on particular questions of policy. Among subjects which received special attention were:—The Akali movement, the Police and Jail Departments, the separation of the Executive and Judicial, colonization and settlement policy, the working of the Chos Act,*

*The Chos Act—an Act to facilitate the protection of land from the effect of *chos* or hill torrents.

the encouragement of the indigenous systems of medicines and the promotion of rural sanitation. Conversely, it is interesting to note the indirect effect on finances of debates on purely administrative questions. For example, questions and debates regarding Jail administration, together with the report of the Provincial Jail Committee, undoubtedly inclined the Legislative Council to increase expenditure on the Reserved Departments and to vote sums of money for the improvement of Jail administration. Had these measures come forward without such previous debates merely as a necessary step of reform in Jail administration, they would probably have stood no chance of success and would have been opposed on the ground that the Government wished to increase expenditure on the Reserved side of the administration at the expense of the Reserved side and the beneficient departments.

Action taken by the Council to extend or enforce its financial powers.

40. Very few cases have arisen in which the Council has taken action to enforce or extend its financial powers. In so far as there has been dissatisfaction regarding its powers the cause is to be found in the terms of the Government of India Act rather than in the manner in which the local Government has interpreted that Act. The latter has been careful to construe the Act in favour of the Council where any doubt existed in the matter, but various Government of India rulings have restricted the powers of the Council from time to time. A recent ruling, for instance, has declared that token demands for purposes of re-appropriation are unconstitutional, and this has practically deprived the Council of powers of re-appropriation from one major head to another. The Public Accounts Committee have been strong supporters of the control of the Council where such control is provided for by the law, and the Finance Department has consistently supported the Committee in its attitude. It has been careful to anticipate the vote of the Council in urgent cases only, and it has insisted on a liberal interpretation in favour of the Council of what constitutes a new service, with the result that the Council has been given the opportunity of voting on fresh schemes even though in some cases it was doubtful whether they could be technically described as "new services." Similarly, the Finance Department has advised in favour of the Council being promptly informed of any important change in a scheme approved by it, whether such change affected the nature of the scheme or involved a substantial increase in expenditure. The attitude of the Finance Department has been merely a reflection of the general policy of Government to take the Council into its confidence in all matters of general interest, and in particular, to keep it fully informed of its financial commitments and proposals. In consequence, the Council has had very slight cause for complaint against the Executive Government for any supposed trespass on its authority and it has responded to the latter's attitude by refraining from attempts to extend its financial authority beyond the limits prescribed by law.

The Standing Finance Committee.

41. The Standing Finance Committee is appointed in pursuance of the Standing Order of the Legislative Council and is composed of the Finance Member, 4 nominated members (in practice the Member for Revenue and the three Ministers) and 9 elected members . The Standing Order provides that no elected member of the Public Accounts Committee shall serve on the Finance Committee nor shall an elected member of the Finance Committee be a member of the Committee of Public Accounts. The Committee is constituted for the purpose of advising Government in such matters as may be referred to it for opinion, and, in practice, the most important of these matters are the inclusion of new expenditure in the budget and supplementary demands. It is generally the practice to place before it not only items of votable expenditure but of non-votable also. As has been observed above a marked feature of financial practice in the Council has been the growth of confidence in the Standing Finance Committee and it is now very rare for items which have been placed in the budgets on their advice to be attacked on financial grounds. Early in the history of the Council it gave to the Standing Finance Committee authority to sanction re-appropriation between grants when the cause of reappropriation is merely a change of classification and the actual destination of the grant is not altered, but it has been ruled that the Council has no power either to make such delegation or itself to order

re-appropriation between grants. It has also been the practice of Government to consult the Standing Finance Committee upon matters having a financial implication, such as rates of travelling allowance.

Public Accounts Committee.

42. Under the Legislative Council rules a Committee of Public Accounts is constituted for the purpose of dealing with the audit and appropriation accounts of the province and such other matters as the Finance Department may refer to the Committee. The Committee consists of 9 members, of whom 6 are elected by the non-official members of the Council. The chief duties of the Committee have been to scrutinise the audit and appropriation accounts of the province. Occasionally the Finance Department lays certain matters before it, generally with the object of getting them before the Committee earlier than if they had been left to be presented in the audit and appropriation accounts. The audit and appropriation accounts are presented together with a letter from the Auditor-General drawing attention to the most important matters contained in them. The Accountant-General is regularly present at the meetings of the Committee in order to give the benefit of his advice and from time to time they have had the advantage of hearing the Auditor-General. The Committee has always devoted great attention to its duties in spite of their somewhat technical nature, and the fact that irregularities have to pass their scrutiny is probably a salutory deterrent. In dealing with the appropriation accounts the Committee has taken pains to examine with care the causes which lead on the one hand to excess of expenditure over the sanctioned amounts and on the other to over-budgetting. With regard to the latter evil they have laid down the principle that in budgetting it is more desirable to aim at certainty than completeness, *i.e.*, the budget should only contain those items which are practically sure of being spent and not all items which possibly may come in the course of expenditure; and at the same time a convention has been established that the Council on its part will not raise objections to supplementary grants due to causes which could not reasonably have been foreseen at the time of framing the budget.

Certification.

43. On only three occasions did the Governor exercise his power of certification under section 72-D (2) of the Government of India Act and in each case it has been in relation to a 'reserved' subject. In October 1923, a supplementary demand of Rs. 1,10,000 was submitted on account of certain settlements which was rejected by the Council. This was restored.

In the budget session of 1924-25, the whole of the amounts provided for settlements, amounting to Rs. 6,31,000, was refused by 41 votes to 22 in one division and by 39 to 24 in another.

In the same session Rs. 56,000, out of a total grant of Rs. 2,34,000 on account of Commissioners, was reduced and the whole of the expenditure demanded was certified by the Governor.

Voted and non-voted supply.

44. The most important decision on the question of votability of supply was one conveyed by the Government of India to the effect that the travelling allowance of officers whose pay was non-voted was non-voted likewise. This ruling had it been known earlier would have obviated a good deal of discussion in the Council where the travelling allowance of all services was, as has been related above, severely attacked, an attack which perhaps would have lost some of its force had the Imperial services been excluded from its scope. The tour expenses and contract allowance of the Governor have been also declared non-voted. Another item which was unnecessarily left open to attack was discount on sale of stamps. This was cut down by the first Council, as has already been related, as a protest against the method of selling stamps. It was subsequently discovered to be non-votable as being prescribed by or under a law. Other classes of expenditure found to be non-votable for this reason were—Pay of the President and Deputy President: Contribution to the Ranchi Lunatic Asylum: Transfer to the Famine Insurance Fund: Refunds under Stamps and Administration of Justice. There are indeed several other classes of expenditure which might be regarded as prescribed by or under a law, for several Acts provide for salaries being fixed. For example, under the Indian Registration Act, the local Government may assign such salaries as the Government deems proper to the registering officers and this

expenditure should be non-votable. But in view of the complexity of the question the local Government has not moved unnecessarily in the direction of declaring expenditure non-votable.

Measures of expenditure originated by the Council.

45. While the Council has no direct means of originating expenditure, it has abundant opportunities of expressing its views on the manner in which the resources of Government should be spent and in the exercise of these opportunities it has exercised a considerable influence towards the increase in expenditure. Its influence is felt in two ways; firstly, in the advocacy of general policies which involve expenditure, and secondly, in the insistence of individual members on the interests of the constituencies they represent. The increase in expenditure on Education, on Rural Sanitation and on the reforms of the Jail Department was largely in response to a general demand from the Council as a whole. Several cases have occurred in which a token cut has been moved to express the dissatisfaction of the Council with the amount of the provision proposed for particular departments or services, specific cases in which expenditure has originated on the demand of an individual member are very numerous. The private member by bringing to the notice of the department concerned the need of his constituency for a new road, an intermediate college, a rural drainage scheme, an agricultural farm and so on, has not infrequently accelerated expenditure and, although it is possible that the department would itself have taken action in due course to provide the requirements, it is none the less true that pressure in the Council, supplemented by pressure outside it has stimulated the activities of departments and has speeded up the rate of development and therefore the scale of expenditure. While the Council naturally takes more interest in the beneficent departments than in the reserved departments, and while there is at times a tendency to resent the appropriation of funds towards the latter, it is on the whole, reasonable towards the demands of the reserved side of Government. The second Council during the last year of its life, voted large sums for the improvement of the Jail Department, and while it has been solicitous in regard to the separation of the Judicial and Executive, it none the less accepted a large increase in the cadre of the Provincial Civil Service without imposing any condition as to the separation of duties. It also voted a considerable amount for the expansion of the Public Works Department, Roads and Buildings, which, although a Transferred Department, is closely concerned with the needs of the Reserved Departments.

46. On the transferred side, despite its attitude towards the remission of taxation, the Council has been prepared to go somewhat faster than the resources of Government will permit. The general tendency of reforms finance has, of course, been towards the continual increase of the expenditure on these departments, in a far greater proportion than on the departments for which the reserved side is responsible. How far the former departments have monopolized the advantage afforded by the improved financial outlook will be further brought out in the section dealing with provincial finances, where a statement gives for each year from 1921-22 the percentages of total expenditure for which each head is responsible. For convenience, this statement is also given in this place. It must be observed that the expenditure classed as "Buildings and Roads" also covers a large number of buildings which belong to the beneficent departments.

Year.	Direct Demands on Revenue.	Irrigation Revenue Account (Interest and head 15).	Civil Administration.	Beneficent Departments.	Buildings and Roads.	Miscellaneous and Debt Services (19 and 21).	Contributions.	Total.
1921-22 ..	9·5	9·6	27·2	14·9	11·6	9·6	17·6	100
1922-23 ..	9·7	8·4	29	17	9·9	9·4	16·6	100
1923-24 ..	8	10·4	30·1	18·6	9·8	6·5	17·8	100
1924-25 ..	7·9	11·2	30·7	19·7	7·2	5·2	18·1	100
1925-26 ..	8·9	11·3	28·9	23·3	10·7	5·7	11·2	100
1926-27 ..	8·3	10·9	27·9	23 9	13·9	7·2	7·9	100
1927-28 ..	8·2	12	29·4	25·9	18·8	5·7	..	100
1928-29 ..	7·7	12·0	28·8	27·9	18·9	4·7	..	100

The lion's share of the expenditure among the beneficent departments falls to the Education Department, which absorbs 1,82 lakhs against 1,00 in 1921-22;

while Medical has increased from 36·6 to 66·9 lakhs, Agriculture from 34·8 to 74·4 lakhs, and Public Health from 13·6 to 25·4 lakhs.

47. The continuation of this process, and its continuation seems inevitable, will before long put a strain on the provincial resources which must again raise in an acute form the question of fresh taxation. Much of the expenditure on the beneficent departments is incurred in grants to local bodies; and the large development of these departments in recent years has involved the undertaking by the province of expenditure (such for instance as that on primary education) which would ordinarily fall to their share. But the district boards have already taxed themselves to the maximum of their statutory limit, and have indeed at the moment had to confess to liabilities which will demand fresh subventions on a large scale from provincial funds to re-establish their position. The fact that the proportion of expenditure on the general administration has remained stationary, and that the possibility of retrenchment on this head has already been fully explored, while expenditure on the transferred departments has so largely increased, will give a new aspect to discussions on measures of taxation which may be required to maintain the growing standards of expenditure on beneficent schemes. It will then be obvious that the provision of new resources is required not for the maintenance or expansion of the reserved departments, but for schemes for which the Council has itself been pressing, and to the promotion of which Ministers owe much of their influence; it will therefore remain to be seen whether members will be content to call a halt in the rate of development, or to accept the responsibility for providing the fresh resources which it requires.

48. The most important items of expenditure directly due to the vote of the Council were the remission of the indemnity of 20 lakhs levied on the city of Amritsar for damage done in the riots of 1919 and compensation of 22½ lakhs awarded to sufferers in the same disturbances. These sums were included in the estimates in pursuance of resolutions of the Council. The following other resolutions or token cuts passed by the Council involved, or would have involved had they been carried into effect, a charge on the revenues:—

To double the emoluments of village officers.

To encourage indigenous manufacture by opening stores and contributions.

To provide an additional 30 lakhs in the budget for free primary education.

To increase the daily allowance of members.

To increase the pay of messengers and menials.

To provide a residential club for members of the Council.

To distribute the incomes from certain forests.

To refund the indemnities realised from the inhabitants and municipal committee of Gujranwala.

The extension of compulsory primary education.

The extension of measures for charitable relief.

SECTION E.—THE LEGISLATURE—INFLUENCE.

49. In the appendix is given a list of 75 resolutions passed by the Council or promises made in consequence of resolutions. A few of these resolutions were moved by Government in order to obtain authority for increased financial commitments, *e.g.*, No. 47 recommending that the local Government should pay the cost of a diversion of a railway, and No. 55 recommending the raising of a loan, and No. 58 recommending the establishment of a provincial Co-operative Bank. In considering the general scope of other resolutions it must be remembered that their introduction depends upon the fortune of the ballot, although the device of identical motions is well understood. An examination of the list will show very many cases in which Government has accepted the recommendations of the Council; a striking example is No. 10—a resolution for the introduction of local option—in consequence of which a Government Bill was brought in and passed. To some extent these resolutions reflect pressure brought to bear upon members by their

Resolutions.

constituencies involving in many cases expenditure of considerable sums. We find as the leading example of this class No. 6 in consequence of which over 22 lakhs were distributed as compensation to the victims in the Amritsar disturbances; another resolution involving increased expenditure is No. 1 for raising the emoluments of village officers who are drawn for the most part from a class largely represented in the Council. The general recommendation in No. 18 to provide an extra 30 lakhs in the Budget for the purpose of education is another example of a resolution involving large financial expenditure. A certain number of resolutions were upon administrative matters directly affecting agriculturists. No. 7 calling for a committee to examine the grievances of agriculturists as regards canal administration is an example. So is No. 11 dealing with settlement operations and 15—a minor matter concerned with the method of assessing land revenue. No. 19 deals with land revenue policy; No. 20 with the assessment of an individual district; No. 37 pravs for the construction of a canal which is followed up in No. 53. A recommendation of great administrative importance which was accepted was that made in No. 43 recommending the amalgamation of the Canal and Revenue *Patwari* agencies. The desirability of this measure had long been discussed and full effect was given to the resolution by carrying out the experiment on a whole canal. After 3½ years' trial it was found not to be a success and was withdrawn. The Council has, from time to time, interested itself in conditions prevailing in jails and in matters of local importance, such as the location of tahsil head-quarters. It has also paid some attention to its own interests—resolution No. 25 recommending an increase in the daily allowance of members was accepted; and resolution No. 60 that a residential club should be provided for the use of members. But it must also be remembered that it did not hesitate to tax directly the pockets of its members in the motor tax and cheerfully reduced its own daily allowance in the general reduction of travelling allowances. Resolutions brought in the interests of public services are, Nos. 5 for the Medical Service, 17 Provincial Civil Service, 33 Menial Servants besides No. 42 which deals with the communal distribution of Government servants. Broadly speaking it may be said that the resolutions passed by the Council have contained many suggestions of a valuable nature and even where their proposals could not be adopted they have generally been educative both to Government and to the Council.

Interpellations.

50. Free use has been made of the power of interpellation. In the seven years from the inception of the Council nearly 8,000 questions were put. Over 1,000 of these dealt with racial or communal matters and the tendency to use the power of interpellation for ventilating these matters is on the increase. In the first three years of the Council an average of 123 of such questions were put each year: in the second three years the yearly average was 140, while in the year 1927, 228 such questions were put. These questions are for the most part directed towards the point of communal representation in the services. Another class of question which has a tendency to increase is that of personal questions relating to Government servants. In the first three years of the Council there were asked at the rate of 16 a year: in the next three at 17, but in 1927, 40 such questions were put. Sometimes these questions are prompted by communal considerations, but often they have been clearly inspired by officials in their own interests, and steps have been necessary to discourage this practice. A great deal of labour is expended in compiling the answers to questions, but in spite of this, and in spite of the large number of questions which are communal interested or frivolous, there remains a residuum in which the right of interpellation does serve a useful purpose in throwing light on neglected passages of the administration.

Standing Committees.

51. Under the Standing Orders of the Council, 12 Standing Committees are appointed. One of these, the Standing Finance Committee has been dealt with in the section above; its functions are much more clearly defined and more important than those of the others, which are Committees on Canals, Jails, Industries, Co-operative Societies, Excise, Local Self-Government, Public Health, Agriculture, Education, Land Revenue and Police. These are composed of the Members of Government in charge of the portfolio concerned, from 1 to 3 nominated members and from 4 to 8 elected members. The Committees are constituted mainly for

the purpose of advising Government in such matters as may be referred to them for opinion, but also in view of the educative value of associating members in the study at first hand of the administrative difficulties confronting departments. The proceedings of these Committees in the Central Legislature are never published; but in the Punjab they have at times been published in the *Government Gazette* under the orders of the Member or Minister concerned. In judging of the value of these Committees, it must be noted that they do not meet at fixed intervals; they are convened by the Member or Minister in charge of the department when occasion arises. This would seem to explain the fact that in the case of some of the bodies, very considerable periods have elapsed between meetings, and the record of their proceedings show a very varied degree of interest on the part of members. There have been occasions on which meetings have been well attended and discussion keen, as for instance, the meeting of the Education Committee which considered proposals for the increase of pay of the Subordinate Educational Service, and the meetings of the Local Self-Government Committee which considered on various occasions questions such as the retention of Tahsildars as members of local bodies, or the assessment and collection of district board taxes through the agency of borrowed Government servants or the appointment of Executive Officers to municipalities. Other Committees have been seldom convened, or when assembled have shown a poor attendance. On the whole, the proceedings of the Committees appear to have been somewhat spasmodic, and their work to have attracted much less general interest on the part of members than, for instance, that of the Standing Finance Committee. This was, perhaps, in the circumstances inevitable.

Motions for adjournment.

52. The Legislative Council rules admit of motions being made for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance. Eight such motions have been brought forward. On one of these, brought in order to discuss the Nankana tragedy, permission to adjourn was refused as the motion was not supported. Two motions were declared out of order by the President: one to discuss the situation arising out of the action of Government in declaring certain Sikh bodies to be unlawful assemblies, and the other to discuss matters arising out of a conflict with the Police in an Indian State. Five motions were admitted, of which two were talked out. One of these was to consider in January 1922 the situation arising out of the application of the Criminal Law Amendment and Seditious Meetings Act to the Punjab: the other brought forward in June 1927 was to discuss the communal riot at Multan. Only three motions for the adjournment were carried. One in 1925 was to discuss the unsatisfactory and retrograde nature of the majority report of the Reforms Enquiry Committee, and a second was on account of an attack made by prisoners on a member of the Council while acting as an official visitor of a jail. Government did not intervene in the former of these two debates. As regards the latter the allegation was made that the assault was instigated by or connived at by jail officials. As the debate took place two days after the assault, Government was not in a position to give any information. The matter was subsequently referred for enquiry to a committee then sitting to enquire into Punjab jails and as a result of their report it was announced that certain officials had been found to have failed in their duty and had been punished departmentally. The third in 1928 was to draw attention to treatment of a member of the Council by an official which was alleged to be open to objection. This was carried against Government, and is referred to in Chapter X, paragraph 15.

Amendments to Standing Orders.

53. A Select Committee of the Council was appointed in March 1912 to report on the Original Standing Orders framed by His Excellency the Governor. Its report was passed in July the same year. Eight alterations were made, of which the most important were one allowing the President instead of the Governor to fix the time and order of the meetings, and another requiring 20 instead of 40 members to secure leave of the Council to move an adjournment. The same Committee submitted a further report in November which was passed, making eight more amendments including one setting up Standing Committees for Finance and other subjects. Two minor amendments were passed in 1924 and a large number

in May 1925. The most important of these was one to make it clear that there is no right of reply on amendments except in the case of amendments proposed to Bills and motions for supply. One minor amendment was made in 1926 and two in 1927.

The President and Deputy President.

54. It is appropriate to conclude the description of the influence of the legislature with a mention of the presiding officers under whom it has taken its place as an independent legislative body. The first President of the Legislative Council appointed by the Governor under section 72-C (1) of the Government of India Act was the Hon'ble Mr. M. S. D. Butler, C.B., C.I.E., C.V.O., C.B.E. (now Sir M. Butler), who held the office from January, 1921, to May, 1922. He was succeeded by the Hon'ble Mr. H. A. Casson, C.S.I., who was nominated President on the 10th May, 1922. Under the section of the Government of India Act above quoted the period of office of the nominated President of the Council expired in January, 1925, when Khan Bahadur Shaikh Abdul Qadir (now Sir Abdul Qadir) was elected. He resigned his office in September, 1925, when he accepted the appointment of Minister for Education, and Khan Bahadur Chaudhri Shahab-ud-Din was elected on the 3rd December, 1925. The same gentleman was re-elected as President of the 3rd Council on the 4th January, 1927.

The following gentlemen have served in the office of Deputy President :— Sardar Mahtab Singh, Mr. Manohar Lal (subsequently Hon'ble Minister for Education), Khan Bahadur Shaikh Abdul Qadir (subsequently President and Hon'ble Minister for Education), Sardar Mohindra Singh, Sardar Boota Singh, and Sardar Habib Ullah.

The Punjab Legislative Council was amoung the first of the Councils to organise its secretariat independently of that of the provincial Government. It is now composed of a Secretary, an Assistant Secretary, with a staff of clerks, translators and reporters.

Chapter III.—Appendix 1.

Statement showing the Bills introduced and the Acts passed since the introduction of the reforms in 1921 *up to* 1927.

1	2	3	4	5	6	7
Serial No.	Title.	Object.	Date of introduction.	Result.	Number and year of the Act, if passed.	Reference to Council Procedure.
1	The Deputy President's Salary Act, 1921 (T).	An Act to provide for the salary of the Deputy President, Punjab Legislative Council.	23rd February 1921 ..	Passed	I of 1921	Volume I, pages 23—26.
2	The Punjab Municipal (Amendment) Act, 1921 (T).	An Act to amend the Punjab Municipal Act, 1911, in order to legalize the imposition of terminal tax in municipalities.	4th November 1921 ..	Do.	I of 1922	Volume IV, page 1357.
3	The Punjab Small Towns Act, 1921 (T).	An Act to make better provision for the administration of small towns in the Punjab.	27th July 1921 ..	Do.	II of 1922	Volume II, page 1921.
4	The Punjab Village Panchayat Act, 1921 (T).	An Act to foster and develop local self-government in the rural areas of the Punjab.	26th July 1921 ..	Do. .. .. .. *For*—17 official, 2 nominated, 26 elected. *Against*—2 nominated, 10 elected.	III of 1922	Volume II, page 565.
5	The Punjab Town Improvement Act, 1922 (T).	An Act to make provision for the improvement and expansion of towns in the Punjab.	27th July 1921 ..	Passed	Act IV of 1922 ..	Volume IV, page 397.
6	The Simla House and Rent Act, 1922 (T).	An Act to regulate the rents and occupation of houses in Simla.	6th November 1922 ..	Do.	Act V of 1922 ..	Volume IV, page 671.

(T) deals with a Transferred subject.

Statement showing the Bills introduced and the Acts passed since the introduction of the reforms in 1921 *up to* 1927—continued.

1	2	3	4	5	6	7
Serial No.	Title.	Object.	Date of introduction.	Result.	Number and year of the Act, if passed.	Reference to Council Procedure.
7	The Sikh Gurdwaras and Shrines Act, 1922 (T).	An Act to provide for the speedy decision of suits relating to certain Sikh Gurdwaras and Shrines and for the better management thereof.	7th November 1922 ..	Passed .. .. .. *For*—15 official, 1 nominated, 24 elected *Against*—1 nominated, 30 elected.	Act VI of 1922 ..	Volume IV, page 791.
8	The Court-fees (Punjab Amendment) Act, 1922 (R).	An Act to amend the Court-fees Act, 1870, with reference to the scale of court-fees in the Punjab.	31st July 1922 ..	Passed	Act VII of 1922 ..	Volume IV, page 670.
9	The Indian Stamp (Punjab Amendment) Act 1922 (R).	An Act to provide for the amendment of the Indian Stamp Act, 1899, in its application to the Punjab.	30th October 1922 ..	Do. .. .	Act VIII of 1922 ..	Volume IV, page 734.
10	The Punjab Courts (Amendment) Act, 1922 (R).	An Act to amend the Punjab Courts Act, 1918, for the formation of a cadre for a separate judicial branch of the Punjab Civil Service, and to simplify the nomenclature of Judicial officers.	6th November 1922 ..	Do.	Act IX of 1922 ..	Volume IV, page 734.
11	The Punjab Village Panchayat (Amendment) Act, 1922 (T).	An Act to amend the Punjab Village Panchayat Act, 1921.	31st July 1922 ..	Do.	Act X of 1922 ..	Volume IV, page 520.
12	The Punjab District Boards (Amendment) Act, 1922 (T).	An Act to amend the Punjab District Boards Act, 1883.	Ditto ..	Do.	Act XI of 1922 ..	Volume IV, page 649.

13	The Punjab (Urban Property) Rent Regulation Bill, 1922 (T).	A Bill to regulate rents to urban immovable properties in the Punjab.	8th August 1922 ..	The motion for leave to introduce the Bill was lost. *For*—11 official, 2 nominated, 16 elected. *Against*—1 official, 3 nominated, 31 elected.		Volume IV, page 249.
14	The Punjab Acquisition of Land (Industrial) Bill (T).	A Bill to facilitate the purchase of land voluntarily sold for industrial purposes.	4th November 1921 ..	Dropped.		
15	The Punjab Industrial Loans Act, 1923 (T).	An Act to improve the law relating to loans by the Government for industrial purposes.	6th November 1922 ..	Passed	Act I of 1923 ..	Volume IV, page 906.
16	The Punjab Municipal (Amendment) Act, 1923 (T).	An Act to amend the Punjab Municipal Act, 1911.	30th October 1922 ..	Do.	Act II of 1923 ..	Volume IV, page 1357.
17	The Repealing (Punjab Loans Limitation) Act, 1923 (R). (Non-official).	An Act to repeal the Punjab Loans Limitation Act, 1904.	13th November 1922..	Do. .. .. .. *For*—11 official, 2 nominated, 26 elected. *Against*—4 elected.	Act III of 1923 ..	Volume IV, page 1517.
18	The Punjab Fisheries (Amendment) Act, 1923 (T).	An Act to amend the Punjab Fisheries Act, 1914, in order to legalise a system of composition for fishery offences on the lines of section 67 of the Indian Forest Act.	28th February 1923 ..	Passed	Act IV of 1923 ..	Volume V, page 83.
19	The Court-fees (Punjab Amendment) Bill (R).	A Bill to increase the rate of court-fees .	20th October 1923 ..	Motion to refer to a Select Committee lost.	..	Volume V, page 78.
20	The Punjab Local Option Act, 1923 (T).	An Act to provide for the restriction of the sale of intoxicating liquor according to the wishes of Local Bodies.	20th October 1923 ..	Do.	Act V of 1923 ..	Volume V, page 323.
21	The Punjab Opium Smoking Act, 1923 (T).	An Act to provide for the control of the practice of opium smoking in the towns of Punjab.	Ditto ..	Do.	Act VI of 1923 ..	Volume V, page 324.
22	The Punjab Stamp (Amendment) Act, 1924 (R).	An Act to amend the Indian Stamp (Punjab Amendment) Act, 1924, in order to impose special taxation on transfers of immovable property in towns.	6th March 1924 ..	Do.	Act I of 1924 ..	Volume VII, page 309.

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(R) deals with a Reserved subject; (T) deals with a Transferred subject.

Statement showing the Bills introduced and the Acts passed since the introduction of the reforms in 1921 *up to* 1927—continued.

1	2	3	4	5	6	7
Serial No.	Title.	Object.	Date of introduction.	Result.	Number and year of the Act, if passed.	Reference to Council Procedure.
23	The Elected President's Salary Act, 1924 (T).	An Act to provide for the salary of the Elected President of the Legislative Council of the Governor of the Punjab.	12th November 1926..	Passed	Act II of 1924	Volume VII, page 349.
24	The Stage Carriages (Punjab Amendment) Act, 1924 (R).	An Act to amend the Stage Carriages Act, 1861, in its application to the Punjab.	7th August 1924 ..	Do.	Act III of 1924	Volume VII, page 506.
25	The Punjab Motor Vehicles Taxation Act, 1924 (R).	An Act to impose a tax on motor vehicles in the Punjab.	6th March 1924 ..	Do.	Act IV of 1924	Volume VII, page 339.
26	The Court-fees (Punjab Amendment) Bill, 1924 (R).	A Bill to amend the Court-fees Act, 1870, in order to raise the rate of valuation of land paying land revenue for the purposes of the Court-fees Act.	3rd March 1924 ..	Lost	..	Volume X-B, pages 806-808.
27	The Punjab Money-lenders, Registration Bill, 1924. (Non-official).	A Bill to provide for the registration of money-lenders in the Punjab.	18th November 1924 ..	See entry No. 56.		
28	The Punjab Municipal (Amendment) Act, 1925 (T).	An Act further to amend the Punjab Municipal Act, 1911.	16th January 1925 ..	Do.	Act I of 1925	Volume VIII, pages 317-19.
29	The Punjab Excise (Amendment) Act, 1925 (T).	An Act to amend the Punjab Excise Act, 1914.	12th November 1924..	Do.	Act II of 1925	Volume VIII, pages 316-17.
30	The Opium (Punjab Amendment) Act, 1925 (T).	An Act to amend the Opium Act, 1878, in its application to the Punjab.	Ditto ..	Do.	Act III of 1925	Volume VIII, page 311.
31	The Punjab Small Towns (Amendment) Act, 1925 (T).	An Act to amend the Small Towns Act, 1925.	16th January 1925 ..	Do.	Act IV of 1925	Volume VIII, page 321.
32	The Lahore Terminal Tax Validating Act, 1925 (T).	An act to validate a notification imposing a terminal tax in the municipality of Lahore.	24th March 1925 ..	Do.	Act V of 1925	Volume VIII, page 859.

33	The Punjab District Boards (Amendment) Act, 1925 (T).	An Act to amend the Punjab District Boards Act, 1883.	5th March 1925 ..	Do.	Act VI of 1925	Volume VIII, page 849.
34	The Repealing (Punjab Loans Limitation) Amendment Act, 1925. (Non-official).	An Act to amend the Repealing (Punjab Loans Limitation) Act, 1923.	4th May 1925 ..	Do.	Act VII of 1925.. ..	Volume VIII, page 968.
35	The Sikh Gurdwaras Act, 1925 (T) (Non-official).	An Act to provide for the better administration of certain Sikh Gurdwaras and for inquiries into matters connected therewith.	7th July 1925 ..	Do.	Act VIII of 1925 ..	Volume VIII-B, page 1297.
36	The Punjab Vaccination Law Amendment Act, 1925 (T).	An Act to amend the law relating to vaccination in the Punjab.	Ditto ..	Do.	Act IX of 1925	Volume VIII-B, page 1299.
37	The Adolescent Criminals Probational Release Bill (R).	A Bill to provide for the release of adolescent convicts on conditions imposed by the local Government.	4th May 1925 ..	Lost	..	Volume VIII-A, page 962.
38	The Punjab Motor Vehicles Taxation (Amendment) Act, 1925 (R).	An Act to amend the Punjab Motor Vehicles Taxation Act, 1924.	7th July 1925 ..	Passed	Act X of 1925	Volume VII-A, page 1299.
39	The Punjab Tenancy (Amendment) Act, 1925 (R).	An Act to amend the law relating to tenancy of land in the Attock District.	3rd December 1925 ..	Do.	Act XI of 1925	Volume III-B, page 1832.
40	The Punjab Borstal Bill, 1925 (R)	A Bill to make provision for the establishment and regulation of Borstal Institutions in the Punjab and for the detention of youthful offenders there in.	12th November 1924..	Dropped on account of amendment carried. *For*—36 elected. *Against*—16 officials, 3 nominated, 6 elected.	..	Volume VIII-A, page 956.
41	The Punjab Court-fees (Amendment) Act, 1926 (R).	An Act to amend the Court-fees (Punjab Amendment) Act, 1922.	11th January 1926 ..	Passed	Act I of 1926	Volume IX-A, page 34.
42	The Punjab Primary Education (Enforcement) Act, 1926 (T).	An Act to legalise the application of the provisions of Part II of the Punjab Primary Education Act, 1919.	Ditto ..	Do.	Act II of 1926	Volume X-A, page 36.
43	The Montgomery District Board Act, 1926 (T).	An act to validate the establishment of a District Board for the Montgomery District.	25th February 1926 ..	Do.	Act III of 1926	Volume IX-A, page 191.

(R) deals with a Reserved subject; (T) deals with a Transferred subject.

Statement showing the Bills introduced and the Acts passed since the introduction of the reforms in 1921 *up to* 1927—concluded.

1	2	3	4	5	6	7
Serial No.	Title.	Object.	Date of introduction.	Result.	Number and year of the Act, if passed.	Reference to Council Procedure.
44	The Sikh Gurdwaras (Amendment) Act, 1926 (T). (Non-official).	An Act to amend the Sikh Gurdwaras Act, 1925, in order to correct certain errors and to provide for constitution for the election of members of the Board returning one member only.	11th January 1926 ..	Passed	Act IV of 1926	Volume IX-A, page 875.
45	The Punjab Aerial Ropeways Act, 1926 (T).	An Act to authorise, facilitate and regulate the construction and working of aerial ropeways in the Punjab.	14th December 1925 ..	Do.	Act V of 1926	Volume IX-A, page 875.
46	The Punjab Court-fees (Second Amendment) Act, 1926 (R).	An Act to revise the scale of court-fees in the Punjab and to amend the Court-fees (Punjab Amendment) Act, 1922.	29th June 1926 ..	Do.	Act VI of 1926	Volume IX-B, page 1161.
47	The Punjab Land Preservation (Chos) Amendment Act, 1926 (R).	An Act to amend the Land Preservation (Chos) Act, 1900.	25th February 1926 ..	Do.	Act VII of 1926 ..	Volume IX-B, page 1177.
48	The Punjab Land Preservation (Chos) Second Amendment Act, 1926 (R).	Ditto	30th June 1926 ..	Do.	Act VIII of 1926 ..	Volume IX-B, page 1178.
49	The Prisons (Punjab Amendment) Act, 1926 (R).	An Act to amend the Prisons Act, 1894, in its application to the Punjab.	29th June 1926 ..	Do.	Act IX of 1926	Volume IX-B, page 1109.
50	The Good Conduct Prisoners Probational Release Act, 1926 (R).	An Act to provide for the release of good conduct prisoners on conditions imposed by the local Government.	29th June 1926 ..	Do.	Act X of 1926	Volume IX-B, page 1111.

51	The Punjab Borstal Act, 1926 (R)	An Act to make provision for the establishment and regulation of Borstal Institutions in the Punjab, and for the detention and training of adolescent offenders therein.	20th June 1926 ..	Do.	Act XI of 1926	Volume IX-B, page 1112.
52	The Punjab Medical Registration (Amendment) Act, 1926 (T).	An Act to amend the Punjab Medical Registration Act, 1926.	20th October 1926 ..	Do.	Act XII of 1926 ..	Volume IX-B, page 1590.
53	The Sikh Gurdwaras (Second Amendment) Act, 1926 (T).	An Act to amend the Sikh Gurdwaras Act, 1925.	Ditto ..	Do	Act XIII of 1926 ..	Ditto.
54	The Punjab Small Towns (Amendment) Act, 1926 (T).	An Act to amend the Punjab Small Towns Act, 1921.	Ditto ..	Do.	Act XIV of 1926 ..	Volume IX-B, page 1592.
55	The Punjab Municipal (Amendment) Act, 1926 (T).	An Act to amend the Punjab Municipal Act, 1911.	Ditto ..	Do.	Act XV of 1926 ..	Volume IX-B, page 1591.
56	The Punjab Land Revenue (Amendment) Bill (R).	A Bill to amend the Punjab Land Revenue Act, 1887.	11th January 1926 ..	Not proceeded with	..	Volume IX-B, page 1592.
57	The Punjab Regulation of Accounts Bill. The Punjab Borrower's Protection Bill. (Non-official.)	A Bill to regulate the keeping of accounts of certain transactions.	11th December 1925..	Passed	[Refused assent by His Excellency the Governor.	Volume IX-B, page 1547.
58	The Sikh Gurdwaras (Amendment) Act, 1927 (T).	An Act to amend the Sikh Gurdwaras Act, 1925.	18th July 1927. ..	Do.	Act I of 1927 ..	Volume X, page 803.
59	The Punjab Tenancy (Amendment) Act, 1927 (R).	An Act to amend the Punjab Tenancy Act, 1887, in order to preserve the existing rights of occupancy tenants, while rendering it possible for all owners and tenants to secure the advantages of consolidation of holdings.	18th July 1927 ..	Do.	Act II of 1927 ..	Volume X, page 1232.
60	The Punjab District Boards (Tax Validating) Bill (T).	An Act to validate the imposition of certain taxes by District Boards in the Punjab.	25th November 1927..	Do.	Act III of 1927 ..	Volume X, page 1506.
61	The Punjab Land Revenue (Amendment) Bill (R).	A Bill to amend the Punjab Land Revenue Act, 1887.	23rd March 1927 ..	..	..	..
62	The Punjab Municipal (Executive Officer) Bill (T).	A Bill to provide for the appointment of Executive Officers in Municipalities.	18th July 1927 ..	..	.	Volume X, page 803.
63	The Court-fees (Punjab Amendment) Bill (R).	A Bill to amend the Court-fees Act, 1870, in its application to the Punjab.	18th July 1927 ..	The motion for leave to introduce the Bill was lost.	..	Volume X, page 806.

(R) deals with a Reserved subject, (T) deals with a Transferred subject.

Chapter III.—Appendix 2.

RESOLUTIONS OF THE LEGISLATIVE COUNCIL, PUNJAB, 1921—27.

Serial No.	Terms of Resolution passed or promise made.	Volume, No. and page of Punjab Legislative Council debates.	Action taken.
		1921.	
1	"That this Council recommends to His Excellency the Governor in Council that the emoluments of zaildars, sufedposhes and lambardars be raised to double the amount which is paid to them now."	Volume I, No. 4, page 177.	After consideration and the collection of statistics the proposal was rejected.
		1921.	
2	"That this Council moves the local Government to take early steps to introduce a Bill overhauling the law relating to charitable and religious endowments in the province, and pending the presentation and passing of that legislation, it moves the Governor-General to make and promulgate an ordinance on the subject, so that the movement to alter and reform the existing management of such endowment may cease to threaten the peace and good government of the province, provided that on the expiry of the ordinance the jurisdiction of the Civil Courts, or of such Courts as the Bill which it is proposed to introduce may establish, shall not be ousted."	Volume I, No. 8, pages 371-72.	This Resolution was superseded by subsequent proceedings on the Gurdwaras Bill.
		1921.	
3	"That this Council recommends to the Government to be pleased to invite the attention of the local bodies to the need for poor houses at convenient centres for the incapacitated poor, and for free education, technical or otherwise, for their children."	Volume I, No. 8, page 388.	The attention of local bodies was invited to the Resolution, and they were asked to inform Government of any action taken.
		1921.	
4	"That this Council recommends to the Government to take the necessary steps to get substituted the following rule for rule 14 of the Punjab Legislative Council Rules :— 'The business of the Council shall be transacted in English, but any member may address the Council in Urdu or in any vernacular of the province.' "	Volume I, No. 8, page 392.	Proposals were made for the alteration of the rule in accordance with the Resolution, and the rule as finally approved by the Secretary of State in Council runs as follows :— "The business of the Council shall be transacted in English, but any member may address the Council in Urdu, or, with the permission of the President in any vernacular of the province."
		1921.	
5	"That this Council recommends to the Government to take the necessary steps to modify article 833, Civil Service Regulations, so as to provide that all medical certificates granted to Government servants by registered medical Practitioners, whose names are borne on the Annual Medical List compiled by the Punjab Medical Council, shall ordinarily be accepted without the countersignature of the officer in chief medical charge of the district."	Volume I, No. 8, page 402.	Orders have issued :— (*a*) that all heads of offices are authorised to accept without countersignature certificates granted by Medical Practitioners whose names appear in the Annual Medical List ; (*b*) that, as a matter of practice, uncountersigned certificates of such Medical Practitioners should ordinarily be accepted by heads of offices unless there are special grounds for not doing so.

Serial No.	Terms of Resolution passed or promise made.	Volume, No. and page of Punjab Legislative Council debates.	Action taken.
		1921.	
3	"That this Council recommends to the Government that a Committee which should include three elected members of this Council having knowledge of law or possessing judicial experience, to be nominated by His Excellency the Governor, be appointed, with power to co-opt one member, who is not on this Council, to propose adequate compensation to the families of those killed and to those injured at the Jallianwala Bagh and other places during the Punjab Disturbances of 1919 on the scale followed in similar cases for Europeans."	Volume I, No. 8, page 435.	The proposals of the Committee appointed by Government to award compensation amounting to Rs. 22,66,722, was sanctioned and the sum distributed.
		1921.	
7	"That this Council recommends to the Government to appoint a Committee consisting of a majority of non-officials to go into the detail of the grievances of the zamindars as regards the canal administration in the province, and to suggest measures whereby the complaints of the people against the working of the department may effectively be dealt with."	Volume I, No. 9, page 449.	A Committee having a majority of non-officials was appointed for the purpose indicated and held one meeting. This Committee was subsequently superseded by a Standing Committee of the Council, of which the non-official members are elected by the Council.
		1921.	
8	"That this Council recommends to the Government that steps be taken, through the medium of a special industrial board, to encourage and promote the manufacture and use of indigenous articles by opening stores and holding regular annual industrial exhibitions and fairs."	Volume I, No. 9, page 474.	It was decided that no action on the motion, as carried, was necessary in view of the proposed amended resolution of the Hon'ble Minister for Agriculture, and his remarks, on page 473, Volume I, of Council Debates, which explained what was the accepted policy of Government in the matter.
		1921.	
9	"That this Council recommends to the Government to desist from acquiring lands on a large scale for the benefit of officials in the vicinity of Lahore under the Land Acquisition Act, but that if such acquisition is unavoidable, to compensate the owners liberally by giving them canal-irrigated land, if the owners agree to take such lands, instead of money compensation." This resolution was withdrawn but Mr. H. A. Casson on behalf of Government gave the following assurance :— That Government will in all cases do its best to see that acquisition is unavoidable; secondly, that it has been its practice in recent years, and will continue to be its policy in future, to give land in compensation, if desired, instead of cash, subject to the following conditions :— (*a*) That land is available for grant. (*b*) That the person or persons whose land is acquired is a member of an agricultural tribe, or if not a member of an agricultural tribe is in fact dependent on the land for a livelihood. (*c*) That the amount of land required from any person bears a reasonably large proportion to the amount of land still left to him, or affects in an appreciable degree the possibility of his making a livelihood out of the land ; or that the amount of land acquired from one person is worth more than Rs. 4,000. Finally, every case would have to be considered on its own merits with reference to the above considerations.	Volume I, No. 9, page 477.	See No. 27.

Serial No.	Terms of Resolution passed or promise made.	Volume, No. and page of Punjab Legislative Council debates.	Action taken.
		1921.	
10	"That this Council recommends to Government that the principle of local option exercisable by municipalities and district boards, be applied so far as practicable, to the sale of intoxicating liquors in the province at an early stage."	Volume I, No. 9, page 490.	A Local Option Act has been passed.
		1921.	
11	Promise to submit "proposal to meet objections expressed in the Council regarding the corruption, worry and expense of settlement operations."	Volume I, No. 9, pages 491-92.	In the proposals for re-settlement of certain tracts which were pending, provision was made for the abbreviation of the proceedings by the omission of remeasurement and of the special revision of the records.
		1921.	
12	Promise to explain the position regarding Railway Police.	Volume I, No. 9, page 492.	This was done when the supplementary grant was asked for.
		1921.	
13	Promise to examine the question of numbers going to Simla and duration of stay.	Volume I, No. 9, page 492.	His Excellency the Governor has decided to limit the duration of his stay at Simla to 4½ months (not including the period which is ordinarily occupied by his monsoon tour, and to fix for the present the number of Civil Secretariat clerks to be taken to Simla at 24, not including the Personal Assistants of the Hon'ble Members and Ministers).
		1921.	
14	Promise that qualifications, capacity and legal ability will be the first consideration in appointing Public Prosecutors.	Volume I, No. 9, pages 492-93.	Effect is given to this promise in filling all vacancies.
		1921.	
15	"That this Council recommends to the Government that lambardars be permitted to send the land revenue and other Government dues by money order at the nearest post office and no money order fees be charged from them."	Volume I, No. 9, page 505.	The matter was referred to the Government of India who carefully considered the recommendation of the Council, but were unable to sanction the concession proposed.
		1921.	
16	"That this Council recommends to His Excellency the Governor in Council to represent to His Excellency the Governor-General of India in Council the necessity of arranging an All-India Round Table Conference consisting of leading officials and non-officials of the country to which the members of the Executive Council, the Ministers of the Government, selected non-official members of this Council and other influential Hindu, Muhammadan, Sikh, and Christian leaders (including recognised leaders of the non-co-operation movement) in the Punjab and elsewhere should be invited to consider the necessary steps to be taken to reconcile the people and to maintain law and order and to ascertain how it is possible to secure co-operation."	Volume I, No. 9, page 514.	A copy of the Resolution was forwarded for the consideration of the Government of India.

Serial No.	Terms of Resolution passed or promise made.	Volume, No. and page of Punjab Legislative Council debates.	Action taken.
		1921.	
17	"That this Council recommends to the Government that the number of Indian Civil Service posts listed as open to members of the Provincial Civil Service in the Punjab be raised at once to one-fourth of the superior Civil Service posts in the province and that the proportion thus reserved shall in no way affect the proportion of appointments to be reserved for members of legal professions."	Volume II, No. 2, page 146.	The Governor in Council has very carefully considered the number of listed posts in the light of the claims of the Indian Civil Service (shortly to be extensively Indianised) on the one hand, and those of the Punjab Civil Service on the other. It is of great importance to the efficient administration of the province that the superior posts shall be mainly filled by officers having the higher standard of capacity and education which is normally reached by the service specially recruited to occupy such posts. On the other side, experience has its claims, and the best officers of the Punjab Civil Service are qualified in limited numbers to rank alongside of the *corps d'elite* which the reorganised Indian Civil Service will continue to provide. The course upon which the Governor in Council has decided is so to increase the listed posts as to open to the Punjab Civil Service for *the present* a number not less than that which was fixed before effect had been given to the long standing intention of appointing members of the Bar to District Judgeships. The execution of that intention will thus not reduce the openings before the Punjab Civil Service. Recent orders provide that members of the Punjab Civil Service who are promoted to fill listed posts will in future have the same opportunities of promotion as those who have been directly recruited. This is an important concession which has markedly improved the prospects before the Punjab Civil Service The sympathy with which Government regards the Punjab Civil Service has also been shown by the recent substantial enhancement of the pay of that Service.
		1921.	
18	"That this Council recommends to the Government to provide the sum of Rs. 30 lakhs in addition to that already provided in the budget as a special grant to the District Boards of the province for the purpose of inculcating free primary education in the area within their jurisdiction for the year 1921-22."	Volume II, No. 2, page 174.	Vigorous action has been taken for the expansion of primary education since the Reforms.
		1921.	
19	"That this Council recommends to the Government to appoint a Committee consisting of officials and non-officials, to examine its present assessment and land revenue policy, and to report what changes should be made in it."	Volume II, No. 2, page 239.	It was decided to appoint a Committee consisting of four officials and four non-officials to investigate and report upon these questions.

Serial No.	Terms of Resolution passed or promise made.	Volume, No. and page of Punjab Legislative Council debates.	Action taken.
		1921.	
20	"That this Council recommends to the Government that assessment of land revenue in the Multan District, as recently announced, be examined by a Committee, consisting of officials and non-officials, to be appointed by Government, with a view to consider specially the question of the supply of water in inundation canals as compared with the supply available in the period of previous settlement, which expired in 1900, and to report on the desirability of postponing enhancement of revenue till the water supply in these canals is adequately improved."	Volume II, No. 2, page 251.	It was decided to appoint a Committee consisting of two officials and five non-officials to examine the past and present water supply of the inundation canals of the Multan District, with special reference to the changes since the settlement of 1900; the working of the rules regarding the assessment of fluctuating canal land revenue; and the policy of the Canal Department for the improvement of irrigation from these canals; and to make suggestions in regard to these matters or any of them.
		1921.	
21	"This Council recommends to the Government to appoint a Committee to report on the changes which should be made in the Frontier Crimes Regulation, III of 1901, so far as it is applicable to the Punjab."	Volume II, No. 2, page 300.	It was decided to appoint a Committee consisting of two officials and seven non-officials to investigate and report upon this question.
		1921.	
22	"Resolution regarding measures to protect people of Isa Khel Tahsil from the raids of frontier outlaws and tribesmen was withdrawn, but Sir John Maynard promised— (*i*) to see that the measures taken were adequate, and (*ii*) to communicate to local officers suggestions made in the course of debates."	Volume II, No. 2, page 304.	Measures already under contemplation were taken, including the strengthening of the Police force and the installation of telephone and telegraph posts at all important places in the affected area. The suggestions made in the course of the debate were communicated to the local officers, as promised.
		1921.	
23	"That this Council recommends to the Government that a Committee be appointed to consider what special measures should be taken to increase and improve milch cattle in the province with a view to increasing the supply of milk and ghee."	Volume II, No. 3, page 338.	The special measures to increase and improve milch cattle recommended by the Committee, which was appointed, were published in Punjab Government (Ministry of Agriculture) Resolution No. 6696, dated 23rd May 1923, and the head of departments concerned were instructed to assist towards the attainment of the objects on which the Committee laid stress.
		1921.	
24	"That this Council recommends to the Government to be pleased to issue orders that the birth and death registers be kept with the Revenue patwaris of the district instead of with the Police authorities, and that the chaukidars be allowed to get the birth and death entries made by the said Revenue patwaris in the above-mentioned registers."	Volume II, No. 3, page 345.	The system of maintenance of vital statistics by Revenue patwaris was tried in the Lahore Division in 1923, but was given up in April 1926 as unworkable.
		1921.	
25	"That this Council recommends to Government that the daily allowance for members of the Punjab Legislative Council be increased from Rs. 10 to Rs. 15."	Volume II, No. 3, page 366.	Action taken in accordance with the resolution.
		1921.	
26	"That this Council recommends to the Government to appoint a Committee consisting of the Minister for Education, the Minister for Agriculture, the Director of Public Instruction, the Director of Agriculture, seven zamindar members of the Council and the mover to report by next session on the educational needs of zamindars."	Volume II, No. 3, page 381.	A Committee consisting of the members, two officials and seven non-officials, was appointed to consider this question.

Serial No.	Terms of Resolution passed or promise made.	Volume, No. and page of Punjab Legislative Council debates.	Action taken.
		1921.	
27	"That this Council recommends to the Government to appoint an expert Committee consisting of officials and non-officials to work out a detailed scheme for the separation of judicial and executive functions and prepare an estimate of the cost of the same."	Volume II, No. 3, page 396.	A Committee consisting of the Hon'ble Mr. Justice leRossignol, Judge, High Court of Judicature at Lahore, two officials and 6 non-officials was appointed to examine and report on the following questions :— (*i*) If the Deputy Commissioner in his capacity of District Magistrate, and the Sub-Divisional Officer, in his capacity of Sub-Divisional Magistrate, cease to exercise control over the subordinate magistracy under section 17, Criminal Procedure Code, what arrangements should be made for that control? What will be the additional cost involved, and what will be the advantages and the disadvantages of the change? (*ii*) If the Deputy Commissioner ceases as District Magistrate with 1st class magisterial powers and enhanced powers, under section 30, Criminal Procedure Code, try persons charged with offences, to deal with appellate work from 2nd and 3rd class Magistrates and to have revisional powers under Chapter 32, Criminal Procedure Code, what arrangements should be made for this work? What will be the additional cost involved, and what will be the advantages and the disadvantages of the change? (*iii*) If officers in executive charge of sub-divisions and the members of the Deputy Commissioners' staff at district and tahsil headquarters who do executive work of any kind, cease to try or commit for trial persons charged with offences, what arrangements will be made for the work now done by them? what additions to staff will be necessary, what will be the additional cost involved, and what will be the advantages and disadvantages of the change? (*iv*) If the officers of various executive departments, such as Canal, Forests, Salt, who now exercise magisterial functions, cease to exercise them, will any additional staff, and any additional cost be thereby made necessary, and what will be the advantages and disadvantages of the change?

Serial No.	Terms of Resolution passed or promise made.	Volume, No. and page of Punjab Legislative Council debates.	Action taken.
27—*concld.*			(*v*) Can the Committee suggest any changes in judicial procedure, such as the abolition of the commitment procedure, which would diminish the addition to expenditure entailed by the other measures proposed ? (*vi*) If the changes indicated in paragraphs I, II, III, and IV of the foregoing are recommended, how should the prosecuting agencies (both of Government pleaders and of Court Inspectors) be strengthened in number and quality, in order that the case for the Crown may be properly put before all Courts dealing with criminal trials, and what will be the expenditure involved?
		1922.	
28	That this Council recommends to the Government that a Committee of six members of this Council be nominated by the Government to report on the future appointment of Honorary Magistrates and Civil Judges in the Punjab, and to propose such rules and suggest such changes as modern conditions may require."	Volume III, No. 1, page 25.	A committee was appointed, consisting of two officials and four non-officials, to investigate and report upon the principles and procedure which should be followed in the future appointment of Honorary Magistrates and Civil Judges in the Punjab and to propose such rules and suggest such changes as modern conditions may require.
		1922.	
29	"That this Council recommends to the Government to refer to the Standing Committee on Public Health the proposals— (*i*) that regular training classes be opened at Government expense for the training of compounders ; (*ii*) that their emoluments be raised materially ; and (*iii*) that their designation be changed to "Medical Assistants." "	Volume III, No. 1, page 29.	The proposals as recommended were placed before the next meeting of the Standing Committee on Public Health.
		1922.	
30	"That the Finance Committee of this Council be instructed to examine the question of the annual contribution to be paid by the province to the Governor-General in Council under Devolution Rule 17, with a view to the total and immediate extinction of the contribution ; and further to take such steps as are necessary to that end."	Volume III, No. 1, page 73.	The Finance Committee considered the matter and advised Government to address the Government of India, which has been done.
		1922.	
31	"That this Council recommends to the Government that political prisoners in the Punjab be given better treatment, both before and after conviction, than is usually meted out to ordinary offenders against the law."	Volume III, No. 1, page 83.	Special class prisoners, as classified by the convicting Courts, receive special prison treatment subject to confirmation by the local Government.
		1922.	
32	"This Council recommends to the Government to move the High Court of Lahore to call, under section 439, Criminal Procedure Code, for the record of each and every case connected with the recent political unrest in the Punjab in which a non-co-operator has been convicted, so that the validity in law and fact of such convictions may be examined."	Volume III, No. 1, page 115.	Government has decided to take the course recommended in all cases in which there is any substantial doubt.

Serial No.	Terms of Resolution passed or *promise made.*	Volume, No. and page of Punjab Legislative Council debates.	Action taken.
		1922.	
33	"That this Council recommends to the Government that the monthly salary of chaprasis throughout the Province be fixed at Rs. 15—1—20 and the pay of the jamadars be fixed at Rs. 21—1—25, and that those persons who have rendered five years' approved service be given the *maximum.*"	Volume III, No. 1, page 123.	Provision was made in the budget for 1923-24 to raise the Re. 1 allowance admissible to chaprasis and menials in Lahore, Lyallpur, Sargodha, Amritsar and Rawalpindi to Rs. 2.
		1922.	
34	"That this Council recommends to the Government to convey to the Right Hon'ble E. S. Montagu its profound regret at his resignation and its appreciation of the valuable services rendered by him in helping India to achieve Self-Government in securing for her an honourable position in comity of nations and to the cause of Islam."	Volume III, No 3, page 391.	The message was conveyed to Mr. Montagu through the Government of India.
		1922.	
35	"That *this Council recommends to the* Government to inform the Government of India as to the views this Council holds on the points involved in the question of the Reforms of the Frontier Province Administration by its amalgamation with the Punjab or independently of it :— (1) That the administration of the 5 settled districts and the adjoining agencies should be under one administration. (2) In no case is this Province prepared to take over the administration of the agencies. (3) This Council cordially approved of a due measure of reforms being given to North-West Frontier, but considers that those reforms should be given within the Province itself and not by amalgamation with the Punjab. (4) In case amalgamation of the settled districts with the Punjab is considered necessary, than the cost from time to time of the administration of the territories so amalgamated, over and above the income derived therefrom, should be borne by the Government of India."	Volume IV, No. 1, pages 196-97.	A copy of the Resolution and a report of the debate were sent to the Government of India.
		1922.	
36	"This Council recommends to the Government of India to remove the restrictions placed on the export of wheat."	Volume IV, No. 1, page 267.	A recommendation was made to the Government of India accordingly. The restrictions on the export of wheat were removed by the Government of India on 7th September 1922.
		1922.	
37	"That this Council recommends to Government to expedite the survey of the Thal tract and the preparation of detailed plans of the Sind Sagar Canal Project with a view to the submission of the project to Government of India and the Secretary of State for sanction and to begin its construction as soon as work on the Sutlej Valley Project is well advanced."	Volume IV, No. 2, page 341.	In order to expedite survey work, a new Public Works Department division with 3 sub-divisions was opened.

Serial No.	Terms of Resolution passed or promise made.	Volume, No. and page of Punjab Legislative Council debates.	Action taken.
		1922.	
38	"That this Council recommends to His Excellency the Governor that the summer session of the Punjab Legislative Council be held at Simla."	Volume IV, No. 2, page 355.	The summer session was held at Simla.
		1922.	
39	"That this Council recommends to the Government that a committee consisting of five Sikh members of this Council, to be selected by all Sikh members of this Council, be appointed to bring about a settlement between the Mahant of the Guru-ka-Bagh and the Shiromani Gurdwara Parbandhak Committee."	Volume IV, No. 5, page 591.	The resolution did not call for any action on the part of Government.
		1922.	
40	"That this Council recommends to the Government that the resolution regarding increasing of the emoluments of Zaildars and Lambardars, which was carried in the Council early in March 1921, be given effect to immediately."	Volume IV, No. 5, page 599.	The Government is not in favour of the proposed addition to the revenue pachotra of Lambardars but it is open to any member of the Council to bring in a private bill to legalise the proposal. Until such a bill is passed the Government would not feel justified in recommending the expenditure from Provincial Revenues entailed by the Resolution.
		1922.	
41	"That this Council recommends to the Government that when the head-quarters of the Shahdara Tahsil have been transferred to Shahdara, a sub-tahsil be established at Sharakpur."	Volume IV, No. 5, page 630.	Action was taken for the establishment of a tahsil with a Sub-Treasury at Sharakpur which will remain open for 4 months in a year.
		1922.	
42	"That this Council recommends to the Government that a committee of 6 members of this Council with an official Chairman be appointed to enquire into and report on the question of communal representation in the cadre of Civil Services, both senior and subordinate, and to suggest such remedies as should for ever close the recent Hindu-Muslim controversy which is being carried on in the Press."	Volume IV, No. 5, page 639.	Certain members were invited to serve on the Committee, but the Committee did not meet.
		1923.	
43	"That this Council recommends to the Government to attempt an experiment on a unit of area of not less than one 'Rajbaha' of the amalgamation of the Canal and Revenue Patwari agencies and Zilladars with Naib-Tahsildars and Deputy Collectors with Tahsildars and Extra Assistant Commissioners according to the permanent salary which they would be drawing at the time, and place them all under the direct control of the Collectors."	Volume IV, No. 8, page 845.	The experimental scheme of amalgamation of Canal and Civil Revenue staffs was commenced on the Western Jumna Canal from 1st January 1924 and lasted till 1st October 1927, when owing to the scheme not having proved a success all the Canal Revenue Sta was returned, with the exception of Patwaris, who have now to do the work of both the Canal and Civil Revenue Departments. The Patwaris will for the present be under the Civil Revenue Department and further adjustments will be made if need arises.
		1923.	
44	"That this Council recommends to the Government to keep all political prisoners in such jail or jails situate in healthy and temperate climate as it may be set aside exclusively for this purpose, no ordinary culprits being detailed in such jail or jails."	Volume IV, No. 8, page 878.	Prisoners of the special class are segregated as far as possible in two District Jails. Owing to the crowded state of the jails it has been found impossible so far to go beyond this in the direction recommended.

Serial No.	Terms of Resolution passed or promise made.	Volume No. and page of Punjab Legislative Council debates.	Action taken.
		1923.	
45	"That this Council recommends to the Government that all persons arrested in connection with Guru-ka-Bagh affair, the Kirpan cases and Gurdwara movement be immediately released."	*Volume IV, No. 10, page 1124.*	*As explained in the course of the debate, Government were not able to accept this resolution as it stood. The remainder of the Guru-ka-Bagh prisoners, were, however, released about the end of April 1923, in circumstances that have already been made public*
		1923.	
46	"That this Council requests His Excellency the Governor of the Punjab to convey that Council's respectful congratulations to His Most Gracious Majesty the King Emperor of India on the birth of a grandson, Princess Mary's son."	Volume IV, No 14, page 1355.	The message was conveyed to His Majesty the King through proper channel.
		1923.	
47	"That this Council do recommend to the Local Government that it should undertake to pay the cost, not exceeding Rs 23 lakhs of a diversion of the Sutlej Valley Railway line between the Stations of Pakpattan and Mailsi required in the interests of the development of Nili Bar colony."	Volume IV, No 16, page 1506.	The Government of India were addressed by the Public Works Department in this connection and correspondence continues, and the action proposed was taken.
		1923.	
48	"That this Council recommends to Government that the number of 'Muharram' holidays be increased from 3 to 5 days, *i.e.*, from the 6th to the 10th of 'Muharram' both inclusive."	Volume IV, No. 17, page 1549.	Government decided that they were not prepared to increase the number of public holidays on account of the Muharram festival.
		1923.	
49	"That this Council recommends to the Government to appoint a Committee of official experts with a majority of non-official members of the Legislative Council under the presidency of the Hon'ble Minister for Agriculture, Punjab, to examine how far overlapping exists amongst the Departments of Public Works Department, Roads and Buildings, Irrigation and District Boards, and how far the recommendations of the Sly Committee report, appointed by the Government of India for the same purpose can be given effect to in this province."	Volume IV, No. 17, page 1553.	The question of appointing the Committee proposed was considered by Government in 1923 and certain nominations were made, but owing to various causes the Committee did not sit.
		1924.	
50	"That this Council recommends to the Government that the Tahsil at Narowal be retained in that town until the end of the financial year 1924-25."	Volume VI, No. 1, page 60.	The Tahsil of Narowal has been retained.
		1924.	
51	"That this Council recommends to the Government that the new University regulation proposed by the Punjab University, introducing 'Education' as a professional and theoretical subject in the B.A. course, be not approved."	Volume VI, No. 4, page 182.	The University was asked to reconsider the proposed regulation; but the Syndicate informed Government that it adheres to its decision. Government again expressed the hope that the decision might be reconsidered.

Serial No.	Terms of Resolution passed or promise made.	Volume No. and page of Punjab Legislative Council debates.	Action taken.
		1924.	
52	"This Council recommends to the Government that the construction of Bhakra Dam be taken in hand as soon as the construction of the Thal project has sufficiently advanced to admit of the work on this project being undertaken subject to the proviso that the Council votes money, and that the project should be found suitable from the engineering and the financial point of view and has received the sanction of the Government of India."	Volume VI, No. 4, page 190.	Since the 1924 resolution, further geological investigations have been made regarding the Bhakra Dam and a specialist from America with a senior officer of the Irrigation Branch and two geologists have been appointed as a Committee to report to Government on the Bhakra Dam from the geological and engineering aspect. The Thal Project has been postponed for the present and cannot be taken up until the controversy with the Government of Bombay regarding the utilization of the water of the Indus has been settled.
		1924.	
53	"This Council recommends to the Government that a committee of three be appointed to tour the villages in the south-western Punjab to examine the claims of money lenders against cultivators when the parties agree to this course and to arrive at sums which they are actually able to pay within a reasonable time. Such committee to consist of (*a*) Judge with insolvency powers, (*b*) a representative of cultivators and (*c*) a representative of bankers."	Volume VI, No. 8, page 341.	The Governor in Council decided after full consideration to take no action.
		1924.	
54	"This Council recommends to the Government to recommend to the Government of India that they may take early steps to exempt the sword from the operation in the Punjab of the Arms Act with regard to all the restrictions contained therein."	Volume VI, No. 8, page 348.	The Governor in Council after full consideration decided to defer general action on this resolution; but subsequently certain exemptions have been allowed by the Government of India on the recommendation of the local Government.
		1924.	
55	"That this Council recommends to Government to raise during the year 1924-25 a loan of Rs. 1,50,00,000 for the purpose of providing funds for the construction of Irrigation Works Capital Expenditure—and other productive projects approved by the Council."	Volume VI, No. 9, page 384.	The Governor in Council decided to raise no loan in the Punjab that year, because money can be obtained from the Government of India @ ½% less than the interest rate which would probably be necessary for a loan. The finance of productive works is a part of the Government's policy of development and has been steadily pushed on.
		1924.	
56	"This Council recommends to the Government that a loan not exceeding Rs. 50 lakhs at the rate of interest not less than that paid by Punjab Government on its borrowings be made to the Bahawalpur Darbar for construction of the Darbar's portion of the Sutlej Valley Project, and that the Punjab Government should, if necessary, raise the sum required by means of increasing the Punjab loan for 1924 from 1¼ crores to 2½ crores."	Volume VI, No. 18, page 841.	After the 1924 resolution was passed a sum of Rs. 36,11,761 was temporarily lent by the Punjab Government to the Bahawalpur State to meet its share of expenditure on the Sutlej Valley Project in 1923-24. This amount was repaid and adjusted under the authority of the Government of India in 1924-25; and since then the Government of India have been financing the Bahawalpur State so far as expenditure in connection with the Sutlej Valley Project is concerned.
		1924.	
57	"This Council recommends to the Government that Maulvi Zafar Ali Khan be released forthwith unconditionally."	Volume VII, No. 1, page 72.	The Governor in Council decided after full consideration that the recommendation should not be accepted.

Serial No.	Terms of Resolution passed or promise made.	Volume No. and page of Punjab Legislative Council debates.	Action taken.
		1923.	
58	"That this Council recommends to the local Government, (1) That a Provincial Co-operative Bank should be established. (2) That the local Government should agree to guarantee interest at 6 per cent. on debentures to be issued by the Bank to a total sum of Rs. 20 lakhs, and for a period not exceeding 25 years from the date of issue thereof *provided that the Bank ente*· into an agreement with the Local Government to redeem the debentures within the period named."	Volume V, No. 1, page 94.	A Provincial Co-operative Bank has been registered. Government has guaranteed 5 lakhs of debentures.
		1923.	
59	"That this Council recommends to Government that Jailors of any Jail (Central or District) should not remain in charge of Jails at one station more than two years, and those who have already spent longer *terms than this at one station* should soon be transferred."	Volume V, No. 5, page 366.	Orders have issued on the lines of this resolution, but with the extension the period of stay for Jailors of Central Jails to three years instead of two.
		1924.	
60	"This Council recommends to the Governor in Council that a residential club be provided in Lahore for the use of members of the *Punjab Legislative* Council."	Volume VII, No. 5, page 385.	The Club has been provided.
		1924.	
61	"*This Council has heard with extreme regret* the sad news of the sudden death of the Right Hon'ble E. S. Montagu, late Secretary of State for India, the originator and propounder of the present scheme of reforms, whose name will ever be remembered by future generations of India with feelings of profound gratitude and esteem. The House expresses its sincere sympathy and condolence on his death and recommends to the Government to convey to Mrs. Montagu and the family, the sympathy of the House on the sad and irreparable loss sustained by the family of the deceased, this country and the Empire."	Volume VII, No. 6, page 463.	A copy of the resolution was forwarded to the Government of India for transmission to the proper quarters.
		1924.	
62	"This Council recommends to the Government that the right conferred by notification No. 21320 of the 1st September 1924, on the non-official members of the Standing Committee of the Legislative Council for Jails of visiting four specified jails be extended to all jails or at least to all jails in which Political, Akali or Khilafat prisoners are lodged."	Volume VII, No. 8, page 591.	Recommendation accepted by the Governor in Council and orders issued,—*vide* Punjab Government notification No. 27690, dated 10th December 1924.
		1924.	
63	"This Council recommends to the Governor in Council to withdraw its notifications Nos. X. I. R. 1 to X. 8 R. I. published in the 'Punjab Gazette' Extraordinary, of October 3, 1924, prescribing with effect from the Kharif of 1924, new schedule of occupiers' rates for the chief canals in the Punjab and direct instead of collection of abiana at the rates prevailing before April 1924."	Volume VII, No. 10, page 717.	The Governor in Council found himself unable to accept this resolution.

Serial No.	Terms of Resolution passed or promise made.	Volume, No. and page of Punjab Legislative Council debates.	Action taken.
		1924.	
64	"This Council recommends to the Government that the indemnity realised from the inhabitants and municipal committee of Gujranwala under the Police Act (V of 1862) in 1919 may be refunded."	Volume VIII-A, No. 6, page 261.	The Governor in Council decided to take no action on the resolution.
		1924.	
65	"This Council recommends the acceptance by Government of an annual guarantee of Rs. 11,770 (subject to revision when actual cost of construction is known) for a period of 5 years on account of the proposed extension of the Lahore-Multan Trunk Telephone line to Karachi."	Volume VIII-A, No. 7, page 288.	The guarantee has been accepted by the Government.
		1924.	
66	"This Council recommends to the Government that it should invariably offer land in exchange for any land required in future under the Land Acquisition Act and that compensation in cash should be awarded only in cases where persons concerned refuse to accept land in exchange."	Volume VIII-A, No. 2, pages 83-84.	The Governor in Council has decided that land should be offered instead of cash, provided— (*a*) that land is available for the grant, and (*b*) that the land acquired from any one person— (*i*) bears a reasonably large proportion to the amount of land still left to him, or (*ii*) affects in an appreciable degree the possibility of his making his livelihood out of the land, or (*iii*) exceeds Rs. 4,000 in value. This decision does not apply to urban lands or save in exceptional circumstances to lands in the close vicinity of a town or mandi.
		1925.	
67	"This Council recommends to the Governor in Council that the non-official members of the Punjab Legislative Council be made non-official visitors of the jails within their respective constituencies."	Volume VIII-B, pages 1437—65.	Since 1925 the practice has been to appoint non-official members of the Standing Committee on jails as non-official visitors of all jails in the Punjab (except the Female Jail, Lahore). It is not proposed to extend the scope of the experiment to all non-official members of the Council.
		1925.	
68	"This Council recommends to the Government so to amend the Punjab Legislative Council Electoral Rules as to remove the sex disqualification in the matter of registration on the electoral roll of persons who are entitled to vote in the elections held for the Punjab Council."	Volume VIII-B, page 1509.	The sex disqualification has been removed and certain regulations in connection therewith have been framed.
		1926.	
69	"This Council recommends to Government that the Punjab Electoral Rules be so amended as to remove the sex disqualification in the matter of election or nomination of women as members of the Punjab Legislative Council" (21-10-26).	Volume X-B, No. 30, page 1636.	The necessary amendment of the Electoral Rules has been made.
		1926.	
70	"This Council recommends to the Government to take necessary steps to exempt the following classes of men from the restrictions in the matter of keeping swords in the province :— (*a*) all jagirdars, (*b*) those who pay Rs. 50 as land revenue, (*c*) all income-tax payers, (*d*) title-holders, (*e*) Government servants drawing a salary of over Rs. 250 per mensem. (*f*) retire dmilitary men of and above the rank of Jamadar."	Volume IX-B, No. 32, page 1788.	The recommendation was accepted by the Punjab Government and Government of India,—*vide* amendment in the Indian Army Rules, 1924, published with Government of India, Home Department (Police), Notification No. F. 21/IX/27, dated the 10th March 1927.

Serial No.	Terms of Resolution passed or promise made.	Volume, No. and page of Punjab Legislative Council debates.	Action taken.
		1927.	
71	"This Council recommends to the Government to forthwith release Sardar Kharak Singh, President, Central Board and all other Gurdwara prisoners." (21st March 1927).	Volume X, No. 13, page 595.	Sardar Kharak Singh was released on June 4th, 1927. The resolution was not accepted by Government in regard to other Gurdwara prisoners.
		1927.	
72	"This Council recommends to the Government to take necessary steps to accommodate in the Punjab jails all the political prisoners of this province including the martial law prisoners who are serving their terms of imprisonment in the jails of other provinces." (22nd March 1927.)	Volume X, No. 14, page 666.	Government undertook to scrutinize the lists of these prisoners with reference to the history and circumstances of each individual case, and secure the transfer to the Punjab of as many as can safely be so transferred with proper regard to the security and peace of the Province.
		1927.	
73	"This Council recommends to the Governor in Council that the income derived from the Shamilat forests of the Kangra district be distributed amongst the Zamindar proprietors of the Shamilat." (19th July 1927.)	Volume X, No. 17, pages 852—866.	The Governor in Council after careful consideration decided to take no action on the resolution.
		1927.	
74	"This Council recommends to the Governor in Council that the sale of artificial *ghi* (Banas pati products) be controlled in the Province by some suitable legislation to the effect that the vendors of such *ghi* and of various preparations of this *ghi* shall hang a sign-board in bold type saying that the *ghi* or the preparations thereof are of a particular variety." (23rd November 1927.)	Volume X, No. 22, pages 1321—1342.	The matter is under consideration.
		1928.	
75	"This Council recommends to the Government to announce that it is their policy to encourage and promote in this Province the study of the *Unani* and *Ayurvedic* systems of medicine." (22nd February 1928.)	Volume XI, No. 2, pages 54—64.	

CHAPTER IV.—The Press.

Between 1921 and 1926. The number of newspapers and periodicals published in the Punjab increased from 196 to 370. The life of many of the papers is ephemeral, and records show that during the period above-mentioned no less than 600 periodicals were started or revived, and that 500 ceased publication. Of the publications which were in existence during the whole or part of 1926, only 25 were daily papers, of which 6 were published in English and the rest in one or other of the Vernaculars; papers published once or twice a week numbered 150, of which 10 were in English. There are 14 daily newspapers with a circulation of over 1,000, one European, three Muhammadan, seven Hindu and three Sikh; but in 1926 no single paper had a circulation of more than 4,000. The total circulation in 1926 of all newspapers and periodicals was 408,000, or more than ten times the circulation in 1921. In part, this is no doubt a reaction to the progress of education, for the number of persons under instruction has increased from 626,000 in 1921 to 1,182,000 in 1927; but it must also reflect an increased appetite for news and increased interest in current affairs. The Sikh newspapers, which make a special appeal to Sikh "national" and religious sentiments, depend to a considerable extent on country readers; but other papers rely mainly on the urban classes, though with the spread of literacy among the rural classes, there is a steady increase in the number of villages where some newspaper or other circulates among the villagers. To this process the growth of village libraries maintained by the Ministry of Education, of which there are now over 1,500 in the province must have helped to contribute.

2. The condition of parties in the Legislature has been described in an earlier chapter. The facts would hardly justify us in holding that the Press contains purely party organs, in the sense in which that term is understood in England. Certainly none of the existing parties maintains or subsidizes an organ of its own; the nearest approach to this is found in the three or four papers maintained by the "Akali" section among the Sikhs. The changes of policy of some of the minor newspapers are rapid and sometimes confusing; but for the most part it may be said that the policy is determined by communal or sectional, rather than by other considerations. The leading Indian-owned newspapers, whether they are published in English or in a vernacular, are all advocates of Self-Government. There is, however, considerable diversity of view regarding the ultimate form of the constitution and the methods and stages by which it should be attained. At certain stages of political movement, the national point of view gains strength at the expense of the communal, and a feature then common to many newspapers is insistent criticism of Government and emphasis on any consideration which would discredit the British connection. Ordinarily, the attitude of the majority of the Press is hostile towards the executive administration and the executive officer and, with few exceptions, every opportunity is taken to criticize and on occasion also to misrepresent actions of the magistracy and the police. The Transferred Departments and, in particular, the Beneficent Departments are regarded with greater consideration, and the more responsible papers devote considerable space to problems and measures of social reform. There is general agreement in regard to the desirability of compulsory education and of improvement in public health and medical relief, and although the development of agriculture and industries respectively appeals to different classes, the support obtained by each is not confined to the papers representing particular interests. Criticism, however, is generally apt to fall short on its constructive side and is often ill-informed; but in this respect the Press has shown itself willing to use the information supplied by the Public Information Bureau, and the work of the Bureau, combined with the increasing interest which is taken in the proceedings of the Legislative Council, is responsible for considerable improvement in the scope and accuracy of the information supplied to the public regarding the activities of Government. With the more communal papers, however, the administrative policy of a Ministry is judged less on its merits than on its presumed effects on the community which the paper supports, and attacks on the Ministers in the Press are for this reason frequently both unfair and prejudiced.

3. While there are papers in the Punjab which, whatever their views in politics or their attitude to Government, express themselves with reason

and moderation of language, it may be said with truth that the outstanding characteristic of the less reputable section of the Press in the Punjab is its violence of tone. This violence, as already noted, is often directed against Government, but it may equally be directed aginst another community. The two forms of attack often occur simultaneously, Government being condemned for its supposed support of the opposite community or on the allegation that it fosters communal tension, while the rival party is assailed because of its sins of commission or omission. The virulence increases as religious passions rise, and when communal tension is acute, this section of the Press is an acknowledged danger to the public peace. While opinions differ as to how far it is an original cause of hostility between the various communities, it is generally admitted that there is a class of newspapers which at times depends largely for its circulation on the publication of matter deliberately designed to foment religious prejudices, and that there exists a considerable class of pamphleteers and cartoonists who thrive by the dissemination of such matter. Those in close touch with the journalistic profession aver that the more exaggerated are the stories to which currency is given, and the more alarmist the rumours which are spread, the greater is the circulation.

4. In the summer of 1927, when communal tension was very acute, it was estimated that there were at least 60 newspapers, published in the Punjab, whose main object it then was to attack the rival community, or whose writings were calculated to foment class hatred. When riots occur, the task of the authorities in the restoration of order is rendered far more difficult by the daily misrepresentations of the Press. During the Lahore riots of May 1927, for instance, a Muhammadan newspaper published the entirely false report that Hindu shopkeepers were poisoning eatables sold to Muhammadan customers, and equally false and alarmist rumours were circulated by other newspapers with the apparent intention of inflaming the passions of the public, which were already very high. The prostitution of the Press to communal ends assumes various forms. The lower class of papers published attacks of an abusive character on religious leaders and historical persons revered by other communities; they quote obscene passages, and especially those dealing with sexual relations, from the scriptures of other religions; they hold up to ridicule the social habits of other classes and they support movements for their social and economic boycott. During the summer of 1927 such articles were of almost daily occurrence, and had Government filed prosecutions in all cases that were actionable, it would have kept the Lahore Courts busy for months. It had, of necessity, to confine action to the more flagrant cases, and during the first seven months of that year, it proscribed 11 newspapers and 8 books, pamphlets or posters; it warned 17 editors and took proceedings under section 153-A of the Indian Penal Code or section 108 of the Criminal Procedure Code against 7 newspapers. The measure of restraint thus exercised on the Press was disappointing, and the limitations in the present law regulating the Press have not enabled the Executive Government to restrain with effect the extreme communal activities of the more irresponsible section of the Press. Its inability to do so and the necessity for wider powers were recognised by several non-official members in a debate which took place in the July session of 1927 on the communal situation. Other non-official speakers were more influenced by the apprehension that the Executive might use its powers to control the criticism of Government action, and their views are probably representative of public opinion, which is unlikely to support any restraint on the abuse by the Press of its freedom, unless indeed a communal crisis arises, involving danger so obvious to the peace of the Province as to compel it to change its attitude. In the meantime, Government will continue to labour under a serious disability in its efforts to control the consequences of communal enmity.

CHAPTER V.—Communal Dissension.

1. The period 1922—27 was marked by much communal dissension and many outbreaks of actual violence. On this topic, discussions have shown that there exists some difference of view between the official and the non-official members of the Government. They differ in estimating the importance to be attached to these incidents, nor do they agree in thinking that circumstances require that a memorandum dealing with the Reform period should embrace a detailed record of them. While admitting that during some years of this period the course of law and order in the Province was very seriously disturbed by troubles of a different origin, arising out of the Gurdwara agitation, and also that rioting has at times taken place from other than communal causes, the official members nevertheless consider that the state of communal feeling and disorder in part of the period 1922—27 had such reactions not only on the peace of the Province, but on political relations, that the subject must necessarily find a place in a study of that period. In Appendix A which follows, they have given what appears to them to be the facts necessary for appreciating the state of feeling and the nature of the disorders which arose. Important as they consider this record to be, they refrain for the moment from drawing any conclusions from it ; it must be left for time to show whether the period of acute dissension has only been a transitory phenomenon. Nor do they wish by its inclusion to convey an undue impression of the effect of communal dissension during that period on the life of the Province as a whole. As the record shows, the pressure of feeling varied greatly in intensity ; despite the serious rioting in Multan in 1922, feeling was not such as to cause any wide-spread disorder during the years 1923-1925 ; it was, on the other hand, very marked both in its intensity and its effects in 1926 and 1927. For the great part of those years it took precedence over every other topic in the Press ; it largely influenced debates in the legislature, and was a matter of grave anxiety to the administration. Again, the trouble existed mainly in some of the large towns ; it had less effect on the small towns and, save in a few cases*, did not seriously affect the rural population. It had its reactions both on the press and the political world and particularly on the former ; but it did not prevent a large number of Hindus and Muslims from working together in political and social matter of common interest. Nor was it a manifestation peculiar to the Punjab. There were riots in other provinces, and, as the story shows, feeling in the Punjab itself was continually under the influence of occurrences at Delhi, Kohat or Calcutta, or even in independent territory across our border. Again, if the narrative refers at some length to proofs of communal dissensions, as shown in speeches delivered at meetings, or writings in the press, it is not because such features are entirely peculiar to the years 1922—27, but partly because we have a much more complete record of that period, and partly because such details are necessary to give a full account of the atmosphere which led up to the actual outbreaks of violence. Moreover, it is only natural, that with the growth in the practice of holding public meetings, and the great expansion of the newspaper press (and as shown elsewhere in Chapter IV, a large number of Punjab newspapers are issued in communal interests), proofs of the expression of current feelings should be far more obvious and their effect seen over a more extended area.

2. The official Members think it advisable to add some further analysis of the facts, and of the situation generally. This they have done in the following paragraphs, numbers 3 to 6. The views of the non-official members will be found in paragraphs 7 to 12.

Views of Official Members.

3. Communal dissension was not unknown before the Reforms period, and on more than one occasion serious communal riots had taken place. In the history of the last 50 years, the period 1881—1893 was marked by the occurrence of nine disturbances of differing degrees of severity ; that of 1881 at Multan was of particular violence and led to great loss of life and property. Of the 9 disturbances, five which occurred in 1885-86 were mainly due to the

*Note.—See for instance the case of Saidpur, etc., at paragraph 9 of Appendix A. Since the Appendix was written, disturbances between Hindus and Muslims, involving considerable loss of life, have occurred in the villages of Softa in Gurgaon and Malikpur in Ambala District.

clashing of Hindu and Muslim festivals. After that, there was a prolonged period of practical immunity from disturbance; there was very considerable feeling aroused by the murder of Pandit Lekh Ram, a prominent Arya Samajist, in 1894, and there was some trouble, but not of a serious nature, in 1911. During the War period, there was no manifestation of communal differences; the severe outbreak of violence in the South West Punjab in 1915, in the course of which numbers of Hindus suffered violence and loss, was perhaps due rather to economic than communal causes. In the period which immediately preceded the introduction of the Reforms, and included the agitation due to non-co-operation influences, the political union of the two great communities was a marked feature of the situation. Their leaders succeeded in conveying something of their spirit to their followers; as shown in the Hunter Committee Report, the *Ram Naumi* celebration of 1919 was marked by hitherto unparalleled incidents of fraternization between the Hindu and Muslim population of Amritsar and Lahore, and during the course of the 1919 agitation, Muslims took the exceptional step of welcoming Hindus and Sikhs to pulpits of some of the principal mosques. The course of events in 1922—25, leading up to the period of acute dissension in the following years, was a complete reversal of this situation.

4. In attempting to gain a correct appreciation of the events of these years, it is proper to remark that an outbreak of violence is not in every case evidence of an antecedent state of communal tension. Incidents, however serious, which arise from the clashing of two great religious festivals would be normal, and to some extent natural; they would not in themselves argue the existence of deep-lying communal animosity, or prove that communal agitation had been active. Such incidents might well occur in similar circumstances among people who feel far less keenly on the subject of their religion than does the Indian population; and at the worst, outbreaks of this nature can be but of rare occurrence. It might even be felt that incidents such as those at Panipat*, due to local disputes, and arising from the rivalries of religious neighbours, are somewhat of the nature of ordinary quarrels. Real proof of the existence of communal animosity arises when such disturbances are not sporadic but continuous; when communities persistently refuse to accommodate each other in the practice of their religious customs, or purposely seek occasion to offend the well known susceptibilities of others; when they are supported and encouraged in that attitude on the platform and in the press; and when a state of feeling is fostered in which the most trivial incident may give rise to a violent conflagration. Some of the incidents of this period seem to show that for the time being at all events animosity of this type existed. The Rawalpindi† riot of 1926 was a deliberate reprisal for an incident which occurred twenty-four hours before; the Lahore‡ riot of May 1927 grew out of an occurrence which had not the slighest religious significance; that at Multan§ in the following July had its origin in a baseless rumour. The significance of these events lies in their proof of a continuous state of tension, deliberately maintained over a long period by a campaign of public speeches and inflammatory writings. Both in the more serious section of the Press and in the debates in the Legislative Council there were frequent admissions that the state of acute communal tension was poisoning the political and social life of the Province.

5. We are on more difficult ground when we attempt to estimate the extent to which the Reforms Scheme has been responsible for this display of communal feeling. It is hardly open to question that the Reforms Scheme, which gave administrative value to the representation of a community in the Council, quickened communal consciousness, and directed attention in a concrete form to the strength or weakness of a community in voting power. It stirred communitues to utilize the new opportunities which could be realized by combination for political purposes. There is no doubt that part of the trouble arising during the Sikh agitation was due to the desire of that community to gain in the new constitution a place which it regarded as adequate to its historic importance and martial reputation. It is equally clear that the Muslims, who had for years

* Para. 1 of Appendix A.
† " 9 " "
‡ " 13 " "
§ " 26 " "

felt themselves in a position of economic and educational, and therefore also administrative inferiority to the Hindus, saw the advantage which the strength of their vote in the Council offered to them of securing means to improve the position of their community in education and in representation in the Services. The Hindus appreciated the danger in which they stood of losing some of the advantages they had secured by their superiority in education and in commercial pursuits. But these were the natural and normal developments to be expected of a people to whom the communal tie at the moment made a stronger appeal than other interests ; there was, at first sight, no reason why the effort of the communities should go beyond the attempt to improve their position in the political sphere, or to take advantage of such chances to advance the welfare of their community as their political position could secure to them. It needed something else to transfer that natural competition into social animosity embittering the everyday relations of a considerable section of the people and leading to a state that amounted at times to open warfare.

6. The explanation is probably to be found in the following facts. The non-co-operation period, and the agitation following the Punjab troubles of 1919, had aroused feelings which could not be entirely satisfied by action within ordinary political lines. In particular, the appeal to Muslim feeling presented by the Khilafat agitation, and supported with great vigour by Hindu leaders during the non-co-operation period, had aroused in the Muslims a class consciousness and a greater sense of solidarity than they had shown before. Whether or not it was in the natural order of things that some of these feelings, in seeking an outlet, should bring to the surface the antagonism between the communities which had manifested itself at times in previous years, yet it is clear that there were those who saw their own personal advantage in utilizing the atmosphere thus created to constitute themselves leaders of communal feelings of the extreme type. There were many leaders of opinion whose aims were national rather than communal ; there were many men who rightly thought that they could best show their interest in their community by a constructive effort to improve its social and cultural conditions ; but there were others of a lower type, second grade politicians and proprietors of inferior papers, who, as said elsewhere, realized that " while purely political cries vary and wane in popularity and importance, religion remains a living and permanent force ; they therefore turned to religious appeals to strengthen their following or resources where political programmes had ceased to attract." The events of 1922—27 reflected the unfortunate success of this class. They succeeded in diverting to their own destructive campaign much of the new political consciousness awakened by the Reforms Scheme, and, in the process, created a situation which might well have prejudiced the successful working of that Scheme.

View of non-Official Members.

7. The views of the non-official members of Government are given in this and the following paragraphs. It will be as well to begin by stating the points on which all members of Government are agreed. It is recognised that a reference to communal dissensions and disturbances was inevitable ; that they are not peculiar to the Punjab, but constitute an all-India problem, other provinces also having suffered from it ; that they are mainly limited to urban areas, and their acuteness is limited to the years 1926 and 1927 ; that they are not of recent origin, having existed in the distant past (eighties) as well ; that they loom large in the public eye now-a-days because the present day means of publicity are incomparably greater than they were in the past.

8. These dissensions and disturbances have been described in paragraphs 1 to 6, and given in great detail in Appendix A. It is contended that these do not warrant the inference that the antagonism between communities is real, deep-rooted and everlasting. It is recognised that Service members of Government are naturally influenced in their judgment by the gravity of the situation which breaches of peace create and which they have to control under difficult circumstances, and it must be said, to their credit, with marked success. But the picture of the provincial life would be misleading if too great an importance were given to communal dissensions and communal amity and goodwill which has been ruling the countryside were ignored or inadequately

emphasized. The Appendix A shows that communal disturbances between 1922—27 were altogether confined to 8 towns, and even in these towns during serious disturbances only a fraction of the population was directly affected. There can be no greater evidence of the goodwill that prevailed in the countryside and even in the towns that in spite of a virulent press and platform propaganda, there was no widespread disturbance. Communal dissensions relating to vilifying the prophets and saints of other religions were found in part at least to be due to the long delays of courts of law and defective law to deal with them.

9. In order to correctly estimate the position which communal dissensions and disturbances occupy in the picture of Punjab life, it would be as well to analyse the disturbances that actually took place during 1922—27. There were in all 13 disturbances, of which Multan had 3, Lahore 2, Amritsar 2, Panipat 2 and Rawalpindi, Rewari, Chiniot and Khanna had one each. Some of these towns have had their communal disturbances, even before 1920. Multan had a serious riot in 1886, Amritsar in 1916, Chiniot in 1912. A reference to statement B of the section relating to the working of the Police Department reveals that communal riots constitute but an insignificant proportion of ordinary riots which are due to other causes. In 1922 there were two communal riots as against 760 ordinary riots. In 1923 there were four communal riots as against 757 ordinary riots and in 1924 there were two communal riots as against 960 ordinary riots. In 1926 and 1927 there were two communal riots in each year as against 660 and 797 ordinary riots, respectively. A glance at statement D attached to the Police Report will show that between 1923—26 there were from 600 to 700 murders in a year. Therefore communal contribution to crime, which all deplore, cannot be regarded as serious. A reference to the appendices to the Disorders (Hunter) Enquiry Committee's report would show that political tension and disturbances of 1919 were far more acute and widespread than any communal rioting within the last seven years. Amritsar, Lahore, Multan and Panipat figured prominently during the political disturbances of 1919. Rawalpindi had the distinction of having a political riot as early as 1907. Economic disturbance of 1915 in the Punjab involved very considerable damage to property and commission of crime.

10. It is also of interest to note that communal disturbances come and disappear unexpectedly and are often followed by very gratifying manifestations of goodwill. Looking backward we find the three years period of 1917—19 was full of restlessness, fermentation of thought, suspicion of Government and political agitation, and yet the communal disturbances like those at Arrah in Bihar and Orissa and near Hardwar and Saharanpur in the United Provinces failed to disturb communal concord. It would not be wrong to affirm that politics are slowly leaving religion to its own domain, and in political development will be found the sovereign cure of communal ailments. In Appendix B extracts are given from Confidential Fortnightly Reports and from Appendix I of Hunter Committee's Report where Hindu-Muslim unity went so far as to make them hold joint meetings in mosques and temples, and conduct processions of each other with great mutual goodwill and courtesy. In Appendix C are given instances of Hindu-Muslim goodwill taken from a vernacular paper which at other times is believed to sow seeds of discord. The next three years from 1920—22 were full of non-co-operation in other parts of India, but in the Punjab the movement did not gain ground, chiefly because the leading politicians had decided to work the Reforms. Akali agitation, Babar Akali movements came to a head, and broke down because the reformed Councils permitted free discussion and the representatives of the people realised the meaning of these movements and steadily worked for a solution. In the years that followed 1923—25, and particularly 1926-27, as the political atmosphere cleared up, communal problems came to the fore and the result was dissensions and disturbances, and it would be right to conclude that at the present stage of our development communal dissensions begin to develop as soon as large national problems recede to the back-ground, but there is a general tendency to place national problems above communal dissensions. The appointment of the Royal Commission has again drawn attention to national problems and strong efforts are being made to reach communal understanding and concord.

11. Indian political workers firmally believe that direct touch with economic, social and political problems which the reforms have brought will draw men of various creeds together, in the realisation of common objects and unite them to serve the common weal. The working of the reformed Council for the last seven years gives the promise of the awakening of political consciousness and a correct appreciation of conditions required for the successful working of self-Government. National demands are asserting their supremacy and are bound to drive out communal misunderstandings which stand in the way of progress. We firmly believe that communal dissensions are a passing phase in the political evolution of India ; that the devolution of power and responsibility will lead to a clearer realisation of the needs of the situation, leading up to a just and fair adjustment of all communal claims, including those based on religious sentiments, and gradually building up of a common culture. The leaders of political opinion recognise the need of unity, and what the leaders think to-day the masses will think to-morrow.

12. The Hon'ble Minister for Education has separately recorded his views in the following terms :—

" The broad facts are set forth in the note by His Excellency and the Hon'ble Member for Finance in charge of Law and Order and my Indian colleagues with clearness and exactness. In my opinion to argue about communal dissension on the basis of actual riots and violent outbursts misses the true import of the problem. Eruptions of this kind and breaches of peace are bound to be occasional, but what is significant is the ease with which these explosions have taken place recently apparently without any occasion whatsoever, as also, and this to my mind is even more important, the increasing tense state of feeling between the two major communities in the Province as evidenced by the Press and the Platform. The importance of these two propagandist agencies cannot be minimised—for they constitute the vocal and therefore necessarily the determining factors in the political life of the country. It is true that the virulence of this propaganda—(*vide* paragraph 1 of the note)—has not succeeded in creating widespread disturbance as such, but it is undoubted that it has been successful in producing real tension of feeling and caused much loss of mutual goodwill and trust ; the relations between the two communities are, as I view the actual position, more strained now than during any period in the recent history of the Province. The leaders of political thought and activity have not been able in fact, in spite of their desire for unity—for they realise that without it genuine political advance is not possible—to establish any harmony or amity or break down the intensity of this feeling. I am not prepared to throw the responsibility for the vilifying of prophets and the slandering of religions on the delays or defects of law. I share with my Indian colleagues the hope and wish that in political development we may find the sovereign cure for communal ailments, but I find it difficult to *affirm* that that is taking place now, in spite of all the manifold forces set into motion by contact with western civilization loosening the bonds of prejudice and intolerance. At present much effort is directed to bend politics to the real or supposed claims of religion and sectional interests. But I do not wish to dogmatise. Time may generate a truer appreciation of the significance of self-government and the implications of a democratic form of Government, and I agree that with the political evolution of India communal dissensions have to be a disappearing phase, and it is a happy sign that the best of our leaders are fully conscious of the imperative need of unity."

Appendix A, relating to events from 1922—1927.

1. The period of communal dissension may be said to date from the autumn of 1922, when a serious riot occurred at Multan on September the 3rd, the last day of the Muharram celebration. The immediate cause was local and accidental, and there was no reason to suppose that political causes were responsible. When the Muhammadans were carrying their *Tazias*, or funeral biers, in procession by various routes through the city, the dome of one of the *Tazias* struck a telephone wire and was damaged. The mourners accused the residents of the Hindu houses close by of having caused the damage and the altercation led to the throwing of stones. Sporadic cases of stone throwing, in which Muhammadan processionists were injured, increased the excitement and individuals from

the procession broke away to attack Hindus and loot Hindu property. The excitement spread to other processions and the police and troops available had great difficulty in getting them outside the city. In this they were successful without any serious damage to life or city inside the walls, but the sporadic riots and attacks on property were responsible for serious damage in the suburbs. Military reinforcements arrived late in the afternoon and the majority of the processionsists were prevented from re-entering the city and bands of Muhammadans from the surrounding villages were dispersed. A few cases of isolated attacks on the persons and property of Hindus occurred the next morning but the situation was under control by midday, although for several weeks feelings ran so high that troops had to be quartered in the city. Six persons were killed and over 300 injured, of whom only 50 received serious hurt. The majority of the victims were Hnidus. The damage to property—mainly by arson—was estimated at 5 lakhs. Five places of worship were set on fire and others desecrated.

2. Indications of the ill-feeling caused by the Multan riots were quickly observed in Lahore, where a small outbreak took place about a week later, which would have spread had it not been promptly quelled by the police. During the winter of 1922-23 communal dissension became more general. The *Shudhi* movement, which had as its object the conversion to Hinduism of persons of other religions, was then being prosecuted in the United Provinces by the late Swami Shradhanand, and its effects were felt in the south-east of the Punjab. It aroused wide-spread opposition and counter-activities on the part of Muhammadans. The *Shudhi* was followed by the *Sangathan* movement, the primary object of which was to organise the Hindus for the protection of their interests against other communities. The Muhammadans replied by the similar movement of *Tanzim*.

1923. 3. In the earlier part of 1923 open antagonism between Hindus and Muhammadans appeared to be confined to the preaching of boycott in different centres, but a further riot occurred in Multan on the night of April the 28th when one Hindu was killed and several Hindus and Muhammadans were wounded. A disturbance broke out in Amritsar on May the 6th, culminating two days later in an attempt by Muhammadans to set fire to some Hindu shops. Feeling in Amritsar was running high; on May the 6th there was open disorder, resulting two days later in an attempt by Muhammadans to set fire to some Hindu shops in the Katra Khazana.

4. In June, tension at Lahore increased with the publication of an article in the *Kesri* newspaper imputing immorality to the Prophet. The Muhammadans retaliated by holding meetings attacking the Hindu religion and customs. In July rioting broke out at Panipat in the Karnal district in consequence of the Hindus ringing bells in a temple during the evening prayers of the Muhammadans. Twenty-four persons received injuries of whom one was a Muhammadan and the remainder Hindus. The communities failed to arrive at an understanding, and on August the 12th the District Magistrate passed an order prohibiting *arti* in four temples and prayers in six mosques during the evening for a period of two months, during which times the aggrieved parties could bring a civil suit. In September the order imposing restrictions on the temples and mosques at Panipat was withdrawn. Fifty-seven persons were sent up for trial in the original riot case. In deciding the case the Magistrate expressed the opinion that the Hindus had deliberately performed *arti* on the day of the riot simultaneously with evening *namaz*. Out of the twelve disputed mosques, prayers at the end of October 1923 were only being said in six. Similarly the Hindus were not performing *arti* in four temples, and this state of things continued for some time.

1924. 5. On the evening of March the 18th, 1924, trouble arose at Chiniot during the Holi festival. A Hindu procession was passing a mosque when the *Khojas* objected to the noise of the beating of drums while they were engaged in prayer. As a result of the fighting which ensued some 64 Hindus were injured, one of them seriously. The mob was eventually dispersed after considerable difficulty by the local police.

6. By June 1924, the communal cleavage was very marked. The appearance of the now notorious *Rangila Rasul* pamphlet, which contained attacks

on the Prophet, aroused ill-feeling among Muhammadans, and in the press of both communities considerable acrimony accompanied in some cases by gross obscenity was displayed. On June the 16th at Lahore some Muhammadan boys who were said to have insulted an image in one of the Lahore bazaars were set upon by Hindus and beaten. Eight Muhammadans were slightly injured and one received grievous injuries. Another Hindu-Muhammadan *fracas* arising out of a trivial incident occurred in Lahore on August the 4th in which 6 Muhammadans recieved simple injuries. The Police arrived on the spot in time to prevent serious developments. The riots at Kohat in the North-West Frontier Province, which occurred in September 1924, intensified ill-feeling ; it may be noted that most of the Hindus who fled from Kohat took refuge in Rawalpindi. An indication of the rapid decline of the Hindu-Muhammadan *entente* was the lack of enthusiasm displayed at the visit of Mr. Gandhi, to the Provincial Political Conference at Lahore, in the beginning of December 1924. The Muhammadans took no part either in the procession organised in his honour or in the Conference.

7. During the first six months of 1925 communal ill-feeling was less prominent. On June the 5th a meeting was convened at Lahore to celebrate the death anniversaries of Sivaji, Maharana Partap and Banda Bairagi. This was the first time that there had been a celebration of this kind in the Punjab, and though it did not attract much attention, the public tributes to Banda Bairagi had an irritating effect on the Muslim community. On August the 1st trouble was narrowly averted at Panipat during the Muharram procession. A large number of Hindu Jats from the surrounding villages armed with *lathis* were imported into the town for the purpose of creating a disturbance and were with some difficulty dispersed by the Police. Two hundred and seventy arrests were made. It is possible that if the Police had failed to disperse the mob Panipat City would have been the scene of very serious rioting. **1925.**

8. On February the 12th, 1926, a somewhat serious riot occurred at Rewari in the Gurgaon District. A marriage procession was passing a Muhammadan mosque with a band playing when it was attacked by about 150 men who rushed out of the mosque. A general fight ensued. Twelve Hindus were seriously hurt and also one Muhammadan who died the following morning. One Hindu shop was looted and burnt down. On the next day a large crowd of Muhammadans assembled at the hospital and, having taken over the body of the man who had been killed, formed a procession and marched shouting towards the City. The Police managed to prevent them from getting more than 100 yards into the City and, after a fight in which several prominent Hindus were hurt, dispersed the crowd. Fifteen persons were arrested. **1926.**

9. A session of the Punjab Provincial Hindu Conference was held at Ambala on April the 24th and 25th under the presidency of Dr. Moonje. References made by him to the histroy of Islam in India attracted much comment and the hostility displayed to Muslim interests throughout the proceedings was freely attacked in the Muslim press. Shortly after this, the Calcutta communal riots again aroused feeling in the Province. On June 14th a serious riot occurred in Rawalpindi. On the 13th of June a large procession reported to consist of 15,000 Sikhs was taken out to celebrate the death anniversary of Guru Arjan Dev. A meeting to discuss the arrangements about the procession had been held on June the 11th between representatives of the Muslim and Sikh communities and the district authorities had not in consequence taken special steps to control the procession. Its size, however, caused resentment among the Muslims, and when the procession reached the Jama mosque and continued to play music, excitement was engendered on both sides. The position threatened to become critical but the efforts of the police and the good offices of Muslim and Sikh gentlemen enabled the procession to continue on its way without incident. This affair, however, caused considerable resentment among the Muhammadans whose feelings had already been exasperated by the proposal of certain Sikhs to open a Cinema near the *Jama Masjid* and by the question of the treatment of Muslim employees of the Municipality. On June the 14th disquieting rumours were current in the City, and it was evident that religious passions had been excited. A collision between Sikhs and Muhammadans near the Singh Sabha Gurdwara was narrowly averted. About 10-30 P.M. incendiarism and rioting broke out throughout the City the main body of aggressors being Muslim, The

force at the disposal of the Police was small but vigorous measures were taken and by 3-30 A.M. on June the 15th the situation was well in hand. The total casualties were, killed 16 (12 Muhammadans, 2 Sikhs and 2 Hindus) and wounded, 73 (43 Muslims, 9 Sikhs and 21 Hindus). The damage caused to property, almost entirely of Hindus and Sikhs, by widespread arson, was estimated at some of lakhs rupees. For some time a very serious situation existed in the district, which is mainly inhabited by Muahmmadans; the village of Saidpur near Rawalpindi was attacked and burnt, several Hindus being murdered, and a Gurdwara was burnt in a village in the neighbourhood.

10. In November, on the occasion of the Sikh procession at Rawalpindi in honour of Guru Nanak's birth anniversary, there was some stone throwing from the *Jama Masjid* and some houses nearby. Thirty-four arrests were made, most of the persons arrested being irresponsible members of the lower classes. Great care had been exercised by the local authorities in drawing up a license for the procession which laid down the timings for passing various points *en route* in order to obviate any disturbance to the Muslim community during the times of congregational prayers. These conditions were observed by the Sikh community.

11. On December the 23rd, 1926, Swami Shradhanand was assassinated in Delhi by a fantical Muhammadan. His assassination caused no immediate reactions in the Punjab and at first the Hindus received the news with remarkable restraint. Slowly, however, the belief gained ground among Hindus that the murder was the outcome of a widespread conspiracy, and at meetings held at Lahore and Ambala references were made to well-known Muhammadans as the instigators of the murder. The allegations of the Hindus that the murder of Swami Shradhanand and other Arya Samajists was the result of a conspiracy have not, it may be observed, been established. The assassination naturally occupied considerable space in the press; the tone of the Hindu-controlled press was very bitter, while at public meetings there were considerable offensive criticism of Islam. On January the 22nd, 1927, a mass meeting of Muhammadans was held at Lahore to protest against the anti-Islamic spirit shown by the Hindu press and leaders, and resolutions were passed expressing resentment at the attacks made on Islam by Hindus and especially by the *Arya Samaj*, and urging the propagation of *Tabligh* in opposition to *Shudhi*. Hindu and Muhammadan meetings continued to be held throughout January and Febraury for the advancement of *Shudhi* and *Tabligh*.

12. By the end of March communal ill-feeling, though still very high in Lahore and Amritsar, was less in evidence in the Province at large; but minor incidents of a communal nature occurred at Sirsa and Rewari. The *Holi* festival was celebrated peacefully throughout the Province, and the *Ram Naumi* procession took place quietly. At Lahore the procession was organised on an unusual scale. On April the 15th the anniversary of the *Anjuman-i-Himayat-i-Islam* was celebrated in Lahore by one of the largest processions ever seen in the City at which some converts were paraded in an ostentatious fashion. The exhibition was regarded by Hindus as being definitely anti-Hindu. On May 3rd the tercentenary of the Marhatta leader, Shiva Ji, was celebrated at Lahore, Amritsar, Sialkot, Gujranwala, Lyallpur and Gujrat in reply to an appeal issued by "All-India" Hindu leaders. Shiva Ji's anniversaries had not previously been observed in the Punjab, but the celebration of the tercentenary was made the occasion for much anti-Muslim talk and writing.

13. Although feeling between the communities was strong, there was no reason to apprehend the serious riots that occurred in Lahore early in May 1927. The proximate cause was the alleged indecent assault on a Sikh woman by a Muhammadan youth. The incident was given a communal colour, and on the evening of May the 3rd a meeting of protest was held in a Sikh place of worship. While the meeting was in progress, a Sikh entered, and telling the congregation that a co-religionist was being assaulted by Muhammadans close by called on them to rescue him. What, in fact, had happened was that a Muhammadan carrying a load of straw had bumped into two Sikhs; abuse had followed and blows had been exchanged. But the incident itself was of no importance. The Sikhs, however, rushing out of the place of meeting, and meeting a group of Muhammadans, who were leaving a mosque, attacked them with their kirpans

and sticks. Three Muhammadans were killed on the spot and several others were injured, one fatally. The murders occurred about 9 P.M. and although they caused some excitement in the immediate neighbourhood, there was no further disturbance that night. By the following morning, however, the news had spread throughout the city and feeling among Muhammadans quickly became inflamed and a minor outrage occurred before noon. The funeral procession of the victims which started from the city in the early afternoon, was attended by a large crowd; but although several assaults occurred *en route* to the burial ground, the police and troops in attendance were successful in preventing serious disorder. Early in the evening the mourners began to return to the city in parties of varying size, and near to several of the city gates some of these bands were guilty of assault on Hindus and Sikhs. After nightfall, a series of attacks commenced inside the walled city and in the gardens immediately adjacent, and a number of persons, the majority of whom were Hindus or Sikhs, were killed or seriously injured. These attacks were sporadic. During the night there was a state of panic, and although at this stage the Muhammadans were the aggressors, they were themselves alarmed by false rumours that Sikhs from outside were marching on to the city to avenge their co-religionists. Troops had been called in during the day, and before morning these had been reinforced and police reserves had arrived from other districts. At day-break the series of sudden and isolated murderous assaults re-commenced and spread to the suburbs, which cover a large area. They were brought under control by an intensive system of military and police pickets and of motor and cavalry patrols; but although the number of attacks ceased to be serious by midday, stray cases continued to occur for several days. A curfew order was in force for 13 days and troops, though gradually reduced as the situation improved, were kept in the city for a few days longer than this. A considerable force of additional police had to be maintained in Lahore for the rest of the year. Twenty-seven persons were killed, of whom 15 were Hindus, 6 were Sikhs and 6 were Muhammadans and 272 wounded persons were treated at hospital, of whom more than 200 were Hindus or Sikhs. The disorders were accompanied by the usual incidents—the closure of shops, the suspension of business, alarmist rumours and frequent panics on the part of one community or another. They were noteworthy for the brutality of the murders and the incitement caused by inflammatory articles and false reports in the local newspapers, the control of which added to the difficulties of the authorities.

14. During June, Muhammadan feelings were aroused by the acquittal in the High Court of Rajpal, the author of the notorious *Rangila Rasul* pamphlet, and certain sections of the press indulged in open abuse of the Hindu Judges of the High Court. The editor of the *Muslim Outlook* was committed for contempt of Court on June 21st; but meanwhile another source of trouble had arisen. A scurrilous article on the Prophet of Islam entitled "A Trip to Hell" was published in the *Risala Vartman* magazine of Amritsar, and feeling was further aggravated by the issue of inflammatory posters drawing attention to it. The legal grounds on which Rajpal had been acquitted appeared to create an obstacle to the prosecution of the *Risala Vartman*, but the High Court allowed the matter to be taken to a Divisional Bench, and their judgment on August 6th, convicting the accused, had a steadying effect on moderate Muslim opinion. In the August session of the Central Legislature, the Government of India brought in a Bill to strengthen the provisions of the Indian Penal Code dealing with insult to religion which was passed. Meetings, however, continued to be organized throughout the province and in the mosques of many of the large towns references, often couched in the strongest terms, were made to the necessity of defending the personality of the Prophet against attacks of this nature.

15. In consequence of the state of feeling, exceptional precautions were taken during the observance of the *Muharram*; it was, however, observed peacefully, except at Multan. At that place disorder began at 3-30 on the afternoon of July the 7th, the last day of the celebration. The trouble arose after the processions had been escorted outside the city and were marshalling on the Circular Road preparatory to proceeding to the cemeteries. The majority of the Muhammadan population were with the processions and the streets and bazaars of the city were comparatively empty. A rumour appears to have been started that a riot had occurred and this spread to a Hindu quarter, some of the

occupants of which are notoriously of bad character. Several of the latter promptly attacked stray Muslims, who were passing by, and two were murdered. When the news of these murders reached the large crowd of Muhammadans on the Circular Road, the excitement became intense and the crowd wished to force its way back into the city and to take revenge on the Hindus. The authorities, assisted by prominent Muhammadans, were successful in preventing this and eventually the processionists were persuaded to proceed to the burial ground. During their passage, however, casual assaults occurred on Hindus. Military assistance was at once requisitioned and the night passed without disorder; early in the morning, however, a series of isolated attacks by Muhammadans on Hindus commenced, but were confined to the suburbs, in which it was not possible with the forces available to organise a sufficiently wide system of patrols and pickets. The funeral procession of the Muhammadan victims was attended by a large crowd and, thanks to the arrangements of the authorities and the influence of the leaders, was not the occasion of serious disorder, although in several instances small bands broke away from the procession and were guilty of outrages. The casualties totalled 37, of whom 13 were killed and 24 wounded, Hindus being in the majority. A number of cases were sent up for trial; but the two communities each formed a defence committee to protect the guilty and, as a result of the deliberate concealment of evidence, no convictions were obtained.

16. In June and July minor incidents were reported from the Gurdaspur and Gujrat districts; in both cases police interference was necessary, but no rioting actually occurred. Communal meetings, at which feeling ran high, continued in the large towns; the movement for the boycott of Hindu shops was pressed with vigour and at one time seemed likely to carry communal dissensions into the rural areas. Hindu resentment and alarm were intensified by the expulsion of some 300 Hindus and Sikhs at the end of July from a part of the Khyber agency, where indignation among the Muhammadan tribes on account of writings defamatory of the Prophet had been inflamed by religious preachers. In the beginning of August there was considerable Hindu activity which developed on the lines of the Muslim agitation. Meetings were held in 23 districts in the Punjab, at which resolutions were passed expressing indignation at the murders of prominent Arya Samajists of different Provinces during the last few months, and the demand was put forward for the proscription of certain Muhammadan publications which, it was alleged, had evoked the publication of the *Rangila Rasul* pamphlet and the "Trip to Hell" article. The storm centre of the agitation was at Amritsar; stray cases of assault occurred, and on August 24th it became necessary to picket the City strongly. Shortly afterwards, the efforts of the authorities and leading citizens resulted in a marked improvement in the situation at Amritsar.

17. The Unity Conference of all-India leaders held in Simla in September 1927, and that convened by the President of the Congress at Calcutta later in the year, seemed to have failed to achieve any practical effect in removing any of the main points of disagreement between the different communities. There was little improvement in communal relations. Ill-feeling in Amritsar, where the formation of Unity Committees demobilised the more dangerous firebrands, was less acute, but in Lahore it hardened as a result of the economic boycott movement. The appearance of objectionable posters caused much ill-feeling, and an order was found necessary forbidding the placarding of posters for two months. Outside Lahore the boycott movement did not make much progress, though a few places continued to be affected. The situation was made worse by a murderous assault on Rajpal, the reputed author of the *Rangila Rasul* pamphlet, on September the 26th, by a low caste Muhammadan of the Lahore City, a previous convict. Severe but not fatal injuries were inflicted. Prompt action by the local authorities prevented the incident being exploited. It was, however, found necessary to forbid all public meetings in Lahore for two months without previous permission. In Amritsar, extreme nervousness still prevailed, while in Multan apprehensions of violence during the *Dusehra* festival necessitated a requisition for a squadron of cavalry as a precautionary measure. The *Dusehra* festival however, took place peacefully throughout the Province. In Lahore, a growing feeling of security produced by the peaceful celebration of the festival was dispelled on October the 9th by a murderous attack on Swami

Satyanand, a prominent Arya Samaj missionary, when he was sitting in Rajpal's shop, by a Pathan student of Muslim theology. Severe but not fatal injuries were inflicted. Two Hindu shopkeepers who intervened were also stabbed. The assault following that made on Rajpal on September the 26th naturally strengthened the conviction of Hindus that these attacks on prominent Arya Samajists were the result of a Muslim conspiracy. Their nervousness was increased by the murder of a Hindu in a Muslim slum of Lahore City on the night of October the 10th. The fact that the murderer and the assailants of Rajpal and Sataynand were immediately arrested and quickly sentenced assisted in preventing further murderous assaults or Hindus reprisals.

18. Actual assaults now ceased, but feeling was kept alive by the rioting which took place in Delhi on November the 14th following the hanging of Abdul Rashid, the murderer of Swami Shradhanand. The tone of the press continued bad during the whole of November and provocative articles were frequent. In Muhammadan newspapers the commendation of Abdul Rashid, abuse of the Aryas and ridicule of the Hindu religion were the chief topics to which the Hindus responded by allegations of murderous conspiracies and provocative criticisms of the *Quran* and Muslim traditions. The year closed with the celebration of the *Arya Samaj* Golden Jubilee at Lahore. The proceedings were marked by a strong anti-Muslim spirit, the key-note of the speeches being the necessity of organisation by the *Aryas* against the aggression of Muhammadans.

19. In the meantime, the announcement of the constitution of the Statutory Commission, and the public discussions connected therewith, served to detract attention from communal controversies. For some time the more important political leaders had been giving their attention to serious attempts to reconcile differing points of view on the main issues in dispute, and in many quarters there was a growing feeling of resentment at the harm done to the communities by the prolonged period of strife between them. It is open to doubt whether this feeling would have yielded effective results at an early stage, had it not been aided by the fact that the agitation arising from the boycott of the Commission served to provide a new field for the energies of those leaders of lower standing who had for some years found in the fomenting of communal trouble the most profitable field for their energies.

Appendix B.

FORTNIGHTLY CONFIDENTIAL REPORTS.

31*st October* 1917.—The *Dussehra* passed off without any untoward incident and was signalised at Lahore especially by most cordial relations between Hindus and Muhammadans. Some of the latter seem to have gone out of their way to show friendly feelings, and the Ram Lila Committee has published a notice in the press expressing thanks to Muahmmadans and the police authorities for the excellence of the arrangements. This was reciprocated at the *Muharram* which passed off without a hitch. Along the line of the procession refreshments were provided by the Hindus at over 50 places. No reports of any disturbance or trouble in regard to either festival has so far been received from any district in the Punjab.

15*th November* 1917.—The final reports from districts show that the *Dussehra* and *Muharram* passed off peacefully everywhere. In several places both communities went out of their way to do honour to one another. In one town where relations have been rather strained during the past two years there was an enthusiastic exchange of courtesies.

30*th November* 1917.—The Bihar riots have not produced anything further in the way of violent writing. The Muhammadan community seems to be extraordinarily quiet on the subject.

HUNTER COMMITTEE'S REPORT.

Appendix I.

30*th March* 1919.

Multan.—A complete *hartal*, affecting both Hindu and Muhammadan shops, was held.

4*th April* 1919.

Multan.—A meeting of the Hindu-Muhammadan *panchayat* was held, at which it was decided to frustrate the welcome which the Municipal Committee had decided to give the 2—30th Punjabis, who had recently returned from active service in Egypt and Palestine. The Vice-Presidents of the Municipal Committee vainly remonstrated against the proposed action.

6*th April* 1919.

Multan City.—A *hartal* was observed at the instance of the Hindu-Muhammadan panchayat.

8*th April* 1919.

Multan City.—The general *hartal*, which had begun on the 6th, was continued. A meeting was formed to arrange for the settlement of all cases by panchayat.

9*th April* 1919.

Panipat.—Celebration of the *Rath Jatra*, at which Hindus and Muhammadans fraternized, and organised demonstration in honour of Gandhi.

3*rd April* 1919.

Panipat.—Hindus and Muhammadans fraternized again and proposed to settle Hindu-Muhammadan affairs by a "Communal law." They levied a contribution on a shopkeeper who had not observed the *hartal*.

9*th April* 1919.

Amritsar.—The Hindu festival of *Ram Naumi* was celebrated by Hindus and Muhammadans alike. During the procession, instead of cries giving honour to the Hindu deities, the political shouts of "Hindu-Mussalman ki jai" and "Mahatma Gandhi ki jai" were raised.

HUNTER COMMITTEE'S REPORT.

Page 20, *para.* 7.

The 9th April was the day of *Ram Naumi*—a Hindu festival, on which cars are commonly drawn in procession accompanied by people raising cries in honour of Hindu deities. This practice was followed as usual in Amritsar, but, contrary to previous practice, the festival was very largely participated in by Muhammadans, and along with the usual shouts political cries were freely raised "Mahatma Gandhi ki jai", "Hindu-Mussalman ki jai." The effect of the evidence before us is that the festival became a striking demonstration in furtherance of Hindu-Muhammadan unity—people of the different creeds drinking out of the same cups publicly and by way of a demonstration. To expect this form of unity to last beyond the day would doubtless be to expect too much; nor should it be condemned as wholly sinister or unreal because it did not last longer than mere demonstrations can.

9th April 1919.

Lahore.—The *Ram Naumi* procession was utilized by the popular leaders for the display of seditious sentiments and fraternization between Hindus and Muhammadans.

Page 38, *para.* 5.

Business was resumed in the city on the 7th and 8th April. On the 9th April the annual *Ram Naumi* procession was held. This is essentially a Hindu religious festival, but on this day at Lahore as at Amritsar it was made the occasion of public fraternization between Hindus and Muhammadans. The prevailing cries were political rather than religious.

Page 41, *para.* 11.

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Apart from these crude manifestations of sedition which took place after the meeting the meeting itself was a very extraordinary one to be held in a mosque. From a Muhammadan point of view, it was a violation of every religious instinct. It represents the highest pitch of the Hindu-Muhammadan unity which at this time was spreading rapidly by dint of hatred of the Government.

Page 48, *para.* 3.

Early in the morning of the 14th—before 7 A.M.—the body of a dead calf was found hanging on the Katchi bridge near to the railway station. As soon as this was known Chaudhri Ghulam Rasul, Deputy Superintendent of Police, rode to the spot, and about 7-30 A.M. had the calf buried some 200 yards from the place. Later in the day it was freely rumoured that the calf had been killed and exposed on the bridge by the police in order to create bad blood between Hindus and Muhammadans. For this rumour there was no justification, but it served as a means of inflaming the feelings of the people against the authorities.

9th April 1919.

Batala.—Fraternization between Hindus and Muhammadans during celebration of the Hindu festival of *Ram Naumi*. There was much shouting for Gandhi, and in some instances the words Allah, Ram and Om were impressed on the clothes of the crowd to be token union.

7th April 1919.

Bhiwani City.—A Vaish Sabha meeting held, where in addition to other objects, Hindu-Muhammadan unity was preached and feeling against the Rowlatt Act was expressed.

11th April 1919.

Gurdaspur.—In the evening there was a joint Hindu-Muslim meeting at the Araianwali mosque.

12*th April* 1919.

Gurdaspur.—Another *hartal* observed. As situation appeared grave, a small force of one officer and 50 men arrived from Pathankot to support local police in case of necessity. At night meeting of Hindus and Muhammadans held in the *Jama Masjid,* when some dangerous language was used; it is stated that a suggestion was made to raid the civil lines.

11*th April* 1919.

Kasur.—Hartal observed. A crowd led by Nadir Ali Shah went round the city forcibly closing shops and business places. The crowd then gathered at the Hari Har Mandir where several persons addressed it. On the whole the speeches were moderate, though one leader made a violent speech against the Rowlatt Act.

Rohtak.—Mass meeting at which sale of proscribed literature was advocated. Formation of a joint Hindu-Muhammadan committee. A few of the local pleaders made inflammatory speeches.

Gurgaon.—Hartal continued. Hindu-Muhammadan meeting in the Araianwali mosque.

12*th April* 1919.

Sirsa.—Hartal and a protest meeting against the arrest of Mr. Gandhi in the *Jama Masjid.* Hindu speakers were admitted.

13*th April* 1919.

Sirsa.—The "Hindustani Ittihadi Sabha" was formed.

12*th April* 1919.

Shahabad.—Meeting held to arrange for observance of *hartal* the next day. In the evening Hindus and Sikhs congregated in the *imambara* and fraternized with Muhammadans.

13*th April* 1919.

Hissar.—Hartal again observed, but it broke down towards evening. A mass meeting was held in the evening in the *Idgah,* which was moderate in tone and helped to quiet the situation. At this meeting the President of the local *Arya Samaj* was called to the pulpit.

Tohana.—A meeting held in the *dharamsala* in the evening. *Hartal* proposed and a lecture given on Hindu-Muslim unity.

Lyallpur.—A general *hartal* was observed, accompanied by open fraternization of Hindus and Muhammadans. Attempts to hold public meetings were frustrated by the authorities, but towards the evening crowds in the bazar became unruly and some coercion was applied by them to shops which attempted to open. Some small riots occurred. Posters and notices advocating continued strike and expressing hatred of British and Government appeared; some of them appear to have been due to students arriving from the Lahore colleges. Towards night the crowds became distinctly hostile and were with difficulty prevented from becoming an angry mob.

14*th April* 1919.

Gojra.—Efforts were made to start a *hartal.* Hindus met at the cremation grounds in the morning and joined hands with the Muhammadans at the *Idgah* afterwards. A Muhammadan was elected president of a Hindu meeting. The missionary of the Church Mission Society was forced to leave Gojra, after being warned that his house, the Church and other public buildings of the town were to be burnt.

Jaranuala.—A meeting was organised, followed by a coercive *hartal.* Disloyal propaganda of an *anti*-British type was used and a Muhammadan was asked to preside over a meeting in the *Thakardwara.*

Wazirabad.—News regarding the Gujranwala riots spread and local agitators exhorted people to observe *hartal.* In the afternoon a Hindu-Muhammadan meeting held at the *Jama Masjid* at which the president, a Hindu, and others denounced the Rowlatt Act and preached *hartal.* After dark, groups marched through the streets singing inflammatory ballads.

15th April 1919.

Rasul.—Engineering College students refused to attend lectures. A meeting of the canal officials was held in the mosque, at which Hindus attended, and prayers were offered for repeal of Rowlatt Act and for unity.

Appendix "C."

A few instances of mutual goodwill culled from a vernacular newspaper "*Siyasat*" might be added :—

(1) *Issue of 8th September* 1920.—On the occasion of *'Id* cows were not sacrificed. Leaders came to know of one cow which was going to be sacrificed. They recovered it from the owner and made it over to the Hindus who paid its price.

(2) *Issue of 30th October* 1920.—In the meeting of the *Anjuman-i-Islamia* of Jalalpur Jattan in the Gujrat Dsitrict a man gave a cow as a donation. A butcher offered to purchase it, but Pir Bakhsh, merchant, bought it himself and sent it to the *Gowshala.*

(3) *20th December* 1920.—In Gurdwara Dumdama Sahib (Gujrat) fire broke out. A Muslim sprang into the fire and recovered *Granth Sahib* from the flames.

(4) *21st Januay* 1921.—Hindus and Muslims of Jalalpur Jattan (Gujrat district) met in the local mosque with a view to combine the local Arya, Sanatan Dharm and Islamia Schools to make a National School out of them.

(5) *13th June* 1921.—In Jhelum at a Khalsa Dewan Muslims carried the *palki* of *Granth Sahib.*

(6) *26th June* 1921.—On 24th June 1921 an old Muslim woman was knocked down by the car of Pandit Rambhaj Datt and other political workers and seriously hurt. She refused to report the matter to the police on the ground that they were public workers.

(7) *7th March* 1922.—Muslims helped in cleaning the tank of *Guru Sahib* and had their meals there and offered their prayers there.

(8) *29th September* 1922.—In Wazirabad Muslims contributed Rs. 50 towards *Dussehra* expenses.

(9) *9th October* 1922.—*Lyallpur Dussehra.*—Entire management was in the hands of National volunteers and has been so for the last three years without any defect.

(10) *9th October* 1922.—*Rawalpindi Dussehra.*—Managed by Hindu, Muslim and Sikh volunteers ; police assistance not accepted.

(11) *27th May* 1923.—*Simla.*—Hindus were more particularly nice to the Muslims on the occasion of the *'Id.*

CHAPTER VI.—The Growth of Education.

Statistics.

1. Statement No. 1 gives for the last six years of the pre-reform Government and for the first six years of the Reforms the number of institutions of various kinds, the number of scholars and the expenditure on education with the sources from which it is derived. Statement No. 2 shows the progress of compulsory education in the Province, and Statement No. 3 compares the number of passes at the various public examinations in 1921 and 1927. This statement is given because while it is impossible as yet to give any definite figures as to the influence of the increased educational endeavour on the actual literacy of the province, it may be asserted that the increase of successful examination results above the primary level is an index of the success achieved in fighting illiteracy. A primary school does not necessarily give permanent literacy, but the completion of the lower middle course certainly does. There are also sent in original for the information of the Commission twenty-five graphs which illustrate in an interesting and obvious fashion the growth of education in the whole province among the different communities of the province and the expenditure and sources from which it has been met in the years 1919-20 to 1926-27.

2. The quinquennial report of the Department covering five years of the post-reform peroid has already been circulated to members of the Statutory Commission. It is proposed later, as soon as copies come from the press, to supply them with a pamphlet, written by two senior members of the Education Department, dealing with rural education in England and the Punjab. This outlines some of the attempts to give a rural bias to primary and secondary education in country towns and villages and also indicates the lines along which the Department is working towards general social amelioration as distinct from the mere removal of illiteracy.

General progress and its causes.

3. Figures of importance are the following :—

Year.	*Number of scholars.*	*Expenditure.* Rs.
1915-16	402,953	1,12,16,765
1916-17	421,043	1,08,63,320
1917-18	420,044	1,14,72,852
1918-19	431,628	1,24,02,186
1919-20	464,272	1,41,93,952
1920-21	500,837	1,84,06,424
1921-22	552,622	1,89,62,287
1922-23	692,771	2,20,38,296
1923-24	755,806	2,15,53,875
1924-25	835,267	2,34,05,266
1925-26	975,517	2,56,22,044
1926-27	1,086,087	2,87,65,763

Apart from this very rapid increase in the enrolment of pupils, there are other signs of an increased and an increasing enthusiasm for education such as the attendance of about 100,000 adults each year in the night schools, the voluntary application from nearly two thousand areas to be placed under compulsion and a lengthening of the duration of school life in primary schools. The rapid increase in the attendance at secondary schools, especially those located in backward areas, abundantly proves that many parents who are very poorly circumstanced are prepared to make almost any sacrifice so that their sons shall receive the benefits of education.

4. It is difficult to say to what extent this educational awakening has been (and is) due to the political leaders, to what extent they have placed themselves at the head of an educational movement or are merely a reflection of that movement. These leaders have done much in the Council by their speeches and by their support of educational demands, but it is probable that this movement has had its genesis in the people themselves and has not been inspired from

above. Among the causes of this movement is the return of a large number of soldiers from the war men who have seen life and the world and are determined that their sons shall benefit by education ; the pathetic belief, so firmly and so persistently held in spite of grievous disappointment, that education must necessarily bring in its train the reward of the rich things in life ; the hope that education will place the debtor class in a better position to secure fair dealing from its creditors, and to remove the general disadvantage under which the rural classes now feel they labour from their illiteracy.

The new policy.

5. To these causes must be added others due to the personality of the directing staff of the Department of Education. From the early years of the century till about 1917 the policy of the Department was distinctly conservative, and it was for long chiefly directed to the development of anglo-vernacular education, and that mainly in urban areas. Attention was not primarily focussed on the countryside and its needs. Thus a considerable development of primary education in Punjab villages could scarcely be expected in these years, and no definite policy of expansion under local bodies was laid down. On the eve of the reforms, schemes for a steady progressive development over a term of years of vernacular education in rural areas were worked out in considerable detail. The Compulsory Education Act, a great landmark in the educational history of the Punjab, was passed in 1919. In addition plans were laid for the development of practical agricultural teaching in our schools. This will be considered in the part of this chapter that deals with educational development from the social point of view.

The influence of the Council.

6. The first Minister for Education of this province realized at once the vast importance of this scheme, and threw himself whole-heartedly into its encouragement. Moreover, he backed with all his power the system established of granting aid to local bodies to meet the additional expenditure incurred by them, on a basis of grading according to their financial position, the proportion of the additional expenditure to be borne by Government ranging from fifty to ninety per cent.* of the approved expenditure. The Council has given unswerving support to the policy of the Ministry in pushing forward these schemes, and in extending the policy of basing expenditure for education on needs rather than on resources, and still further advancing backward areas by the provincialization of high schools, by the institution of intermediate colleges and by attaching vernacular training calsses to high schools situated in rural areas.

General effects.

7. Not only was there a change in the outlook at headquarters, but there were changes in the outlook of the inspectorate and the infusion of new blood. Both of these factors helped in directing departmental action more towards the countryside. This was in strong contrast with the attention in previous years that had been given to the development of anglo-vernacular education in towns. These factors played a considerable part in subsequent years. We have thus the combination of a changed outlook in the Department, a great post-war awkening amongst the soldiering classes and the coming of the Reforms, each playing its own part in a comprehensive advance. The Department had been working out schemes ; the Ministry of Education developed these, gave them life and shape and urged them on the Council which co-operated whole-heartedly in voting money ; the awakened rural masses took advantage of opportunities in a way that they had never done in the past. The whole movement was made possible by the demand of political leaders for a determined advance towards universal literacy. The Council was generous in supplying funds in the early peroid of financial stringency, while in the days of its comparative wealth in more recent years it has given very large additional sums to the cause of education. Even then the Council has not been satisfied. Not only has it never refused an educational demand but it has frequently complained that a demand was insufficient.

* Three exceptional districts receive 100 per cent.

Enrolment.

8. To come more particularly to details, the figures already given show how enrolment has increased fron 403,000 in 1915-16 to 501,000 in 1920-21 and 1,086,000 in 1926-27. In order to judge of the pace of development the following figures of percentage increase of enrolment of the last year over the first in each period are of interest :—

	1916—21.	*1921—27.*
Primary Schools	3.82	42.82
Secondary Schools	73.03	130.42
University Colleges	23.84	72.49

These figures suggest that for the six years before the Reforms while secondary education increased rapidly and university education fairly, there was something like stagnation in primary education. On the other hand, after the Reforms while secondary education doubled its rate of increase and university education trebled its rate, primary education increased its rate more than ten-fold.

9. This conclusion must, however, be held subject to three cautions. In the first place the influence of the war tended to check the development of education in the first six years. In the second place, scholars in the above figures are classified according to the nature of the institution. If a secondary school has primary classes, all the scholars in that school are shown as receiving instruction in a secondary school. Thirdly, one of the educational developments of recent years has been the creation of the lower middle school with six classes, intermediate between the primary school with four and the upper middle school with eight. This new type of school replaced a considerable number of what was known as the Upper Primary School of five classes, and there is a constant tendency to turn the more flourishing primary schools into lower middle schools. There were in 1921-22, 412 of these schools ; in 1926-27 they numbered 1,658. It is, however, only a question of a somewhat arbitrary classification whether these lower middle schools should be related to primary or secondary education. Had it been decided to call them upper primary schools the relative growth of primary education would have been considerably greater than is brought out under the present classification.

10. It is more profitable for our present object to consider the grades in which scholars are receiving instruction. In so doing it is convenient to ignore the figures for special education which refer very largely to the instruction of the teaching staff and the figures for unrecognised institutions which are not trustworthy. Confining ourselves to figures for primary, middle, high and higher education we get the following results :—

In the year 1921-22 there were 439,000 pupils in primary grades, 102,000 in middle and high grades, and 4,400 received higher education—in all 545,000. Therefore, of the total receiving education 80.5 per cent. did so in primary grades. In the year 1926-27, 802,000 were in primary grades, 166,000 in middle and high grades and 7,500 were receiving higher education—total 975,500. The percentage of boys in primary grades was then 82·2. At the other end of the scale the proportion of pupils undergoing higher education to the whole was .8 per cent. in 1921-22 and .77 per cent. in 1926-27. The numbers in the primary grades in 1926-27 represent an increase of 82.7 per cent. over those of 1921-22; the increases in secondary and higher education being 62.7 and 70.4 per cent., respectively.

11. The real test of the growth of education, however, lies in the extent to which it has removed illiteracy rather than in the number of pupils at school. The census returns for 1921 showed literacy among adult males as being 9·65 per cent. The salient feature which must be borne in mind in considering the growth of education is that it is not by any means the case that all the boys who pass through the primary schools are to be regarded as literate. On the contrary, it is estimated that not more than two-thirds of the boys who pass through the fourth class of a primary school are to be regarded as literate and the wastage begins very much earlier than this. In 1926-27 there were 441,000 pupils in the first class, 178,000 in the second, 96,000 in the third and

only 83,000 in the fourth class. This means that a great proportion do not even arrive at the stage which produces its two-thirds quota of literacy. It will, therefore, be impossible to say until the next census to what extent the efforts made by the Education Department have succeeded in removing illiteracy. One test above mentioned is that of examination results, but the figures are too small to afford any far-reaching criterion. Another indication of promise is the number of pupils in adult schools which has risen from 18,000 in 1922-23 to 98,000 in 1926-27 ; this movement is one which is directly aimed against the lapse into illiteracy : but it is not easy to estimate its efficiency. Probably it is to the introduction of compulsory education that we must look for the most potent weapon against wastage, as where education is compulsory it is no longer possible for pupils to fall out after the first or second class. This is a movement which, though initiated before the Reforms, has shown phenomenal development under them. In the first two years of its inception (1920-21 and 1921-22), the results were negligible, but thereafter the pace has grown with astonishing rapidity and compulsory education was in force by April 1928 in 59 urban and 1,543 rural areas. The difficulties of enforcing compulsory attendance are by no means so great as were originally anticipated and it has been comparatively easy to ensure the attendance of 80 per cent. of the boys who should be at school.

12. Turning to the progress of education among the various classes we find that the Reforms period has been marked with a great increase of education among Muhammadans among whom the number of boys at school has risen from 242,000 in 1921-22 to 534,000 in 1926-27. The number of Muhammadan pupils now exceeds that of Hindus and Sikhs put together, Hindus having risen from 210,000 to 377,000 and Sikhs from 76,000 to 134,000. Some progress has been made in the education of that class roughly included under the title of ' depressed classes, of whom some 19,000 are now under instruction.

13. Although the Council has been always sympathetic to the education of women, progress has been by no means as rapid as for male education. The number of pupils has risen from 85,000 in 1922 to 121,000 in 1927, but the number of girls who proceed beyond the early stages is very small. Out of 80,000 in recognised schools receiving education, only 2,700 are in the five higher classes. The difficulties which militate against the expansion and improvement of girls' education in rural areas have been dealt with in the Quinquennial Report ; the chief being the obstacles in the way of obtaining women teachers in villages. The solution of co-education has been attempted with some success, and in 1926-27 there were over 10,000 girls reading in boys' schools. At the other end of the scale the higher education of women has received great impetus with the inclusion of the degree classes in the Lahore College for Women in 1925 ; and the roll of the Queen Mary's College was, in 1926, 135 as compared to 89 at the beginning of the quinquennium. There has also been marked improvement in secondary education generally in the larger cities.

Expenditure.

14. The figures relating to expenditure shown in Statement No. 1 in each case cover the six years before the inception of the Reforms Scheme and the six years after. These figures must be read subject to the following explanation. The figures would appear at first sight to indicate a curious slackening in the growth of expenditure on primary education. The explanation is partly that under the Reforms the whole position of existing primary schools was carefully investigated and most serious efforts were made to remove the defect of inadequacy of attendance at schools : existing schools were filled, or where necessary transferred to places where adequate attendance could be secured. The result was that with a policy of extensive expansion an increase of enrolment was achieved without any proportionate increase in expenditure. Compulsion aided this process of economy. But the main reason is that in like manner as already explained, expenditure on primary classes attached to a secondary school is classed as expenditure on secondary education. Therefore the rapid conversion of primary schools into lower middle and of lower middle schools into full middle schools took away from the heading of primary expenditure large sums of money that might appear under it if there were a different system of showing expenditure.

The new outlook.

15. So far this note has dealt with the main current of educational effort: it has endeavoured to appreciate the attempts to get boys and girls to school and the results of this effort on the reduction of illiteracy. It now remains to mention a change that has had a vital effect on the development of education in the province. This is the development by the Department of fresh ideas, the grasping of the importance of these by successive Ministers, their application to the people of the province and the results. This receives lengthy consideration in the pamphlet on rural education in England and the Punjab which, it is hoped, will be shortly placed in the hands of the members of the Commission. Here, but a brief attempt will be made to summarise the changes. The records of the Department show that from 1887 to 1917 a number of attempts were made to make the vernacular school curriculum more suitable for the peasant's child. These attempts need not be recorded here. It may be stated, however, that they failed, and that in general the reason for their failure was the fact that the teacher is the pivot of an educational system, and that if that system is to be reformed it is useless to write text-books and to bring out new syllabuses unless the teacher is first trained to work according to these, and not only must the teacher be trained but the whole inspecting staff must be in sympathy with the Reforms and have the knowledge to direct them. The introduction of the system of school farms and garden plots was so radical a change that many officers of the Department were shaken out of their old rut and a new discontent with our system and a new desire for improvement were begotten. There was necessarily introduced a special course of agriculture for the masters who were to work under it. This in itself was a great step in advance; the long standing weakness of our educational system for the first time was attacked at the proper point—the teacher. During the post-Reforms period under pressure from Council, under directions from successive Ministers, under uniformed but persistent criticisms from the general public, this newly awakened spirit in the Department grew like the mustard seed of Scripture. More and more attention was directed to training teachers specifically for work in villages. Divisional inspectors, district inspectors, their assistants and schoolmasters were encouraged to carry out small experiments. These were examined carefully and the possibility, where they succeeded, of their being applied to larger areas was closely scrutinized. The Education Department as a whole began to realise that its duty was not to confine its attention to the body in the class room, but to consider him in the playing fields and, beyond, in his village home, and then it dawned upon many that those hitherto dimly envisaged persons—his elder brothers and even his father—were of importance to the Department. Hence developed co-operation with the Public Health Department in fighting plague and other epidemics, there came into being also village games clubs, and village libraries partly intends for adults, all under the control of members of the educational staff. A further development is medical inspection and subsequent treatment in which experiments are being carried on in five selected districts of the province. This branch of departmental work was stimulated by the demands of the members of Council for increased attention to health and physical fitness. To help in the material development of the Province, this Department worked in close touch with the Department of Co-operation. Co-operative supply stores exist in many schools and school-masters are encouraged to form themselves into thrift societies; considerable sums of money are now being saved by quite low paid vernacular school-masters. Some of our school farms have proved successful in passing on to the neighbouring farmers improved methods of farming, new implements and better seeds. At the moment the Department asks other beneficent departments to look upon it to some extent as a publicity agent. With 24,000 village school-masters dotted over the province, the Department has unique opportunities for spreading information and having helpful pamphlets explained. While it may be said that the permanent officials of the Department are almost entirely responsible for the inception of these new schemes it must be clearly realized that succeeding Ministers have encouraged the Department to develop such schemes, and that some of these schemes have sprung from the criticisms directed against the Department in Council.

16. At the headquarters of Government, there is a Rural Community Board presided over by the Minister for Education, the Director of Public Instruction is a member, and an officer of his headquarters staff, most intimately in touch with village education, is the Secretary. The heads of the other beneficent departments are also members. Thus the Department of Education is in close contact with their ideas and their wishes. Through the Rural Community Board lanterns and lantern slides have been distributed to the district inspecting staffs and to normal schools where the student teachers are trained in their use and in the method of lecturing with the lantern. The Rural Community Board possesses a cinema lorry. During this touring season the lorry has been sent out to the various divisions to tour in accordance with programmes worked out by the divisional inspectors. The educational staff have collected the people. Films of a kind likely to be useful to the people of the province have neen supplied though much remains to be done in this regard. At the various normal schools the problem of giving a rural bias to the vernacular school curriculum is receiving attention; the students undergo hard training on the farm where one exists; they learn simple handicrafts likely to be useful to a young man working away from his family in a village school; an attempt is being made to teach them to explain to village audiences the pamphlets which other beneficent departments issue. The Department is now helping forward the women's institute movement which is just beginning to take root here and there in the province. Another movement closely linked with departmental activities is the Boy Scout movement, of which it has been said that perhaps the greatest achievement and the most hopeful prospect of recent times has been the appeal which the Boy Scout movement has made to boys of the province. It has already been successful in providing healthy recreation; it is instilling in the Scouts a love and a desire for service; and it bids fair to raise them above the narrow limitations of caste and creed. The majority of the Council has given enthusiastic support to the movement.

Effect of the Reforms.

17. Of the general effect of the Reforms it may be urged that they have achieved the greatest measure of success in the influence which they have exercised over the work and the opinions of Government and Government officials. In the work of administration it is now necessary not only to convince oneself of the merits of a particular scheme but also, what is more difficult, to convince others. The mere fact that such a scheme will be submitted to a Minister, and later to the Council, cannot but result in a greater thoroughness of work and in a larger desire to pay due attention to the public point of view. It must also be remembered that having to go to a Minister, for advice and opinion as to how such and such developments will strike the public mind is in itself an advantage and gives confidence to a Director in bringing forward new schemes.

18. In spite of some possible effect on discipline and of lack of established conventions defining exactly what details of administration are entirely under the control of the Head of the Department, the general efficiency of the Department has improved. The support of Ministers and the financial generosity of Council could alone make possible the expansion of education that has taken place in the last six years. The influence of the Reforms has produced a more thorough and careful preparation of schemes; certain interpellations and resolutions in Council have called attention to genuine grievances and to weaknesses, and there has been a general feeling of encouragement engendered by the knowledge that, however, much the Department might be criticised in its general attack upon ignorance, it has the support of the representatives of the people.

19. It is also necessary to mention factors which may tend to lessen the efficiency of the Department. While it may safely be stated that with the changes of Ministers there is a possibility of change as regards communal or sectional policy, the influence on efficiency is trifling. Such lowering of efficiency as may have occurred is due to apprehension and misapprehension amongst those outside the Ministry of Education. There are those who apprehend that the Minister will unduly favour his own community at

the expense of others, and there are those who misapprehend the functions of a Minister and expect profit by political influence rather than by good work.

20. Another point which is stated to be important is the weight of the teacher in a limited franchise and his influence among an illiterate electorate. Under the Education Department of the Punjab, directly or indirectly, there work between thirty and forty thousand school-masters—a very large number of them in rural areas where illiteracy prevails. The potentialities of the school-master as an electioneering agency may become considerable, but the help that any individual school-master can possibly render in an extensive constituency is apt to be exaggerated. Further, the misunderstanding of what the Minister will or will not do sometimes leads managing bodies or individuals with a grievance or wishing to evade the regulations of the Department to arrange for questions to be asked in Council or even to take advantage of the accessibility of the Minister by appealing direct to him over the heads of permanent officials, but it is to be remembered that such appeals are not infrequently made equally to the Governor of the Province.

21. The Reforms have emphasised the importance of the communal School and the communal problem throughout the educational system. In discussions on educational matters in Council the communal problem and the difference between the urbans and the rurals constantly arise and the great majority of interpellations are based thereon. A deplorable feature of this communal strife is the determination on the part of many people to read into departmental regulations laid down for the betterment of our schools and school boys on the advice of departmental officials a communal purpose. Appointments and promotions are jealously scrutinized from the communal point of view, and controversy from time to time arises about the distribution of grants-in-aid to privately managed communal schools. Constantly there is pressure brought to bear upon the officials of the Department by political leaders to help this or that particular communal school. It is a fact that a considerable proportion of the boys in Anglo-Vernacular Middle and High Schools in the province are trained in the atmosphere of communal schools. The schools of each community are strongly supported by political leaders, and there is no doubt that the leaders of the various communities realize that such schools are not only of importance to them at the time of elections, but otherwise in preparing voters for future elections.

22. A feature of interest in the growth of education in the Punjab has been the progress of denominational institutions. In higher education there were, in 1915-16, 11 denominational colleges to 6 maintained by Government; in 1920-21 the numbers were 16 to 11: in 1926-27, while the number of Government colleges had increased to 16, the number of denominational institutions was 22. The number of pupils in Government colleges in 1920-21 was 1,821, in denominational colleges 4,186; in 1926-27 pupils in Government institutions were 3,357, in denominational 7,398. Proportionately, therefore, Government colleges have gained at the expense of denominational. The part played by denominational institutions in secondary education is most important in Anglo-Vernacular Education. In 1920-21 there were 299 denominational secondary schools (260 Anglo-Vernacular and 39 Vernacular) against 776 Governmet and Board schools (140 Anglo-Vernacular and 636 Vernacular); in 1926-27 denominational schools had risen to 391, of which 332 were Anglo-Vernacular, while Government and Board schools were 2,356 including, however, only 220 Anglo-Vernacular. There were in 1920-21, 78,405 pupils in denominational schools as against 125,186 in Government and Board; in 1926-27 there were 110,237 as against 401,965. Denominational schools have still, however, lost ground proportionately even in Anglo-Vernacular schools. In primary schools there has been little change owing to the causes which have already been explained that schools are classified according to the highest type of education in them. In 1920-21 there were 1,335 denominational schools to 5,051 Government and Board; in 1926-27 there were 1,614 against 5,530. Pupils in 1920-21 were 62,416 in denominational and 223,470 in Government

and Board institutions; in 1926-27 there were 89,407 denominational and 365,251 Government and Board. There has been a remarkable increase in denominational special schools. In 1920-21 there were 20 as against 21 Government and Board; in 1926-27 there were 897 to 3,033; and pupils were in 1920-21, 1,201 against 4,149 and in 1926-27, 24,959 against 83,513.

23. Some explanation seems to be necessary in connection with denominational institutions. The earliest anglo-vernacular schools under private management in this province were a number of mission schools, of which that at Ludhiana existed even before the annexation of the Punjab. These schools did the most valuable pioneer work in education in this province, but they have now lost much of their original importance. In 1886 the *Arya Samaj* entered the field of private enterprise in education by opening the D. A.-V. school at Lahore and the Muhammadans followed suit by opening the M. A.-O. school at Amritsar. Since then the number of privately managed schools has been growing apace. The Sikhs came into the field much later, but since the formation of the Sikh Educational Conference in 1908, they have made very rapid progress in opening and maintaining anglo-vernacular schools for Sikhs all over the province. At present there are 58 mission schools, 151 Hindu schools (chiefly Arya) 84 Khalsa schools and 57 Islamia schools in this province, and the amount of grants paid to them during the last year amounted to Rs. 1,92,348, Rs. 3,89,048, Rs. 2,49,300 and Rs. 2,06,154, respectively. The total net expenditure on 82 Government anglo-vernacular schools for boys in the year 1926-27 amounted to Rs. 9,24,192.

24. These denominational schools have done much to push on anglo-vernacular education in this province, but it is inevitable that they should also have somewhat contributed to communal rivalries. There has also been a tendency for two or three rival communal schools to spring up in a small place where a single non-denominational school would have been enough; these create factions among the people and undermine school discipline, while large areas remain altogether unserved. It also sometimes happened in the past that where a poor local body maintained an anglo-vernacular school, a communal school sprang up and by receiving grants-in-aid from Government was soon able to supplant the board school at considerable loss to the local body and to the other communities living there. Since 1922-23, however, local body anglo-vernacular schools have received grants-in-aid from Government in the same way as schools under private management. Another step that Government has taken in recent years towards making an even distribution of facilities for anglo-vernacular education has been the provincialization of municipal and district board high schools in backward areas. During the past few years as many as fifty-eight such high schools have been provincialized. The annual recurring net cost of maintaining a Government High School is about Rs. 9,000, but in many cases a great deal of capital expenditure had also to be incurred, as the schools taken over from the local bodies were very poorly housed.

Indianization.

25. The total strength of the Indian Educational Service on the 1st January, 1921, was 23, of whom 18 were Europeans, being 78 per cent. Four posts were vacant. In 1921, 13 posts were added, and 3 (attached to the Khalsa College, Amritsar) were subsequently abolished, raising the sanctioned scale in 1924 to 37. Between 1921 and 1924, one European left and two Europeans and seven Indians were appointed. Of the latter, six had been selected for promotion from the Provincial Educational Service before the Reforms, and one having been appointed temporarily by the Ministry of Education, was permanently appointed by the Secretary of State. As recommended by the Lee Commission no recruitment has been made in the Indian Educational Service since 1924, the intention being to create a Superior Provincial Service under the control of the local Government which will exist side by side with the Indian Educational Service until the latter disappears. Since 1924, seven European officers have retired. To carry on the work, special pay has in some cases been granted to officers of the Provincial Service, and three appointments have been made which would have been included in the all-India Service

had recruitment of this continued. Europeans were appointed in all cases but no comparison can be made with the number of Indians who would have been appointed to the Indian Educational Service had it continued to exist, as Indians have during the stage of transition been in the first place appointed to the existing Provincial Service instead of appointing them to special posts with the option of entering the Superior Provincial Service when it is formed. On the 1st January 1927, ten out of the 37 posts in the Indian Educational Services were vacant. Of the remaining 27,15, or 56 per cent. were held by Europeans.

STATEMENT No. 1.—*Progress of Education during the last six years of*

	1915-16.	1916-17.	1917-18.	1918-19.	1919-20.	1920-21.
	1	2	3	4	5	6
						NUMBER OF
Colleges	17	18	19	20	22	27
Secondary Schools ..	484	497	514	551	928	1,075
Primary Schools	5,679	5,853	6,038	6,123	6,163	6,386
Special Schools (including adult Schools).	76	74	71	73	69	71
Total ..	6,256	6,442	6,642	6,767	7,182	7,559
						NUMBER OF
University and Collegiate Education.	4,853	5,390	5,991	6,060	6,132	6,010
Secondary Schools ..	117,662	122,511	123,336	130,205	178,631	203,591
Primary Schools	275,353	287,851	285,589	289,690	274,259	285,886
Special Schools (including adult Schools).	5,085	5,291	5,128	5,673	5,250	5,350
Total ..	402,953	421,043	420,044	431,628	464,272	500,837
						EXPEN
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
University and Collegiate Education.	13,34,371	13,93,813	15,45,794	15,05,321	16,56,931	21,25,888
Secondary Schools ..	30,94,254	33,79,680	36,96,009	39,50,012	48,58,860	59,83,813
Primary Schools	18,86,395	19,64,569	21,06,353	23,14,939	24,88,879	29,85,032
Special Schools (including adult Schools).	4,91,231	4,83,294	5,58,558	5,44,294	6,65,884	8,01,670
Direction and Inspection ..	4,66,570	4,89,834	4,85,119	4,93,389	5,61,230	6,89,773
Buildings, etc.	25,45,373	17,06,458	15,18,121	18,81,921	21,46,841	39,82,569
Miscellaneous	13,98,571	14,45,672	15,62,898	17,12,310	18,15,327	18,37,679
Total ..	1,12,16,755	1,08,63,320	1,14,72,852	1,24,02,186	1,41,93,952	1,84,06,424
						TOTAL EXPENDITURE FROM
Government Funds ..	35,02,905	31,09,136	50,13,285	56,69,078	64,12,708	85,01,614
Board Funds	27,87,274	25,40,260	12,54,019	13,50,620	17,28,145	23,62,663
Municipal Funds ..	5,99,445	6,42,964	4,07,651	5,40,197	6,94,110	9,31,257
Fees	25,38,805	27,35,592	29,51,103	29,05,752	31,19,445	34,88,545
Other sources	17,88,336	18,35,368	18,46,794	19,36,539	22,39,544	31,22,345
Total ..	1,12,16,765	1,08,63,320	1,14,72,852	1,24,02,186	1,41,93,952	1,84,06,424

the Pre-reform Government and the first six years of the Reforms.

1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.
1	2	3	4	5	6	7
INSTITUTIONS.						
26	27	28	31	31	38	
1,149	1,185	1,398	1,758	2,335	2,747	
6,675	6,784	6,695	6,601	6,816	7,144	
69	703	1,600	2,445	3,286	3,930	
7,919	8,699	9,721	10,835	12,528	13,859	
SCHOLARS.						
6,235	6,404	7,294	8,572	9,245	10,755	
222,292	260,535	298,723	353,215	440,655	512,202	
318,337	401,408	401,872	404,410	433,308	454,658	
5,758	24,424	47,917	69,070	92,309	108,472	
552,622	692,771	755,806	835,267	975,517	1,086,087	
DITURE.						
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
21,91,733	27,07,254	27,75,418	37,28,761	35,17,258	39,83,505	
68,75,785	73,72,998	79,20,617	87,47,073	99,27,855	1,13,60,393	
34,32,174	36,05,495	37,82,276	39,22,221	39,83,716	42,34,464	
9,70,167	10,87,722	10,78,380	11,12,925	11,57,341	13,26,370	
8,46,705	9,19,069	8,94,029	8,90,764	9,27,447	11,00,048	
25,37,152	36,57,120	27,99,181	29,33,708	38,83,944	47,58,486	
21,08,571	26,88,638	23,03,974	20,69,814	22,24,483	19,92,497	
1,89,62,287	2,20,38,296	2,15,53,875	2,34,05,266	2,56,22,044	2,87,65,763	
VARIOUS SOURCES.						
86,77,912	1,13,36,242	1,13,15,754	1,18,34,364	1,33,04,875	1,51,17,231	
25,40,059	23,16,810	21,41,468	22,25,760	22,71,067	30,78,553	
9,76,336	9,57,416	9,11,403	9,26,105	10,25,902	10,52,684	
39,11,688	44,12,236	44,16,531	52,87,444	51,98,863	57,52,270	
28,56,292	30,15,592	27,68,719	31,31,593	38,21,337	37,65,025	
1,89,62,287	2,20,38,296	2,15,53,875	2,34,05,266	2,56,22,044	2,87,65,763	

STATEMENT No. 2.—*Progressive statement of areas brought under Compulsory Education in the Punjab.*

Name of the district.	1920-21.		1921-22.		1922-23.		1923-24.		1924-25.		1925-26.		1926-27.		1927-28.	
	Rural areas.	Municipal areas.	Rural areas.	Municipal areas.	Rural areas.	Municipal areas.	Rural areas.	Municipal areas.	Rural areas.	Municipal areas.	Rural areas.	Municipal areas.	Rural areas.	Municipal areas.	Rural areas.	Municipal areas.
1. Hissar ..	..	..	..	2	..	..	11	..	11	1	28	3	..	..	..	..
2. Rohtak ..	..	..	..	..	6	..	6	..	17	1	6	4	35	1	108	1
3. Gurgaon ..	..	..	..	..	..	..	1	1	13	1	19	1	13	..	5	2
4. Karnal ..	..	..	..	..	..	..	8	..	21	..	40	2	49	2	44	..
5. Ambala ..	..	..	..	..	..	..	20	1	1	..	..	6	52	..	45	..
6. Simla ..	..	..	..	..	6	..	..	..	..	..	1	..	20	..	4	1
7. Kangra ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	3	..
8. Hoshiarpur ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	9	..
9. Jullundur ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	8	..
10. Ludhiana ..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	7	..
11. Ferozepore ..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	3	2
12. Lahore ..	..	1	..	..	..	..	..	..	..	..	20	..	..	..	..	..
13. Amritsar ..	..	..	..	..	..	..	..	..	19	..	..	1	44	..	3	..
14. Gurdaspur ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	8	..
15. Sialkot ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	16	..
16. Gujranwala ..	..	..	..	..	..	..	..	..	..	..	1	..	43	..	106	1
17. Sheikhupura ..	..	..	..	..	..	..	..	..	8	..	..	..	54	3	34	..
18. Gujrat ..	..	..	..	..	..	..	12	..	..	..	..	..	..	..	42	..
19. Shahpur ..	..	..	..	..	..	..	..	..	13	..	..	..	..	..	125	..
20. Jhelum ..	..	..	..	..	..	..	..	..	..	..	..	..	5	..	18	..
21. Rawalpindi ..	..	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..
22. Attock ..	..	..	..	..	..	..	..	..	..	..	..	..	11	..	..	..
23. Mianwali ..	..	..	..	..	..	..	..	..	..	..	..	..	7	..	..	1
24. Montgomery ..	..	..	..	..	20	3	..	..	..	1	8	..	21	..	23	..
25. Lyallpur ..	..	..	..	..	59	3	..	1	..	1	17	..	..	..	..	..
26. Jhang ..	..	..	..	..	..	..	19	..	..	..	7	..	17	..	57	..
27. Multan ..	..	1	..	..	..	1	..	..	..	..	3	..	8	..	..	..
28. Muzaffargarh ..	..	..	..	..	..	1	7	..	6	1	1	1	4	..	30	..
29. Dera Ghazi Khan ..	..	..	..	..	..	1	6	1	..	2	9	..	..	..	10	..
Total ..	..	2	..	2	91	9	90	4	109	10	162	18	383	6	708	8

Rural areas 1,543
Municipal areas 59

STATEMENT No. 3.—*Examination Results.*

Examinations.	MALES.		FEMALES.		Remarks.
	Number passed, 1926-27.	Number passed, 1920-21.	Number passed, 1926-27.	Number passed, 1920-21.	
	Total.	Total.	Total.	Total.	
1	2	3	4	5	6
DEGREE EXAMINATIONS.					
**Arts and Sciences.*					
M. A.	62	54	1	..	
M. Sc.	24	13	..	..	
B. A. (Honours)	96	76	3	1	
B. Sc. (Honours)	37	21	..	..	
B. A. (Pass)	589	497	9	5	
B. Sc. (Pass)	73	45	..	..	
Law.					
Master of Law	..	..	..	..	
Bachelor of Law	176	127	..	..	
Medicine.					
M. D.	..	..	..	..	
M. B., B. S.	41	35	3	..	
Education.					
B. T.	65	44	4	3	
Agriculture.					
Bachelor of Agriculture	30	6	..	..	

*Including the Diploma Examination of the Thomason College, Roorkee.

STATEMENT No. 3.—*Examination Results*—concluded.

Examination.	MALES.		FEMALES.		Remarks.
	Number passed, 1926-27.	Number passed, 1920-21.	Number passed, 1926-27.	Number passed, 1920-21.	
	Total.	Total.	Total.	Total.	
1	2	3	4	5	6
INTERMEDIATE EXAMINATION.					
Intermediate in Arts	770	501	19	16	
Intermediate in Science	432	307	13	..	
License, Diploma or Certificate in Teaching.	328	137	11	18	
Intermediate or Diploma in Commerce ..	18	32	..	..	
Licentiate of Agriculture	24	17	..	..	
Veterinary Examination	19	62	..	..	
SCHOOL EXAMINATIONS.					
(a) *On Completion of High School Course.*					
Matriculation	6,845	4,180	59	46	
School Final, etc.	212	183	1	..	
European High School	35	28	32	45	
Cambridge Senior	14	23	5	1	
(b) *On Completion of Middle School Course.*					
Cambridge Junior	26	10	21	9	
European Middle	80	63	119	78	
Vernacular Middle	6,756	2,785	652	260	
(c) *On Completion of Vocational Course.*					
For Teacher's Certificates—					
Vernacular, Higher	623	312	77	35	
Vernacular, Lower	2,253	918	76	85	
At Art Schools	31	20	..	..	
At Medical Schools	57	57	14	7	
At Engineering Schools*	61	48	..	..	
At Technical and Industrial Schools ..	68	34	..	..	
At Commercial Schools	12	..	9	..	
At Agricultural Schools	88	19	..	..	

*Including Survey Schools.

Chapter VII—Local Self-Government.

SECTION A—INTRODUCTORY.

Introductory.

In the following memorandum an attempt has been made, so far as possible, to adhere to the classification of subjects given in the Appendix to the "Invitation to submit Memoranda" issued by the Indian Statutory Commission on 6th March 1928. Several of these subjects are, however, so intimately interconnected that it would have been difficult to treat them independently, for example, the question of the nomination of officials and non-officials as additional members of elected bodies [question 1 (*g*)] is bound up not only with the question of the methods whereby particular interests obtain adequate representation on local bodies [question 1 (*c*)] but also with the question of the relationship of local self-governing bodies with officials of the Provincial Government [question 3 (*c*)] and the question of the control of such bodies by the Provincial Government [question 3 (*d*)].

The resolution of 1908.

2. In order to avoid constant repetition under the various heads discussed it is desirable to explain here the course of events connected with the development of local self-governing institutions in this province in the two years immediately preceding the introduction of the Reforms. In May 1918 the Government of India issued a Resolution, with reference to the announcement made in the House of Commons on 20th August 1917, indicating the manner in which they desired to initiate the progress to be made along the road of local self-government. This Resolution was examined in the Secretariat during 1918, but when the papers were submitted to Sir Michael O'Dwyer he ordered the appointment of a Local Self-Government Committee of officials and non-officials to report as to the measures which could be adopted at once in order to give effect to the wishes of the Government of India and the measures for which legislation would be required. This committe reported in May 1919, and in August of that year the views of Sir Edward Maclagan, who had in the meantime succeeded Sir Michael O'Dwyer, on the recommendations of the committee were communicated to local officers who were asked to submit their opinions on the measures proposed. Before, however, their replies could be received the Reforms had been introduced and it fell to the Ministry of Education to issue final orders on these matters.

SECTION B—THE BASIS OF THE FRANCHISE.

(*i*) Municipalities and Small Towns.

Qualifications in municipalities.

3. Rules as to the qualifications of voters in most municipalities in the province were made in 1886 and remained practically unchanged until 1917. Voters were required to be at least twenty-one years of age and to have ordinarily resided or carried on business or been possessed of immovable property rated to municipal taxation within municipal limits and also to possess one or other of various alternative qualifications. These alternative qualifications were different in different municipalities, but generally speaking it may be said that they were as follows :—

(1) possession of immovable property of a specified value within municipal limits: in most cases the minimum value was Rs. 200, but in some of the larger towns it was Rs. 300 and over;

(2) payment of rent, usually not less than one rupee a month but in the larger towns not less than two rupees a month;

(3) receipt of a specified minimum income, usually of Rs. 10 a month but in the larger towns of Rs. 15 and more up to Rs. 25 a month;

(4) possession of certain educational qualifications with or without a specified minimum income: usually the qualification was that of having passed the Middle School Examination, but in the larger towns that of having passed the University Entrance Examination;

(5) payment of a minimum amount of land revenue, usually Rs. 25 a year.

In most of the towns of what is now the Ambala division, and in a few elsewhere, persons were allowed one vote for every qualifying unit of property, rent or income up to a maximum of five votes each.

The revision of 1917.

4. In 1917 the revision of the election rules of all municipalities was taken up, and during the next two or three years revised rules were made with regard to the qualifications of voters in most towns. The kinds of qualification remained as before, but, except in respect of the land revenue qualification, there was in general an enhancement of the qualifying value of immovable property or amount of rent or income or standard of educational qualification. Thus in 55 municipalities the qualifying value of immovable property was raised to Rs. 300 or more, in 57 municipalities the minimum monthly rent was raised to Rs. 2 or more and in 45 municipalities the minimum qualifying income was raised to Rs. 20 or more. At the same time plural voting was abolished.

The reforms.

5. After the introduction of the Reforms the reduction in the number of official members and increase in the number of elected members as well as the introduction of the elective system in municipalities where it had not been in force before, necessitated the revision of the constitution of most municipalities and the opportunity was taken of standardizing the franchise qualifications, as shown in the following table :—

——	(a) Property within municipality.	(b) Land Revenue per annum within tahsil or assignment of land revenue.	(c) Rent per mensem (within municipality).	(d) Income per mensem.	(e) Educational.	(f) House-tax in case where it is levied.
	Rs.	Rs. A. P.	Rs.	Rs.		
I.—Municipalities with population below 20,000.	200	5 0 0	1	15	Matriculation, School Leaving Certificate or any other equivalent or higher examination recognised by the Punjab University or any Oriental Title Examination of the Punjab University.	Pays house-tax for a house in the municipality.
II.—Municipalities with population exceeding 20,000.	300	7 8 0	2	20	Matriculation, School Leaving Certificate or any other equivalent or higher examination recognised by the Punjab University or any Oriental Title Examination of the Punjab University.	Pays house-tax for a house in the municipality.

Unfortunately no estimate can be made of the effect of this lowering of the franchise on the number of voters as figures are not available for pre-reform years in the case of a large number of municipalities, and the circumstances of municipalities vary so much that satisfactory conclusions cannot be based on such figures as are available. In the 51 towns for which figures are available the electorate in 1927 was about 65 per cent. greater than the electorate in 1919 ; the total number of voters in 1927 was 518,486.

Qualification of members.

6. The standardization of franchise qualifications in 1923 was accompanied by the standardization of members' qualifications, and the following table compares the qualifications of members in 1926-27 with those in force in 1918-19 :—

Municipal Committees.

	NO. OF MUNICIPALITIES WHERE ELECTIVE SYSTEM WAS IN FORCE	COMPULSORY QUALIFICATIONS.		ALTERNATIVE QUALIFICATIONS FOR MEMBERSHIP (FIGURES SHOW THE NUMBER OF MUNICIPALITIES IN WHICH THE VARIOUS QUALIFICATIONS WERE IN FORCE.)																														
				Value of immovable property.						Property having annual rental value.	Amount of land revenue.			Monthly income.				Government pension.				Educational qualifications.									Income-Tax.			Professional Degrees.	
		Literacy.	Voter	Rs. 5,000.	Rs. 4,000.	Rs. 3,000.	Rs. 2,000.	Rs. 1,500.	Rs. 1,000	Rs. 125.	Rs. 20 or over.	Rs. 15.	Rs. 10.	Over Rs. 75.	Rs. 75.	Rs. 50.	Rs. 25.	Rs. 30 and over.	Rs. 25.	Rs. 20.	Rs. 12-8-0.	B.A. and income Rs. 10.	B.A. and income Rs. 75.	B.A. and income Rs. 50.	Matriculation and income Rs. 50.	Matriculation and income Rs. 30.	Matriculation or S.L.C. Examination.	Middle School.	B.A.	F.A.	Rs. 35.	Rs. 20.	Amount of tax not specified.	M.B.B.S.	LL.B.
1918-19.	76	32	76	9	5	10	49	.	3	...	75	1	.	15	5	...		12	47	3	1	3	1	3	39	11	6	2	8	..	4	1	55	62	62
1926-27.	100	100	100	...	..	1	4	21	73	1	4	19	76	.	9	72	..	...	21	74	...	...	...	..	4	...	72	1	1	19	..	...	6	6	6

(*ii*) District Boards.

The District Board Franchise.

7. In 1918-19 the district board franchise was enjoyed by village headmen and payers of local rate on Rs. 25 of land revenue. In 1922 after the introduction of the Reforms, and in accordance with the advice of the Standing Committee of the Legislative Council for Local Self-Government, the qualification of lambardars as such was abolished and the local rate qualification was lowered to the equivalent of local rate on Rs. 15 of land revenue; in addition payers of any district board rate, cess or tax to the amount of Rs. 4 per annum were enfranchised as were all electors to the Punjab Legislative Council for any rural constituency. The last qualification was, however, abolished in the following year as it was found that it gave the district board franchise to residents of many small municipalities and small towns not included in the urban constituencies of the Legislative Council. In 1927 the rules were again revised; all retired military officers and soldiers and all income-tax payers and all lambardars, zaildars, etc., as such received the franchise, and the qualification in respect of payment of district board taxes, etc., other than local rate was reduced to Rs. 2 per annum. A further revision of the rules so as to lower the local rate qualification to payment of the equivalent of local rate on Rs. 5 of land revenue has now been sanctioned. The effect of the revision of the franchise in 1927 has not yet become apparent, nor are complete figures available for comparison of the numbers of voters before and after the introduction of the Reforms, but in the case of 11 districts for which figures are available it appears that the number of voters rose from 174,896 in 1919 to 234,508 in 1927, while the total number of voters in all districts in 1927 was 543,198.

SECTION C.—METHODS OF ELECTION.

Early election procedure.

8. Previously to 1917 the rules regulating election procedure for both municipal committees and district boards were made separately for individual bodies and were in most cases of the simplest character. In a large number of cases a proportion of the elected members retired in rotation every year and the voters' lists had to be compiled or at any rate revised every year. This duty was imposed upon Tahsildars or such other officer as the Deputy Commissioner might appoint—and in practice this was very often the Secretary of the local body concerned—, and after the lists had been published claims or objections could be submitted to the Deputy Commissioner. When the lists had been finally settled, every voter was to be given a copy of the entry relating to him, and this document, known as a voter's certificate, had to be produced when the poll was taken. Nominations of candidates had to be made in writing by anything from five to twenty voters. Voting was done publicly by declaration to the presiding officer who was authorized to settle summarily all cases of alleged personation or other objections. No rules as to corrupt practices were made until 1913, and there were no precise rules as to election petitions, but the Deputy Commissioner was empowered to decide any objections made in respect of any election as he thought fit. In the case of district boards single-member constituencies were provided for in the rules, but in most municipalities the whole municipal area formed a single multi-member constituency so far as the rules were concerned, though in many cases municipal committees were empowered to divide the municipal area into wards for the purpose of electing members. In 1913 rules were made defining corrupt practices at municipal elections and providing for regular enquiries to be made by the Deputy Commissioner or a magistrate appointed by him and for the unseating of persons found guilty of corrupt practices.

The revisions of 1917, 1925 and 1926.

9. In 1917 the whole election procedure was subjected to revision and general rules were made, applicable to all local bodies, governing the procedure for the preparation of voters' registers, the nomination of candidates and the conduct of the poll. Rotational retirement of members was discontinued and triennial general elections were provided for. Secret voting by ballot was substituted for open

oral voting, and the whole procedure was elaborated and placed on a uniform and systematic footing. At the same time the special rules for individual municipalities were revised and the ward system was made universal, so as to simplify polling arrangements and, it was hoped, to make the detection of personation less difficult. Experience, however, showed that the rules were too rigid in some respects, while in others they were not sufficiently precise for the guidance of officers conducting elections. They were accordingly revised in 1925 and 1926 in the case of municipalities and in 1927 in the case of district boards, and the opportunity was taken of bringing them more into line with the rules and regulations governing elections for the Central and Provincial Legislatures and of incorporating in them more detailed provisions as to election petitions in respect not only of corrupt practices but also of material irregulaities. They cannot, however, as yet be considered to be entirely satisfactory. The preparation of electoral rolls leaves much to be desired, and while on the one hand many qualified voters are often omitted, on the other hand large numbers of unqualified persons and dummy voters are often registered. In the recent elections for the Lahore and Amritsar municipal committees personation was resorted to on an extensive scale and the existing provisions of the law and the rules have proved inadequate to deal with this evil. Considerable dissatisfaction was expressed on this score at the last ession of the Legislative Council and a further revision of the rules is now being made.

SECTION D.—REPRESENTATION OF PARTICULAR INTERESTS.

(*i*) Municipalities and Small Towns.

10. The earliest representative local bodies in the Punjab were the result of a Resolution issued by Sir Robert Montgomery in 1862 in which it was directed that committees were to be elected annually by the delegates or panchayats of the trades or callings in each town or sub-division of a town. By 1864-65 forty-nine municipal committees had come into existence, and in twenty-eight of these the members, who were all elected, were the recognized representatives of the principal trades or castes. The system of election was, however, soon abandoned and the members of committees constituted under the various Municipal Acts from 1867 onwards were almost entirely appointed by Government. When a return was made to the system of election in consequence of Lord Ripon's famous Resolution of 1882, the idea of providing for the representation of particular trades or castes found no place in the scheme of things except in a few places, such as some of the hill stations, where the representation of house-owners and visitors respectively was specially provided for, and Lahore, where in 1886 traders and shopkeepers, Indian owners and occupiers of houses, and European and Eurasian owners and occupiers of houses all had seats specially reserved for them. Apart from this reservation of seats for Europeans and Eurasians in Lahore, the earliest instance of communal representation is provided by Amritsar where in 1888 the elected seats were definitely divided between Hindus and Muhammadans, though the electorate was common. In 1891 communal representation was provided for in Lahore by means precisely the opposite of those adopted in Amritsar, that is by fixing the number of members to be elected by Muslim and non-Muslim voters respectively, while leaving these communal electorates free to vote for candidates belonging to any community. In February 1895 the full communal system was adopted in Amritsar and the rules were amended so as to provide for both reservation of seats for communities and communal electorates. A similar system was adopted in Multan in 1899, Murree in 1904, Ambala in 1906, Shujabad in 1908, Lahore and Firozpur-Jhirka in 1910, and Palwal in 1916, while the system of seats reserved for communities with joint electorates was adopted in Rewari in 1907 and Sialkot in 1917. Thus up to August 1917 communal representation was provided for in ten municipalities only. During the next three years, however, a very great extension of the system took place, and by the end of 1920

The history of communal representation.

communal electorates had been instituted in no less than thirty-eight out of seventy-nine municipalities in which the elective system had been introduced. This can only be attributed to the fact that when revised rules regulating election procedure were published in September 1917 Government intimated that, unless there were very strong reasons to the contrary in any particular case, the ward system must be adopted in all municipalities in place of the system; previously generally prevalent, under which the entire municipality constituted a single multi-member constituency. It is true that in April 1918 Government announced that the system of class representation should be avoided wherever possible and that it would be accepted only when it could be shown that the adequate representation of different communities could not be secured by a careful distribution of wards or in any other way. Circumstances were, however, too strong, and there were many municipalities in which, though the numbers of a minority community were such that they had been able to secure representation when the whole municipality formed a single constituency, they were not in sufficient strength in individual wards to be able to secure any representation at all without communal electorates and reservation of seats. The effect of this revision was somewhat to increase the representation of Muslims: on 31st December 1917 out of a total of 530 elected members 210 or nearly 40 per cent. were Muslims; on 31st December 1920 Muslim members numbered 284 out of 645 or 44 per cent.

Revision under the Reforms.

11. Meanwhile, however, the Government of India Resolution of May 1918 had issued and Sir Edward Maclagan had indicated the extent to which he considered it necessary to reduce the official and appointed elements on local bodies and to extend the system of election. The Ministry was thus at an early stage faced with the necessity of arriving at some principles of general application in accordance with which individual cases might be decided. The principles adopted were explained in a Note published in August 1923 from which the following extract is taken:—

"Before 1921 a municipal committee was constituted or reconstituted from time to time, as occasion required, when some one moved in the matter of that particular municipality. The wholesale revision of constitutions made necessary by the reforms indicated in the foregoing paragraph, that is to say, by the increase in the total number of members in most committees, by the introduction of election in committees where it did not exist before, and by the increase the number of elected members in committees that were already based to some extent on election accentuated the necessity of formulating some fixed principle of general application for the distribution of the elected seats on municipal committees among the various communities. The problem was to discover a formula which should graft the democratic principle of the Reforms on the concrete facts of municipal administration in the Punjab. The formula adopted was that 'the elected seats on municipal committees should be distributed among the communities in proportion to their population as modified arithmetically by their voting strength.'

"In some municipalities, where communal representation did not prevail, it was noticed that the wards were so constituted as to place a community with a large majority of voters in the position of a minority whenever elections ran on communal lines. In order to avert this evil, care was taken in such municipalities to see how the wards are constituted, and an attempt made to demarcate the wards in such manner as not to place any community at a disadvantage.

"It has already been mentioned that in January 1921 the constitution of thirty-eight municipalities was based on communal electorates. At the very commencement of the general reconstitution Government laid it down that communal electorates should not be newly introduced in any municipality except with a view to remove communal friction, or to satisfy a keen local demand on the part of an aggrieved community."

The effect of communal representation.

12. It remains to note how the application of these principles has worked out in practice. The results may be summarized as follows :—

(1) Municipalities in which the elective system was previously in force—

(*a*) where communal electorates were already in existence—

(*i*) Muslim representation increased in greater proportion than non-Muslim representation (including 7 cases in which equality of representation or Muslim preponderance has replaced non-Muslim preponderance or communal equality)	18
(*ii*) Non-Muslim representation increased in greater proportion than Muslim representation (including 2 cases in which non-Muslim preponderance has been substituted for communal equality)	5
(*iii*) Communal electorates with Muslim preponderance converted into non-communal electorates	1
(*iv*) No change in proportionate communal representation	14

(*b*) where communal electorates were not previously in existence—

(*i*) Two-member non-communal wards substituted for single-member non-communal wards	4
(*ii*) Communal representation with a Muslim preponderance substituted for non-communal electorates	1
(*iii*) Communal representation with a non-Muslim preponderance substituted for non-communal electorates	2
(*iv*) Communal representation with equality of seats as between Muslims and non-Muslims	1
(*v*) No change..	33

(2) New municipalities and municipalities in which the elective system was not previously in force—

(*a*) Non-communal representation—

(*i*) with singe-member wards	8
(*ii*) with two-member wards	4

(*b*) Communal representation—

(*i*) with Muslim preponderance	2
(*ii*) with non-Muslim preponderance	6
(*iii*) with equality of representation	1

(*c*) No change (*i.e.*, elective system not introduced) .. 5

Applying the formula that "the elected seats should be distributed among the communities in proportion to their population as modified arithmetically by their voting strength" to all municipalities in the province whether communal electorates exist in them or not, the distribution of seats among the three chief communities should be Muslims 459·4, Sikhs 41·2 and Hindus and others 401·4; actually the distribution according to the latest figures available is Muslims 444, Sikhs 41 and Hindus and other 417. On 31st December 1920 the Muslim population of municipalities in which the elective system was in force numbered about 896,000 out of a total of about 1,676,000 or about 53 per cent., the number of Muslim elected members was, however, only about

44 per cent. of the total number of elected members. The Muslim proportion of the population in municipalities in which the elective system is now in force is about the same as it was at the end of 1920, but the proportion of Muslim elected members has risen only to 49 per cent. The reorganisation carried out by the first Muslim Minister has thus resulted in only a small increase in the proportion of Muslim representation and, though this has of course been accompanied by a corresponding decrease in the Hindu proportion of the total, there has been no decrease in the actual number of Hindu members, which has in fact increased from 326 to 389 in the municipalities where the elective system was previously in force and to 417 in all municipalities where the elective system has now been introduced. It cannot, however, be denied that the reorganization excited great resentment among Hindus, and at Lahore and Ambala the committees were for several years boycotted by Hindus. At Ambala, Muslims and non-Muslims had previously been on an equal footing, but the new constitution gave the Muslims a majority over all other communities. In Lahore the Muslims had been very much under-represented and out of a total of 38 seats (32 elected and 6 appointed) had held only 11 (9 elected and 2 appointed). The reconstitution, however, gave them 17 out of 32 elected seats, and, though only 3 out of the 9 members appointed by Government were Muslims, so that they were actually in a minority to the non-Muslims on the whole committee, the Hindu community was not satisfied with this.

Other particular interests.

13. Apart from the communal representation described above, there is no provision for securing by means of election the adequate representation of particular interests on municipal committees. Such representation is, however, secured to a limited extent in a few municipalities by means of nomination. In "Small Towns" there are no communal electorates or special constituencies of any kind, the instructions issued to local officers with regard to the framing of proposals for election wards requiring merely that wards should be delimited according to local convenience with natural boundaries and approximately equal populations. These arrangements have on the whole worked satisfactorily, though Hindus and Sikhs have in the aggregate obtained more seats than they are entitled to according to the formula referred to above. Where, however, there is marked inequality of representation, revision of the election wards usually provides a remedy.

(*ii*) District Boards.

Representation in District Boards.

14. The position as regards district boards is much the same as in small towns. There is no communal representation or representation of other special interests, but local officers were instructed to devise electoral circles which, subject to the convenience of electors and adherence so far as possible to *zail** boundaries, would not be likely to give any community more seats than it would be entitled to on the basis of the formula referred to above. This system has resulted in securing in the Province taken as a whole a very fairly equitable representation of communities, though in districts where the Hindu or Muslim population is small and scattered, nothing short of communal electorates could ensure that they would secure representation by a co-religionist. Sikhs have gained most by the arrangement, having secured 186 seats as against 141 to which they are entitled according to the formula, thanks largely to the Akali organization at the back of candidates. A net total of about 10 seats has been gained by them at the expense of Muslims and 35 at the expense of Hindus who have also suffered a net loss of 15 seats to Muslims.

SECTION E.—THE RELATIONSHIP BETWEEN REPRESENTATIVES AND CONSTITUENTS, THE GROWTH OF INFORMED PUBLIC OPINION AND THE FORMATION OF PARTIES.

Members and their constituents in Municipalities.

15. In municipalities members usually belong to the wards which they represent, and are in the closest touch with their constituents, who constantly approach them for help in the removal of grievances or

* A "zail" is sub-division of a tahsil consisting usually of 20 or 30 villages.

the attainment of amenities such as extra street lamps, stand-posts, paving of lanes, etc. Ward members are also, it must be admitted, very often expected to protect their constituents against the operations of the municipal law and bye-laws, and the almost universal practice of referring building applications to ward members for report affords members many opportunities for obliging their constituents. On the other hand, there is certainly, at any rate in the larger towns, a growing demand for efficient administration, a demand which the press and particularly the Vernacular Press does much to stimulate by the keen interest which it evinces in municipal affairs, and at election times voters are becoming much more critical of what their representatives have done not merely in the interests of particular individuals but also for the benefit of the town as a whole. This tendency has recently been strikingly illustrated in the case of two municipalities where, the administration having been singularly corrupt and inefficient, none of the sitting members was able to retain his seat at the last general election.

In District Boards.

16. In the case of district boards there are not quite the same close relations between members and voters as constituencies are larger. Since, however, constituencies are usually formed of homogeneous groups of villages, members if not actually related, are at least well known, to all the voters. and at election times voters are more influenced by the personality or the social and tribal position of the candidate than by the expectation of any help or favour that he might be able to afford to them. Nevertheless, individual members of boards do, no doubt, endeavour to obtain for their constituencies as many amenities in the way of schools, hospitals, roads, etc., as possible, and their success or failure in this direction had some effect on their chances of re-election. Such amenities, however, benefit the public in much larger areas than the amenities which members of municipal committees are able to obtain for their constituents, and this and the fact that there are practically no provisions of the district board law against which individuals might seek the protection of members, account for the fact that district board voters have much less direct interest in the personality of the members who represent them than have municipal voters.

Parties.

17. Of parties differing as to the manner in which local administration should be carried on or as to the objects to be pursued, there is little or no trace in the local bodies of the Punjab. Members are, however, in most towns sharply divided on communal lines, and where communal feeling is not strong or where one community is in an overwhelming majority, such parties as there may be are based on purely personal considerations with little or no reference to questions of local administration. There are, however, not a few municipal committees and district boards of which the members are not moved by either personal or communal considerations but are in rivalry only to obtain as much as they can for their respective constituencies. Indeed in the case of district boards there is little else to divide members once the elections for the office of vice-chairman are over: most of them belong to the rural community, and there are therefore no divergent class interests to occasion strife.

SECTION F—NOMINATION.

(i) Municipalities and Small Towns.

The history of nomination.

18. In the earliest municipal committees set up in pursuance of the Punjab Government Resolution of 1862 all the members were non-official and in the majority of cases all were elected, but after the first Municipal Act of 1867 had been passed rules made under the Act revolutionized the position. Committees were divided into three classes. The Deputy Commissioner was to be a member and president of every committee: in out-stations if there was an Assistant Commissioner or Sub-Divisional Officer he was to be vice-president; otherwise the Deputy Commissioner was to nominate the vice-president. Every first class committee was as a matter of course to have five other *ex-officio* official members, every second class committee three other such members and every third class committee two other such members. In addition all the principal

district officials were *ex-officio* extraordinary members of all committees in the district, Commissioners, Superintending Engineers and Deputy Inspectors-General of Police of all committees in their respective divisions or circles, and the heads of Government Departments of all committees in the province. It was further enjoined that ordinarily a system of appointment of non-official members by careful selection was to be preferred to a system of popular election. These rules remained in force till 1872 when the Act of 1867, which had been enacted for five years only, was renewed for one year, and new rules were published under which Commissioners, Superintending Engineers, Deputy Inspectors-General of Police and heads of Departments ceased to be members of committees. In the following year the Punjab Municipal Act, 1873, was passed, but the rules made under this Act differed little from those previously in force, though the principal district officials were no longer to be members of any committees except those at district headquarters. As before in practically all cases all the members were appointed, and though it was intimated that the Lieutenant-Governor was quite prepared to sanction a system of election of all or a portion of the non-official members wherever there was a *bona fide* desire on the part of the people of a town to introduce that system and where there was a reasonable prospect of the privilege of voting being intelligently and honestly recognized, in 1882 there was only one municipality where all the members, and only three others where some of the members, were elected. This was the position when Lord Ripon's Resolution of 1882 issued. So far as municipal committees were concerned, the principal points insisted upon in this Resolution were the reduction of the official element on committees and the removal of the chief executive Government officers of districts and sub-divisions from the presidency, the introduction of the system of election for non-official members and the limitation of Government control from outside. The views of the Government of India were warmly endorsed by Sir Charles Aitchison in a Resolution issued in September 1882, and effect was given to them in the Punjab Municipal Act, 1884, and the rules made under it.

History continued.

19. The Act of 1884 raised the minimum number of members of a committee to six and provided that not less than two-thirds of the members should be persons other than salaried officers of Government unless such officers were elected as members. Two years later the system of election had been introduced in 121 out of 190 municipalities and there were 884 elected members out of 1,797, constituting 49 per cent. of the total, 228 of the balance or 13 per cent. of the whole being *ex-officio* official members. By 1908 the number of municipalities had been reduced to 137 and the number of members to 1,473 of whom 723 or 49 per cent. were elected in 102 municipalities and 249 or about 17 per cent. were *ex-officio* members. In 1909 the Royal Commission on Decentralization reported and recommended among other things the extension of the elective system and the restriction of the nominated element to such proportions as were necessary merely to provide for the due representation of minorities and official experience. These recommendations formed the subject of correspondence between the Government of India and local Governments for the next five or six years, and it was not till 1915 that the Government of India issued a Resolution accepting the Commission's recommendations and explaining the extent to which local Governments had agreed to put them into practice. In this province the number of municipalities had in the meantime been reduced to 100, and at the end of 1915-16, when all that was to be done in consequence of the Royal Commission's recommendations had been effected, the elective principle was in force in 70 municipalities: the total number of members in all municipalities was 1,156 of whom 537 or about 46 per cent. were elected and 222 or over 19 per cent. were *ex-officio* members. So far therefore as extension of the elective system and reduction of official membership were concerned, the position in 1915-16 was worse than it had been in 1886 and 1908.

History continued.

20. In May 1918 the Government of India issued another Resolution with reference to the announcement made in the House of Commons on 20th August 1917, on the progress to be made in local self-government, and directed among other things that a substantial increase should be secured in the elective element

in the local bodies. No very great advance had, however, been made in the Punjab before the introduction of the Reforms, and at the end of 1919-20 the elective principle had been introduced in seven more municipalities only. The total number of members in 101 municipalities had risen to 1,178 of whom 605 or 51 per cent. were elected, while the number of *ex-officio* members was still about 19 per cent. of the total. Proposals for the introduction of the elective system in eleven more municipalities had, however, been made by Government in August 1919, and subsequent developments were largely in pursuance of a policy already initiated.

The Reforms.

21. In October 1922 the Ministry announced its proposals in respect of the general reconstitution of municipal committees: these included the introduction of the elective system in a number of municipalities and the raising of the elected element in committees as a general rule to 75 per cent. of the total number of members. In the following year the municipal election rules were amended so as to render whole-time salaried Government officials ineligible for election, and the Municipal Act was amended so as to provide that, unless the local Government should otherwise direct, the number of appointed members should not exceed one-fourth of the total number of members. The result of the policy thus pursued has been that at the end of 1926-27 there were in 105 municipalities altogether 1,202 members of whom 869 or 72 per cent. were elected and 117 or less than 10 per cent. were *ex-officio* members.

Principles of nomination.

22. In the note issued in August 1923 to which reference has been made in paragraph 11 of this Chapter the principles on which Government exercised its power of nominating non-officials were explained as follows:—

"As a rule only such non-officials are nominated whose presence on a committee or board is desirable in the public interest: Government accept, however, the principle that in municipalities where communal representation prevails, nominations should not ordinarily be so made as to disturb the balance of the elected seats apportioned to the various communities. Where communal representation does not prevail, and it is not possible to arrange for the due representation of a minority by other means, the balance may to some extent be redressed by a limited use of the power of nomination."

This statement of principles was re-inforced by instructions issued in 1925 for the guidance of local officers who are required to make recommendations for the appointment of non-official members of district boards. In these instructions it was pointed out that in the first place it must be realized that such appointments should be made first and foremost in the interests of the local body concerned and should not be regarded as a means of rewarding general services unconnected with local self-government administration. It was only when other relevant qualifications were equal that consideration should be had to the services rendered by candidates in other spheres of administration. In considering the qualifications for appointment of a new member it was indicated that regard should be had to the extent to which he had displayed interest and initiative in promoting the cause of education, medical relief, public health, veterinary relief, improvement of stock breeding, development of scientific agriculture, co-operation or any other of the causes with which the promotion of rural progress and prosperity was bound up. He should moreover be a man of some status whose opinions would command respect. In appraising the qualifications for re-appointment of an existing member, in addition to consideration of the matters referred to above, particular attention should be devoted to his conduct while a member, and it should be noted whether he had been assiduous in attendance at meetings of the board or of sub-committees, whether his contributions to the discussion of questions brought before sub-committees or the board had been of any value or not and whether he had displayed any initiative in recommending measures of progress or reform. Finally, it was observed that in some cases it might be desirable to use the power of appointment in order to secure the representation of a particular community or section of a community, but no such appointment should be recommended unless a candidate otherwise well qualified could be found to represent the

particular community or section of a community. Subsequently, local officers were instructed to observe the same principles in making recommendations for appointments to municipal committees.

(*ii*) District Boards.

Nomination in District Boards.

23. In the first arrangements made after the passing of the Punjab District Boards Act, 1883, 17 districts were provided with a local board in each tahsil, and in all but one of these districts two-thirds or more of the members of local boards were elected and one-third appointed: in the solitary exception all the members were appointed. In two other districts a local board was set up in one tahsil only, and in both cases all the members were appointed. In fifteen of the sixteen districts having local boards with an elected majority of members, the district board consisted of varying numbers of delegates elected by the local boards plus members appointed by name or by office to the extent of half the number of such delegates. In the sixteenth district all the members of the local boards, 78 in number, were also members of the district board and in addition there were 39 appointed members. A similar arrangement was made in the district that had local boards with appointed members only; all 22 members of the local boards were members of the district board, and in addition there were 11 appointed members. In the remaining seven districts in the Rawalpindi and Multan Divisions,—(the districts of Sheikhupura, Attock, Mianwali and Lyallpur had not yet been created) all the members were appointed by name or by office. Thus at this stage there were 1,488 members of local boards of whom 959 were elected and 529 appointed, and 1,057 members of district boards of whom 428 were delegates from local boards and 629 appointed by Government.

Further history.

24. As time went on local boards were gradually abolished. As this happened, members elected by territorial constituencies took the place of delegates from local boards, and by 1917 there were 13 districts in which two-thirds of the members of the district boards were elected, 2 in which local boards sending delegates to the district board had survived, and 12 in which the whole of the members were appointed, including the Gurgaon District in which there had originally been local boards sending delegates to the district board and subsequently an elected majority of members, but in which the elective system was abolished in 1906 on the petition of a majority of the voters. In 1917 when the district boards of each division had become constituencies for the election of members to the Punjab Legislative Council, attention was drawn to the inequalities in the numbers of members of district boards in different districts, and at the instance of Sir Michael O'Dwyer a general revision of the constitution of district boards was initiated, not only with reference to the total number of members of boards in the different districts but also in respect of the proportions of elected and appointed members and of members appointed by name and members appointed by office. After preliminary enquiries had been made, it was decided that local boards should be abolished in the two districts where they had survived, and that the elective system should be revived in the Gurgaon district and should be introduced in the Lyallpur district: that ordinarily Tahsildars should cease to be members of the boards and the *ex-officio* members should ordinarily be only 5 in number including the Deputy Commissioner, the District Inspector of Schools and the Civil Surgeon: at the same time opinion was invited as to the possibility of substituting non-official chairmen for the Deputy Commissioner. The constitution of boards as finally settled by the middle of 1919 provided for 1,261 members in all, of whom 258 were to be appointed *ex-officio*, 439 were to be appointed by name and 564 were to be elected in 171 districts.

Extension of the elective system.

25. Meanwhile a committee had been appointed by Sir Michael O'Dwyer to consider the action to be taken on the Resolution on local self-government issued by the Government of India, in connection with the pronouncement made in the House of Commons on 20th August 1917, and in consequence of this committee's recommendations Sir Edward Maclagan towards the end of 1919 had

invited the opinions of local officers on various proposals concerned with district boards. These proposals included the extension of the elective system to all but three districts, the restriction of the number of *ex-officio* members to 5 and the increase of the elected element among non-official members to 75 per cent. Replies to this reference came in during the following year, but it was not until 1922 that the decision of the Ministry was announced. The measures decided upon were as follows:—

(*a*) to increase the elected element to 75 per cent. of the whole number of members including *ex-officio* members in the case of those boards which already had an elected element;

(*b*) to introduce the elective system for all other districts but to fix the elected element at two-thirds of the whole number in eight districts and at one-third of the whole number in the less advanced districts of Attock, Mianwali and Dera Ghazi Khan.

At the same time the Act was amended so as to provide that not more than half the number of appointed members or six, whichever was less, should be whole-time salaried Government servants.

The result of the reconstitution undertaken in pursuance of these orders has been that on 31st March 1927 there were in all 1,177 members of whom 812 were elected, 210 appointed by name and 155 appointed *ex-officio*.

SECTION G.—THE AREAS OF LOCAL SELF-GOVERNMENT.

District and local boards.

26. When in consequence of Lord Ripon's Resolution of 1882 self-governing institutions were first established in rural areas in this province, the primary unit of administration set up in most districts was the local board with jurisdiction usually over a single tahsil. This was in accordance with the instructions contained in the Resolution which enunciated it as a cardinal principle, essential to the success of self-government in any shape, that the jurisdiction of the primary boards should be so limited in area as to ensure both local knowledge and local interest on the part of each of the members. Local boards had, however, no functions assigned to them by statute and practically no power of raising funds for themselves, and it was left to district boards to delegate functions to them and provide them with funds. They had, however, hardly come into existence before complaints began to be voiced as to their uselessness. Government indeed pointed out that, if they were given no powers and no funds, they could hardly be expected to function successfully, but for one reason or another they could not be made to work, and membership of them was only sought because district boards consisted largely of delegates elected by them. The process of abolishing them accordingly began in 1893 and was finally completed in 1919. Some attempt was made during these years to replace local boards by tahsil sub-committees of the district board, but these too proved failures in most cases, and it has been found that sub-committees of the boards for particular purposes, such as Education, Medical Relief, Cattle-Breeding, etc., do much more to facilitate the work of the board and to interest members actively in the administration than local sub-committees for all departments of the board's administration.

Smaller units.

27. While, however, it may be claimed that district boards thus organized are reasonably satisfactory bodies for the purpose of looking after the main interests of their respective districts in respect of such matters as the provision of schools, hospitals, etc., and the maintenance of main roads or the general measures to be taken to combat epidemic diseases, it must be admitted that neither their constitution nor their financial resources are such as to justify any expectation that they could provide for the detailed local needs of the villages and country towns within their jurisdiction. As regards villages therefore the institution of panchayats under the Punjab Village Panchayat Act, 1921, is an attempt to create self-governing bodies charged with the responsibility for improving the sanitary conditions and the general amenities of existence in very restricted local areas. Up to date, however, experience has not demonstrated the truth of the proposition enunciated by the Indian Taxation Enquiry Committee

that "unquestionably the facility for raising contributions for local purposes increases as the size of the unit of taxation decreases;" and beyond disposing of a certain number of petty civil and criminal cases panchayats have not done anything to supplement by local effort the services rendered by district boards. This, however, is perhaps largely due to the fact that their powers of taxation are limited to a single and unpopular form of direct taxation, and it may be hoped that the proposals now under consideration for giving them more elastic powers of taxation, combined with an extension of the "uplift" work which is designed to show what can be done to improve the conditions of village life, will enable panchayats to take their proper place as the primary local self-governing units.

Smaller towns.

28. The problem of the small country town is one which has exercised Government from very early days in this province. During the years from 1862 to 1882 many of these small places were constituted as municipalities, and when local government institutions were overhauled in the latter year there were no less than 195 municipalities in existence. In most of them, however, octroi was the sole source of revenue and the Government of India, ever jealous of this form of taxation, were constantly pointing out the undesirability of maintaining so many petty local bodies dependent on this tax. In fact in 1879 they actually circulated for opinion a Bill which provided among other things that octroi should not be levied in any town with a population of less than 5,000. The Punjab Government pointed out that if this Bill was passed, about half the municipalities in the province would have to be abolished, a result which would be deplorable as even small municipalities had many social and political advantages. A few years later, however, the Punjab Government fell in with the views of the Government of India, and in a Resolution published in 1885, directing the abolition of 38 municipalities, explained this change of front on the ground that when a municipality was abolished it would at once become subject to the jurisdiction of the local board appointed for the portion of the district in which it was situated: the system of local self-government would thus be retained in the town and only the agency for carrying it out would be changed: the objection that local boards being rural bodies could not be expected to manage the affairs of town-folk satisfactorily could have no weight when it was realised that these so-called towns were merely large villages differing in no respect from other villages already under the jurisdiction of the boards. Nine more municipalities were abolished in 1891, but in that very year a new Municipal Act was enacted providing for the introduction of a modified form of municipal administration in what were to be known as "notified areas," and by 1900 no less than forty-five of the recently abolished municipalities had been revived as notified areas. The administration of octroi, however, continued to offend the ideas of Government, and in spite of protests from officers who pointed out among other things that it would be inequitable to throw upon district boards the charges on account of lighting, conservancy, schools, dispensaries, vaccination, etc., which were being defrayed from funds raised in these small towns, orders were issued in 1908 and 1909 for the abolition or conversion into notified areas of 30 municipalities. The process was continued in 1912 and 1913 when seventeen notified areas were abolished and four municipalities converted into notified areas. As before, however, it was soon found that the affairs of these small towns could not be looked after by district boards, and by 1916 the Bill had been drafted which was subsequently enacted as the Punjab Small Towns Act, 1921. Under this Act 108 "small towns" have now been constituted and more than half of them were municipalities fifty years ago. District boards, however, continued to pay for most of the medical and educational institutions situated in these small towns, and a pressing question which awaits solution is how to make the local bodies in these small towns shoulder financial responsibility for the institutions which serve them. In spite of this difficulty the history of the last fifty or sixty years appears to establish the proposition that these small towns cannot be left in the jurisdiction of district boards, and that there must, if anything, be a further expansion of the system of independent local bodies which will relieve district boards of responsibility for purely local needs.

SECTION H—THE RELATIONS OF LOCAL SELF-GOVERNING BODIES WITH THE PROVINCIAL GOVERNMENT.

(a) *Constitution.*

Limitations on power of Government to create local bodies.

29. As regards the manner in which local bodies of the various classes are brought into existence, there is not very much to notice. So far as district boards are concerned the law requires that there shall be a district board for every district, and the jurisdictions of the district boards include the whole province except municipalities, cantonments, small towns and notified areas. In the case of villages in which panchayats have been constituted both the district board and the panchayat have jurisdiction. As regards local bodies other than district boards, there is no obligation to constitute any, but the Provincial Government has practically unrestricted power to constitute any area as a municipality, notified area, small town or panchayat village. It is true that Government has to publish a preliminary notification of its intention to constitute any particular area as a municipality, small town or panchayat village and to afford an opportunity for persons who are interested to object, and, in the case of a panchayat if a majority of the revenue payers in a revenue estate object to the estate being included in a panchayat village, Government is bound to exclude such area, but in the case of municipalities and small towns there is no obligation to pay any attention to objections. Apart from this the only restrictions on the power of Government are—

(a) that it cannot convert a municipality into a small town or constitute as a small town any area with a population of more than 10,000;

(b) that it cannot include any part of a notified area, cantonment or municipality in a panchayat village;

(c) that it cannot constitute as a notified area any area that contains more than 10,000 inhabitants or is a purely agricultural village or does not contain a town or bazar;

(d) that it cannot include any part of a cantonment in a municipality without the consent of the Governor-General in Council.

Initiative in creation of local bodies usually taken by Government.

30. In most cases the initiative in constituting new local bodies is taken by Government or its officers, though a certain number of panchayat villages have been established at the request of the inhabitants, and there have been cases in which notified areas have been converted into small towns and notified areas and small towns have been converted into municipalities at the request of the people concerned. In a number of cases the inhabitants of areas have strongly objected to the constitution of those areas as small towns, either because they were unwilling to be subjected to local taxation or because they considered that the elections of members would create quarrels and factions, and in six cases it has been found necessary to cancel the constitution of small towns where either no candidates could be persuaded to offer themselves for election or the Committees after election refused to raise taxes or exercise any of their functions under the Act.

No jealousy between local bodies as to areas of jurisdiction.

31. It may be observed that in this province there is no counterpart to the jealousy of different classes of local authorities as to their respective jurisdictions which is so prominent in the evidence that has been given before the Royal Commission on local government in Great Britain. In cases in which it is proposed to extend the boundaries of a municipality or small town, which must necessarily involve exclusion of the area in question from the jurisdiction of a district board, it is never the district board that objects but only the people living in the area, and they almost invariably object as their inclusion in the municipality or small town means that they will have to pay taxes.

(b) Control by Provincial Government over municipal committees and district boards.

Official Presidents of municipal committees.

32. The extent to which control of local bodies from within by means of appointed *ex-officio* members has been exercised at different times in the past has already been explained, and, incidentally, it was mentioned that at one time the Deputy Commissioner was *ex-officio* president of every local body and that one of the principal points insisted upon in Lord Ripon's Resolution of 1882 was the removal of the chief executive Government officers of districts and sub-divisions from the presidency of local bodies. The Punjab Government attempted to execute this policy, and in the early years after the reconstitution of municipal committees from 1884 onwards, Deputy Commissioners were not members, and the presidents of committees were in most cases non-officials. Gradually, however, it was found necessary to appoint Deputy Commissioners as members of district headquarter municipalities, sub-divisional officers of sub-divisional headquarter municipalities and tahsildars and naib-tahsildars of other municipalities and when this happened they were in nearly all cases elected president: in a few cases indeed the committee was deprived of its right of electing a president and officials were appointed. The Decentralization Commission recommended in 1909 that municipal presidents should usually be elected non-officials, and their recommendation was endorsed by the Government of India in their Resolution on local self-government issued in 1915. No change was, however, effected in the Punjab, and, when the further resolution of the Government of India issued in 1918, no less than 86 municipal committees had elected or appointed official presidents. In August 1919 Sir Edward Maclagan indicated that, in his opinion, the law should be amended so as to provide specifically that the president should be an elected non-official except in special cases to be notified by Government when Government should nominate the president. This proposal was not, however, pursued by the Ministry after the introduction of the Reforms, but the large reduction of the appointed official element which has been noticed in a previous part of this memorandum was almost inevitably accompanied by a reduction in the number of official presidents, and by the end of 1926-27 the number had been reduced from 86 to 41 and the process is still being continued. In the 108 small towns there are at present 36 official elected presidents, but here again steps are being taken to reduce the number.

Official chairmen of district boards.

33. The position in respect of district boards is somewhat different. At the outset Deputy Commissioners were appointed *ex-officio* chairmen of all district boards, but in the case of boards of which the majority of members were delegates from local boards it was provided that after the first year of their existence they should be allowed to elect any member they chose as chairman. They appear, however, invariably to have elected the Deputy Commissioner and when boards were reconstituted from 1893 onwards the power of election was withdrawn and the Deputy Commissioner was thenceforward appointed *ex-officio*, the Sialkot board alone retaining the right to elect its chairman and continuing to elect the Deputy Commissioner. In 1909 the Decentralization Commission recommended that the official chairmen of district boards should be retained, and the Government of India in 1915 accepted this recommendation. Sir Michael O'Dwyer, however in 1917 offered to allow district boards to have non-official chairmen, but no board expressed any desire for a change and the matter was dropped till August 1919, when Sir Edward Maclagan indicated that he considered that the revised proposals on this subject contained in the Government of India Resolution of May 1918 should be enforced by legislation. Those proposals were that district boards should be encouraged to elect non-official chairmen, but that where a non-official was elected the ordinary official work should be in the hands of a special executive officer whose appointment and dismissal should require the sanction of Government, while if a board wished to retain the Deputy Commissioner as chairman it should be allowed to do so only if he were elected by a majority of the non-official members of the board. The idea of legislating on these lines was not accepted by the Ministry after the introduction of the Reforms, but the matter was very fully considered and eventually at the beginning of 1925 a Resolution was issued in which after explaining

that the Ministry was of opinion that it was essential for the fuller development of local self-government in rural areas that district boards should gradually be freed from the leading strings of official control from within, it was announced that Government had decided that if any board of which three-quarters of the members were elected at a meeting specially called for the purpose and presided over by a non-official, resolved by a majority of sixty per cent. of the non-official members present to request Government to be allowed to elect a non-official chairman, the Deputy Commissioner would, unless there were special circumstances rendering this course undesirable, be withdrawn from the board and the right of electing a non-official chairman would be given. Only two district boards have, however, availed themselves of this offer up to the present, and Deputy Commissioners have recently been instructed again to elicit the opinion of boards on this question. Meanwhile boards have been encouraged to delegate to their non-official vice-chairmen as much of the ordinary administrative work as is possible, so as to accustom them to the conduct of official business and prepare them in due course to take the place of the official chairman.

34. It will thus be seen that there has been considerable relaxation of control of local bodies from within by means of official members and official presidents. The Ministry has, however, recognized that in the interest of the public services for which local bodies are responsible it is not desirable that control from without should be relaxed to the same extent as control from within, and in the following sections it will be seen that while some unnecessary restrictions on the freedom of local bodies have been abolished in other respects there has been no relaxation. The subject is examined under the following heads :—

(1) Control over establishments.

(2) Control over works.

(3) Control over finances.

(4) Control over functions.

(1) Control over establishments.

History of control over establishments.

35. The Punjab District Boards Act, 1883, and the rules made thereunder in 1884 subjected district board establishments to very considerable outside control. The Act itself gave the Deputy Commissioner, or, if he was a member of the board, the Commissioner power, subject to an appeal to the Commissioner or to the local Government, as the case might be, to require the reduction of the number or the remuneration of employees if considered excessive and the dismissal of persons considered unfit for employment. The rules further provided that full particulars were to be communicated to the Deputy Commissioner with regard to every person appointed to an office carrying a monthly salary of Rs. 50 or more in the case of a first class board or Rs. 20 or more in the case of a second class board, and that such persons should not be dismissed or degraded without the previous sanction of the Deputy Commissioner. In the case of municipal committees the control over establishments provided in the Act of 1884, and the rules made thereunder, was not quite so complete. Power was conferred by the Act to require the reduction of excessive numbers or remuneration of establishments, and it was provided that the Commissioner's approval should be necessary to the remuneration of the Secretary. The grant to municipal employees of pensions, gratuities, leave allowances or annuities of an amount in excess of that payable to Government servants of similar status was also prohibited. The rules further provided that no person should be appointed as Engineer, Assistant Engineer or Overseer to a municipality without the sanction of the local Government in the Public Works Department unless he was professionally qualified for such appointment according to the rules of that department, that no person should be appointed Surgeon or Assistant Surgeon to a municipal medical institution unless he was duly qualified at least as a licentiate in medicine, and that no person should be employed as Hospital Assistant, Compounder or Dresser unless he was professionally qualified for such appointment

under Government. The pay and promotion of compounders, and the qualifications and pay of persons who might be employed as *hakims* and *vaids* were also regulated by rules which were common to both district boards and municipal committees, while the appointment and dismissal of inferior establishments in medical institutions were entirely taken out of the hands of the local bodies concerned and entrusted to Civil Surgeons. Similarly, all powers with regard to the appointment, punishment and dismissal of town-watchmen in the service of municipal committees were vested solely in the Superintendent of Police.

Changes in later pre-Reforms years.

36. The position remained unchanged till 1901 when the rules were amended in consequence of the appointment of a Sanitary Engineer to Government, and it was provided that local bodies should be bound to employ such officers and servants on such pay as the Sanitary Engineer or the Executive Engineer might consider necessary for employment in connection with sanitary or other works respectively, and further that in the case of such officers and servants as required professional skill the previous sanction of the Sanitary Engineer or the Superintending Engineer, as the case might be, should be obtained to their appointment. In 1909 the qualifications of persons who might be employed as compounders in veterinary hospitals were prescribed. The power of Deputy Commissioners and Commissioners to require the dismissal of persons considered unfit for employment, which they had enjoyed in respect of district board employees only, was conferred upon them in respect of municipal employees also by the Municipal Act of 1911, which also provided that the approval of the Commissioner should be obtained to the appointment of any person as Secretary and not merely to his remuneration. The next change came in 1915 and was largely a consequence of the recommendations of the Decentralization Commission who had expressed the opinion that the appointment, remuneration and dismissal of secretaries, engineers, health officers and other chief executive officers of local bodies should be subject to the approval of the Commissioner or of the local Government. Such control, they considered, was desirable in order to secure fully qualified men for such important posts, and to protect officials who might have to incur some local unpopularity in the conscientious discharge of their duties. The Government of India accepted these recommendations, and it was in accordance with them that in 1915 and 1916 rules were made by the Punjab Government regulating the pay and qualifications of Health Officers and Sanitary Inspectors, and requiring the previous approval of Government or of specified officers of Government to the appointment of Health Officers, Engineers and other persons connected with sanitary works requiring professional skill and to the dismissal of Health Officers, Municipal Engineers and Sanitary Inspectors. At the same time the rule as to the qualifications of medical officers of the medical institutions of local bodies was cancelled, having been rendered unnecessary by the provisions of the Punjab Medical Registration Act, 1916 which prohibits the appointment to such institutions of persons who are not registered practitioners.

Post-Reforms changes.

37. The Government of India Resolution of 1918 merely reiterated the views expressed in 1915 with regard to control of establishments, and the proposals made by Sir Edward Maclagan in 1919 in order to give effect to the wishes of the Government of India did not contemplate any very drastic changes. He considered that it was unnecessary to require approval to the appointment and dismissal of Sanitary Inspectors, that the power of the Sanitary Engineer and Superintending Engineer to require the employment of approved staff in connection with works should be cancelled except in respect of works subsidized by Government, and that the approval of the Deputy Commissioner to the dismissal of district board employees should be required only in the case of Secretaries, Health Officers and District Engineers and employees of second class boards drawing a monthly pay of more than Rs. 50. The changes made by the Ministry since the introduction of the Reforms have been more or less on these lines though in some respects the Ministry has gone rather further in relaxing control while in the case of Sanitary Inspectors no change has been

made. In 1922 the District Boards Act was amended so as to require the approval of Government to the appointment of a Secretary. In the case of municipal and district engineers, however, qualifications have been prescribed, and approval is only required if it is proposed to appoint a person not in possession of those qualifications. Similarly, approval is no longer required for other appointments connected with works requiring professional skill, but it is provided that no person shall be appointed to such a post unless he is possessed of such qualifications as the local Government may prescribe. The rules empowering the Sanitary and Superintending Engineers to require the employment of approved staff in connection with works have been cancelled, but it has been made a general condition of all grants-in-aid for sanitary works that the local body shall employ such technical staff on such rates of pay as the Sanitary Engineer may direct, and that the appointment and dismissal of members of such staff shall be subject to his approval. In the case of Medical Officers of Health the qualifications of persons who may be appointed are still prescribed, but the rules regulating their pay and requiring the approval of Government to their appointment and dismissal have been cancelled. Where, however, Government gives a grant-in-aid towards their salary it is a condition of such grant-in-aid that their remuneration, appointment, punishment and dismissal shall be subject to the approval of Government. Rules made in 1919 prescribing the qualifications of persons who may be employed by district boards as Agricultural Inspectors or Advisers remain in force. Provision has also been made in rules for appeals to the Commissioner against the orders of local bodies dismissing employees in receipt of a monthly pay of Rs. 21 or over in cases where the order has not been passed by a two-thirds majority of the members of the local body concerned.

General considerations *re* control over establishments.

38. The whole question of the establishments of local bodies is one which has been the subject of much anxious consideration by the Ministry during the last three or four years. There have been constant complaints that the inefficiency of local bodies is due to the inefficiency of their staffs, and that this cannot be cured owing to the insecurity of tenure and poor prospects of their employees as compared with those in Government service, but so far it has not been found possible to arrive at a solution of the problem of reconcilling the independence of local bodies with the constitution of an efficient service of local fund servants enjoying security of tenure and reasonable prospects of promotion.

(2) Control over works.

Earliest rules for control of works.

39. The rules made in 1885 under the Municipal Act of 1884 provided that no scheme, or work estimated to cost Rs. 10,000 or over, should be undertaken till the local Government in the Public Works Department had been satisfied that the scheme of work was one of public utility, that a full and complete project had been drawn up in a satisfactory way and in conformity with the rules laid down in the Public Works Code, and that the professional aid and establishment at the committee's disposal were adequate to carry out the work. General schemes of drainage, sewerage and water-supply, projects for roads intended to connect places in different districts, and other large works requiring engineering skill, had to be submitted for the approval of Government in the Public Works Department. Further, no first class committee was permitted to undertake any original engineering work costing Rs. 5,000 or more until the plans and estimates had been approved by the Superintending or Executive Engineer, while second class committees were not allowed to incur any expenditure on a work costing Rs. 2,000 or more without the previous sanction of the Commissioner, or to undertake any original engineering work costing Rs. 1,200 or over, until the plans and estimates had been approved by the Superintending or Executive Engineer. Similar rules had been made for district boards in 1884 under the Act of 1883. No original work costing Rs. 10,000 or more could be undertaken without the previous sanction of the local Government: works costing Rs. 5,000 or over in the case of a first class board, or Rs. 2,000 or more in the case of a second class board, required the previous sanction of the

Commissioner and the approval of the plans and estimates by the Superintending Engineer in the one case and by the Executive Engineer in the other.

Changes made in 1901.

40. In 1900 a Sanitary Engineer to Government was appointed to prepare and supervise or execute sanitary projects for local bodies: at the same time the constitution of the Sanitary Board. which had hitherto been a purely advisory body, was revised, and it was entrusted with definite powers. The rules with regard to control over the works of local bodies were accordingly amended in 1901 so as to require the technical sanction of the Sanitary Board for sanitary projects estimated to cost Rs. 10,000 or over and of the Sanitary Engineer for sanitary projects estimated to cost from Rs. 5,000 to Rs. 10,000 in the case of municipal committees and district boards of the first class, from Rs. 2,000 to Rs. 10,000 in the case of district boards of the second class, and from Rs. 1,200 to Rs. 10,000 in the case of municipal committees of the second class. At the same time it was provided that municipal committees of the first class should obtain the administrative approval of the Commissioner for works costing between Rs. 5,000 and Rs. 10,000 instead of having, as before, a free hand in the case of works costing less than Rs. 10,000.

Further revision in 1915.

41. In 1915 the rules were further revised so as to substitute the Sanitary Board for the local Government as the authority empowered to give administrative approval to sanitary projects costing from Rs. 10,000 up to Rs. 1 lakh, while during the next 3 years first the Chief Engineer, Buildings and Roads Branch, was substituted for the Sanitary Board as the authority required to give technical sanction for sanitary works costing more than Rs. 10,000, and then the local Government in the Public Works Department was substituted for the Chief Engineer as the highest technical authority, the power of the Sanitary Engineer to give technical sanction being at the same time raised so as to enable him to deal with projects estimated to cost not more than Rs. 25,000.

The present position.

42. The Decentralization Commission had recommended in 1909 the removal of the restrictions imposed on local bodies under which they were required to obtain outside sanction for works estimated to cost more than a certain amount, and that Government should retain power to scrutinize and sanction estimates in the case only of projects to be financed by loans. In their 1915 Resolution on local self-government the Government of India expressed themselves as in favour of extended freedom being given to municipal committees with regard to works subject, where necessary, to proper precautions against extravagant and ill-considered projects: they did not, however, consider that the same freedom could as yet be given to district boards. In the 1918 Resolution they adhered to the views expressed in 1915, but thought that a material advance might be made in the direction of the proposals of the Decentralization Commission in the case of district boards also. In August 1919 Sir Edward Maclagan accordingly proposed to divide municipal committees and district boards into three classes, and to give those in the first class power to undertake works up to a cost of Rs. 1 lakh without having to obtain administrative approval and to execute works up to a cost of Rs. 50,000 without having to obtain technical sanction: for local bodies in the second and third classes the limits proposed were Rs. 50,000 and Rs. 20,000 as regards administrative approval and Rs. 25,000 and Rs. 10,000 as regards technical sanction. These proposals were not favourably received by permanent officials, particularly in respect of the raising of the limit for technical sanction. It was pointed out that municipal and district board engineers were rarely, if ever, the equals in professional standing and efficiency of Executive Engineers in the Public Works Department whose powers of according technical sanction for works were very much lower than the powers it was proposed to confer on the engineers of local bodies: it would therefore be in the best interests of local bodies themselves to keep the limits, beneath which technical sanction should not be required, reasonably low. With these views the Ministry, after very careful consideration extending over several

years finally agreed, and in the revised rules issued in 1925 for municipal committees, and 1926 for district boards, though the limit for technical sanction was raised to Rs. 2,500 from Rs. 1,250 in the case of committees of the second class and from Rs. 2,000 in the case of boards of the second class, the limit of Rs. 5,000 was retained for local bodies of the first class. On the other hand though the Ministry was not prepared to go so far as Sir Edward Maclagan had proposed, the new rules as regards administrative approval marked a considerable advance on those previously in force, and the old limits of Rs. 5,000 and Rs. 2,000 for first and second class local bodies respectively, were raised to Rs. 30,000 and and Rs. 15,000. An exception was, however, made in the case of works to the cost of which Government contributes, and for all such works administrative approval of an outside authority is now required irrespective of cost.

(3) Control over finances.

43. It is not proposed to trace in detail the course of events relating to the financial control exercised by Government over local bodies. It will be sufficient for the purpose of this memorandum to indicate the position in the years immediately preceding the Reforms and to examine any changes which have since taken place. The subject naturally falls into three divisions :—

(*i*) Control over Taxation and other sources of income ;

(*ii*) Control over Expenditure ;

(*iii*) Control over Accounts and Audit.

(*i*) *Control over Taxation.*

Control over taxation in municipalities.

44. The Decentralization Commission in 1909 had recommended that municipal committees should have full liberty to impose or alter taxation within the limits laid down by the municipal laws, but that the sanction of an outside authority to any increase in taxation should be required where the law did not prescribe a maximum rate. The Government of India in 1915 were in general sympathy with these recommendations, but thought that power to vary any tax might be reserved by such local Governments as were unable to accept the recommendations in full, and that in the case of indebted committees the previous sanction of higher authorities should be required to any alteration of taxation. In their 1918 Resolution the Government of India expressed the opinion that the proviso that local Government should retain power to vary taxation should be given up in the case of committees which contained substantial elected majorities, but that the proviso with regard to indebted municipalities was sound. Under the law as it then was in this province Government had no power to initiate taxation in municipalities, but had power to exempt persons or classes of persons or property from taxation and to suspend the levy of any tax which it considered unfair in incidence or injurious to public interests. On the other hand committees could impose no taxation of any sort without the sanction of higher authority : certain specified taxes could be imposed with the sanction of the local Government, while all other taxes required the sanction of the Government of India. Sir Edward Maclagan proposed to follow the policy outlined by the Government of India but in the legislation undertaken by the Ministry in 1923 this was not strictly adhered to. Government's power to suspend or exempt from taxation was retained as also was the necessity of obtaining the sanction of Government for the abolition, suspension or reduction of any tax by a municipal committee. Committees, of which three-fourths of the members were elected and which had not within three months allowed their cash balances to fall below a specified amount, were, however, given the right to impose without sanction taxes on buildings and lands subject to certain maximum rates, profession taxes, taxes on vehicles and animals kept within municipal limits and tolls on vehicles and animals entering municipal limits, taxes on domestic servants and taxes, with no specified limit, payable by the occupiers of buildings of which the committee had undertaken the house-scavenging. In the case of other committees and other taxes the sanction of the local Government or of the Government of India is still required, while

for license fees and other miscellaneous fees of all sorts the sanction of the Commissioner or of the local Government is necessary. No further relaxation of control in respect of taxation in municipalities appears to be called for.

Control in small towns.

45. Similar principles were followed with regard to the taxing powers of town committees in small towns in the Act of which the Ministry secured the passing in the second year after the Reforms. Four specified forms of taxation can be imposed without sanction, but all other taxes and all fees require the sanction of outside authority.

Taxation by District Boards.

46. In the case of district boards the Decentralization Commission had recommended that power should be given to raise the local rate—a cess on the annual value of land or on the land revenue from which district boards derive most of their income apart from Government grants—to not more than one anna in the rupee of the annual value and to levy rates and fees at their discretion within the limits laid down by the various Acts, sanction being required for changes in the rates only where no limits had been laid down by law. These recommendations were accepted by the Government of India in 1918. At the time the limit on the local rate in this province was 10 pies in the rupee of annual value or 1 anna 8 pies in the rupee of land revenue, and the law permitted the local Government to delegate to district boards the power to decide at what rate, subject to this maximum, it should be levied. Sir Edward Maclagan proposed to amend the Act so as to raise the limit of local rate to one anna in the rupee of annual value, and in October 1919 actually made the delegation permitted by the Act, while the Ministry carried through the necessary legislation in 1922. As regards other taxes Sir Edward Maclagan proposed that the existing position under which sanction was required for the imposition of any tax by a district board should be maintained, and with this the Ministry agreed and no change was made except to bring the provisions of the Act into line with the Scheduled Taxes Rules under the Government of India Act. Sanction is also still required for the levy of any fees by district boards.

(*ii*) *Control over Expenditure.*

No relaxation of pre-Reform control over expenditure.

47. The purposes to which the funds of local bodies shall or may be devoted are specified in the various statutes, and their devotion to any other purpose requires the sanction of Government. These provisions of the law have been in force since the beginning and their propriety has never been questioned. The control over the expenditure of local bodies has not, however, been limited merely to the statutory provisions as to the objects on which expenditure may be incurred, but has been exercised in many other ways too. From the earliest days local bodies have been compelled to obtain outside sanction for their budgets and could incur no expendiure not provided for in the sanctioned budget. At one time definite percentages of their income to be spent on education and medical relief were prescribed by rule, and, though this particular restrictiion was removed in 1908, controlling authorities still have power to refuse to sanction budgets in which in their opinion adequate provision is not made for these and other services. Restrictions on the power of local bodies in respect of expenditure on works have already been noticed. Government, moreover, exercises considerable power of determining the objects to which local bodies shall devote their resources by a system of grants-in-aid proportioned to the amounts which local bodies provide from their own funds. All these restrictions on the freedom of local oodies to manage their own affairs as they like were condemned by the Decentralization Commission, and both in 1915 and in 1918 the Government of India expressed a desire that they should be relaxed. Sir Edward Maclagan in 1919 proposed to give local bodies a free hand in the matter of their budgets except in cases where they were indebted to Government, and was inclined to think that subventions from provincial revenues should ordinarily be given as lump sum grants not ear-marked for particular objects. Excellent, however, as these

propositions may be in theory it has not been found practicable to give effect to them. For even with the control now exercised the finances of a large number of local bodies are in a deplorable condition: many of them are indeed in a semi-permanent state of bankruptcy, with the payment of establishments months in arrear and balances maintained at the prescribed minimum only by allowing liabilities to accumulate. In the case of district boards, moreover, Government is faced with the great disparty in the resources of different boards derived as they are in the main from the local rate. This has led to great inequalities of development in different districts and great inequalities of progress in respect of the different services for which boards are responsible. The power of directing development and rectifying inequalities which Govment can exercise by means of earmarked grants is therefore one which cannot lightly be resigned.

(iii) Control over Accounts and Audit.

Importance attached by the Ministry to enforcing financial rules and supporting audit.

48. The Municipal and District Board Account Codes and the Small Town Accounts Rules contain very detailed regulations as to the forms in which accounts are to be maintained by local bodies, the manner in which collections of taxes ond other dues are to be made, the authority on which payments may be made and the manner in which receipts and payments are to be recorded. These regulations are designed to prevent fraud and embezzlements, to ensure the prompt collection of dues and generally to safeguard the interests of taxpayers, and since the introduction of the Reforms they have been very carefully overhauled with a view to bringing them into conformity with modern requirements and to ensuring financial purity in the administration of local bodies. It cannot, however, be denied that they are far from having achieved their purpose, and the audit and inspection notes of the Local Fund Auditors reveal how great is the improvement called for in the maintenance of the accounts and generally in the financial affairs of local bodies. The matter has been the subject of most anxious consideration on the part of the Ministry, and, at the beginning of 1925, a Resolution was issued clearly setting out the views of Government for the guidance not only of local bodies but also of controlling officers. The Resolution is of importance for its exposition of the views of the Ministry not only with regard to the particular matter of the maintenance of accounts but also with regard to the general question of outside control of local bodies. After referring to the annual report of the Local Audit Department for the year 1923-24 as revealing a not very satisfactory position in respect of the accounts of local bodies, the Resolution observed that to remedy this state of affairs it was necessary on the one hand that the responsibility of members of local bodies for the proper discharge of their statutory functions should be brought home to them, and on the other that the duties of controlling authorities should be clearly realized. It was pointed out that on assuming office members were required to take an oath not only of allegiance to the Crown but also that they would faithfully discharge the duties upon which they were about to enter, and this should be regarded not as a mere formality prescribed for political purposes but as a serious reminder of the responsibilities attached to service on local bodies. The Municipal Act empowered Government to make rules under which the auditors could disallow unlawful expenditure and surcharge it on the persons authorizing the illegal payment, but, while the Ministry was not then prepared to make such rules, it invited the attention of members to the statutory provisions under which every member was personally liable for the loss, waste or misapplication of any money or property of a local body due to his neglect or misconduct as a member, a liability which the Ministry proposed in future to enforce. At the same time Government wished to impress upon Commissioners and Deputy Commissioners the seriousness of the obligation imposed upon them by law of requiring that the proceedings of local bodies should be in conformity with the law and with the rules in force thereunder. Now that official control and guidance of local bodies from within had been largely removed it was more than ever necessary that adequate supervision should be exercised from without in order to protect the interests of taxpayers and to ensure the performance by local bodies of the statutory duties imposed

upon them by the legislature. It had often been said that local bodies could only through their mistakes learn the art of self-government, but mistakes, which passed unnoticed and uncorrected were obstacles to progress rather than lessons in the art of local administration. The Resolution then proceeded to examine in detail the duties of controlling officers in respect of various matters, such as the prompt and adequate disposal of audit reports by local bodies, the necessity of bringing pressure to bear on local bodies in respect of the prompt collection of dues, the vetoing of illegal or extravagant expenditure or the imposition of illegal taxation. In particular the duty of controlling officers to see that taxpayers were protected from the inexperience of their representatives in the matter of schemes involving large capital expenditure was emphasized. It was pointed out that the necessity for obtaining administrative sanction for schemes costing more than a certain amount had been imposed with this precise object, and Commissioners should take care not to frustrate this object by sanctioning or forwarding to higher authorities for sanction schemes which, when completed, would involve recurring charges which the local body concerned would be unale to meet. Much embarrassment has been caused to Government in the past owing to administrative approval being granted for schemes for even the capital cost of which suitable provision had not been made, but such embarrassment was of trifling consequence in comparison with the waste of public money involved in the execution of costly schemes for the maintenance of which after completion no provision could be made. In conclusion it was indicated that Government desired that the supervision of local bodies by controlling officers should not be a mere paper supervision, but that controlling officers should make regular periodical inspections of local bodies with a view both to checking abuses and correcting mistakes and to giving to local bodies the benefit of their administrative experience by indicating better methods and suggesting measures for improvement and the means of carrying them out.

The results obtained in response to the Ministry's instructions.

49. The response to these instructions on the part of local officers has on the whole been gratifying, and many Deputy Commissioners have found time in the midst of their multifarious other duties for detailed inspections of local bodies followed by much sound advice and instruction to the members. It must, however, unfortunately be admitted that the audit reports of the last two or three years do not reveal any particular improvement in the financial administration of local bodies. For this the inefficiency of their staff, to which reference has been made in an earlier section, is no doubt largely responsible, but in such matters as failure to make prompt assessments and collections, irregular contracts or extravagant and unprofitable expenditure it is the members who are to blame, and it cannot be pretended that there is not room for very great improvement. On the other hand it is not known that financial purity is a striking feature in the administration of local bodies in any country, and only those who are acquainted with conditions in other countries can say whether the Punjab is worse in this respect than any other country, but whether it is or not, it has been the constant aim of the Ministry to improve matters.

(4) Control over Functions.

History of control over statutory functions of local bodies.

50. In the earlier Municipal Acts in this province the only positive duties imposed upon municipal committees were the maintenance of an adequate police establishment and the keeping of public streets, roads, drains, tanks and water-courses clean and repaired. In addition, they were permitted to make provision for the promotion of education and of the public health, safety, comfort and convenience, and were given a general power to make bye-laws defining, prohibiting and abating nuisances. Government was given power to suspend or limit all or any of the powers of committees and to cancel any of their proceedings or bye-laws, but no power was taken to compel committees to perform their duties, and, though model bye-laws were issued with regard to nuisances for the guidance of committees, it was left entirely to the discretion of committees to decide what matters should be considered to be sanitary nuisances requiring abatement by authority. This was clearly an

unsatisfactory position, and in the Act of 1884 the provisions of the model bye-laws with regard to nuisances were incorporated as substantive provisions of the law, and the functions of committees were considerably extended. In particular power was given to control the construction of buildings and to regulate dangerous and offensive trades. At the same time the Act provided in greater detail for the control to be exercised over the exercise of their functions by committees. Commissioners and Deputy Commissioners were authorized to suspend the execution of any resolution or order and to prohibit the doing of any act which was *ultra vires* of the committee or was likely to led to a breach of the peace or cause injury or annoyance to the public or to any class or body of persons. They were also authorized to require the performance by committees of duties imposed upon them by law and in default to have such duties performed by some other agency at the expense of the committee concerned. It was further provided that the local Government with the previous approval of the Governor-General in Council might entirely supersede a committee which was incompetent to perform, or persistently made default in the performance of its duties. Similar powers were conferred in respect of district boards by the Act of 1883. The soundness of these provisions for control does not appear ever to have been questioned, and they have been retained up to the present day.

Extent to which the powers of control are exercised.

51. The power of suspending resolutions which are *ultra vires* or likely to create a breach of the peace, or to cause annoyance or injury to the public, or to any class of persons, has been fairly frequently used and is a valuable power from many points of view. Incidently it constitutes the only means for the protection, as opposed to the representation, of communal minorities. On the other hand, the power of compelling the performance of their statutory duties by committees has been but little resorted to either before or since the Reforms. During the years when Deputy Commissioners and their assistants and subordinates were presidents of most committees it was not to be expected that they should often make such a confession of their inability to control committees from within as resort to this power would have amounted to, and, if a committee proved untractable, it was simpler to alter its constitution and have only nominated members than to supersede it entirely or to attempt to coerce it. On the other hand, in the early years of the introduction of the Reforms it was the general idea of controlling officers that the Ministry did not desire any interference with the freedom of local bodies, and, though the issue in 1925 of the Resolution, to which reference has been made in an earlier section, corrected this impression and indicated that in the opinion of the Ministry control was now more than ever desirable, such control still takes the shape rather of advice and suggestion than of any attempt at coercion. The Ministry itself, however, utilized its power of entirely superseding a committee in 1926 in a case in which the corruption and inefficiency of the committee had become a public scandal. In 1927 also it ordered a public enquiry into the failure of another committee to take proper steps to deal with an outbreak of cholera which resulted in the loss of hundreds of lives, and as a result of the enquiry refused to permit the re-election of the majority of the members of the committee who had been found guilty of a gross failure in their duty. In the present year another public enquiry has been ordered into the failure of a committee to perform any of its statutory functions.

Respects in which municipal committees fail to perform their statutory functions.

52. It must not, however, be supposed that the fact that the power to compel the performance of their duties by committees has been resorted to only infrequently implies that, as a general rule, committees have in the past performed or do now perform their functions entirely satisfactorily. This is far from the truth, and, though members of committees cannot be expected to be greatly in advance of public opinion and to enforce sanitary regulations for which public opinion is not prepared, they cannot be absolved from blame in respect of such a matter as the permitting of encroachments on public streets in the interests of individuals and to the prejudice of the public. Perhaps, however, the most serious failure of municipal committees has been in respect of the regulation of buildings. The Act itself contains no substantive

provisions as to the construction of buildings beyond prohibiting construction without sanction, and it is left to committees to decide whether they will regulate construction by bye-laws, and if so, on what principles. There are, however, not a dozen out of the 105 committees in existence which have made detailed bye-laws regulating such matters as the size and ventilation of rooms, heights of buildings with reference to the width of streets, drainage of buildings, structural stability, etc., etc. Other committees merely require the submission of plans and deal with applications as the whim of the moment may dictate, and even the committees that possess bye-laws have no hesitation in sanctioning buildings in contravention of them or in allowing the provision of the law requiring sanction to be obtained for buildings to pass unheeded or the terms of their own sanction to be disregarded. The position is indeed so unsatisfactory and constitutes such an impediment in the way of improving the sanitary condition of the towns that the Ministry is now contemplating an amendment of the law to take power for Government to enforce the adoption of up-to-date bye-laws and to compel their observance by means of a statutory authority having resort to the Courts without the intervention of committees.

Control exercised by the Ministry not incompatible with theory of local self-governing institutions.

53. In conclusion, it may be observed with reference to the whole question of the outside control of local bodies that it is more and more being recognized that Government control exercised by a Minister who is dependent on the confidence of the Legislative Council is not incompatible with the theory of local self-government institutions, and that such control is in fact essential if the wishes and intentions of the legislature as embodied in the various local government acts are not to be frustrated by the apathy or inefficiency of committees. While, however, this is obtaining recognition in theory, the exercise of such control in practice is still strongly resented, because it vests in the first place in Deputy Commissioners and Commissioners who, though acting in fact under the general direction of the Ministry and bound to comply with the instructions of the Ministry in respect of their functions under the local government Acts, are regarded rather as instruments of the irresponsible bureaucracy over whom the Minister has no real control. On the other hand, the Ministry recognizes that in Deputy Commissioners and Commissioners it has valuable agents for whom a centralized local Government Inspectorate would be no adequate substitute, though, if the province could afford it, such an inspectorate would also have great value in supplementing the work of local officers.

(c) The functions of panchayats and the control exercised over them.

Functions of panchayats.

54. Reference was made in paragraph 27 above to the institution of panchayats as an attempt to create self-governing bodies charged with the responsibility for improving the sanitary conditions and the general amenities of existence in villages. The primary duties and functions of panchayats are indeed connected with such matters (*vide* sections 14 and 15 of the Punjab Village Panchayat Act, 1921, reproduced in Appendix A to this chapter), but there are other important functions which may be exercised by panchayats. In the first place they may be invested with exclusive jurisdiction to try petty criminal cases and civil suits and no decision of a panchayat is subject to appeal, revision or review at the hands of any court or other authority, though in cases where the decision of a panchayat has not been unanimous the Deputy Commissioner may order re-trial by a joint panchayat consisting of the members of the panchayat which passed the order and members of a neighbouring panchayat in the same district. When the Bill was introduced in the Legislative Council shortly after the inception of the Reforms apprehensions were expressed in certain quarters that such exclusive and final judicial jurisdiction might lead to injustice and tyranny, but it was pointed out that the advocates of non-co-operation were urging people to boycott the law courts and submit their disputes to popularly elected panchayats, and the Minister responsible for the Bill defended these provisions on the ground that they would at any rate do something to mitigate the ever-increasing disease of litigation which was

the curse of village communities. Other powers which panchayats possess include the power of requiring patwaris to perform any duty imposed upon them by law in respect of which they have defaulted, and of enquiring into complaints of misconduct on the part of peons, bailiffs, constables, chaukidars, patwaris or vaccinators and reporting them to their superior officers. This power would, it was hoped, save the people living in rural areas from the tyranny of petty officials. Panchayats may also be invested with the power of deciding the turns in which irrigators may take water from the village watercourse, and may be constituted to a certain extent managing committees for schools. They further have the right to object to the location of any excise shop in their villages.

Control over panchayats.

55. It has been observed that so far as their judicial functions are concerned panchayats enjoy practically unfettered freedom. In respect of what may be called their municipal duties and functions they are, however, subject to a considerable degree of control. Thus if a panchayat makes default in respect of any of its duties the Deputy Commissioner may fix a time for the performance of the duty, and if the panchayat still defaults, may appoint some one else to perform the duty and recover the expense from the panchayat. The Deputy Commissioner may also in the public interest suspend the execution of any resolution or order of a panchayat or prohibit the doing of any act done under cover of the Act. The Deputy Commissioner may enforce against any member of a panchayat his responsibility for the loss, waste or misapplication of any money or property of the panchayat, and the Commissioner may after enquiry suspend or remove any member whose conduct is complained of. Finally the local Government may suspend or abolish any panchayat which is incompetent to perform, or persistently makes default in the performance of its duties or exceeds or abuses its powers. This power of the local Government has been used in respect of a considerable number of panchayats which have been unable to function owing to the bitterness of village factions, but other powers of control have not been exercised. There has been little or no complaint of the manner in which panchayats perform their judicial functions, and as regards other matters it is the policy of the Ministry rather to persuade and encourage than at such an early stage of the development of the institution to attempt to coerce. Up to date 372 panchayats comprising 525 villages have been constituted. Last year five panchayat officers were appointed to foster the movement, and it is proposed now to increase the number of such officers to fourteen, and to make special efforts both to increase the number of panchayats and to interest them in the great work to be done for the improvement of the conditions of life in villages.

SECTION I.—THE EXTENT OF THE POWER OF SUPERINTENDENCE, DIRECTION AND CONTROL TO BE EXERCISED BY THE CENTRAL GOVERNMENT.

Control of Central Government over local taxation.

56. The principal power of control retained by the Central Government in respect of the administration of local self-governing institutions relates to taxation. Under clauses (*a*) and (*b*) of sub-section (3) of section 80-A of the Government of India Act " the local legislature may not, without the previous sanction of the Governor-General, make or take into consideration any law imposing or authorising the imposition of any new tax unless the tax is a tax scheduled as exempted from this provision by rules made under this Act, or affecting....the customs, duties or any other tax or duty for the time being in force and imposed by the authority of the Governor-General for the general purposes of the Government of India, provided that the imposition or alteration of a tax scheduled as aforesaid shall not be deemed to affect any such tax or duty ". Rules of the nature referred to above are contained in the Scheduled Taxes Rules issued in December 1920, rule 3 of which provides that the Legislative Council of a province may, without the previous sanction of the Governor-General, make and take into consideration any law imposing or authorizing any local authority to impose, for the purposes of such local

authority, any tax included in schedule II to the rules. The taxes included in the schedule are :—

(1) A toll.
(2) A tax on land or land values.
(3) A tax on buildings.
(4) A tax on vehicles or boats.
(5) A tax on animals.
(6) A tax on menials and domestic servants.
(7) An octroi.
(8) A terminal tax on goods imported into or exported from, a local area, save where such tax is first imposed in a local area in which an octroi was not levied on or before the 6th July 1917.
(9) A tax on trades, professions and callings.
(10) A tax on private markets.
(11) A tax imposed in return for services rendered, such as—
  (*a*) a water rate,
  (*b*) a lighting rate,
  (*c*) a scavenging, sanitary or sewage rate,
  (*d*) a drainage tax,
  (*e*) fees for the use of markets and other public conveniences.

Restrictions in respect of terminal taxation held not to be justified.

57. As regards the field of taxation thus left to local authorities the Punjab Government has no complaint to make except in one respect. The problem in fact in this province is rather to persuade local authorities to use the powers of taxation which they possess than to confer upon them wider powers. The one respect in which the Scheduled Taxes Rules are in the opinion of this Government not satisfactory relates to the qualification under which the sanction of the Governor-General is required to the imposition of a terminal tax in a local area in which octroi was not levied on or before the 6th July 1917. The Indian Taxation Enquiry Committee in paragraph 410 of their report pointed out how anomalous it was that local Governments might authorize octroi in all cases and terminal taxation in some, while the sanction of the Government of India was required for terminal taxation in a local area in which octroi had not been imposed before a particular date. In their opinion, however, the anomaly lay in the fact that the Government of India had not retained control in all cases, but in the opinion of this Government it is much more anomalous that local Governments should have the power to authorize the imposition of octroi in all cases but should not have an equally unrestricted power to authorize the imposition of a tax which the Government of India themselves have admitted to be much less burdensome on trade. It is not as if the historic accident of octroi not having been imposed in particular areas by a particular date had any relevancy to the propriety of this form of taxation, and if the power to authorize the imposition of octroi and terminal taxation is given at all, there appears to be no justification for the existing restriction on that power.

Views of the Punjab Government with regard to octroi and terminal taxation.

58. The Indian Taxation Enquiry Committee have, however, unreservedly condemned octroi and terminal taxes as offending against all the canons of taxation, and have recommended that so far as possible other forms of taxation should be substituted for them, that the introduction of octroi where it does not already exist should be prohibited and that the Government of India should be empowered to make rules governing the levy of terminal taxation. These recommendations are based on the assumption that octroi and terminal taxation are an obstruction to interprovincial traffic and have a detrimental effect both on railway revenues and on customs receipts. Indications are not wanting that the Government of India are inclined to accept these views, and the Punjab Government therefore think it important that the Statutory Commission should be in possession of their views on the subject.

A copy of the letter which was addressed to the Government of India in this connection in August 1927 is therefore included as Appendix B to this chapter. It will be seen that this Government is not prepared to subscribe to the view that these taxes as levied in this province constitute any such impediment to trade as the Indian Taxation Enquiry Committee has assumed them to be. On the other hand, this Government considers that it would be impossible to find any satisfactory substitute for them, and the refusal of the Government of India to authorize the imposition of terminal taxes in the small towns of this province is an obstacle to the satisfactory functioning of local self-government institutions in those places.

Haisiyat Taxes.

59. One other matter in connection with taxation requires notice. It will be seen that the Scheduled Taxes Rules authorize the imposition of a tax on trades, professions and callings. Under the Punjab Municipal Act before its amendment in 1923, committees were authorized to impose, with the previous sanction of the local Government, a tax on persons practising any profession or art or carrying on any trade or calling in the municipality, and the local Government was empowered to impose in any notified area any tax which could be imposed there by the committee if the notified area were a municipality. Consequently in many notified areas a tax was imposed which came to be known as " haisiyat tax " meaning a tax on people according to their circumstances or standing. This was notified as a tax on persons practising any profession or art or carrying on any trade or calling and was imposed at fixed amounts varying with different grades of income possessed by assessees, *e.g.*, for persons with incomes from Rs. 200 to Rs. 300 per mensem the tax would be Rs. 2 for persons with incomes from Rs. 301 to Rs. 400 the tax would be Rs. 3 and so on. About 1917 district boards began to awake to the fact that the traders, money-lenders, artisans, etc., living in villages were contributing nothing to to district board revenues though enjoying all the amenities in the way of schools, roads, hospitals, etc., provided by boards, and with the sanction of the local Government they began to impose on these classes taxes in the form of the haisiyat tax which had been for so long imposed in notified areas. By 1927 this form of taxation had been adopted by 23 district boards and produced in 1926-27 an income of about Rs. 5½ lakhs. In October 1927, however, it was decided by the High Court that this tax was not a tax on trades, professions and callings within the meaning of the Scheduled Taxes Rules, that a tax on trades, professions and callings must be a tax which though varying for different trades, professions and callings in the same for all individuals following any particular trade, profession or calling, and that the haisiyat tax was nothing but a form of income-tax and as such was not a scheduled tax and was illegal if imposed without the sanction of the Governor-General. This Government accordingly addressed the Government of India in February last with a view to ascertaining whether they were prepared to sanction the re-imposition of such taxes on certain conditions, but no reply has as yet been received, and, as there is some reason for thinking that the Government of India may not accept the proposals of this Government, the matter is brought to the notice of the Statutory Commission. A copy of the letter addressed to the Government of India is contained in Appendix C. It will be seen that this Government has recognized that it is undesirable that local bodies should be permitted to impose taxation which might seriously prejudice the income from such an important source of central revenues as the income-tax. At the same time it has been pointed out that many of the assessees to haisiyat tax are not income-tax payers, and that the maximum rate of 1 per cent. on income which has been proposed is not likely to have a prejudicial effect on central revenues. In these circumstances there appears to be no reason why the local Government should not have power to sanction the imposition by district boards of a tax which is fair in its incidence, rectifies to some extent an injustice in the distribution of district board taxation, and constitutes a by no means negligible addition to district board revenues.

Appendix 'A'.

SECTIONS 14 AND 15 OF THE PUNJAB VILLAGE PANCHAYAT ACT, 1921.

Compulsory duties of the panchayat.

14. (1) Subject to such rules as may be made under section 46 in this behalf it shall be the duty of the panchayat within the limits of the funds at its disposal to make provision for carrying out the requirements of the village in respect of the following matters, namely :—

(*a*) The construction, maintenance and improvement of public ways and drains.

(*b*) The excavation, maintenance, improvement and disinfection of wells, ponds and tanks for the supply of water for drinking, washing and bathing.

(*c*) The establishment and maintenance of burial and burning grounds.

Provided that nothing in this sub-section shall be deemed to impose any duty or confer any power upon the panchayat with respect to any matter under the direct administrative control of any department of Government or of the District Board.

(2) It shall be the duty of the panchayat to perform—

(*a*) the duties of a panchayat under the Punjab Village and Small Town Patrol Act, 1918 ; Punjab Act, VIII of 1918.

(*b*) such duties in connection with village watchmen as the local Government may prescribe by rules under section 39-A of the Punjab Laws Act, 1872. IV of 1872.

Optional functions of the panchayat.

15. Subject to such rules as may be made under section 46 in this behalf the panchayat may, within the limits of the fund at its disposal, make provision for carrying out the requirements of the village in respect of any or all of the following matters, namely :—

(*a*) The lighting of public ways and places.

(*b*) The planting and preservation of trees.

(*c*) The construction, maintenance and improvement of buildings or structures intended for and promoting the safety, health, welfare and convenience of the inhabitants of the village and of travellers.

(*d*) The excavation and maintenance of ponds for animals.

(*e*) The relief of the poor or the sick.

(*f*) The organization and celebration of public festivals, other than religious festivals.

(*g*) The improvement of agriculture and agricultural stock (including horses).

(*h*) The laying out and maintenance of public gardens and public playgrounds.

(*i*) The promotion and encouragement of cottage industries.

(*j*) The establishment and maintenance of libraries.

Provided that nohting in this section shall be deemed to impose any duty or confer any power upon the panchayat with respect to any matter under the direct administrative control of any department of Government or of the District Board.

Appendix B.

No. 21017 (L. S.-G.—Comts.), dated Simla, the 9th August 1927.

From—J. G. BEAZLEY, Esq., I.C.S., Secretary to Government, Punjab, Transferred Departments,
To—The Secretary to the Government of India, Department of Education, Health and Lands.

SUBJECT :—*Octroi and terminal taxation.*

I AM directed by the Punjab Government (Ministry of Local Self-Government) to address the Government of India on the subject of octroi and terminal taxation in general and with particular reference to the introduction of terminal taxation in "small towns" constituted under the Punjab Small Towns Act, 1921. The subject of octroi and terminal taxation and of possible substitutes therefore has been dealt with by the Indian Taxation Enquiry Committee in paragraphs 397 to 410 of their report. In paragraph 398 these forms of taxation are condemned unreservedly as offending against all the canons of taxation, but the grounds on which this condemnation is based are *a priori* grounds based on theory, and in the very brief survey of the history of these taxes contained in paragraph 399 no attempt has been made to ascertain why "the history of octroi and terminal tax is one of many expressions of pious opinion accompanied by little in the way of practical action." Had a careful examination of that history been made it is doubtful whether the Committee would have described it in these terms or would so unreservedly have condemned these taxes, and such is the importance of the matter that no apology is needed for the somewhat detailed examination of the history of the taxes in this province which is contained in the following paragraphs.

2. Shortly after annexation in order to pay for the bodies of watchmen which were organized in all the cities and towns of the province, a house tax assessed according to the circumstances of owners or occupiers was imposed. The assessment was entrusted to the most influential and respectable of the inhabitants, while collections were made monthly by salaried establishments. Very soon, however, this tax created the greatest discontent; it was assessed unfairly and collected with the greatest difficulty and hardship, while the amount collected fell far short of requirements. Accordingly it was not long before in most towns the old system of *dharat* which had been in force in Sikh times was reverted to. This tax was popular for many reasons: it was indirect and incorporated in the current prices of commodities: it was sanctioned by ancient custom and was collected by a method provided by the mercantile customs of the country and understood by every one: it fell partially on non-residents, traders and agriculturists, lightly on the most influential class of citizens, heavily on none. Whatever advantages, however, could be claimed for these town duties, by 1864 the Government of India had become very restless at the resurrection of what appeared to be the transit duties to which the orthodox economist so strongly objected, and in September of that year they published a Resolution* in the course of which they said that "the unchecked multiplication of these local exactions would soon produce the worst evils of the old transit and town duties :.....the tax ought to be confined to a few articles of local consumption, such as ghee, firewood, fruit, vegetables, fowls, eggs and animals for slaughter, which do not enter into the general trade of the country and which, being recognizable at first sight do not involve the stoppage and search of other commodities." Little attention appears to have been paid to these remarks, and in November 1868 the Government of India issued another Resolution† which ended with the prescription of a number of strict rules limiting the articles on which town duties might be imposed and requiring refunds to be paid on the exportation of dutiable goods and the provision of bonded warehouses for goods in transit. At the same time the Government of India admitted that the fact that "such duties are commonly far more popular in India than any direct taxation is a strong argument in their favour, and the prejudice against them founded on the common practice of England should not be allowed to prevent their introduction under suitable limitations, where there is reason to think that general feeling would be to prefer them to other forms of taxation." The Government of India also recognized that if municipal taxation

*Referred to in Proceedings of the Government of India, Home Department (Public), Nos. 4440 to 4447, dated 6th November 1868.

†*Vide* proceedings noted above.

were regulated in the manner which they desired, there might in some cases be a considerable decrease of municipal revenues and in consequence difficulty in meeting the necessary charges on account of Police establishments; they therefore promise to consider well-founded claims for assistance from Imperial Revenues. When, however, those claims were made, the Government of India found it inconvenient to meet them.* They were in fact themselves in such financial straits that they found it necessary to exercise constant pressure on local bodies to relieve Imperial revenues to a still greater extent from Police charges, and in order to prevent a large number of committees from going bankrupt, they gave permission in 1871,† for piece-goods, textile fabrics, etc., and articles of metal, whether liable to customs duty or not, to be added to the list of articles on which octroi might be imposed.

*Vide paragraph 5 of Government of India, Home Department, letter No. 2—100, dated 28th September 1877.

†Vide Government of India, Home Department, letter No. 88, dated 6th January 1871.

3. About this time the North-Western Provinces invented what became known as "the compromise system" or "the reduced rates system" and this was copied in the Punjab from, at any rate 1874; for in a circular in connection with the coming into force of the Punjab Municipal Act, 1873, it was laid down that instead of the bonded warehouse and refund system municipal committees might with special sanction make an estimate of the amount of dutiable goods consumed annually in the town and the annual amount of duty realizable therefrom at fair and reasonable rates and then impose on every dutiable article imported, whether consumed in the town or not, a rate of duty sufficient to yield in the aggregate an amount equal to the duty estimated to be fairly realizable on articles actually consumed. As this was to get rid of bonded warehouses and refunds it was nothing more or less than terminal tax and it came in for very unfavourable notice in a long letter addressed to the Punjab Government by the Government of India in September 1887,‡ in which also appeared for the first time a reference to a Government standard of consumption. This was a device for estimating how far only consumption within municipal limits was being taxed or how far through trade was also being taxed. A Government standard of consumption per head of population having been fixed in respect of each article liable to octroi, the total consumption of a place could be worked out by multiplying the standard consumption by the number of the population. Then by applying to the total consumption the octroi rate per maund, the amount that ought to be realized from the net collections of octroi in respect of each article after deducting refunds could be calculated and compared with the actual net collections: if the actual collections were much higher, it would be clear that through trade as well as local consumption was being taxed.

‡Vide Government of India, Home Department, letter No. 2—100, dated 28th September 1877.

4. This method of determining whether octroi was operating as a tax on through trade seems to have appealed very strongly to the Government of India, and in December 1879,§ they circulated for opinion a draft Bill which, besides embodying the rules which they had formulated in 1868, provided for the submission of elaborate returns by municipal committees with regard to the consumption of articles liable to octroi, and required the local Government to order the levy of octroi to cease in any case where the returns showed that it was being levied on articles not consumed within municipal limits. The Bill also provided that no town-duty should be levied in any municipality with a population of less than 5,000. The Punjab Government, in letter No. 693, dated the 17th February 1880, attacked this Bill very strongly. They pointed out that the Government of India themselves had admitted that if the duties were kept at a moderate rate there was no reason why English prejudice should be allowed to prevent the introduction of a form of taxation which was much more popular than any form of direct taxation. Moreover, as the Bill itself admitted the principle that payment might fairly be demanded in return for services rendered, as it permitted the levy of tolls for roads and similar works and of fees for the use of bonded warehouses,

§Government of India, Legislative Department, letter No. 1259, dated 6th December 1879.

there appeared to be no reason why persons engaged in through trade should not by means of light import duties pay their share for the general amenities and conveniences provided from municipal revenues. Octroi should in fact be regarded as a toll for services rendered, payable by, and to be expended for the advantage of, passing traders, residents of the town itself and of villages of the neighbourhood. If the Bill were passed as it stood, about half the municipalities in the province would have to be abolished. It might indeed be better to abolish municipalities altogether in petty towns than that trade should be checked by local taxation, but the Punjab Government was not prepared to admit that octroi, even as worked up to that time, had been found to be any check on trade in the Punjab. There might be instances in which the tax had been paid by others than local consumers, but its incidence was so light that its effect as retarding processes of trade must be altogether inappreciable. Municipal institutions, even on the petty scale in which they appeared in the smaller towns of the Punjab, directly furthered trade by improving communications and promoting security, and if they disappeared for want of funds, trade would suffer. Moreover, the existence even of small municipalities had many social and political advantages.

5. The protests of the Punjab Government and doubtless of other Governments appear to have been effective, and the Bill was not proceeded with, but there was no change of policy in the Government of India, and in November 1880 they issued another long Resolution* in which they showed that in many places in the Punjab and elsewhere through trade was being taxed in defiance of all their rules and instructions. This was repeated in the followng year† when also it was pointed out that out of 198 municipalities in the Punjab there were no less than 82 with a population of less than 5,000 in which octroi was the chief or only form of municipal taxation, and it was suggested that at such outlying places the administration of octroi must necessarily in the absence of sufficient supervision tend to become lax and to hamper trade, while such funds as might be required could probably be raised without difficulty by some other form of taxation. The Punjab Government thereupon called for reports from local officers and in due course reports were received, and eventually a long Resolution was issued by the Punjab Government in 1883.‡ By this time, however, the local Government had a new head, and there was apparently some change of policy. The Punjab District Boards Act, 1883, had just been passed, and Sir Charles Aitchison, while admitting that the reasons for which the Punjab Government had opposed the abolition of petty municipalities in 1880 had much force, considered that since under the local self-Government scheme then about to be introduced a network of Rural Boards would furnish many of the advantages anticipated from the minor municipalities, the time had come to consider whether some of the smaller corporations could not be abolished and merged in the Local Boards. Commissioners were, therefore, instructed to report which small municipalities should be abolished. At the same time it is curious to find that in this Resolution the " reduced rates of duty " system with no (bonded warehouses and no refunds received fresh sanction from the Punjab Government ; this system was not to be permitted in towns which were centres of considerabe trade or were situated on main trade routes, but might be adopted in all other places.

*Government of India, Home, Revenue and Agricultural Department (Municipalities) Resolution No. 2—104—115, dated 4th November 1880.

†Government of India, Home, Revenue and Agricultural Department, letter No. 82, dated 16th May 1881.

‡Punjab Government Resolution No. 235, dated 11th August 1883, a copy of which was forwarded to the Government of India, with Punjab Government letter No. $\frac{236}{2351}$, dated 11th August 1883

6. It was not until November 1885 that the Punjab Government found time to deal with all the reports received in consequence of the Resolution of 1883, and another long Resolution§ was then issued. Thirty-eight municipalities were under this Resolution to be abolished as soon as their affairs could be wound up, and the remaining municipalities were put into two classes in the first of which the whole machinery of bonded warehouses and refunds was to be maintained, while in the second reduced rates system was to be introduced. The measures taken

§ Punjab Government Resolution No. 409½, dated 11th November 1885, a copy of which was forwarded to the Government of India with Punjab Government letter No. 526, dated 22nd December 1885

by the Punjab Government received the approval of the Government of India in 1886,* though this approval was somewhat grudgingly bestowed on the reduced rates system, and during the next year or two no less than 41 municipalities were abolished. In the Punjab Government Resolution of 1885 it had been explained that when a municipality was abolished it would at once become subject to the jurisdiction of the Local Board appointed for the portion of the district in which it was situated: the system of local self-government would thus be retained in the town and only the agency for carrying it out would be changed: the objection that Local Boards being rural bodies could not be expected to manage the affairs of town-folk satisfactorily could have no weight when it was realized that these so-called towns were merely large villages differing in no material respect from other villages already under the jurisdiction of the Boards, and that in the majority of cases the municipal system had been extended to these places not because their circumstances demanded a form of local autonomy different from that by which the surrounding villages were represented, but merely because a certain amount of octroi income could be raised in them.

*Government of India, Home Department, letter No. 15, dated 15th February 1886.

7. The administration of octroi in the municipalities that were left does not appear to have been satisfactory in the next two or three years, and in March 1889 the Punjab Government issued another Resolution† explaining the advantages of direct taxation as imposed in municipalities in other provinces. The Resolution ended with something in the nature of a threat. "It is not the fault of Government if the Municipal Bodies of the Province have failed to understand that abuse of the octroi system in the Punjab will no longer be allowed, and that effective measures will after due notice be taken to stop all abuse once and for all.....Municipalities in which octroi taxation is in need of reform will do well to set about the necessary reforms at once.....The success of the introduction of such forms (*i.e.*, forms of direct taxation) elsewhere in India proves the groundlessness of the popular objections alleged to exist against all forms of direct Municipal taxation; and the whole commercial history of the modern world tends to show that trade prospers and develops exactly in proportion as it is free from taxation and duties imposed directly upon it." In the following year the question of abolishing more small municipalities was taken up, and in March 1891 eight more ceased to exist. In this year, however, the Punjab Municipal Act, 1891, was enacted, and in July 1892 the Punjab Government circularized local officers on the advantages of applying the provisions of that Act with regard to Notified Areas to as many towns as possible. It was intimated that Government would be prepared to consider proposals for direct or for indirect taxation as might in each case be considered suitable, and octroi was specifically mentioned as a possibility. It is clear that the idea that Local Boards would look after small towns had proved fallacious, and during the next eight years about 45 notified areas were constituted, and in a considerable number of these octroi was permitted to be imposed.

†Punjab Government Resolution No. 178, dated 13th March 1889, a copy of which was forwarded to the Government of India with Punjab Government letter No. 179, dated 13th March 1889.

8. Meanwhile the Government of India do not appear to have made any pronouncement on the subject till the re-imposition of sea-customs duties in 1894 again roused their apprehensions as to the effect of local octroi taxation on Imperial revenues. They, therefore, instituted enquiries which resulted in the issue of a Resolution in 1899.‡ This Resolution re-affirmed most of their previous orders in so far as those orders were designed to prevent octroi from operating as a transit duty, but permitted the levy of octroi on articles liable to customs duty subject to certain maximum rates. The Resolution was, however, chiefly notable for its endorsement of the advice given by Sir Charles Crosthwaite, K.C.S.I., who is described as one of the most experienced administrators of his time in India:—

‡Government of India, Home Department (Municipalities), Resolution No. 55-60, dated 24th April 1899.

"In imposing taxation in this country it is more necessary to consider the prejudices of the people than the strict theories of taxation. I have no hesitation in saying that it would be impossible to raise in Northern India or in the Central Provinces by direct taxation anything like the sum raised by octroi, and the attempt to substitute direct taxation in the

large towns and cities there for octroi would lead to much and serious trouble. The discontent would be out of all proportion to any advantage that would result. The measure would have to be imposed in spite of the municipal committee by an order of Government. Neither do I think that the Government of India can with a good grace force such a measure upon the local bodies unless it is prepared to help them with money grants—a measure which, if it was financially possible, would be inadvisable in my opinion."

9. In 1905 the present Municipal Account Code with its elaborate rules for the assessment and collection of octroi was drawn up by the Examiner of Local Fund Accounts and was recommended to committees for adoption as bye-laws, with the idea that it would cure the evils attendant on octroi administration. The Punjab Government was, however, not content with this, and in 1907 mooted the abolition of 45 more municipalities, the larger of which it was thought might be more efficiently managed as notified areas, while the smaller might be treated simply as large villages and dealt with under the District Boards Act. At the same time it was intimated that Government was unable to approve of the retention of octroi as a suitable form of taxation for notified areas; it involved large expenditure on collection; it could not with due regard to the finances of the local body be adequately supervised, and it tended in consequence to interfere unduly with local trade. These orders elicited notable replies from Messrs. (as they then were) Maynard and Fenton. The former objected to the orders as involving the substitution of appointed for elected bodies in the places affected and because the services maintained in these towns could not be paid for by direct taxes unless such taxes were levied at such high rates that their collection would be attended with great friction and difficulty. Sir Michæl Fenton's letter was much fuller and is a most important contribution to the subject, thought it received but scant consideration from Government. He reviewed the history of the matter at some length, pointed out that local boards had been failures and had been got rid of everywhere, and that the abolition of the smaller municipalities would mean the exclusion of the prominent citizens of these towns from participation in the social, political and administrative activities connoted by the term local self-Government: it was presumably not the intention of Government that the change in the form of administration from a municipal to a non-municipal status should deprive towns of any advantages such as lighting, police, conservancy, etc., which they were already enjoying or should relieve them of their obligations to contribute to schools, dispensaries, vaccination, plague measures, &c., to which taxes had been applied in the past, and it would be inequitable to throw the burden of these charges on district boards. House taxes could not produce anything like the same amount as octroi even if they could be imposed, and in support of the contention that they could not be imposed Sir Michæl Fenton quoted Mr. Temple and Sir Charles Crowsthwaite. These protests were, however, made in vain and orders were issued for about 30 more municipalities to be abolished altogether or converted into notified areas.

10. In 1911 when the present Municipal Act was on the anvil Sir Louis Dane again took up the question of abolishing municipalities and notified areas, with the result that during the next two years 17 notified areas were abolished and four municipalities were converted into notified areas. This was the last effort in sweeping away local Government institutions and the re-action soon set in. In November 1914 the Punjab Government was asking for opinions as to whether legislation should be undertaken to authorize the imposition of haisiyat or other simple taxes in small town or agricultural villages or both, whether small towns should be dealt with under a special enactment as in the United Provinces and whether agricultural villages too should have a separate enactment, &c. Many diverse opinions were received during the next two years but eventually in 1916 a Bill was drafted which subsequently became the Punjab Small Towns Act, 1921, and it was circulated for opinion as containing the tentative conclusions of the Punjab Government as to the way in which small towns should be regulated. The Bill came into force in 1923 and about 108 small towns have been constituted under it of which about 90 were previously at one time, or another in their careers municipalities or notified areas. About fifteen of them inherited octroi or terminal tax from their notified area predecessors; in most of the rest there are house-taxes or haisiyat taxes of one form or another, but the latest reports have shown that the old antipathy to direct taxation is as strong as ever;

it is in fact stronger, as now taxation has to be imposed by elected committees and members have to think of re-election, an anxiety which did not affect members of notified area committees. In 1925-26 no taxes at all had been imposed in a number of small towns while in others direct taxes were collected to the extent of Rs. 1 lakh in all and were in arrears to the extent of Rs. 1½ lakhs. Even if they were collected in full the income obtained would not be nearly sufficient to enable committees to bear their share of financing all the sanitary improvements which are required.

11. Reference has been made in paragraphs 3, 5 and 6 above to the "reduced rates system" which was in effect nothing else but terminal tax, and it was observed that in 1886 this system received the grudging approval of the Government of India. With the introduction of the new Municipal Account Code in 1905 this system was finally dropped in the Punjab, but in 1915 in a Resolution* issued on "The Local Self-Government Policy of the Government of India" the Government of India conceded that a light terminal-tax with no refunds might in practice prove less burdensome to through trade than the octroi system as up till then administered, provided that the following conditions were observed, *viz.*, (1) that the terminal tax, wherever imposed, should be substantially lower in its rates than the octroi which it replaced, (2) that it should be limited to places where there were special grounds for applying it, which must be adequately demonstrated, (3) that it should be regarded as facilitating the transition to a system in which direct taxation would form an increasingly important factor, and not as an elastic means of progressively increasing the resources of municipalities apart from normal development to increase of traffic, and (4) that it should not be adjusted with the primary object of compensating municipalities for the loss of octroi.

*Government of India, Department of Education—Municipalities' Resolution No. 55-77, dated 28th April 1915.

12. In the course of the negotiations with the railway companies which the Government of India subsequently undertook, all local Governments were consulted on various aspects of the question of terminal taxation in relation to railway companies, and in the course of this correspondence the Government of India laid down the further condition that the terminal tax should affect a much smaller number of commodities than were included in the existing octroi schedules. In replying, therefore, to the Government of India, the Punjab Government made the following comments upon the conditions on which the Government of India had expressed their willingness to accept terminal taxation. (Punjab Government letter No. 323-B. & C.—Comts., dated the 9th May 1916):—

"3. It would seem to follow from these conditions that the Government of India would only accept a terminal tax which, being imposed on fewer commodities and at lower rates than the existing octroi, must involve a considerable loss of income to the municipality which adopts it—a loss which would compel it to resort to direct taxation if it is to maintain the level of its previous expenditure. That this result was anticipated and even desired in the case of the municipalities of the United Provinces is apparent from paragraph 110 of the Report of the Municipal Taxation Committee, United Provinces, 1908-09. The evils involved in the existing octroi taxation with its refund system and opportunities of corruption and peculation were considered so serious that a general abolition of the system was advocated, and the terminal tax was only one of several methods by which the consequent loss of income was to be made good. It does not, however, appear that the Government of India, while recognising the heavy burden imposed on trade by existing octroi taxation are desirous of ordering the general abolition of octroi, and in these circumstances it seems improbable that any municipality in the Punjab would voluntarily deprive itself of this source of income if the alternative method of taxing imports by a terminal tax is only permissible on conditions which necessarily involve resort to direct taxation on a considerably more extensive scale than at present.

4. In support of the view that the Government of India do not intend that the condition stated above should have universal application irrespective of local conditions, I am to point out that they have recently sanctioned the imposition in the Muktsar and Fazilka municipalities of terminal taxes on all commodities imported into these places including certain articles on which under existing orders even octroi could not have been imposed. His Honour is, therefore, encouraged to believe that it is not an essential condition of the Government of India's acceptance of a terminal tax that it should be imposed on a much smaller number of commodities than those contained in existing octroi schedules. A true terminal tax in fact should, he considers, be imposed, if not on all articles imported, at least on all articles of general use or consumption, so as to ensure that all classes of the community shall contribute

their share towards the cost of municipal administration. That this was the view of the United Provinces Municipal Taxation Committee is apparent from paragraph 54 of their report, where they remark 'the safety of the system lies in the universality of the tax.' There are, however, certain commodities on which for various reasons the levy of octroi has been forbidden, for example, excisable articles and articles which have been exempted from customs duties, and His Honour considers that such commodities should remain exempted from terminal taxation for the same reasons for which they have been exempted from octroi. Subject, however, to this exception a terminal tax should ordinarily be imposed on all commodities alike which are in general use or consumption, provided that the proceeds are not so insignificant as not to warrant the trouble of collection, and any restriction, which is to be imposed on municipalities, should be rather in the direction of prescribing maximum rates for the terminal tax as has been done in the case of octroi.

5. During the last three years 20 per cent. of the gross income from octroi has on an average been refunded in the municipalities in this province, and in many individual cases this average has been very largely exceeded. The cost of collection is also high, and His Honour therefore considers that no obstacle should be put in the way of committees, which are willing to rid trade of this incubus. It must, however, be recognised that in the Punjab at any rate there is a very strong and almost universal objection to any increase of direct taxation, and any attempt to force direct taxation on municipalities would not only arouse strong opposition, but would also be contrary to the policy of Government to extend the scope of local self-Government. In sanctioning or recommending for sanction proposals for a terminal tax the local Government would consider *inter alia* the financial position of the municipal committee, the total income required for the reasonably efficient discharge of its obligations, the extent to which that can be and is being raised from other forms of taxation, the ratio between the expected net proceeds from the terminal tax and from the octroi or other forms of taxation which it supersedes, the effect of the proposed tax on trade and its incidence on the population affected, but otherwise His Honour would impose no restrictions beyond those which have been indicated above on the imposition of terminal taxes in municipalities."

13. In consequence of this representation and the representation of other local Governments, the Government of India eventually relaxed very considerably the restrictions which they had originally imposed on terminal taxation, and most of the objections which had been raised by the Punjab Government were removed in the "Memorandum of Principles Governing the Imposition and Collection of Terminal Taxes in India," which was issued by the Government of India in 1917. The advantages of the system as compared with octroi taxation are being more and more appreciated by local bodies and trade interests, and terminal taxation has now been imposed in about fifty towns in this province.

14. This detailed review of the history of octroi and terminal taxation in the Punjab has been undertaken in order to show, in the first place, how all through the Government of India have been actuated by the fear that such taxation is an impediment to trade, and in the second place, how the fate of local self-Government institutions in the small towns of this province has hung on these systems of taxation. As regards the first of these matters, the Punjab Government (Ministry of Local Self-Government) must, however, observe that nowhere in the whole correspondence extending over sixty years has any proof been given that these forms of taxation in fact constitute a burden on trade. It is always assumed that this must be so, but no examination of trade statistics has ever been attempted in order to prove this thesis, while there is ample proof that in spite of these forms of taxation trade has enormously increased. The fixed idea on the subject of the harm done by transit duties dates, of course, from the days before there were railways; the main trade routes were roads and rivers, and if merchants had to pay dues in every town situated on these routes through which they passed, trade inevitably suffered. Now-a-days, however, there is practically no such trade; towns may be the collecting places of country produce for export or distributing centres for imported articles, but through trade in the true sense of the term all goes by railway, and is absolutely unaffected by octroi or other such taxation at places between its starting point and its destination with the exception of the ports. The proposition that octroi and terminal taxes injure through trade would therefore even if true be irrelevant. The argument against these forms of taxation involves moreover the further assumption, made throughout the correspondence which has been examined, and re-affirmed by the Taxation Enquiry Committee, that these taxes constitute a heavier burden on trade than direct taxes. Again, however, no proof of this

assumption is forthcoming, and the Punjab Government (Ministry of Local Self-Government) cannot conceive that any reasonable person could contend that the light octroi and terminal taxes levied in this province are anything like the burden on trade that the "rates" in Great Britain constitute. The burden of the rates on industry and commerce in Great Britain is a constantly voiced complaint, and, in the opinion of this Government, it would be no kindness to attempt to habituate local bodies in this country to a system which has in it the potentiality of such disastrous strangling of industry and commerce.

15. Whatever the merits of the case against octroi may have been, however, there can be no dispute as to the fact that the prohibition of the levy of octroi in small towns has on various occasions meant the death of self-government institutions in such towns, while the raising of the prohibition has meant their resurrection, and the truth of the lesson that has thus been taught by history is now being exemplified once again. Reference has already been made in paragraph 10 above to the failure which has attended the attempt to introduce direct taxation in 'small towns.' Meanwhile except in the few places which have inherited octroi or terminal tax from their notified area predecessors, there are no funds available for the many sanitary works and improvements which are a crying need of these small urban areas, and the local self-government institutions which have been set up are to a great extent mere mockery. It must not, however, be supposed that the Punjab Government (Ministry of Local Self-Government) are blind to the abuses to which octroi is liable in small places not under the immediate eye of controlling authorities, but the past history of octroi in such places has shown that the "reduced rates system," which is only another name for terminal tax, was not liable to those abuses, and that it was only when the whole elaborate system of refunds and bonded ware-houses was forced upon them that the impossibility of properly supervising the arrangements made it necessary to abolish these small local bodies. The Punjab Government (Ministry of Local Self-Government) are, therefore, anxious to revive the old system so that town committees may be in a position to fulfil some at least of their duties. As the law, however, stands it will be necessary to obtain the sanction of the Government of India to the imposition of terminal taxes in most of the small towns of the province. The Taxation Enquiry Committee in paragraph 410 of their report have pointed out the anomaly by which local Governments may authorize octroi taxation in all cases and terminal taxation in some, while the sanction of the Government of India is required for terminal taxation in a local area in which octroi was not imposed before the 6th July 1917. In the eyes of the Committee, however, the anomaly lies in the fact that the Government of India has not retained control in all cases, but, in the opinion of this Government, it is much more anomalous that local overnments should have the power to authorize the imposition of octroi but should not have the power to authorize the imposition of a tax which the Government of India have themselves admitted to be much less burdensome on trade. It is true that the restriction at present imposed on this Government could be evaded by re-converting small towns temporarily into notified areas under the Punjab Municipal Act, 1911, section 242 of which authorizes the local Government to impose *any* tax without the sanction of the Governor-General, but the Punjab Government (Ministry of Local Self-Government) would much prefer to act in this matter with the consent of the Government of India and to obtain the sanction of the Governor-General under sub-section (3) of section 80-A of the Government of India Act to the amendment of the Punjab Small Towns Act, 1921, so as to permit the imposition of a terminal tax in any small town with the sanction of the local Government only. I am accordingly to request that, if the Government of India are agreeable to this course, their decision may be communicated to this Government as soon as possible so that the necessary legislation may be drafted and submitted for sanction in time for its introduction at the October session of the Punjab Legislative Council.

16. The particular question of the introduction of terminal taxation in small towns having now been dealt with, I am to revert to consideration of the recommendations made by the Taxation Enquiry Committee as to possible substitutes for octroi and terminal taxation and as to the regulation of octroi

and terminal taxes in places where their retention is found necessary. In paragraph 403 of the Committee's report it is stated that the most obvious substitute is a rate on land and houses. That there would be difficulty in effecting this substitution is briefly recognized, but it is suggested that if the house-owning interests were less strongly represented on municipal bodies the process of replacement of indirect by direct taxation would be correspondingly expedited. The Punjab Government (Ministry of Local Self-Government) cannot believe that the adoption of a policy which would aim at reducing the representation of a particular class in order to secure the taxation of that class could be seriously contemplated; but even if it could be admitted that such a course would be equitable, it is difficult to see how such a policy could be effected without rendering property owners ineligible for election as members of municipal bodies. The law as it stands nowhere in this province gives property owners as such any special representation, nor does it place them in any way in a more favourable position to secure election than other classes. It must therefore be conceded that if the representation of house-owners constitutes a serious obstacle to the substitution of direct for indirect taxation that obstacle must almost inevitably remain. This Government are, however, not prepared to admit that the removal of that obstacle even if it were practicable would do very much to expedite the replacement of indirect by direct taxation. The objection to direct taxation is a deep-seated prejudice shared by all classes, and the history of this province ever since annexation has shown that all attempts to remove that prejudice have been in vain. It is not merely that people dislike being singled out for a direct payment; the objection to direct taxation is based equally on the fact that the assessing agency in most municipal areas is partisan if it is not actually corrupt, and the assessment and collection of such taxes sometimes result in such dissatisfaction as reacts on the general administration. It is true that the Taxation Enquiry Committee has suggested that a central assessing and collecting agency should be set up for all local taxes, but the Punjab Government (Ministry of Local Self-Government) would most strongly deprecate any such action, as it would transfer of Government all the odium which would be engendered by the imposition to direct taxation and would undermine all sense of responsibility in the tax imposing authority.

17. The other substitutes for octroi and terminal tax suggested by the Taxation Enquiry Committee are the profession tax, market fees and a tax on retail sales. It is not quite clear what form of profession tax is advocated. Such a tax may be in the form of a tax at rates varying with different professions but with the same rate for all individuals of the same profession, or it may be a form of income-tax imposed upon all persons practising any profession at rates varying not with the profession but with the incomes of the persons affected. In the former case the tax must be such as the least well-off member of the profession can afford to pay, and the proceeds of the tax must then obviously be comparatively small: in the latter case the assessment in the hands of members of local bodies involves the greatest practical difficulties, and even if those difficulties could be overcome, it is impossible that such a tax should replace octroi and terminal taxation. The total demand on account of income-tax and super-tax in this province is about Rs. 70 lakhs a year. In 1925-26 the income from octroi and terminal tax in municipalities and small towns was nearly the same, and though taxable incomes for the purposes of profession tax might be put much lower than for purposes of income-tax, it is hardly conceivable that the Government of India would permit this source of revenue to be entrenched upon for the benefit of local bodies to the extent that would be necessary. As regards market fees, it is clear that enormous capital expenditure would, in the first place, be necessary before such fees could be levied while the number of commodities that can be sold in markets is obviously very far short of the number of commodities subject to octroi and terminal taxation, and the income from market fees could never approximate to the income from these taxes. The third alternative suggested is a tax on retail sales, and the history of the recent attempts in this province to legislate in respect of money-lenders' accounts is sufficient warning of the impracticability of this suggestion.

18. The discussion of the substitutes for octori and terminal taxation recommended by the Taxation Enquiry Committee has to some extent been

purely academic; as unless it is intended to take from local bodies the initiative in matters of taxation, there is not the slightest chance of any local body in this province voluntarily substituting direct for indirect taxation. Even if there were any such probability, it is more than doubtful whether such a step would be practicable, as the rates of direct taxation that would have to be imposed would be so high that the collection of the taxes would involve such a disturbance of the public peace as cannot be contemplated. The pressure of circumstances is, however, gradually forcing local bodies to supplement indirect by direct taxation, and the Punjab Government (Ministry of Local Self-Government) have found it possible to require the imposition of a direct water-tax on property as a condition of grants-in-aid for water supply undertakings. As the public demand for such amenities increases it is clear that local bodies will more and more be compelled to resort to direct taxation to increase their revenues, and the Punjab Government (Ministry of Local Self-Government) would most strongly deprecate any attempt on the part of the Government of India, if such an attempt is contemplated, to force the pace by compelling local bodies now to adopt a course which is already being forced upon them by circumstances.

19. Assuming then that octroi and terminal taxation must inevitably remain in this province, I am now to examine the recommendations made by the Taxation Enquiry Committee for their regulation in places where none of the alternatives suggested can be adopted. Most of the principles recommended by the Committee in paragraph 409 of their report are already acted upon in this province. This Government cannot, however, admit that the terminal tax should be assessed entirely without reference to the value of the goods taxed, though it should invariably be assessed by weight or by tale and never *ad valorem*. A tax assessed by weight on all goods alike at the same rate would obviously be most inequitable: a maund of silk would then pay the same as a maund of iron. Nor can the Punjab Government (Ministry of Local Self-Government) agree that there should be an absolute rule that terminal tax should be imposed at such rates that the total proceeds shoud not exceed the average revenue from octroi during the preceding three years. In one municipality in this province the present octroi schedule has been in force for over fifty years and in many municipalities there has been no change for over twenty years. Meanwhile prices have risen very greatly and revision of these schedules has long been overdue: if, however, when such revision is undertaken for the purpose of obtaining increased revenue, the advantages of terminal tax over octroi are recognized, there seems to be no reason why the substitution should not be effected at once and not postponed for three years. A further proposition to which this Government cannot subscribe is that contained in principle (7) enunciated by the Taxation Enquiry Committee that the levy of a tax on goods exported from a municipality should not be permitted. In their "Memorandum of Principles Governing the Imposition and Collection of Terminal Tax" the Government of India have admitted that there is no objection to the taxation of exports as well as imports in places where the municipality is a large centre of export trade, and this is only logical. If the tax is regarded as payment for the amenities and facilities provided by the local body, there is no reason why all those who enjoy those amenities and facilities should not pay whether they are engaged in import trade or export trade.

Appendix C.

No. 6029 (L. S.-G.), dated Lahore, the 20th February 1928.

From—J. G. BEAZLEY, Esq., I.C.S., Secretary to Government, Punjab, Transferred Departments,

To—The Secretary to the Government of India, Department of Education, Health and Lands, New Delhi.

SUBJECT :—*Imposition of haisiyat taxes by district boards in the Punjab.*

I AM directed by the Punjab Government (Ministry of Local Self-Government) to address you on the subject noted above, and to say that as the Government of India are aware, the High Court of Judicature at Lahore has recently found that the haisiyat tax in the form imposed by the district board of Sialkot is illegal and *ultra vires* in that it is a form of income-tax and as such is not a Scheduled Tax and could not be imposed without the previous sanction of the Governor-General. A copy of Punjab Government notification No. 14672, dated 23rd May 1924, in which the imposition of the tax by the district board of Sialkot was notified, is enclosed, and it will be seen that it purported to be a tax on all persons who carry on any trade or follow any profession or calling, levied at seven different rates according as the income of the assessees was in one or other of seven different grades. A tax in this form, though with various rates and grades of income, had been imposed in twenty-three districts in the province and produced altogether over Rs. 5½ lakhs in 1926-27, or about one-tenth of the amount realized from local rate. In many districts the tax had only recently been imposed and considerable difficulties were experienced both in assessment and collection but those difficulties were in the process of being overcome as the people were becoming habituated to the tax and better methods of assessment and collection were devised. The tax thus promised to constitute a by-no means negligible addition to the resources of district boards, and it was the only means that had as yet been discovered by which to compel non-agricultural classes living in rural areas to contribute something in return for the advantage and amenities in respect of roads, schools, hospitals, etc., which they enjoyed equally with the payers of local rate. The tax, moreover, had this advantage over a true profession tax that it differentiated between persons of small and persons of larger means, while with a true profession tax all persons following a particular profession have to be taxed at the same rate irrespective of their means. A true profession tax is thus both unjust in its incidence and less productive than the haisiyat tax, inasmuch as the rate for each profession must be fixed with reference to what the least well-off members of the profession can pay.

2. For the reasons given above the Punjab Government (Ministry of Local Self-Government) are of opinion that theoretically from every point of view the haisiyat tax was a thoroughly sound tax the continuance of which is most desirable as all district boards have now imposed the maximum local rate and they must look to other forms of taxation in order to supplement their resources and meet the many demands now being made upon them. The Punjab Government (Ministry of Local Self-Government) recognize, however, that the assessment and collection of haisiyat tax have presented difficulties and caused some resentment, and they are of opinion that both the rules as to assessment and collection and the rates of the tax should be uniform throughout the province. They, therefore, propose, if the re-imposition of the tax is sanctioned, to make rules as to assessment and collection which will secure uniformity and will obviate the difficulties which have been experienced in the past. As regards rates they recognize that it is undesirable that incomes already subject to income-tax should be heavily taxed for local purposes, but in no district was a rate exceeding on an average one per cent. of the imcome imposed, and provided this average limit is not exceeded the tax is not likely to prejudice income-tax to any appreciable extent while it will be considerably lighter than the tax on income represented by the local rate which at 2 annas in the rupee of the land revenue must amount to 4 or 5 per cent. of the income derived from land. On the other hand a large proportion of the haisiyat tax assessees consisted of person with incomes of less than Rs. 2,000 per annum who were, therefore, not liable to income-tax. There is, however, no reason why such persons should not contribute something in the way of local taxation for the amenities which they enjoy, and a tax of less than 2 pies in the rupee on their income

cannot be considered excessive. Most of the schedules in force fixed the lowest limit of assessment at Rs. 200, but the Punjab Government are inclined to think that this was too low and that incomes of less than about Rs. 30 a month should not be taxed. They would, therefore, propose, if haisiyat taxes are to be re-imposed, to fix the lowest limit of assessment at Rs. 400 per annum, and to require that the following schedule should be adopted uniformly in all districts :—

Grade of income.							*Amount of tax.*	
							Rs.	
Exceeding Rs.	400	but not exceeding Rs.			500	..	4	per annum.
„ „	500	„	„	„	750	..	6	„
„ „	750	„	„	„	1,000	..	8	„
„ „	1,000	„	„	„	1,200	..	10	„
„ „	1,200	„	„	„	1,500	..	13	„
„ „	1,500	„	„	„	2,000	..	17	„
„ „	2,000	„	„	„	3,000	..	20	„
„ „	3,000	„	„	„	5,000	..	35	„
„ „	5,000	„	„	„	7,500	..	55	„
„ „	7,500	„	„	„	10,000	..	80	„
„ „	10,000	„	„	„	15,000	..	110	„
„ „	15,000	„	„	„	20,000	..	160	„
„ „	20,000	„	„	„	30,000	..	220	„
„ „	30,000	..	..	..		..	1	per cent. of the income.

I am to enquire whether the Government of India would be prepared to sanction the imposition of haisiyat taxes at these rates.

3. As the matter is one of considerable urgency from the point of view of district board finance, I am to request that this Government may be informed as soon as possible of the decision of the Government of India, and if that decision is likely to be delayed that intimation to that effect may be given at once.

CHAPTER VIII.—The Executive Government of the Province.

SECTION A.—THE MACHINERY OF THE ADMINISTRATION.

The machinery of administration.

1. It is convenient to look at the machinery of administration from two points of view, first, that of one who regards the operations of the Government itself in its functions of direction and control, and second, the aspect as it would strike one who, as a resident of one of the Punjab districts, saw the machinery in work around him. To the former, the point of chief interest is the manner in which the numerous departments responsible for carrying on the branches of work allotted to them are directed and co-ordinated. In the earlier stages of provincial history, the branches of work which would have attracted attention would have been almost entirely those known somewhat loosely under the title of ' General Administration ' (including the operations of the Land Revenue, Settlement, and Excise establishments, the administration of Criminal and Civil Justice, and the maintenance of the Police Force), together perhaps with the branch responsible for what had from the first been an important feature of Government activity in the Punjab, the development of irrigation. Apart from the influence of the Reforms Scheme, the tendency of recent years has been towards a continuous increase in the importance of branches of work ministering to the general welfare and the social and intellectual advance of the people, such as the departments dealing with Education, Agriculture, Co-operative Credit, Medical and Public Health and Veterinary; an Industrial Department is a later but growing development. Each of these departments is organized under its own head, with considerable administrative authority and with financial powers varying with the importance and strength of the department; each has its own establishment which, subject to the general direction of Government, is under the control of the head of the department. A broad outline of the manner in which these departments are linked with the central machinery of Govermnent will perhaps be more informing than a mere schedule of their constitution and functions.

General Administration.

2. As has been said above, the term " General Administration " is used here as a somewhat loose description of a wide branch of work, and it is here that definite departmental organization is less marked than elsewhere. The province is divided into 29 districts, each under a Deputy Commissioner, supervised by five Commissioners; the exact position of these officers in respect of their control of the land revenue, excise and police establishments and of the criminal magistracy will be described subsequently, together with their general position as the chief local representatives of the Provincial Government. As regards general organization, the Land Revenue Branch of what for purpose of convenience has been termed " General Administration," which includes settlement operations for the assessment of land revenue, and the maintenance of establishment for its collection, the registration of land titles, the colonization of waste lands, and the management of courts of wards, is under the administrative control of two Financial Commissioners, under the supervision of the Revenue Member of Government. The police service, under the Inspector-General of Police, is organized in three ranges, each under a Deputy Inspector-General of Police, with a Superintendent of Police in each district, and is under the supervision of the Member for Finance. Civil and Criminal Justice is under the statutory control of the High Court of Judicature, Lahore; its detailed organization, and the position occupied by the Deputy Commissioner in the administration of Criminal Justice in discharge of his statutory function as District Magistrate will be subsequently described. The Jail Department, under an Inspector-General of Prisons, is under the supervision of the Member for Finance. Excise may be brought under the same general head; it hardly constitutes a separate department, detailed control being exercised by the Deputy Commissioners under the administrative control of one of the Financial Commissioners, acting under the direction of the Minister of Agriculture.

The Technical Departments.

3. Passing from this general head of governmental work, we come to other branches of activity marked by more clearly defined departmental working. The Irrigation Department (technically known as the Irrigation Branch of the

Public Works Department), which is now responsible for about eleven million acres of irrigation and has a very large establishment of officers, is under the control of three Chief Engineers, with wide technical and administrative powers; the department is under the supervision of the Member for Revenue. The Forest Department, responsible for over two thousand square miles under forest growth besides a much larger area of waste land, in all over 6,600 square miles, is under a Chief Conservator, with local Conservators, and is also under the supervision of the Member for Revenue. The Education Department, which directly maintains 12 Government Colleges, with 3,000 students, and some 150 Government schools, with 35,000 students, and is responsible for the supervision of colleges and schools maintained by local bodies or private institutions, with over a million students, is (subject to the direction of the Ministry of Education) administered by the Director of Public Instruction, with one Inspector for each revenue Division, and a large body of Assistant and District Inspectors. The control of the department over the large body of "Aided" and Local Fund Schools is exercised through the distribution of the large grants given by the Provincial Government. The control and inspection of collegiate education is under the University of the Punjab, which has an independant position secured by statute; the statute provides for the representation of Government on the Senate by a number of nominees. At the head of the Medical Department, which is now under the direction of the Ministry of Local-Self Government, is the Inspector-General of Civil Hospitals. This department maintains the Medical College at Lahore, the Medical School at Amritsar and some 40 public hospitals in different parts of the province, and is responsible for the administration, inspection and supervision of over 500 hospitals and dispensaries maintained by local bodies, and about 160 Government departmental dispensaries, control in the case of local institutions being secured both by statutory rules and by the considerable volume of grants distributed by the department. The Inspector General of Civil Hospitals is also President of the Punjab Medical Council and of the Punjab Central Midwives Board. The Public Health Department too, is under the direction of the Ministry of Local Self-Government. It is controlled by the Director of Public Health and four Assistant Directors and maintains a District Medical Officer of Health, with a small establishment in each district, supplemented as occasion arises by large temporary establishments to deal with epidemics; it supervises the vaccination establishment maintained by local bodies, and is generally responsible for the initiation and supervision of all public health measures in rural areas and small towns and less directly in the larger urban areas. It also maintains a Health School for the training of Lady Health Visitors, trains and certifies Sanitary Inspectors and maintains institutions for the manufacture and supply of vaccine and the distribution of other sera and equipment required for dealing with epidemic diseases.

4. The Agricultural Department, whose operations have of late been greatly extended, maintains the Agricultural College at Lyallpur (partly devoted to teaching and partly to research) and a considerable number of agricultural farms for purposes of demonstration and supply of seed, with a growing organization of district agricultural officers whose function is partly the super vision of departmental farms, and partly the giving of advice to agriculturists and the distribution of seed and improved agricultural appliances. It maintains a separate establishment for well-boring and for agricultural engineering. At the moment, the Agricultural Department is also in charge of veterinary operations. The Veterinary Branch of the department maintains the Veterinary College at Lahore and supervises over 200 veterinary hospitals financed by local bodies, which receive considerable grants for the purpose. It has its own establishment under a Chief Superintendent of Veterinary; but the growing importance attached to stock-breeding operations will probably involve in the near future the separation of this branch from the Department of Agriculture, and the creation of a new departmental head under the title of "Director of Veterinary and Stock-breeding." The combined department is now controlled by the Director of Agriculture under the direction of the Ministry of Agriculture. Allied to the Agricultural Department is that of Co-operation, dealing primarily with some fourteen thousand agricultural credit societies, but also supervising a large number of societies for thrift, better farming, consolidation of fragmented holdings, cattle-breeding and the like. It is, subject

to the direction of the Ministry of Agriculture, administered by the Registrar of Co-operative Societies, with seven Deputy and Assistant Registrars and a number of Inspectors. The Registrar supervises the operations of the Provincial Co-operative Bank and of the 37 Central Banks and 69 Banking Unions. They are independent organizations, obtaining their funds mainly from fixed deposits and subscriptions of shareholders, but subject, as are the primary societies themselves, to the inspection and audit of the department. Although the Agriculture and Co-operative Departments have their own administrative heads, they are further subject, under the direction of the Minister, to the control of a Financial Commissioner. The Industries Department, under the Ministry of Education, has only of late begun to assume any importance. It maintains certain technical institutions, such as a Dyeing and Calico Institute at Shahdara, a Hosiery Institute at Ludhiana, a Textile Institute at Amritsar, and another Institute about to begin the working of a Power Loom Weaving Demonstration Factory at Shahdara; also a Technical School and School of Arts at Lahore and a growing number of industrial schools in different districts of the province, and also has a small body of Industrial Surveyors for the investigation of industrial requirements. It is under the immediate control of a Director of Industries, who is also Registrar of Joint Stock Companies. Another department of importance, is the branch of the Public Works Department known as that of "Roads and Buildings." Besides considerable operations on its own account, it ministers to the needs of practically all the other departments of Government. As a department it maintains some 1,700 miles of metalled and 1,000 miles of unmetalled roads as a direct charge against its own budget, and constructs and maintains on behalf of other departments the buildings required for their purposes, which though borne for accounts purposes on the Public Works Department budget, are administratively sanctioned by the departments concerned. It is controlled by a Chief Engineer, Roads and Buildings, with a number of Superintending and Executive Engineers under him; the Chief Engineer is also in control of the Sanitary Engineering branch, the chief function of which is to draw up sanitary projects on behalf of local bodies and, in some cases, to construct them at their cost. In this case also, control is maintained through grants given to local bodies by Government. The department is under the direction of the Ministry of Agriculture. A third and new branch of the Public Works Department is the Hydro-Electric Branch, recently created to carry out a great project for supplying the Punjab with electricity obtained by harnessing the waters of one of the Himalayan rivers. Very important developments of this sphere of provincial activities are to be expected, which may materially change the industrial conditions of the province. This branch is also directed by the Minister of Agriculture.

Minor oragnization.

5. To this list of departments must be added, a mention of several minor organizations which are not purely departmental. The Urban Sanitary Board is a mixed body of officials and non-officials, under the direction of the Ministry of Local Self-Government, which yearly distributes considerable amount of grants to local bodies for purposes of sanitary improvement. The Rural Sanitary Board is another organization of the same nature and under the same direction, which directly constructs and maintains from its own budget works designed for the improvement of the natural drainages of the province, and will now take over from the Urban Sanitary Board the work of assisting sanitary improvements, including water-supply, in rural areas. The Communications Board is another mixed body which advises the Ministry of Agriculture on the distribution of grants to district boards for the maintenance of their roads, and also carries out certain works on its own account, such as the construction of improved unmetalled roads for demonstration purposes.

Central Departments.

6. It will be seen that this review takes no account of three important spheres of administration which closely affect provincial welfare, namely, those of Railways, Post Offices and Telegraphs and the collection of income-tax. The two former are subject entirely to the Central Government, and the local Government is concerned only so far as concerns the guaranteeing of certain new telegraph connections which the Central Department is unwilling to open on its own

account and, of late years, the provision of a guarantee for interest on railway connections which the Railway Board classifies as not sufficiently attractive on the remunerative side as to take precedence over other schemes in their programme. As regards Income-tax, the local Government has an advisory position in regard to the appointment of the Commissioner and Assistant Commissioners of Income-tax; it is not concerned in questions of assessment, but its Revenue officers have certain functions in regard to collection.

The Secretaries.

7. The channel through which matters of policy or administration are laid before the Executive Council or the Ministries, and through which their orders are communicated, consists of the Secretaries to Government, without whose signature no order purporting to convey the decision of the Government is valid. These Secretaries are for the most part members of the Indian Civil Service, and receive the recommendations and other communications of the heads of the departments of Government in the form of letters or unofficial references and, after considering them in their se retariats, submit them to the Member or Minister in charge. But there are exceptions in the case of the Public Works Department where the Chief Engineers, who are heads of the various branches into which this department is sub-divided, act in a dual capacity, both as heads of departments and secretaries. There is in practice a similar exception in the case of the Education Department. The Director of Public Instruction, though nominally an Under-Secretary, acts as Secretary and submits his recommendations directly to the Minister for Education. On the other hand the Inspector-General of Police, although also an Under-Secretary, normally works through the Home Secretary. There are also Deputy Secretaries, Under-Secretaries and Assistant Secretaries but their office is merly to relieve the Secretaries of some portion of their work, and they need not be regarded in discussing the arrangement of the administration. Any case at any stage may be submitted by the Secretary direct to the Governor if the Secretary considers that it should be seen by him. Where possible this is done through the Member or Minister concerned, and where owing to the urgency of the matter this is not possible the latter must be informed at once.

The portfolios.

8. The following is an abbreviated description of the various portfolios in the administration, showing through which Secretary they are respectively served :—

His Excellency the Governor—

Through the Chief Secretary—Matters relating to the Legislative Council, the Secretariat, the Indian Civil Service, the Provincial Civil Service and Government servants generally. Also relations with Indian States not in direct relation with the Governor-General in Council, and Ecclesiastical administration.

The Hon'ble Member for Finance—

(1) Through the Secretary, Finance Department—Financial matters.
(2) Through the Home Secretary—Police, Justice and Jails.
(3) Through the Director of Public Instruction—European and Anglo-Indian education.
(4) Through the Chief Secretary—the Press.

The Hon'ble Member for Revenue—

(1) Through the Revenue Secretary—Land revenue administration, colonisation, forests, companies and commerce, industrial matters reserved, such as industrial disputes, welfare of labour, etc.
(2) Through Chief Engineers and Secretaries, Irrigation—all canal matters.
(3) Through the Secretary, Finance Department—Provincial Printing Press, stores and stationery.
(4) Through the Home Secretary—Criminal Tribes, control of dramatic performances, other minor matters.
(5) Through the Secretary, Transferred Departments—Elections and minor matters.

The Hon'ble Minister for Agriculture—

(1) Through the Revenue Secretary—Agriculture, Civil Veterinary Department, Excise, Co-operation.

(2) Through Chief Engineer and Secretary, Public Works Department—Public works other than irrigation.

The Hon'ble Minister for Education—

(1) Through the Director of Public Instruction—Education.

(2) Through the Revenue Secretary—Industries.

The Hon'ble Minister for Local Self-Government—

(1) Through the Secretary, Transferred Departments—Local Self-Government, Medical, Sanitary, Registration, Religious and Charitable Endowments.

9. It will be observed that with the exception of the Chief Engineers and the Director of Public Instruction, the bureaux of secretaries do not accurately coincide with the portfolios of the Members of Government. Thus, the Secretary, Finance Department, deals not only with finance under the Member for Finance but with stationery and the printing press under the Member for Revenue, and the Revenue Secretary has to deal not only with the Member for Revenue but with the Hon'ble Ministers for Agriculture and Education. This is merely a matter of convenience and economy. Apart from the Public Works Department and the Education Department the secretariat forms an undivided whole in the matter of office organisation and management.

The Heads of Departments.

10. In what has been said above, a description has been given of the organization of Government and its secretariat, of the machinery by which the decisions of Government are obtained and conveyed. The execution of these decisions is placed by Government in the hands of the heads of departments. The preceeding paragraphs have given some idea of how great and how various are the operations controlled by these officers. In the Engineering Department of Irrigation and Public Works they are responsible for initiating and carrying out schemes of the greatest magnitude; for these and other technical departments such as the Agricultural, Medical and other departments they are the technical advisers of Government ; and in other departments, such as that of Education where the purely technical side is less prominent, they are responsible for the initiation and execution of schemes of the greatest importance for the welfare of the people. And in all departments they are responsible for the organization, discipline and, in the lower grades, the recruitment of an army of subordinates. To take one example the pay roll of the staff of the Chief Engineers in the Irrigation Department comes to £ 670,000. In the matter of expenditure of Public funds heads of departments occupy the position known in England by the title of " Chief Accounting Officer," being responsible both for the expenditure of public funds and the collection of public revenues. The Chief Engineers collect over three million pounds, and the Financial Commissioners over five million pounds annually.

The unit of administration.

11. With the exception of Commissioners of Divisions, who have for some purposes the powers of the head of a department each in his own division, and of the three Chief Engineers of the Irrigation who divide the province between them, the sphere of each head of a department is the whole of the Punjab. The interior organization of each department varies with the nature of its subject matter but its tendency is, when there are not reasons to the contrary, to follow the territorial division of the province into districts. The chief example of a departure from this rule is the Irrigation Department, whose organization, for obvious purposes of utility, follows that of canals and their branches. But generally speaking the unit of provincial administration is the district. There are 29 districts in the Punjab, the largest of which—Kangra—has an area of nearly 10,000 square miles, and the smallest—Simla—is in area less than the County of London. These are, however, exceptional and the ordinary district corresponds in size with one of the larger English counties. The average size of a district is 3,444 square miles and the average population 713,000.

The Executive Officers.

12. In each district the executive Government function through the executive officers of the various departments. The chief Magistrate and chief local representative of Government is the officer who is, in the Punjab, called the Deputy Commissioner. This choice of title, in distinction to that of Collector by which the District Officer is known in most other provinces, is now a matter of antiquarian interest. It dates from the time when what were called non-regulation provinces, manned by a less highly paid staff not exclusively recruited from the Company's service, were created to provide a looser organization for the less civilised provinces of the East India Company's domain. The distinction has now vanished except that the Deputy Commissioner wields greater magisterial powers as District Magistrate than in the old Regulation Provinces.

13. As his alternative title of Collector shows, the Deputy Commissioner, is in the first place, the executive officer of Government directly responsible for the collection of land revenue, and of the other operations, which will be detailed below, incidental to the land revenue administration. He is similarly responsible for excise. In his capacity of District Magistrate he is administratively responsible for criminal justice, though judicially, the Sessions Judge has a co-ordinate position. He is the head of the police force in the district, though not an accounting officer for the police nor responsible for administrative details. He is the local representative of the Department of Local Self-Government and the controlling officer of all local bodies except first class municipalities, and, incidentally, is in most cases the chairman of the district board.

14. With the other great departments of Government the Deputy Commissioner has no direct connection and no direct responsibility, but with all he is related in some capacity, if only advisory. Thus in the matter of irrigation he has statutory duties as an appellate court from certain orders of canal officers imposing fines; and his advice is asked by the department in matters concerning the general welfare of the people, such as a proposal to restrict supplies in an irrigation channel. In matters of education, agricultural and veterinary work, he is connected through his relationship with local bodies, but apart from this, his advice is frequently sought on many questions of detail; thus the Department of Public Works in deciding which roads should be maintained as arterial consults the Deputy Commissioner, and it may be said that there is practically no department of provincial activity with which he should cease to maintain touch and interest as concerning the general welfare of the people of the district. These departmental activities are increasing in scope, and, as time goes on will absorb less of the direct attention of the Deputy Commissioner, and tend to become independent of his help; but as things are, administration must suffer if either he is entirely divorced from them or they from him. Perhaps the only exception is the Department of Civil Justice, in which we have a field entirely removed from the purview of the Deputy Commissioner; yet even this statement must be taken with a reservation. As will be seen later on, a great portion of judicial work, which in most countries is regarded as belonging to the field of the judiciary, is, in the Punjab, removed from the control of the Supreme Court and placed under special revenue courts, of which the Deputy Commissioner is the local head. All questions between landlord and tenant are thus removed.

15. The operations of Government, in which the Deputy Commissioner is not concerned in any degree, are, with the exception of civil justice, confined to the sphere of the Central Government. The Railway and the Post Office are obvious examples of this class, and even more important than these from the point of view of administration is the Income-tax Department which is entirely in the hands of officers of the Central Government and with which the Deputy Commissioner has no concern; no concern, that is, until the assessment has been made. He is responsible for collecting it. But even so, he cannot be entirely divorced from the operation of these departments. If there is a railway accident he is associated in the enquiry; if wide-spread discontent is caused by the assessment of the Income-tax Department he cannot escape the repercussion on the political condition of the district. It is indeed worthy of note than among the causes given before the Hunter Commission for the

Amritsar outbreaks of 1919 one was the increase of income-tax assessment and another a grievance against the Railway; both causes over which the local authorities had no control.

16. We are now in a position to return to the sphere of action for which the Deputy Commissioner is definitely responsible, and, will in the first place, consider the administration of criminal justice. In this matter the Deputy Commissioner, or rather the District Magistrate, as his official title is when dealing with this subject, occupies a two-fold position. The Sessions Judge hears appeals from the sentences of the District Magistrate of not more than four years' imprisonment and from those of the first class of subordinate magistrates, but otherwise holds in judicial criminal matters a co-ordinate authority while in the matter of administration the District Magistrate exercises control over all the subordinate magistracy. He does so under the direct supervision of the High Court so far as the exercise of his judicial functions is concerned but here the control of the High Court is judicial rather than administrative, that is to say, the High Court may, in a particular case, direct him to transfer it from the court of one magistrate to that of another, but it would not, in practice, direct him to place a magistrate in charge of any particular class of cases. The position of the District Magistrate is then one primarily that of officer in charge of the magisterial work of the district. It is he who directs what classes of cases shall be presented to what particular magistrates. He is responsible for watching the progress of criminal administration and preventing delays in justice, in which matters his work is supervised primarily by the High Court through the Sessions Judge, but also to some extent by the Executive Government through the Commissioner. As judicial officer he exercises enhanced magisterial powers which empower him to pass sentences of 7 years' rigorous imprisonment, but it is not very common for him to exercise those powers. There is generally another magistrate with these powers to try cases (rather similar to those heard by Quarter Sessions in England) which do not demand that they should be committed to the Court of Sessions. The District Magistrate has also the power of hearing appeals from the courts of second and third class magistrates which, with their powers of passing sentences of six months and one month, respectively, may be compared to the courts of stipendiary magistrates. As an accounting officer the District Magistrate renders account for the expenditure on the salaries of magistrates and their staffs to the Commissioner and not to the High Court, as these sums being inextricable from the expenditure on the executive are charged to General Administration. But for criminal judicial charges which are separable as such, he renders account to the High Court through the Sessions Judge.

17. As District Magistrate the Deputy Commissioner is charged with the preservation of law and order, not merely by controlling the administration of justice as explained in the preceding paragraph, but also by organizing the measures necessary to prevent disorder. The Code of Criminal Procedure gives the District Magistrate and his staff definite powers for the suppresson of disturbances, and also for the placing under security of dangerous characters though in the latter, he is subject to the jurisdiction of the High Court. The District Magistrate is, moreover, the head of the Police of the district. He is, not indeed the accounting officer for the expenditure on Police, nor is he responsible for discipline or the details of the administration of the Force. These matters are in charge of the local officer of the Inspector-General of Police, who is entitled the Superintendent of Police and occupies a position partly analogous to that of the Chief Constable of a county; but it has been clearly laid down that in all matters affecting the relations of the Police to the public and the general security of the district, the District Magistrate is the head of the Police administration.

18. Next come those functions of the Deputy Commissioner which relate to the Department of Land Revenue, and here again we must give him another title. As head of the Land Revenue Department he is the 'Collector.' So widely does this department spread that it is impossible to enumerate all the points in which it touches the life of the people, but the most important are those (*a*) of collection of land revenue, (*b*) of maintenance of land records, and (*c*) of the administration of revenue law. Of these, the first two are inextricably

intertwined. The basis of the land revenue system of the Punjab is the 'Village record of Rights.' A visitor, who will go into any village and call for the record of rights, will see one of the most interesting records of contemporary civilization. He will find that every field in the Punjab is mapped and measured, and that a record is present which shows in respect of every field the owner, the mortgagee, if he has possession, the tenant, and the rent paid and the conditions of the tenancy; and from a subsidiary document, he may learn the area of crops matured in each of the last twelve years. On these records is based not only the assessment of the land revenue which is only made at long intervals, generally of 30 years, but also the collection of revenue harvest by harvest. The maintenance of this record is in the hands of a humble individual called the *Patwari* or village accountant, who has three or four villages in his charge. Above him is the *Qanungo* or supervising officer and he is responsible to the Tahsildar.

19. The Tahsildar is the official in charge of the tahsil or revenue subdivision, similar to that which is known as the *taluka* in some provinces, of which there are three or four to a district. The Tahsildar and his assistant are incidentally second and third class magistrates, respectively, but, their principal duties are the collection of land revenue and the maintenance of the land records; for these records have constantly to be kept up to date. Whenever there is the demise of an owner of land, his heirs have to be entered in the records of rights, when there is a sale, the purchaser must take the vendor's place. The orders are that this should be done in the village in which the property is situated and in the presence of the body of proprietors, and for this purpose the Tahsildar and his assistant have to be constantly moving in their charges; and every four years these changes have to be incorporated in a few edition of the record of rights.

20. The third of the branches into which the Department of Land Revenue is divided is that of the administration of revenue justice. It has already been explained that in the Punjab certain cases, of which the most important are those affecting the relations of landlord and tenant, are removed from the purview of the civil courts and placed under the jurisdiction of special revenue courts. These courts are of various grades, corresponding to the importance of the cases which may be heard by them. The Deputy Commissioner as 'Collector' is administratively in charge of the revenue courts of the district and also functions as a court of first appeal in most cases. He is under the appellate jurisdiction of the Commissioner, and the Financial Commissioners are in all revenue cases the supreme judicial authority in the Punjab.

21. It remains to mention briefly a number of other matters connected more or less closely with the administration of the Land Revenue Department, for which the Collector is responsible. It is he who arranges for the distribution to the agriculturists of loans for the purpose of purchasing seed or bullocks for the plough or well and for the purpose of digging wells or effecting other agricultural improvements. He is also responsible for the appointment and control of the village officers who play an important part in the Punjab administration. In every village there are one or more headmen or 'lambardars' who are responsible for the collection of land revenue and also for assisting the police in the prevention and detection of crime. This post is a hereditary one, subject to a suitable candidate being forthcoming, and cases of succession, when disputed, are decided by the Collector. He also appoints the *zaildar*, who is a village official peculiar to the Punjab. He is a gentleman of local influence who is assigned an area comprising some dozen villages in which he is expected to give the authorities, both revenue and police, any support and assistance that they may require; in return for which he receives out of the land revenue a small honorarium of some £10 or £20 a year. The acquisition of land when required by Government for public purposes is another of the Collector's activities in which he, or a deputy functions in a judicial capacity to assess the value of land acquired, subject to appeal to the civil courts. The Deputy Commissioner also has duties under the Alienation of Land Act, an Act peculiar to the Punjab, which prevents the sale or mortgage of land by the members of an 'agricultural tribe' to any one who is not a member of the same group of tribes within the district, except, under very stringent regulations,

for the enforcement of which the Deputy Commissioner is responsible. He also has important functions under the Redemption of Mortgages Act.

22. In the Department of Excise the Deputy Commissioner again under the title of 'Collector' functions as the local representative of the 'Transferred' Department of Excise. As such he carries out the policy of the Ministry in the matter of granting, whether as the results of auction or otherwise, licences for the sale of the various excisable articles. He has under his direct control a preventive establishment for the detection of offences against the excise laws; and, if there is within his district a distillery or brewery, he is responsible for the observance of the rules, of a highly technical nature, which govern the manufacture and issue of these articles under excise superintendence.

23. One of the duties which most largely fill the Deputy Commissioner's time is that connected with the administration of Local Self-Government. This is chiefly so because he is, in all but two districts, the chairman of the district board, and his activities in this respect will be dealt with separately under the head of Local Self-Government; but, he is also the controlling officer of all municipal bodies except a few large ones. With regard to all local bodies he is something in the position of a permanent local Inspector of the Ministry of Local Self-Government. It is his business to inspect local bodies and to assist them with his advice, and in particular to see that the recommendations of the travelling auditors are carried out; and he is armed with powers in the case of need to suspend resolutions which are of an irregular nature or likely to disturb the public peace, and to enforce the execution of acts of urgent necessity. He is, moreover, the channel of communication between all local bodies in his district and the Ministry of Local Self-Government, and is responsible for the initiation of measures for the extension of Local Self-Government in small towns and the constitution of "panchayats"; it is he who is primarily charged with the duty of recommending to the Ministry the names of suitable persons for seats filled by nomination.

24. So far mention has only been made, in dealing with the Deputy Commissioner's staff, of the Tahsildar or officer in charge of the revenue sub-division. It remains to notice the higher grade of officers found for the most part by the Provincial Civil Service. The normal powers exercised by these officers are, in matters of criminal jurisdiction, those of magistrates of the first class and, in revenue matters, of Assistant Collector of the first grade, but in most districts there will be found an officer exercising enhanced magisterial powers; and it is often found convenient to relieve the Deputy Commissioner by giving members of his staff appellate powers in criminal and revenue matters, and the powers of a Collector under the Land Acquisition Act. One of these officers is the Treasury Officer who is responsible, under the Deputy Commissioner, for one of his important functions which has not yet been mentioned, that of the issue and receipt of all public monies. In a large number of the more important districts the responsibility for the custody and payment of money has been taken over by the Imperial Bank of India; but where this has not been done, the Deputy Commissioner retains this charge both in respect of the general balances of the Government of India and of that portion of the Currency Reserve which is retained in each district. The Deputy Commissioner is in all districts responsible for the custody and issue of judicial and non-judicial stamps. He is also Registrar and controls the work of registration of documents.

25. In some districts there will be found what is called a sub-division. This is merely an outlying tahsil or tahsils placed under the superintendence of an Assistant Commissioner or an officer of the Provincial Civil Service who resides at the headquarters of his charge. It is not a regular feature of the Punjab administration.

26. Turning now to the great departments of Government for which the Deputy Commissioner is not responsible, the most important, in canal irrigated districts, is that of Irrigation. The local executive officer of the Irrigation Department is entitled the 'Executive Engineer.' As above observed his charge does not coincide with the district, as it is determined by course of the canal, but his headquarters are generally at the headquarters of a district.

His activities may be divided into three sections. There is, in the first place, the maintenance and improvement of the channels and branches under his control—a purely engineering task; secondly, there is the supply through them of water in its due turn to every village outlet within his jurisdiction—a duty which reacts on the first, as no canal is ever in a purely static condition but is always liable to require improvements and remodelling; thirdly, he is charged with the record of all cultivation carried out by means of the canals and the preparation of the demands for the collection of charges for water based on the record of the crops irrigated. These latter tasks demand a subordinate staff parallel and very similar to the subordinate revenue collecting staff; a regiment of *patwaris* measures the irrigation, supervised by officers called *Zilladars*: and the whole of the portion of a canal under the charge of an Executive Engineer is divided into sub-divisions, each in charge of an Assistant Engineer, who not only controls the revenue recording staff but also has charge of the more technical tasks of maintenance and distribution of water. The Deputy Commissioner is connected with the canal administration in that he has certain statutory functions as a court of appeal from certain penal assessments. He also has to collect the revenue assessed by the Canal authorities, and in any question of policy such as in the matter of distribution of water his advice would be asked. Where new canals are under construction there is similar organization of the engineering staff with divisions and sub-divisions, all under a Superintending Engineer.

27. There will generally be found at the headquarters of a district an Executive Engineer of the Buildings and Roads Branch of the Public Works Department. He is responsible in the first place for the maintenance of those roads which are classed as arterial and maintained by the local Government. He also repairs all public buildings and undertakes construction of new ones, the only exception being the buildings of the Irrigation Branch, which are built and maintained by its own engineers. He is further the adviser of local bodies on the one hand and of the Ministry of Local Self-Government on the other in respect of public works carried out by those bodies wholly or partly from Government grants, and in these matters he works in close touch with the Deputy Commissioner.

28. The medical charge of each district is held by a Civil Surgeon, who besides being in immediate charge of the hospital at headquarters is responsible, under the control of the Inspector-General of Civil Hospitals, for the administration and inspection of all hospitals and dispensaries in the district, whether maintained by Government or by local bodies. Parallel with the Civil Surgeon in the sphere of preventive medicine is the District Medical Officer of Health, an officer of Government who, however, acts as head of the District Board's Public Health Department and as advisor on public health matters to all other local bodies in the district except such municipal committees as employ their own Medical Officers of Health. He supervises all vaccination operations and the registration of vital statistics, and is generally responsible for the initiation and execution of schemes for the improvement of public health outside the larger towns and for all measures taken for the prevention or combating of epidemic diseases. The advice and assistance of the Deputy Commissioner is, however, freely sought by both these officers and in the event of serious epidemics, when special regulations are required under the Epidemic Diseases Act, the Deputy Commissioner is the authority utimately responsible for enforcing the regulations.

29. There are central jails in three districts in which long term prisoners are confined; elsewhere there are jails of smaller dimensions. All jails are in charge of officers responsible to the Inspector-General of Prisons. The Deputy Commissioner is charged with the duty of visiting the jail periodically, and there is also a panel of non-official visitors for each jail.

30. In certain districts there are Government forests under a Conservator. In the plains these will generally be found to be irrigated plantations, in the hills they are for the most part forests of deodar, spruce or pine. The Conservator is responsible for conservation and exploitation, but questions of forest rights are, in certain forests, always cropping up, for which the Deputy Commissioner has either a statutory or advisory function. In the Department of Agriculture local officers are found according to the nature of the operations of the

department district. There are 15 Deputy and Extra Assistant Directors of Agriculture employed on district work who divide the province between them. In the Veterinary Department there is a Veterinary Inspector, part of whose duties is to supervise the veterinary hospitals maintained by local bodies. In the Education Department the District Inspector of Schools is charged with the superintendence of all but certain higher schools in the district, and is the adviser of local bodies in educational matters.

31. In concluding this account of district administration it is necessary to observe that the influence of the Deputy Commissioner is not exhausted by a bare enumeration of his functions. He is to the people at large not merely an officer charged with certain duties but he is the local representative of the Government; he is generally regarded as the official who has the readiest access to the ear of Government, and it is to him that they naturally turn when they desire to invoke the assistance of Government. A great deal of the Deputy Commissioner's time is occupied in seeing visitors and none of that time is to be regarded as wasted. Accessibility is perhaps of all the virtues the one most essential in his position.

32. In the above review the account has proceeded from the description of the headquarters of the provincial executive to its administration in the districts. It has passed over the intermediate stage of control. This does not exist in every department. There is, for example, no intermediary between the Civil Surgeons or Superintendents of Jails and the Inspector-General of Civil Hospitals and Prisons; but normally there exists between the head of a department and the executive officer an officer whose functions are administrative, properly so called. The administrative officer who is over the Deputy Commissioner is called the 'Commissioner' and his sphere consists of five or six districts, denominated a 'Division'. The Commissioner exists in all provinces of India except Madras. But to say merely this gives an inadequate idea of the difference between the two systems of administration. The districts in Madras are very much larger than those in the Punjab and the position of a Madras Collector is something intermediate between that of the Collector (or Deputy Commissioner) and the Commissioner in other provinces. The post of Commissioner has been attacked in the Punjab, and it is believed in other provincial councils, as a superfluity. But in the department of land revenue he has definite judicial functions as a court of first or second appeal. He has also definite statutory powers under the Excise Act and various other Acts. In all matters he is the channel of communication between the Deputy Commissioner and the local Government, as well as having in many administrative matters powers financial and otherwise delegated to him. And apart from these definite functions he has the task of supervision, the duty of giving advice and support to his Deputy Commissioners and the responsibility of reporting to Government when things are not going well. As an instance of this class of duty may be given the position of the Commissioner in a case of civil disturbance. In the case of any serious riot it is his duty immediately to proceed to the headquarters of the district and confer with the Deputy Commissioner, but he in no way supersedes his authority. He has indeed under the law no powers of any kind to maintain the peace, not even those which the law allows to a first class magistrate or an officer of His Majesty's forces; but the burden lies upon him to invite the interposition of Government if his own advice does not suffice, or if in his opinion the District Magistrate is not handling the situation properly. He has, further, the general duty of co-ordinating the standards and practice of administration over a number of districts, of reporting on the personnel and training of officials, of composing differences between local representives of different departments in cases of disagreement, and of bringing together the reports of local officers so as to provide a more general outlook on the question raised. If the Government were confronted direct with 29 Deputy Commissioners the rules and regulations of the departments would be a bed on which the most senior and experienced would be stretched equally with the junior officer officiating for the first time. The position and influence of the Commissioner enable the necessary adaptation to be made to the requirements of the individual.

33. The judicial administration of the province has been touched on in the foregoing narrative as far as the powers of the District Magistrate are concerned. It is more fully dealt with in Section C below.

SECTION B.—THE WORKING OF THE EXECUTIVE GOVERNMENT.

34. The preceding section has given a description of the machinery of the administration; it has not attempted any record of the manner in which the administration has been directed under the change of constitution which substituted the Governor, with Executive Members of Council and Ministers, and a Legislative Council with enlarged powers, for the Lieutenant-Governor and the Morley-Minto Council of pre-Reform days. The actual personnel of Government during the Reforms period must first be noticed.

Personnel.

35. The first Governor of the Punjab was Sir Edward Maclagan, an officer of the Indian Civil Service, who had assumed charge as Lieutenant-Governor of the province in 1919. The Members of his Executive Council were Sir John Maynard, an Indian Civilian of 35 years' service, in charge of the Finance and Home portfolios; and as Revenue Member, Sardar Sundar Singh Majithia, a Sikh landowner with large estates, and leading figure in the Chief Khalsa Diwan Party, a Sikh organization which took the lead in Sikh political circles, but which the rapid changes in the Sikh political horizon tended to deprive of its position of leadership as conservative. Sir Edward Maclagan appointed two Ministers. The first Minister for Agriculture was Lala Harkishan Lal, a Hindu barrister, mill-owner and banker, and a prominent figure in commercial circles, known to represent advanced views in politics. He had been convicted by a Martial Law Tribunal in 1919 but was subsequently released under the terms of the amnesty. The first Minister for Education was Mian (now Sir) Fazl-i-Husain, a Muhammadan barrister of an agricultural family, *ex*-President of the Punjab Provincial Congress and formerly representative of the Punjab University in the old Council. The appointment of both was received very well by public opinion which accepted them as a proof that Government desired to administer the "transferred" subjects on popular lines.

36. Sir Edward Maclagan was succeeded as Governor, in May 1924, by Sir Malcolm Hailey, also a member of the Indian Civil Service. Sir John Maynard was succeeded as Finance Member in June 1926 by Sir Geoffery deMontmorency, also a member of the Indian Civil Service. Sir Sundar Singh, Majithia, was succeeded in 1925, on the expiry of his term, by Sir Fazl-i-Husain who had continued to be Education Minister except for a short time in the summer of 1925 when he acted as a Member of the Governor-General's Executive Council. During this period he was succeeded by Sheikh (now Sir) Abdul Qadir. Lala Harkishan Lal did not seek re-election in 1923 and Rao Bahadur Chaudhri Lal Chand, O.B.E., of Rohtak, was appointed Minister for Agriculture in his place, but he was unseated in the summer of 1924 on an election petition and in his place Rai Sahib Chaudhri Chhotu Ram from the same district, and also representing the views of the rural Hindus of the east of the province, was appointed. On Sir Fazl-i-Husain's appointment to the Executive Council the portfolios of Education and Local Self-Government were transferred to Rai Sahib Chaudhri Chhotu Ram who remained in office till the end of the second Council. The portfolio of Agriculture and Industries was transferred to a Sikh gentleman, Sardar Jogendra Singh, who possesses large landed estates and had administrative experience of Indian States. In the third Council (1926) Rai Sahib Chaudhri Chhotu Ram, though re-elected, was not re-appointed as Minister. A third Ministry was added. The portfolio of Agriculture was continued under Sardar Jogendra Singh. The portfolio of Education was given to Mr. Manohar Lal, a barrister who had sat for the Punjab University in the first Council, had been unseated in the second elections and regained his place in the third. The portfolio of Local Self-Government was given to Malik Firoz Khan Noon, a representative of an important territorial family in the west of the Punjab and a barrister, who had been a Member of the Legislative Council since the inception of the Reforms. During the absence of Sir Fazl-i-Husain as representative of India at the eighth session of the Assembly of the League of Nations at Geneva, Sir Abdul Qadir was appointed as a temporary Member of the Executive Council.

37. In the sphere administration the change in the constitution has inevitably meant something more than that the heads of departments are now in relation to a Member or Minister, instead of to the Lieutenant-Governor. In the pre-Reform system, though final control lay with the head of the province, the head of a department necessarily had a more independent position than is possible under a system which distributes among five authorities the powers previously exercised by one. The necessity placed on Members or on Ministers of meeting discussion in the Legislative Council or criticism in the Press regarding action taken in the departments under their charge ; the need under which Ministers find themselves of justifying to their own supporters the manner in which they are discharging their responsibilities ; all the incidents, in fact which attach to a political rather than a bureaucratic regime necessarily involve closer scrutiny of the work of a department, constant demands on its head for information regarding details of its working, intervention to secure changes of accepted departmental policy on the one hand and the intitation of new policies on the other. From the point of view of heads of departments, the change has certainly involved an increase, both in the amount and the complexity of their work, some loss of authority and, at times, some delay in the despatch of current business. But it is always difficult to separate the factors which make for efficiency in departmental working. In achieving efficiency, the public aspects of the working of the administration have to be considered as well as the departmental, and the change in system has certainly made greater provision for ascertaining and satisfying the public point of view ; it is also clear that while on the one hand, it may have enlarged the field of criticism of action taken by the departments, yet on the other, it has been able to secure for it on many occasions a public support and appreciation which would have previously been wanting. It would not be possible to enumerate here the many important points in which departmental policy has been directly affected by the change in system. But, taking typical cases only, the Land Revenue Bill may be said to have made proposals in revenue policy which go further than anything which would have been thought likely in pre-Reform days ; in regard to revenue assessments a definite policy has been adopted of lightening charges on well and rain cropped lands ; the decisions in regard to the raising of irrigation rates are not those which would have been taken on purely departmental considerations ; somewhat radical alterations have been made in regard to the management of jails ; changes, though less radical, have lately been effected in Police administration. In regard to Transferred departments, expansion of activities which might in any case have been taken under the old system had the financial resources now enjoyed by the province then existed, must be distinguished from departures which constitute real changes of policy. But here it is clear that the position of Ministers has enabled the departments to go further in measures affecting the status of the individual, such as compulsory education, or measures for prevention of epidemics and disease, than would probably have been effected under the old regime. The considerable reductions in the facilities for the sale of liquor and drugs ; the encouragement given to the institution of village panchayats ; the regulation of recruitment to certain Government colleges and professional institutions on a communal basis ; the definite adoption of a policy of giving preference to backward tracts in alloting educational grants and providing schools for the training of masters ; the decision to assist a sugar factory, as a pioneer industry, by support from provincial finances ; these are all examples of modifications of policy due largely to Ministerial influence. Improving finance would probably have resulted, in any case, in increased expenditure on subjects now classified as transferred ; but it is clear that the constitutional change by which they have been given over to the charge of Ministers, whose influence in the Legislative Council is largely based on the developments which they can effect in those subjects, has immensely accelerated that process.*

38. In the actual control of departments, there is of course the constitutional difference between the departments of the Members and those of the Ministers. Save for the interposition of the Member, and the fact that cases regarding which difference of opinion exist must be referred to the Executive Council, the position of the Reserved departments does not differ materially from that of pre-Reform days : in the transferred, the constitution gives the

*See figures in section D, paragraph 249.

Minister a stronger position, in that here the Governor has only "a general responsibility for seeing that the administration of the transferred subjects is properly conducted." He has to assist the Ministers with information and advice; and will "restrict the exercise of the power to act in opposition to his Ministers' advice vested in him by section 52 (3) of the Act of 1919 to cases in which he considers that the consequences of acquiescence would be serious*." Owing, however, to circumstances which form the subject of the following paragraph, the actual difference, so far as it affects heads of departments and departmental working has not been emphasized in the Punjab. The constitutional position has been maintained, and an attempt to invade the authority of Ministers has been no part of Government policy, but the effort made in the Punjab to arrive at a "unitary" system of working, the habit of free discussion between both sides of Government on all questions of importance, and the willingness of Ministers to seek the advice of the Governor, have had the result that in practice there has been no striking difference between the position of departments working under the two sides of Government. Apart from the influence of the personal factor, which must exist under any system, it is probably the fact that only on rare occasions it has been borne in upon the consciousness of heads of departments that they are serving under one side of Government rather than another.

39. So much for the effect of the constitutional changes *vis a vis* the departments of Government. It is of equal, or some would perhaps hold of greater importance, to convey a picture of the relations prevailing within the Executive Government, and of its method of working. On one theory of the constitution it is the duty of the Governor to choose Ministers from that party in the Legislative Council which can support them by a predominance of votes, and to allow them, subject to the influence and control of the Council, and to such measure of guidance as is indicated in his "Instrument" of Instructions, to carry on the administration of the "transferred" subject, in practical detachment from the reserved side of Government. It may be doubted whether that attitude of detachment could ever be complete, so long as both sides of Government draw on a combined purse, for finannce must always be a regulating factor in administration; but apart from this consideration, events have in the Punjab tended to emphasize the practical impossibility of working the administration in compartments. The most salient illustration is that given in the evidence of Sir John Maynard before the Reforms Enquiry Committee, where he shows that the very grave menace to the reserved subject of law and order which was presented by the Sikh Gurdwara agitation, could only be solved—and was indeed in the end solved—by the promotion on the transferred side of legislation regulating the religious endowments of the Sikhs. It would be easy to multiply illustrations; a policy of prohibition would present difficulties not only in finance but because it would involve police action to prevent illicit distillation; certain aspects of representation in local bodies raise communal questions, the reaction of which is not confined to the transferred departments; questions relating to the proportions taken by communities in Government service are of equal interest to both sides of Government. If the district officer is primarily an agent of the reserved side of Government, yet in exercise of his statutory functions in regard to local bodies, he is definitely an agent of the transferred side. and his influence in promoting schemes of rural sanitation and education, or in dealing with measures for prevention and control of epidemics, is of the greatest importance to it. He is the local controlling authority in Excise matters, and the Financial Commissioner has an important statutory position under the Excise Acts. The Agricultural Department obtains its crop statistics from the Revenue Department; but apart from this, the co-operation of Revenue officers is of the highest value to the department in the promotion of improved methods of cultivation, in the consolidation of holdings, and in the working of co-operative societies. The Minister of Agriculture is dependent on the Revenue Department for the grant of Crown colony lands for the large areas required for agricultural or cattle-breeding farms. Expenditure on publicity, if controlled by one, is equally of moment

*Draft Instrument of Instructions forwarded with Fourth Despatch of the Government of India on the Functions Committee's Report: Instruction II.

to both sides of Government It is the village watch man and the village accountant who give the Health Department its vital statistics. Even in financial legislation, it has not been possible to confine the burden to the reserved side ; when the finances of the province were in deficit, the additional taxation which restored them was partly in the sphere of the transferred subjects. From the first, therefore, it was sought to associate Ministers in the decision of matters which under rule fell within the reserved sphere ; and there were equally many matters, of which the Gurdwara legislation may be taken as typical, which though technically falling within the transferred sphere, were made the subject of a common decision. Lala Harkishan Lal's evidence before the Reforms Enquiry Committee while admitting this tendency, seemed to indicate that the opportunities offered for common discussion during the period 1921-23 were not sufficiently frequent, nor the solidarity achieved as complete as was desirable ; Sir John Maynard's evidence gives the case on the opposite side. Those who have had experience of the working of the Executive Government from 1923 up to the present time, are certainly under the impression that very considerable progress has been made in giving Government—so far as the relations of the transferred and reserved sides are concerned—the " unitary " character which Sir John Maynard claimed for it. That has been achieved not only by bringing before the combined Council all important matters which called for decision on the reserved side, but by inviting Ministers to discuss either with Members, or in full Council, matters relating to the transferred side which seemed likely to have a reaction on the reserved side or on the attitude of the Legislative Council towards Government. There are certain matters which may have been decided by consultation between the Governor and one or other of the Members of the Executive Council ; but an effort has been made to bring, as far as possible, all matters of common interest before the full Council, and for some years there has been no instance of an Executive Council meeting unattended by Ministers. In particulars, care has been taken to have the fullest discussion on all questions relating to the budget, and practically every item of new expenditure, on whichever side arising, has been discussed in detail being submitted to the Standing Finance Committee of the Legislative Council.

40. It must be realized that there are in the Punjab factors which have rendered this attempt at a " unitary " system both more necessary and more possible than may have been the case in some other provinces. It goes without saying that the official side has never been in a position to carry through the Legislative Council any essential measure without a large measure of support from those elements in the Council which are prepared to act on the advice of Ministers ; but it is also the fact that the support of the official *bloc* has had for Ministers themselves a considerable and at times even a decisive value. It has become a convention to give the Government vote in support of Ministers ; but support has only followed on a previous discussion and a substantial measure of agreement as to the merits of the question at issue. Whenever possible, every resolution tabled for debate, and the more important amendments arising in the course of Demands for grants, have been fully discussed before they have come for discussion in the Legislative Council. The operation of this system involves the achievement of a series of working agreements rather than of that unanimity which may be assumed to be the ideal of Cabinet working in England. There have been occasions on which the official side has felt itself obliged to abandon or curtail measures which it regarded as valuable, because Ministers could not promise the support of their friends in the Legislative Council ; there have been cases in which it has found reason to regret that Ministers could not influence their friends to take a more reasonable view in voting on motions directed against Government. Equally there must no doubt have been occasions on which Ministers have felt themselves hampered in their policy by the necessity of securing the support of their colleagues in the Executive Council. Concessions have been necessary on both sides. There have been cases in which the actual lack of unanimity has been made apparent to the public, as for instance, when Sir Sundar Singh, as Revenue Member, and Lala Harkishan Lal, as Minister, abstained from voting on the Gurdwara Bill of 1922, introduced, with official support, by the Education Minister ; but the circumstances of that case were

admittedly exceptional.* There have been cases when the supporters of Ministers have shown impatience at what has been assumed to be their complaisance in accepting the restraining influence of their colleagues in the combined Council; or possibly of the Governor. It is not necessary to speculate here how the system would have worked had it been incumbent on Government to give effect to every adverse decision recorded against it in the Legislative Council. or if the supporters of Ministers had decided to force the latter to take views more independent of the rest of Government. It is sufficient to say that, passing in review the incidents of the last seven years, it is probable that neither side feels that any vital interests has been jeopardized and that the set-backs which the system has forced them to accept have been outweighed by the achievement of a very substantial measure of constructive work in the development of the province.

41. It will no doubt be a matter of comment, that though this procedure may comply with the requirements of the Joint Parliamentary Committee that "with regard to a large category of business, of the character which would naturally be the subject of Cabinet consultation....., the habit should be carefully fostered of joint deliberation between the Members of the Executive Council and the Ministers†," yet the failure to hold separate meetings of Ministers under the chairmanship of the Governor tends to militate against the prescription of the Committee that "Ministers should act together‡". There is no record of any such formal meetings, though informal consultation between Ministers themselves has been common; if there have been differences of view, it has seemed preferable to secure a working agreement by discussion in full Council. In the first session of the Legislative Council, the two Ministers, though belonging to different communities, found no difficulty in deciding on common action; the Ministers in the second session both belonged to the National Unionist party; in the third, during which there has been one Minister who belonged to that party, one belonging to the Hindu party, and one who had not joined either party, it has neverthleess been possible to maintain unity of action. There are critics who have pressed the Punjab Government to explore the full implications of the constitution; it has seemed to the Government as a whole that neither political advance nor the development of the Province would best be secured by emphasizing the distinction between the two elements in Government. While this process does not appear to have obscured the true position of Ministers so far as concerns the Legislative Council, which fully accepts the theory of their responsibility, it has perhaps tended to the difficulty felt by the public generally in apprehending their exact powers under the Act. In many quarters there is a failure to recognize that they occupy a position different from Members of the Executive Council, and deputationists make frequent appeals to the Governor to override the policy of Ministers or to revise their orders. That, however, does not appear to be uncommon in provinces where Ministers work in greater detachment than in the Punjab, and it could hardly be expected in any case that the great mass of people would readily appreciate the niceties of this feature of this transitional constitution.

Relations between the Governor and his Council and his Ministers.

42. It remains to remark briefly on such facts regarding the relations between the Governor and his Council and his Ministers as have not been given in the preceding narrative. The subject presents obvious difficulties, for it must be discussed without an invasion of the confidence which must be maintained between the Governor and his colleagues, past and present. But without breaking that confidence, there are some facts which can be properly placed on record. There has been no instance of either a Member or Minister resigning on account of Cabinet difficulties. In his evidence before the Committee of 1926, Lala Harkishan Lal stated§ that he resigned three times, but the statement must be read in the light of his subsequent explanation‖ of the reason why he did not actually give up office, and, together with some other parts of his evidence, should be considered in connection with comments offered to the Committee by Sir John Maynard,¶ who was his colleague throughout the period

*Sir John Maynard's Evidence Reforms Enquiry Committee, Vol. II, page 320.
†Report, clause 6. ‡Report, clause 4.
§Reforms Enquiry Committee Evidence, Vol. I, page 229.
‖ " " " " " page 242.
¶See for instance pages 355 and 358, Reforms, Enquiry Committee, Evidence, Vol. II.

during which he was Minister. Lala Harkishan Lal did not himself seek re-election to the Legislative Council in 1923. The resignation of office by his successor, Rai Bahadur Chaudhri Lal Chand, as already shown, was rendered necessary by the fact that an Election Commission had pronounced his election invalid. His successor, Rai Sahib Chaudhri Chhotu Ram, was not re-appointed Minister, There has, therefore, been no case of a Minister resigning owing to Cabinet reasons, nor, it may be added, has there been any case of resignation due to a vote of no-confidence passed by the Legislative Council.

SECTION C.—WORKING OF PARTICULAR DEPARTMENTS.

Selected Departments.

43. The following principal departments of Government are selected for mention in this section. The working of the Finance Department is dealt with in Section D, and that of the Departments of Education and Local Self-Government has been covered in Chapters VI and VII.

Portfolio of the Hon'ble Member for Finance—Justice, Police, Jail and Stamps.

Portfolio of the Hon'ble Member for Revenue—Land Revenue, Forests, Irrigation, Industrial matters Reserved, Criminal Tribes, Arms, and Motor Vehicles.

Portfolio of the Hon'ble Minister for Agriculture—Agriculture including Veterinary, Co-operation and Fisheries, Excise and Public Works.

Portfolio of the Hon'ble Minister for Education—Industries.

Portfolio of the Hon'ble Minister for Local Self-Government—Medical, Public Health and Registration.

(*i*) The Courts and the Judiciary.

The machinery of the Courts.

44. The High Court of the Punjab, constituted under Royal Charter is responsible for the judicial administration of the Province, both Civil and Criminal. It is at present composed of eight permanent Judges. There are four Additional Judges appointed for limited periods, one of whom occupies a special post created for the purpose of supplying a President to the Gurdwara Tribunal, but does not sit in the High Court. A fifth Additional Judge is appointed for six months in the cold weather in order to set one of the judges free for the inspection of Subordinate Courts. On the civil side the High Court exercises original jurisdiction only in a few cases such as probate, divorce and liquidation of companies and is normally a Court of Appeal and Revision. It possesses and occasionally exercises original jurisdiction in criminal cases, but normally its functions are those of an appellate, and revisional court, hearing appeals from sentences of the Court of Sessions and from sentences of more than four years' rigorous imprisonment passed by the magistracy. The High Court occupies a peculiar position under the Letters Patent. This gives the Honourable Chief Justice certain powers of appointment, etc., which cannot be affected by local legislation. Again, the relations of the High Court to the Local Government in matters of appointment, etc., and the powers of subordinate officers in regard to the same, are defined in the Punjab Courts Act, 1918.

45. Subordinate to the High Court is the District and Sessions Judge, being district judge in respect of his civil and sessions judge in respect of his criminal jurisdiction. His sphere of duty comprises one or two districts. On the criminal side he has the relationship of co-ordinate authority with the District Magistrate. His criminal jurisdiction is generally confined to hearing of appeals from sentences not exceeding four years' rigorous imprisonment passed by the District Magistrate and first class Magistrates. The only original jurisdiction that he normally exercises is in cases of murder, cases which demand a severer punishment than 7 years' rigorous imprisonment and, by a recent revision of the legislature, certain cases based on the evidence of approvers. He is normally aided by assessors whose opinion it is not necessary that he should follow, but in certain cases in which a European British subject is concerned a jury is empanelled. He has power to pass any sentence sanctioned by the Law but a

death sentence requires confirmation by the High Court. On the Civil side he has the power of trying original suits and in some matters he has original jurisdiction which the subordinate courts do not possess ; *e.g.*, references over compulsory Land Acquisition, divorce cases not heard by the High Court, and copyright cases. He also functions as a Judge of Appeal, having beneath him two classes of courts—Small Cause Courts and Court of Subordinate Judges. The jurisdiction of these Courts varies according to the value of the subject matter of the cases, and the nature of the appellate jurisdiction to which they are subject varies likewise. There is no appeal from Small Cause Courts ; and if there is a revision this goes to the High Court. Thus Judges of Small Cause Courts are only under the District Judge for administrative purposes ; and even so, the Punjab Courts Act gives them independent powers to appoint and control their staff. The appointments of all judicial officers are made by the local Government on the recommendation of the High Court. Transfers of Subordinate and Small Cause Court Judges are made by the High Court, of District and Sessions Judges by the local Government after consultation with the High Court. The High Court functions, through its Registrar, as Chief Accounting Officer for supply on account of the administration of its own court, of District and Sessions Judges' and of Subordinate and Small Cause Court Judges' Courts, and for a considerable portion of the administration of criminal justice by the District Magistrate.

Frontier Crimes Regulation.

46. The Frontier Crimes Regulation applies to the District of Dera Ghazi Khan, and to portions of the District of Mianwali. This Regulation enables the Deputy Commissioner to refer criminal and civil cases to a council of elders (or Jirga) for a finding on the facts of the case. In the case of a finding of guilty being returned, the Deputy Commissioner can award sentences, subject to the provision of the Indian Penal Code, up to 7 years, or up to 14 years subject to the confirmation of the Commissioner, who in his revisional jurisdiction cannot question a finding if the Deputy Commissioner has accepted it but can only interfere in the matter of sentence. Under the regulation a woman can be punished for adultery as well as the man. With the previous sanction of the Commissioner a joint fine can be imposed on all the inhabitants of any village or part of a village for conniving at or abetting an offence, or colluding with or harbouring offenders, or suppressing evidence. An order of banishment can similarly be passed against any man who has a blood feud or occasional cause of quarrel likely to lead to bloodshed. Not only individuals, but whole factions and families can be put on security to keep the peace for a period of 3 years, when it is proved to the Deputy Commissioner's satisfaction that a blood feud or cause of quarrel likely to lead to bloodshed exists. On a Jirga finding in a civil case the Deputy Commissioner can pass a decree in accordance with the jirga finding, and the decree can be enforced in the same way as a decree of a civil court.

The effect of the Reforms.

47. As regards the effect of the Reforms Scheme on the judiciary, the Hon'ble Judges of the High Court have given their impressions in a note which deals with the matter under three heads, (*a*) the judiciary, (*b*) judicial work, and (*c*) financial.

The remarks of the Judges on the composition of the Judiciary are given in full.

(*a*) Appointments.

" Since the formation of the Judicial Branch of the Punjab Civil Service, the Hon'ble Judges have been working to improve the standard of efficiency among the entrants to that service, but unfortunately the pressure exercised on Government in order to influence recruitment by considerations other than those of pure merit tends to lower the standard. The Judges were asked by Government to fix a definite proportion of Zamindars (agriculturists) among Munsifs, and to this they replied that, while they were prepared to give preference to Zamindars who are fully qualified, they could not fix a rigid proportion to be maintained regardless of efficiency. After Munsifs had become Sub-Judges, this subject formed the topic of a debate in the Council on the 11th March 1927, as a result of which the matter was again

referred to the Judges. At the moment the Judges have expressed themselves in favour of selection on the results of a competitive examination, in which due consideration would be paid to communities, but they do not know whether this proposal will be accepted.

As the appointment of Subordinate Judges (after selection by the High Court) rests with the local Government, it is subject to discussion in the Council. Questions regarding the personnel of the judiciary are in consequence frequently asked ; a large number of questions relating to the appointment of Sub-Judges on a sectarian basis have been asked in the last six years. Besides Council Questions, pressure in the same direction is brought to bear by means of motions for a cut in the budget estimates ; *e.g.*, in March 1925, a member moved a reduction in the provision proposed for the Administration of Justice in order to draw the attention of Government to the recruitment of Sikh Jats ; another member moved a reduction of the same grant in order to draw the attention of Government to the lack of Hindu Jats among Sub-Judges. There were six other motions to reduce the grant on this occasion, on various grounds. Similar cuts have been proposed with reference to subordinate clerical appointments, although the Punjab Courts Act provides that such appointments are entirely within the competence of the local officers subject to the general control of the High Court.

(*b*) Higher Appointments.

Even in the case of the High Court Judges themselves, appointments have been urged on communal grounds. It is understood that at the last meeting of the Council, a resolution of this nature was placed on the Agenda, but was not reached.

(*c*) Effect on work.

The Judges are of opinion that the open discussion on communal lines which have taken place in Council have done much to spread communal feelings among subordinate Judicial Officers, and that such feelings are liable to influence their work, which is to be strongly deprecated. Officers who form the impression that their appointment is inspired by narrow sectarian grounds are apt to believe that they owe their first duty to their own community. A more direct effect on the work of officers is the impairing of discipline by interpellations on disciplinary matters. This applies chiefly to members of the subordinate clerical establishment."

48. Here it must be noted that the efforts made by Governments to secure a large proportion of recruitment to the grade of Munsiffs from the agricultural classes date from the pre-Reform period, and took final shape in the Resolution of 1919, to which reference will be made in Chapter X. In a province where agricultural indebtedness constitutes so serious a problem and where the creditors belongs almost entirely to the non-agricultural classes, it was not unreasonable that the rural community should feel some apprehension at the predominance among the subordinate Judiciary of a class to which the creditors usually belong. The efforts of the local Government, therefore, were not based on purely political motives, but on a genuine desire to secure greater confidence in the Judiciary among all classes, and its experience in selecting Provincial Service Officers for the Executive Branch suggested that the subordinate Judiciary might, without any loss of efficiency, contain a large element drawn from the rural classes. There is little doubt that the new Council has been a useful medium for focussing the discussions regarding the personnel of the Judiciary which have originated from communal claims of some standing. It must also be remembered that the personnel of the Appellate Courts has attracted more attention since it has been Indianised. The aspirations which prompted a desire in different sections of the Council for communal representation of different communities and for a larger share in appointments in different departments of persons

belonging to rural and agricultural classes, stimulated interests in the composition of the subordinate Judiciary and the ministerial appointments under the control of the High Court; and these administrative aspects of the activities of the High Court formed the subject of questions and motions. The subordinate Judiciary is appointed by the Government, according to statutory provisions, from among persons recommended by the High Court. The appointment of ministerial staff under the Letters Patent vest in the Chief Justice in the High Court and rest with the subordinate Judiciary in other cases subject to the control of the High Court. Though the local Government has moved the High Court regarding the wider representation of the agricultural classes it has not made any suggestion to the High Court nor has it lent its support in the Legislature to any proposals put forward for recruitment to the subordinate Judiciary on a communal basis.

49. Discussion in the press and in public meetings on the communal composition of the High Court took place on occasion before the introduction of the Reforms. But it is a fact, as stated by the High Court and one greatly to be regretted, that this has greatly increased of late years. The appointment of permanent Judges vests in the Crown (Section 101, Government of India Act) that of Additional Judges with the Governor-General in Council, that of officiating Judges with the local Government. It would be difficult to exclude entirely from discussion in the Legislative Council motions framed with a view of urging it to make representations to the Central Government on the advisability of increasing a particular element in the Court. One such Resolution was in fact tabled in 1927, though it did not acutally come to debate, in favour of strengthening the Muslim element in the High Court by the appointment of a Judge from among the Muslims at the Lahore Bar. That had a double purpose, for it not only called attention to the complaint made by Muslims that the community was inadequately represented by two Judges (the composition of the Court, including Additional Judges, is of seven Europeans, four Hindus, two Muslims and one Indian Christian), but to express dissatisfaction with the recruitment of Muslim Judges from another Province. The question formed the subject of frequent reference in the communal agitation in 1927 which has been described in Chapter V. The facts are that a Judge who had officiated in the Allahabad Court was appointed to the then Chief Court in 1918; he retired in 1925. In 1927 a member of the Allahabad Bar was appointed as Additional Judge. Meanwhile a Muslim Member of the Punjab Provincial Service had been appointed an additional and subsequently a permanent Judge. The local Government deplores, with the High Court, the fact that questions regarding the personnel of the highest tribunal should have been brought within the range of this type of discussion and should have assumed a political aspect.

50. The effect of the discussions on communal lines which have taken place in the Council, to which the Hon'ble Judges have referred, is of course felt equally in all services; but the existence of communal feeling is due to a number of other causes as well as the discussions in the Legislative Council, and it must always be difficult to decide how far these discussions actually contribute to maintain or to increase it. It is, however, a fact, that in discussions on communal representation of the services in the Council, the case of the judiciary arouses perhaps stronger feelings than that in any other service.

51. The Judges refer to the action of the Council in rejecting certain legislation which would have affected the work of the Court.

> "Owing to the fall in the purchasing power of money and to the increase in the nominal value of land, etc., an appeal which would previously have fallen within the jurisdiction of a District Judge is now beyond his competence. The result is that the High Court has now a volume of work out of all proportion to its intrinsic importance.
>
> The Judges suggested that the appellate powers of District Judges should be enhanced to cover cases of a higher value. Government prepared a draft Bill to this effect, but they considered it advisable to move a resolution in the Legislative Council,

on which action could be taken by the Government of India. A resolution was accordingly moved in the Council, but was rejected.* The result is that the High Court has to determine questions of facts in unimportant cases, which should be finally disposed of by District Judges."

*Pages 103—116 of the Debates, Volume VI.

It may be noted that among a number of arguments used by the opponents of the motion that which predominated was a disinclination to deny to litigants access to the highest Court.

52. The last section is not perhaps a matter of vital importance, but it has been deemed best to give the remarks of the Hon'ble Judges in full below :—

"As regards Finance the administrative work of the High Court has been hampered by the delays which arise out of the necessity of preparing cases which involve expenditure for the Legislative Council a long time in advance. For inclusion in the Budget, schemes have usually to be sent in by October ; and before this is done, the administrative approval of Government must be obtained for larger schemes. As the High Court is usually closed for some weeks prior to this, this means that sanction must be asked for in May or June. Allowing time for schemes to be prepared locally it may be roughly said that for inclusion in the budget of, say, 1929-30, they must be sent in from local officers by about April 1928, or a full year in advance. If the scheme has to be sent back for modification, it will take even longer ; and a delay of a few months may mean that another year is lost, and two years will elapse before a proposal can be carried out. Even when a scheme is prepared in time, it may be rejected many months later, no reasons being given. These delays and uncertainties are prejudicial to the administration.

(a) Delays and uncertainties.

When the scales of pay of High Court establishment were being revised in 1921, the Governor in Council accepted the view that scales of pay fixed by the Hon'ble the Chief Justice under clause 6 of the Letters Patent of the High Court should not be varied without reference to him and it was stated that this view would be acted upon in future (Financial Secretary's letter No. 5049-F., dated 15th February 1921). This principle does not, however, appear to have been acted upon in cases to which it might reasonably have been extended.

During the current year, the Judges submitted certain proposals for special staff for destroying and indexing general records. These proposals have been cut down and presented to the Finance Committee without any reference to the Judges. As an example of delays, the fate of the Water Supply Scheme may be cited. A more efficient water supply for the use of litigants in the High Court, cooling the rooms of the Judges in summer, and the up-keep of the grounds attached has been urgently required for some years past. A scheme approved by the other offices which would participate, was submitted to Government in April 1927, and subject to certain criticisms, general approval was communicated in May. A conference of officers was assembled in the same month and a revised scheme approved. This scheme was then worked out by the Sanitary Engineer, fowarded to Government as soon as the Court re-opened and finally approved in October 1927, provision being made in the list of Major Works for 1928-29. An intimation has now been received that the work has now been omitted but no reasons

are given for the omission. Thus an urgent work, which had been under consideration for some years, has been indefinitely postponed.

(b) Additional Work.

The procedure for checking expenditure and presenting the budget to Council under the reformed constitution has resulted in a mass of complicated rules, which are not well understood by the officers who are responsible for complying with them. This has greatly increased the bulk of correspondence over what used to be comparatively simple matters ; and in larger offices, such as that of the High Court, has necessitated the employment of additional staff merely to cope with financial rules and regulations."

53. It is perhaps not necessary to comment at length on these remarks ; the matters complained of cannot have had any important effect on the course of justice. The Reform Scheme has not, in fact, involved any radical change in the procedure regarding the preparation of the budget ; perhaps indeed the main change lies in the fact that schemes for new expenditure have to be ready at a somewhat earlier date in view of the necessity of their presentation to the Standing Finance Committee of the Legislative Council. As for the rest, Government has always held itself free to modify or to refuse to sanction on their merits schemes of expenditure presented by the High Court. The High Court has not, as a matter of fact, been refused the extra establishment, whether of Sub-Judges or Additional Sessions Judges, asked for by it in order to cope with the growth of cases instituted.

The Separation of Judicial and Executive functions.

54. The question of the separation of judicial and executive functions, which had long been a measure advocated in Indian political circles, was brought up early in the history of the Reformed Council. The position of the District Magistrate as at once Chief Magistrate of the District and Chief Executive Officer has been described above in section A of this Chapter. The debates in the Council make it clear that the *gravamen* of the charge brought against the present system is not the exercise of judicial functions by the District Magistrate himself, for indeed he tries very few cases, but firstly that he has duties to perform as head of the prosecuting agency, which put him in a false position with regard to his judicial duties, and secondly, that the subordinate magistracy are under his control and look for their promotion to the Executive Government. In 1921 after debate a resolution was passed recommending Government to appoint an expert committee to work out a scheme for separation. A committee consisting of a Judge of the High Court, two officials and six non-officials, was appointed with terms of reference which are mentioned against Resolution No. 27 in the Appendix to Chapter III, section E. The Report was laid on the table of the Council in August 1922, but no action was taken on it at the time for two reasons ; firstly, because the Province was passing through a period of acute financial stringency, and, secondly, because in the view of the local Government it was suffering from a wave of crime which made it undesirable to attempt any reform which might weaken the forces operative against the criminal classes. The arguments for not adopting the recommendations of the Committee were expanded when the matter was again debated in March 1925. On the financial side it was shown that the Committee had greatly under-estimated the cost. As regards the scheme itself, one of its chief difficulties lay in making provision for the exercise of the preventive duties of the magistracy in the matter of maintaining peace and dealing with widespread disturbance. These duties the Committee proposed to leave to the Deputy Commissioner, but as they are duties inherent in the position of a magistrate, and in certain respects controlled by the High Court, the Committee to that extent failed to give full effect to the fundamental principle of the separation of judicial and executive functions. The Council on the occasion mentioned passed a token reduction of a grant to express its view. A similar reduction was moved in the Budget Session of 1926, but was withdrawn on the House being informed that there was a proposal to distribute the work among members of the district staff in such a way as to allow as many Magistrates as possible

to devote the whole of their time to the trial of criminal cases. The matter was also referred to in the debate in July 1926 on a supplementary demand for General Administration. The demand was lost, but rather on the general question of the remission of taxation. The subject was again debated in the Budget Session of 1927, but owing to the fact that there was at the time apprehension of communal disturbances, there was some opposition to measures which might weaken the power of the Executive, and the member who raised the question on a nominal cut withdrew his motion.

55. A year later in March 1928, the subject was again raised on a motion during the voting of the demand for " General Administration." The circumstances had then changed. The communal situation was apparently easier than it had been for some months and two cases had recently occurred in which the High Court had commented unfavourably on the action of District Magistrates, and these cases had attracted considerable attention in the Press. In consequence, the feeling among non-official members in favour of the separation of the judicial and executive was stronger than on any previous occasion, and the motion was easily carried. The question is clearly one which will continue to be pressed on Government. It may be mentioned in this connection that Government has taken, during recent years, certain steps in the direction of making the magisterial agency more efficient and, so far as it is practicable, relieving subordinate Magistrates of executive duties in order that they may concentrate on magisterial work. The Judicial Branch of the Punjab Civil Service has been completely separated from the Executive Branch, and is now separately recruited and trained, under the control of the High Court. Secondly, Magisterial powers have been taken away from certain departmental officers, *e.g.*, canal and forest officers ; and finally, Government has increased the cadre of the Punjab Civil Service, Executive Branch, with a view to securing the more rapid and efficient disposal of criminal work by magistrates and at the same time has arranged the distribution of work among members of the district staff so as to secure that as many magistrates as possible devote the whole of their time to judicial work and are not responsible for miscellaneous duties.

(*ii*)—Jails.

56. Two important Acts connected with jail administration namely, the Good Conduct Prisoners' Probational Release Act, 1926, and the Punjab Borstal Act, 1926, were passed by the Punjab Legislative Council ; but neither of them was initiated on account of the reformed administration. Both these Acts were mooted in the form of a joint Bill in 1916, but the proposal for various reasons was kept pending. These two Bills were on the occasion of their first introduction dropped by Government because the Council insisted in deleting the punishment of whipping from the Borstal Bill. They were subsequently reintroduced and passed after the addition of a provision vesting a discretionary power in Government to transfer offenders to ordinary jails.

57. The Legislative Council took interest in drawing the attention of Government to corrupt or irregular practices in the Jail Department, and it was largely as a consequence of the pressure exerted by the Council that Government appointed a Committee to examine the administration of jails in the Punjab. The Committee which consisted of Mr. O. F. Lumsden, formerly an officiating Judge of the High Court, as President, and the Hon'ble Mr. Justice Jai Lal and Sheikh (now Sir) Abdul Qadir as members, submitted certain far-reaching proposals many of which were accepted by Government. The actual results of the new measures that have been introduced cannot, however, yet be estimated, as they have not been in force for a sufficient length of time. This is, however, enough to show that the light of publicity which is now shed upon the jail administration in the Council and elsewhere should ultimately assist in raising the standard of efficiency and honesty in the Department.

58. Apart from allegations of corruption, the interest of the Legislative Council in the working of the Jail Department for the most part took the form of keen interest in the treatment of convicts of what is called the " political " class. The period under review corresponded with the periods covered by the non-co-operation, Khilafatist and Akali political movements, which were the cause of many persons of a class not usually to be found in jails being convicted

and sentenced to longer or shorter terms of imprisonment ; there was a number of members of the Legislature who could bring to bear their personal experiences of this and the preceding period. Interest among the vocal and politically inclined classes in the treatment accorded to those convicts was acute and continual questions were asked in the Council. The impact of the reformed constitution on the processes of administration in the Jail Department was thus largely due to political causes other than the introduction of the reformed constitution, although no doubt indirectly aided by the facilities given by that constitution. A sometimes excessive zeal, not infrequently inspired by a desire to bring discredit on Government, rather than effect improvements, was shown by people previously uninterested in the jail administration in criticising minor details. The knowledge of this pressure and the number and conduct of the Akali prisoners, had a prejudicial effect not only on the jail administration but on the moral of the Jail Department staff. Discipline in the jails deteriorated and a number of riots and serious crimes have occurred in the last few years inside the jails. On the other hand although the interest in jails both by members of the Legislature and the public has had some inconvenient and undesirable repercussions, it has induced the Council to vote money for much needed improvements in jails. It is possible that in the absence of these special conditions Government would have found it difficult to obtain either the approval of a Council, or the support of a public, intent on a considerable expenditure in beneficent departments. The interest taken in the treatment accorded to political prisoners gave a ' beneficent ' flavour to jail improvements and enabled them to be discussed in the Legislature and the Standing Finance Committee in an atmosphere not of hostility and indifference but of benevolence.

59. Signs are now visible of a more healthy and less feverish interest, both in the Council and outside in matters affecting the jail administration and the reformation and reclamation of convicts, particularly adolescents. It is hoped that such interest will grow and will be concentrated on the proper and extremely useful sphere in which the Department itself will always welcome it.

60. The introduction of the reformed constitution has on account of the causes mentioned above produced a great increase of work in the Jail Department, as in other departments, and has imposed a considerable extra expenditure on the administration. Resolutions connected with jail administration which have been passed by the Legislative Council are found at Nos. 31, 44, 57, 59, 62, 67 and 72 of the appendix attached to section E of Chapter III.

(*iii*) Police.

61. Owing to the prevalence of serious crime in the province no activity of Government is probably more important from the point of view of the peace and progress of the people than the prevention and detection of crime, which is the function of the Police Department. It is, therefore, necessary to examine the conditions as regards crime in the post-reform period in the Province generally. Statement A shows the figures of admitted crime for the years 1909—1926 inclusive. It will be observed that the first year of the War and the years immediately preceding the War constitute a period of high criminality, the last two years of the War marking the trough between two crime waves. This drop in crime may be largely ascribed to two facts, *viz.*, (1) the departure to Mesopotamia of many thousands of actual or potential criminals and of unruly elements in the population in military Units, Labour Corps, etc., and (2) the existence of emergent War legislation arming the executive with abnormal powers. The Reforms period has been marked by a further advance of the crime wave, which, in spite of the satisfactory figures for 1926, as yet shows no final tendency to recede.

62. It will be gathered from the above that the introduction of the reformed administration has had little or no *direct* effect from crime, but the disturbed state of the country following on the War, itself due to numerous causes of which the devolution of political power by the Central and Provincial administrations is only one, has had marked effects on the crime returns.

63. Latitude for expression of political views has naturally to receive full scope at the time the Reforms were under discussion. After the introduction of the Reforms, unfortunately the non-co-operation and Civil Disobedience movements took concrete shape and for a time exhibited great activity. These movements with manifestations of actual outbreaks of disorder tended to operate in several ways. In the first place, they created widespread conditions of sustained hostility and attacks levelled against Government, and *pro tanto* generally diminished respect for the executive authority of Government; and where they erupted into actual outbursts of lawlessness, they tended also to undermine confidence in the actual strength and capacity of Government to preserve law and order. These indirect effects are particularly noticeable in the attached Statement B showing the statistics for rioting. It will be observed that the number of riots in 1921, the year in which anti-Government and Congress-Khilafat agitations were most intense, increased from 468 to 860. In the following years 1922, 1923 and 1924, the Akali agitation was also responsible for a very large number of offences which technically came under the definition of riots. When this agitation subsided, it was unfortunately followed by a wave of communal tension to which allusion will be made later and which brought in its train a number of serious riots. There has recently been a decrease in this form of crime, but the present figures are still considerably in excess of those which obtained in pre-reform days.

64. Some indication of the same indirect effects may be gathered from Statement C which relates to assaults on the Police and provides grounds for holding that respect for authority had suffered a deterioration during the period. No connection, direct or indirect, can, however, be deduced from the high average of murders committed during recent years (Statement D). There is no evidence to justify a belief that either political conditions or administrative and constitutional changes are in any way responsible for the high figures. Violent crimes of this kind have always been a feature of the Punjab countryside.

65. The figures for dacoity, however, in Statement D point to the operation of the causes to which reference has been made. Dacoities were at their highest in the year 1922-23, when the Province as a whole was subjected to widespread and intensive political propaganda and when the peace of large areas had been threatened by the subversive developments of direct action of Akalis in connection with the Gurdwara Reform movement. In these years the gangs, with which the Police were called upon to deal, were more determined and better armed than had previously been the case in the history of crimes of this category in the Province.

66. As regards burglaries and kindred offences, though a marked increase synchronized with the introduction of the Reforms, it cannot be argued that there is interconnection between the two facts except in one respect. For the reasons already mentioned in connection with riots, the Police Department was kept so busy in dealing with various manifestations of disorder that other legitimate funtions of the Department suffered in proportion owing to lack of time. Preventive measures were to some extent crowded out and less serious forms of crime failed to receive a due proportion of attention. By these means gangs of burglars were enabled to form and combine to pursue their nefarious profession with comparative immunity. Mention has already been made of communal riots. The figures in the last column in Statement B relate to the more serious communal riots which have occurred during the period. Generally speaking, serious communal rioting was of infrequent occurrence before the introduction of the Reforms, but since the collapse of the non-co-operation movement in 1922 constant apprehension of this form of disturbance began to replace the anxieties regarding political movements. It must be realized that from the point of view of the Police work communal disturbances contained a far more dangerous possibility than other forms of disturbances and constituted a far greater tax on the resources of the Police Department.

67. From one cause or another it has been necessary, from time to time since the introduction of the Reforms, to employ in different parts of the Province, for the purpose of dealing with actual or anticipated outbreaks of disorder, large forces of additional police, details of which are to be found in Statement E. Part of the explanation of the employment of large forces of additional police is

due to the fact that it is now recognized that the Province from the outset of the Reforms was under-staffed in the matter of Police, and steps have now been accepted by the Council for permanent additions to establishment.

68. While circumstances combined to throw a heavy burden on the Police as regards the volume of crime and the prevalence of outbreaks of serious disorder of various kinds which characterized the period, in the initial years at any rate, the Police had, in addition, to contend in the investigation of individual cases of crime with considerable apathy among the public in the matter of assistance, in the development of which the non-co-operation movement had been an infective factor. There was, however, no organized antagonism on the part of the public to the Force as such.

69. As regards the direct reactions of the reformed constitution on the Police Force as a department of Government, while it may be said that the scope of the duties and responsibilities and the daily routine of Police work has remained largely unaffected by the fact that the Punjab is now functioning with a reformed constitution nevertheless the attitude of the Legislature towards the police force and department is of importance and deserves close examination. Generally speaking, the attitude of the Council has been characterized by continuous and active criticism, by not infrequent expressions of dissatisfaction and on occasions by sweeping condemnation, though there have been instances of commendation by non-official members. The annual budget for Police expenditure has invariably been the subject of very close scrutiny by the Council every year; and while its presentation has been taken as a recurring opportunity for an attack on Police working and charges of a sweeping and general nature as regards inefficiency and corruption in the force* the actual cuts proposed each year, except in 1923-24, when cuts were carried totalling Rs. 45,000, though debated with a considerable show of heat, were in the end either not pressed or not carried; and the good sense of the Council, after putting on record an emphatic gesture of dissatisfaction, has rallied to support the Member in charge of the department and to pass the demands. The action of the police has also formed the subject of resolutions, such as the resolution tabled in November 1922 regarding the conduct of the police and civil officers in the Multan communal riots; and where their action has not been directly attacked as the subject matter of a resolution hostile criticism of their action has also on occasions been introduced into debates on questions with which they were only remotely connected. Generally, on vital issues of law and order the Council, though grudging and niggardly in its tributes to the police, has been in the end steadfast in support of Government. As regards interpellations there have been very numerous interpellations concerning the police; and the provision of material for replies has added not inconsiderably to the work of the Secretariat of the department. A few only of the questions may be said to have related to matters of outstanding public interest and to have contained the germ of suggestions emanating from a genuine desire to promote the public welfare in a practical manner. Many were naturally designed to have political effect, and by asking for details of police action in cases connected with disorder following on no-co-operation activity or direct action of Akalis regarding Gurdwaras, to impugn Government actions or motives in regard to those movements; several sought to damage Government more generally by eliciting information which might prove embarrassing about the acts of its subordinates in the department; and though Government is 'fair game' for attack, this particular method of attack was sometimes unfair and disheartening to the Police. A fairly numerous class of questions showed signs of a desire to interfere from interested motives in individual cases which were not of public importance and to influence the course of enquiries. Fifteen questions were asked with a genuine motive of improving conditions of service and pay in the force in the public and general interest, but some others were unfortunately directed towards the ventilation of the personal grievances of particular officers in the Department. Lastly, a very large number of questions were asked relating to communal or tribal representation in various ranks of the force.

70. When the reasons for continuous hostile criticism of the force come under analysis, various causes are seen in operation. In the first place, as the

*The committee appointed at the instance of Council (Chapter X) to enquire into corruption in the services paid particular attention to these charges.

striking arm of the executive Government, it was not unnatural that the opponents of Government and the protagonists of the non-co-operation and other movements of the kind should single out the department for attack. Where these movements found expression in open disorder an inevitable result was contact and collision with the police and a harbouring in consequence by the members of the extreme wings of politicians of personal animosity against the force and a desire for reprisals. Politicians in opposition to Government in Council would for these reasons naturally incline to attack on the police as a substantial embodiment of the power and activity of the reserved side of the executive Government. There are indications also that a record for attacks on the police in Council was considered to be part of the equipment of a popular politician. Side by side with these purely political aspects there appears to have been a genuine feeling in the minds of many members of the Council that certain elements in the force, armed with considerable powers, were, in individual cases corrupt, and that the force as a whole was somewhat overbearing in its attitude to and treatment of the public and considered itself as under the special ægis of the Government and not in the light of a servant of the public. In individual cases there is ground for the feeling ; the conditions of the force, the low pay and the powers vested in them are admittedly factors with a bearing on corruption ; but Government has always devoted special attention to the question of corruption and irregularity in the conduct of the force and is convinced that as regards corruption and departmental indiscipline or irregularity the supervising agency in the police have a record for vigilance, prompt investigation and stern and effective punishment to which no department of Government can offer a parallel. There is a feeling among the officers of the Force that failure by a section of the Council to recognize the efforts made for a higher standard of conduct and integrity has had a depressing influence on the officers as a whole.

71. For the moment the attitude of the Council is attuned to a happier note. The recommendations of the Provincial Police Committee for improving the integrity and efficiency of the Police have been the subject of a lengthy debate in the budget session in March 1928, and the proposals of Government for improving conditions in the force, involving very considerable recurring expenditure, have been accepted by the Council in their entirety.

72. The aftermath of the past has, however, had some prejudicial effects on the force. As regards British officers, though recruitment has proceeded without check, 21 have proceeded on retirement during the last seven years on proportionate pensions, some of them senior, experienced and very useful officers who could ill be spared. It is not easy to analyse the reasons in all cases ; but in some cases a contributing cause has been the resentment of aspersions cast on their integrity in wholesale condemnation of the force. The sustained atmosphere of criticism, the contentious debates on supplies for the force and the feeling of lack of recognition and appreciation in a period, when the work of the police was of a particularly arduous, and, as regards civil disturbances, of a specially distasteful and trying nature, have also not been without their influence. As regards the Indian officers the Inspector-General of Police observes :—

> 'Though there is an abundant supply of excellent material for all the superior ranks, a supply which far outstrips the demand, the fact remains that many Indian officers, particularly those who have some years of service behind them, feel that their position has not been made more secure by recent constitutional changes. Those of them who pride themselves on playing the game resent as deeply as their British officers the wholesale aspersions on the integrity of the Force, and, having experience of the endless possibilities of intrigue in the country, feel that they are more dependent than ever before on the protection of their own department against unmerited attacks which may be made upon their action.'

Statement F supplies a partial answer to the question whether the rank and file have been affected by the reforms. For some years past recruiting has been excellent. The quality of the recruit has also considerably improved as is evident from the figures relating to literacy. In some districts the proportion of literates enlisted is as high as 50 per cent. It may be expected to increase

still further with the better prospects following on the acceptance of the proposals in this year's budget. The rank and file do not appear to be affected by aspersions made upon their efficiency or integrity in the Council. The horizon of their contentment is bounded by the practical tests of the justice and impartiality which their officers mete out in administering the Force under their control and the economic aspects of their employment as providing a reasonable livelihood.

73. Circumstances have tended to make the impact upon the Police Department of the years immediately before the introduction of the reforms and some of the years that followed particularly severe. The records of Punjab Police administration can point to no period which made greater or more varied calls upon it. The fact that during these years of disorder beginning with bitter and widespread anti-Government agitation and ending with an unparalled wave of communal excitement the Police Force was never found wanting in its response to the demands of duty, reflect the highest credit both on the rank and file and the officers of the Force, and is not the least memorable among the many interesting incidents connected with India's first footsteps in the path of responsible self-Government.

STATEMENT A.—*General Statistics of admitted Crime for each year from 1909 to 1926 inclusive.*

Year.	Admitted Crime Classes I to V.
1909	28,494
1910	28,853
1911	32,325
1912	36,708
1913	34,154
1914	34,061
1915	35,597
1916	28,937
1917	24,279
1918	25,605
1919	28,959
1920	29,572
1921	36,052
1922	37,775
1923	34,395
1924	34,365
1925	33,112
1926	30,686

STATEMENT B.—*Statistics for riots.*

Year.	(a) Ordinary riots.	(c) Communal riots.
1909	292	
1910	404	
1911	434	
1912	525	2 { 1 Chiniot, Jhang. 1 Taman, Attock.
1913	480	
1914	487	
1915	457	
1916	493	1 Amritsar.
1917	389	
1918	378	
1919	453	
1920	468	
1921	860	
1922	760	2 { 1 Multan. 1 Lahore.
1923	757	4 { 1 Amritsar. 1 Multan. 1 Amritsar. 1 Panipat.
1924	960	2 { 1 Chiniot. 1 Khanna, Ludhiana.
1925	822	1 Panipat.
1926	660	2 { 1 Rewari, Gurgaon. 1 Rawalpindi.
1927	797	2 { 1 Lahore. 1 Multan.

STATEMENT C.—*Statement showing the number of assaults, etc., on the Police during* 1914—1927.

Year.	Assaults on the Police.		Number of Police officials wounded.
	Total number of assaults during the year.	Number of Police officials killed.	
1914	2	..	1
1915	4	1	15
1916	4	..	5
1917	2	..	1
1918	8	..	14
1919	5	1	5
1920	2	..	2
1921	5	..	15
1922	8	..	18
1923	16	6	36
1924	17	..	19
1925	13	..	21
1926	17	2	37
1927	7	..	11

STATEMENT D.—*Statistics of Crime for the years* 1909 *to* 1926 *inclusive.*

Year.	Murder (*a*).	Dacoity (*b*).	House-breaking and kindred offences (*c*).
1909	421	36	12,604
1910	409	48	13,241
1911	476	100	15,461
1912	516	115	17,308
1913	625	111	15,912
1914	538	109	15,635
1915	512	264	17,337
1916	524	83	13,477
1917	511	53	11,047
1918	508	41	12,332
1919	509	130	13,239
1920	550	80	14,179
1921	697	167	17,944
1922	705	349	18,347
1923	748	333	17,056
1924	653	211	16,870
1925	657	160	15,900
1926	600	147	13,750

STATEMENT E.—*Additional Police enrolled for special purposes from* 1909 *onwards.*

Purpose for which sanctioned.	Inspectors.	Sub-Inspectors.	Head Constables.	Constables.
		1917		
Additional Police to meet the abnormal conditions consequent upon the war	..	2	10	100
		1919		
Additional Police in connection with disturbances ..	(Superintendents of Police, Lahore, Amritsar, Gujranwala, Gujrat, Jhelum and Sialkot authorised to enroll additional police up to but not exceeding 25 per cent. of the strength of Upper and Lower Subordinates sanctioned for their districts.)			
In connection with special measures for protection of railway line in Attock district at the time of Afghan War	..	..	..	60
		1921		
Temporary Police Battalion in view of disturbed political conditions in the Punjab	5	10	50	500
		1922		
Temporary increase in order to enable the first Armed Reserves to be kept up to strength in each district ..	4	7	215	598
Owing to disturbed political conditions in the Central districts of the Punjab	5	10	50	500
As a protection against raids in Attock district ..	..	1	5	50
As a protection against raids in Mianwali district ..	1	1	5	50
In connection with Civil Disobedience and Akali movements	21	43	215	2,150
Temporary jail guards at Lahore, Montgomery and Multan to guard Akali prisoners	3	6	30	300
		1923		
For operations against the Babbar Akali gang. *unmounted* ..	1	3	15	150
For operations against the Babbar Akali gang. *mounted* ..	..	3	15	150
In connection with communal disturbances in Amritsar City	2	4	18	175
		1924		
For operations in Mianwali district against outlaws ..	1	2	4	50
		1925		
For guard duty at Lahore Fort during trial of Akali Leaders' case	..	1	2	25
		1926		
Additional Police for service in Rawalpind City in consequence of riots	1 D. S. P.	4	10	116
Special Police for breaking up the gangs of *Shahaboo* and *Kammun* in the Central Punjab	2	9	12	28
		1927		
Additional Police for Lahore City in consequence of communal riots	1 D. S. P.	10	53	350
Additional Police for Multan City in consequence of riots	1 D. S. P.	5	16	125

STATEMENT F.

1 Year.	2 Sanctioned strength of constabulary.	3 Number of men enlisted during the year.	4 Number of educated men.	5 Number of vacancies at the close of the year.	6 REMARKS.
1909	20,022	2,223	5,797	801	
1910	19,917	2,290	6,006	273	
1911	19,903	1,620	6,438	139	
1912	20,282	1,806	6,488	196	
1913	19,341	1,661	6,434	203	
1914	19,709	1,625	6,536	448	War years when recruiting conditions were abnormal.
1915	19,733	2,069	6,688	475	
1916	19,047	1,398	6,602	309	
1917	19,051	1,232	6,534	356	
1918	18,936	2,475	6,112	1,123	
1919	19,205	1,983	6,216	432	
1920	19,175	1,171	6,318	185	
1921	19,238	852	6,243	547	
1922	19,260	1,444	6,244	161	
1923	20,083	2,011	6,401	439	
1924	20,077	1,878	6,970	180	
1925	20,013	1,633	7,606	144	
1926	20,057	1,478	8,164	158	

(*iv*) Stamps.

74. Stamps form a reserved subject in the portfolio of the Hon'ble Member for Finance and under the charge of the Financial Commissioner. They form an important item in Provincial Receipts, accounting for over a crore of revenue. In 1921-22, 1925-26, 1926-27 and 1927-28 the necessary budget grants were passed by the Council without demur. In 1922-23, the Legislative Council reduced the total demand of Rs. 2,37,000 under the head " 7—Stamps " by Rs. 73,800 on account of discount. The object of this was to express the dislike of the Council for the system under which stamps are sold by a commission allowed to licensed vendors. It was, however, subsequently discovered that the demand, being an item of non-voted expenditure, has been made to the Council in error. The sum of Rs. 2,37,000 originally asked for in the budget was, therefore, placed at the diposal of the Financial Commissioner by the Governor in Council.

75. In 1923-24, the amount of Rs. 14,000 on account of " Reserve for Contract Contingencies " (voted) was reduced, because it was considered by a majority of the members of the Council to be a new demand, which, if granted, would have led the department to indulge in extravagance. The same Council, however, sanctioned a supplementary demand of Rs. 7,327 for the same purpose before the close of the same financial year.

76. In 1924-25, the Government member who asked for a grant of Rs. 1,12,000 (voted) under " 7—Stamps " agreed to accept a reduction of Rs. 5,000 in contract contingencies in the hope that all amendments to that item would not be moved. The grant was consequently reduced by Rs. 5,000.

77. In 1922, the following Acts were passed :—

(1) The Indian Stamp (Punjab Amendment) Bill.

(2) The Court-fees (Punjab Amendment) Bill.

The object of these Acts was to increase the provincial revenue, and so help to reduce the great deficit in the Provincial Budget. The Stamp Bill was passed by the Council with two small amendments, while no change was made in the Punjab Court-fees Bill as reported by the Select Committee. The only other provincial legislative enactment on the matter which was brought forward was the Punjab Stamp Amendment Act, I of 1924. By it the stamp duties payable on conveyances of immovable property situated in Municipalities and Cantonments were doubled. Generally speaking, the urban members of the Council opposed the Act, and the rural members were in favour of it. It was finally passed by a fair majority. The total increase in the Stamp income as a consequence of these Acts was, roughly, Rs. 24,10,000 per year.

(*v*) Land Revenue.

78. The largest of the departments for which the Financial Commissioner (Revenue) is responsible is that of Land Revenue. Of it, during the period under report, two Members of Council have been in charge, Sir Sundar Singh and Sir Fazl-i-Husain.

79. The most important matter in the sphere of Land Revenue which has attracted attention during the Reforms period, has been the desirability of introducing legislation to regulate, and to some extent to change, the present practice under which Land Revenue assessments are made. The Royal Commission on Decentralization in paragraph 252 of their report recommended that " the general principles of assessment, such, for instance, as the proportion of the net profits on the land which the Government shall be entitled to take, and the period of settlements, should be embodied in Provincial Legislation, instead of being left to executive order, as is the case outside Bombay ". The Government of India reported against the recommendation, and the Secretary of State for India decided in 1910 that it was not expedient for the present to take action on this proposal. The report of the Joint Select Committee on the Government of India Bill, after referring to the need of bringing under legislation certain classes of taxation which can be imposed by executive order, added a particular recommendation in regard to Land Revenue. " And in particular

The Land Revenue (Amendment) Bill.

without expressing any judgment on the question whether the land revenue is a rent or tax, they advise that the process of revising the land revenue assessments ought to be brought under closer regulation by statute as soon as possible. At present, the statutory basis for charging revenue on the land varies in different provinces ; but in some at least the pitch of assessment is entirely at the discretion of the executive Government. No branch of the administration is regulated with greater elaboration or care ; but the people who are most affected have no voice in the shaping of the system, and the rules are often obscure and imperfectly understood by those who pay the revenue. The Committee are of opinion that the time has come to embody in the law the main principles by which the land revenue is determined, the methods of valuation, the pitch of assessment, the period of revision, the graduation of enhancements, and the other chief processes which touch the well-being of the revenue payers. The subject is one which probably would not be transferred to Ministers until the electorate included a satisfactory representation of rural interests, those of the tenantry as well as of the landlords ; and the system should be established on a clear statutory basis before this change takes place."

80. From the outset the matter attracted great interest in the Legislative Council. In the first Council, a question was directed to ascertain if Government was prepared to take action on the recommendations of the Joint Select Committee and in the meanwhile prepared to suspend all reassessments of land pending legislation and to postpone orders on the Lyallpur reassessment, then about to be announced, until the matter had been placed before Council. The House was told that the recommmendations of the Joint Select Committee were under consideration, and that Government was not prepared to suspend all reassessments of land revenue pending the enactment of a law on the subject. A Resolution was tabled in the same session recommendating that no part of the province should be reassessed to land revenue without the previous consent of the Council ; and two others recommending the appointment of a Committee, with a majority of non-official members to report on the present system of assessing land revenue and water rates and the changes which should be made in the existing law on the subject. The first resolution was not debated, but the Council accepted the latter Resolution in a slightly amended form, namely, to appoint a Committee consisting of officials and non-officials to examine its present assessment and land revenue policy, and to report what changes should be made in it. In the course of the debate, Sir Sundar Singh gave an undertaking that in regard to any Settlement which might be started in future, Government would give assessees the benefit of any decisions at which they might arrive as the result of the deliberations of the Committee. Immediately afterwards, the Council accepted a Resolution that the assessment of land revenue in the Multan district as recently announced should be examined by a Committee with a view to consider the desirability of postponing enhancement of revenue till the water supply in inundation canals had been adequately improved. The Committee appointed by the local Government under the first Resolution prepared a draft Bill in 1923 ; but the Bill was not actually introduced in Council until 1926, and in the meanwhile, the Council continued to give expression to its dissatisfaction at the delay in dealing with the matter. It attributed this to the unwillingness of Government to surrender its executive powers. These suspicions arose from the delay which had taken place in the introduction of the Bill, which, however, was partly due to the technicalities of the subject, and partly to the difficulty experienced by the local Government in securing the previous assent of the Government of India to its introduction in the Legislative Council. (In this connection a reference may be made to paragraph 6 of Chapter IX). In 1923 a reduction of Rs. 1,000 was made in the budget provision for Settlements ; in 1924 the whole demand for the Headquarters establishment relating to Survey and Settlement parties was rejected, and as shown in paragraph 43 of Chapter III, the demand had to be restored by the Governor. In 1925 the whole of the land revenue demand was rejected, but this was mainly due to the action of the guillotine, which did not permit of a discussion on this demand. It was resubmitted as a supplementary demand in the adjourned session of May of that year, when the Member for Revenue gave an assurance that Government would introduce

the Land Revenue Bill as soon as possible, and on this asssurance the demand was passed. The Bill when introduced into Council in 1926 was referred to a Select Committee, but as the Council's term of three years was to expire in December, with the agreement of the Council, the Bill was not proceeded with, but was re-introduced into the new Council in 1927 and referred to a Select Committee which has reported on it. Criticism in Council on land revenue procedure has not always been well informed, and the local Government has endeavoured to educate opinion by the issue of a memorandum explaining the principles and practice of land revenue assessment.

81. There is no doubt that the Council in its attitude towards the Land Revenue Bill accurately represents the feelings of the great majority of its constituents. As shown in Chapter III, paragraph 1, there are 51 elected seats in the Council representing rural constituencies, 3 directly representative of landowners or 4, if the seat assigned to the Biluch Tumandars be counted. But many of the professional men elected by other constituencies are also owners of land, as are also some of the nominated members. Though there is a considerable representation in the Council of urban interests, this has not led to any division of opinion regarding the necessity for the amendment of legislation regulating the subject of land revenue. If the urban representatives, as such, show an interest in the matter, it is rather due to their anticipation of the effect which such a measure may have in altering the incidence of the burden of taxation in the province. It is undoubtedly the interest of the landowning classes not only that the procedure and standards of reassessment should be regulated by legislation, but that the burden of taxation on the landowning classes (receipts from land revenue and irrigation between them now account for 65 per cent. of the total revenue receipts) should be balanced by some revision of the taxation for which urban classes are responsible. A stimulus has been given to this movement by the report of the Indian Taxation Enquiry Committee. That Committee not only recommended that the rate of land revenue assessment should be standardized at a somewhat lower figure than has been hitherto accepted, but also recommended that in place of what may roughly be described as the flat rate now imposed on land, progression should be introduced through an income-tax on agricultural incomes, or through something in the nature of a succession duty, or both. The salient fact in the situation, and one that attracts growing attention in rural circles, is that whereas land revenue applies to all land assessed, whatever the income of the landowners, commercial incomes below a figure of Rs. 2,000 escape taxation. It was to be expected that with the extension of political powers to representatives of rural classes their attention would naturally be attracted by what seems at first sight to be a differential treatment in the matter of taxation meted out to the rural classes.

82. There has at the same time undoubtedly been some reaction to the general movement among agrarian classes in other parts of the world ; events in Russia have not been without their influence, and of late, efforts have been made in certain quarters to popularize propaganda based on Russian teaching. That propaganda is inspired by political motives, and has its dangers, though so far it has not made great headway among the rural population. It may be noted that though the rural members are themselves landowners, and the rural franchise of the Legislative Council leaves a large section of the small farmer and the tenant cultivator class entirely unrepresented, the tenor of feeling in the Council is not in favour of giving a position of preference to large land-owning interests. There is a general feeling in favour of giving relief to small landowners, to h'lping the poorer unirrigated areas and giving greater immunity from the imposition of additional revenue to owners of areas irrigated by wells. At the moment, there is no outstanding problem arising from the general relations of landlords and tenants, and the subject is not one which has engaged the attention of the Council.

83. The problem of waterlogging in certain canal tracts has been prominently before Government in recent years, and the Legislative Council while emphasising the need of attending to the problem, has shown restraint in not pressing too strongly the grievances of owners in the water-logged area. This was mainly due to the strenuous efforts made by Government to cope with this

evil, and in this the Legislative Council fully co-operated. A special Board comprising a Chemist and Revenue and Irrigation officers has been constituted to investigate the problem on a comprehensive scale throughout the province. Very large sums are being spent on drainange and other remedial measures, such as pumping, diversion of channels and alteration of channel levels; and a large area has been taken up for scientific experiments and reclamation of water-logged lands. The interest of the Council in matters affecting the rate of incidence of land revenue is also reflected in several lines of investigation into land revenue matters initiated by Government. At the present moment four such lines have been chalked out for promoting the encouragement of the sinking of wells in water-logged arears, in non-water-logged areas, in the Nili Bar, and in non-colony lands. The consideration of (*a*) the possibility of exempting small holders or small holdings from the payment of land revenue, (*b*) the possibility of introducing the principle of gradation in local rates, (*c*) the levelling of assessments on well lands down to the range of assessments on unirrgated lands, (*d*) the exemption from assessment of uncultivated land brought under cultivation by improvements effected by the owner, has been taken up by Government as the Council is keenly interested in these problems.

Colonization.

84. For some thirty years, one of the chief responsibilities of the Revenue Department has lain in the colonization of the large areas of Crown waste made available for cultivation by the expansion of the irrigation system. The extent of these operations is shown by the fact that the Chunian Colony had 87,000 acres, the Lower Chenab Colony nearly 2 million, the Lower Jhelum Colony 568,000, the Upper Chenab 85,000, the Upper Jhelum 43,000, the Lower Bari Doab Colony nearly 1½ million acres of Crown waste. The completion of the last named colony falls into the Reforms period; and the Revenue authorities are now engaged in the colonization of the Nili Bar area, which contains over 1 million acres of Crown waste. Briefly, it may be said that the greater part of the land in the Colonies has been allotted in "peasant" grants to cultivators from various Punjab districts and pensioners of the Indian Army; there have also been grants of a larger area to civil pensioners, to retired officers of the Indian Army, to members of landed-gentry families, and certain areas have also been given out in grants for special purposes, such as horse and cattle farms, fruit farms, farms for producing selected seeds and the like. A certain area of land has also been auctioned; the amount was comparatively small in the earlier colonies, but in the case of the Lower Bari Doab and the Nili Bar colonies (and particularly in the case of the latter) much larger areas have been set aside for this purpose, with a view to meet the higher cost of construction due to rise in the cost of labour and to ease the burden on provincial finances arising from the higher interest on loans raised for construction purposes. It is mainly from this head that are drawn the large sums credited to "Extraordinary" Receipts to which reference will be made in paragraphs 233 and 245 of Section D of this Chapter.

85. The peasant grantee is allotted land free of cost, and after complying with conditions as to residence and cultivation, can after a short term of years acquire occupancy rights. That right is short of freehold, in that the occupancy tenant has no right of transfer by sale, and pays a small "malikana" or rent on each acre. The larger grantees obtained entry to their land on payment of fixed sums, spread over a number of instalments, which represented a considerable reduction on the auction value of the land; on the completion of their payments they obtained full proprietary rights. On the recommendation of the Colonies Committee of 1908, it was decided to allow peasant colonists the option of converting their occupancy rights into full proprietary rights on a moderate cash payment. The decision was not, however, taken mainly on financial grounds. The tenant status, however well secured, is held in little estimation in Northern India compared to that of proprietorship, and the Committee feared that the Colonies would never assume the aspect of settled districts until the latter status was conceded. It must also be noted that the reversionary interest of the State in land held by occupancy tenants was not great, for under the customary law of succession, lapses were very infrequent. The result both of allowing acquisition of proprietary rights by

peasants and larger grantees, and of the sale of large areas by auction, has been to alienate to full private proprietorship very large areas of the State lands contained in the colonies. There is no doubt at the same time, that the concession of the option of obtaining proprietary rights has led to a greater sense of security and a large measure of contentment among the colonists.

86. The constitutional changes of the Reforms period have not resulted in any change of policy in the administration of these important interests. In the initial stages of colonization, colony land was little sought after; but the great success of the Chenab scheme at the end of the last century, and the growing enhancement in the price of land generally, created a universal desire for colony land, and the allotment of a colony grant is eagerly sought after alike by peasants, landed gentry and civil and military pensioners. The attention of the political world has been attracted to the fact that the disposal of these grants places great power in the hands of the Executive Government. It is natural that the Legislative Council should evince an interest, sometimes critical, in the manner in which particular grants have been allotted and should by interpellation call attention to the claims of particular areas in the distribution of land, but it has not sought to question the general policy of Government in the administration of the Colony areas, save in one respect. Resolutions have been tabled, but not so far debated, calling attention to the undesirability of reserving for auction areas so large as those contemplated in the Nili Bar Scheme, and expressing a preference for allotting them on fixed prices to members of the agricultural classes.

Administration.

87. In paragraphs 18 to 20 of Section A, reference has been made to the system under which land records are maintained and to the agency by which land revenue is collected and revenue law administered. That is a branch of the administration which has been held to be of the highest importance in the Punjab; it is not merely that the efficient maintenance of land records is necessary for the assessment and collection of land revenue, but it will be easily understood that a record of rights maintained by State agency, readily accessible to the people, with a cheap and effective machinery for registering division of holdings, or the creation of encumbrances, or changes in title, is of the utmost value in giving a sense of security of title and preventing disputes over the possession of land. Under the law, the record carries a presumption of title until the contrary is proved. It is equally necessary that in the collection of land revenue there should be that elasticity of suspension and remission which can only be achieved with a full knowledge of the conditions of the crops in each village. The working of this system does not perhaps attract as much public attention as many questions relating to the administration of law and order or the like, but a reduction in its efficiency would have far-reaching effects on the rural population, and the Punjab Government has always considered the supervision of the working of the land revenue staff as one of the most important duties of the district officers. The heads of the Land Revenue department have had reason to complain of lack of attention to this sphere of work in the districts, and some falling off of the standards previously attained. It is clear, however, that this process began in the war period, when effort was necessarily diverted largely to recruiting and other war measures; recovery was retarded first by the preoccupations of the non-co-operation period and subsequently, in some at least of the districts, by those arising from the prevalence of communal trouble. An effort is now being made to recover former standards; among other measures, the staff of Revenue Assistants has lately been strengthened and set free entirely from magisterial duties. If the Reforms period has had any influence on the situation, it lies mainly in the fact that of late years the attention of the District Officers is increasingly engaged in the other activities, referred to in paragraph 10 of Chapter X, which are now recognized as of growing importance in promoting the welfare of the people.

88. The Revenue department has had to do considerably more work since the Reforms:—

Firstly, in the matter of preparation of electoral rolls in rural areas;
Secondly, in preparing material in reply to questions to be asked in the Legislative Council and to meet Resolutions;
Thirdly, in connection with settlement grants and legislation.

Though the work has been considerably increased, there has also been an appreciable increase of general influence in the countryside of revenue officers of all classes.

89. From the preceding paragraphs it will be seen that the effect of the change of administration whereby the department of land revenue has been placed in charge of a Member of Government, bound among other things, to secure the necessary supply, has been to focus public attention in an increased degree on matters with which the department deals, and to exert a considerable influence over its policy in the direction of meeting public demands. The growth of education in rural areas, the improved knowledge, intelligence, and standard of living of the rural classes has awakened in them a desire for still further bettering their condition, both by reducing the burden of taxation on them and increasing the facilities for improving their lot generally. As time goes on, the pressure of opinion in this direction will continue, and the necessity of dealing with demands for modification of land revenue policy will form one of the outstanding problems of Government.

(*vi*) Forests.

Expenditure and Establishment.

90. The average annual expenditure for the 10 years (1917-18 to 1926-27) is Rs. 29·5 lakhs, which may be compared with the Rs. 18 lakhs of 1918-19. The increase is due to (*i*) the introduction of departmental timber working which, has given increased profits over the system of selling standing to lessees, (*ii*) increase in capital expenditure on the development of the forest estate in the matter of communications and buildings and the formation of irrigated plantations, and (*iii*) increase in staff. A statement is attached showing the number of posts in each branch of the service on 1st January 1919, and 1st January 1928, respectively, and the percentage of Indians in each on the same dates. The large increase in the staff is due to the reorganization which was put forward by the Department in 1919 and sanctioned in 1920. It was necessitated by the fact that the staff as it was in 1919 was inadequate eyen to maintain the forest estate as it then was, without any provision for development.

Development.

91. The most important matters of development of recent years have been as follows :—

(*a*) The Jallo Resin Concern, for the production of turpentine and resin from crude resin.—This process has been a subject of experiment by the Department for the last 30 years ; and the experiments culminated in the erection of the present factory at Jallo in 1915. In 1922 the concern was converted into a co-partnership between Government and a leading industrialist ; and is now one of the most flourishing business concerns in the Province.

(*b*) The establishment of departmental extraction of timber from the forests instead of selling the standing trees to lessees.—This system naturally entails greater expenditure on works and staff ; but it results in Government itself getting the profit which would otherwise go to the middleman.

(*c*) The establishment of irrigated plantations in the plains to supply the Province with firewood when all the natural forests of the plains, which are rapidly being cleared for cultivation, will have disappeared. One plantation of 10,000 acres is in full bearing ; four others aggregating about 36,000 acres are in course of formation ; and three more aggregating 30,000 acres are to be established in the Nili Bar.

(*d*) The proper organization of the preparation and revision of working plans—This important work was greatly hampered previously by the shortage of trained staff, but has now been placed on a proper basis.

(e) The reorganization of the staff referred to in paragraph 45 above.—Previous to 1918 the Province had one Conservator of Forests and 13 Divisions. It has now a Chief Conservator, 3 Conservators and 17 Divisions. This develpoment, and the increase of staff have made it possible for the Department to undertake the departmental extraction of timber, and at the same time to pay more attention to working plans, protection, silviculture and the tending and developing of the forests than was ever possible before.

General progress.

92. As will have been gathered from the preceding paragraphs recent years have been a period of steady increase in the efficiency of the Department. In spite of adverse trade conditions a cash surplus of 69½ lakhs has been contributed to the revenues of the Province in the last 10 years. The work of the Department must not, however, be judged from its financial results alone. A very important part of its duty is the maintenance and improvement of the forest estate committed to its charge ; and in this respect, as has been shown above, good progress has been made.

Interest of the Council.

93. The interest of the reformed Council in forest administrstion has been mainly centred upon the conflicting interests of a *regime forester* which the officers of the Department would enforce, to prevent denudation in the hills and to promote regeneration, both natural and artificial, and of the demands made by cultivators and graziers for pasturing their animals in protected and other areas. In the absence of any organized pasture management in villages and in the general absence of grazing grounds for village cattle, the forest estate of the Punjab is regarded locally as a prized grazing stand-by. The demand in Council is that grazing facilities should be extended, and the Council is jealous of any infringement of the facilities afforded for pasturing village animals. The incidence of animals grazed in the forests is nearly one animal per acre—a higher incidence than the just claims of forestry would concede. It was on account, of this feeling that the Council refused the demand for transferring certain grazing areas from the control of the Forest Department to that of the Revenue authorities, although it is by no means certain that they intended to exhibit any definite preference that the areas should remain under the control of the former. All funds asked for by the Forest Department have generally been voted. One important cut of 5 lakhs was made in the Budget of 1923-24, but the Department did not spend the remainder. The Council has taken much interest in the erosion of agricultural land by hill torrents, in Hoshiarpur particularly, and in consequence of this Government has decided to place a forest officer on special duty to examine the problem. The Forest Department has also been asked to advise on the water-logging problem as to what species can be grown in water-logged areas. The criticism of the Council on the Department has largely been directed under the impression that sufficient return is not secured from the forests. This criticism has, however, to some extent abated since the establishment of the convention by which expenditure on forests is not to exceed 70 per cent. of the income. The Talwara Saw Mill project which was severly criticised in Council is mentioned below.

94. In 1924 a Forest Board was constituted composed half of officials and half of non-officials. This body is independent of the Legislative Council Standing Committee, and is intended to advise Government on questions of forest policy affecting the public and on all large projects of new expenditure.

The Talwara Saw Mill.

95. Mention has been made of the Talwara Saw Mill project. The scheme for the construction of a saw mill at Talwara was administratively sanctioned by Government at a cost of 10 lakhs in 1921. The original proposal was that this should be constructed on a coparcenary basis, but when in April 1922 the prospective copartner resiled from the partnership Government found itself committed to considerable expenditure, and in August 1922 abandoned direct connection with the project which was taken over by a contractor. During the latter part of the year a change in the price of timber seemed likely to involve Government

in further heavy obligations and it was decided to cut the loss by terminating the agreement and reimbursing the contractor for his expenses. The total amount of loss incurred was about 7½ lakhs. The matter was brought before the Committee on Public Accounts by the Finance Department and was dealt with by them at great length.

Statement showing the strength of the cadre of Imperial Forest Service, Provincial Forest Service, and Subordinate and Clerical Services on the 1st January 1919 and 1st January 1928.

Serial No.	Name of Establishment		Total strength on the 1st January 1919	Total strength on the 1st January 1928	Percentage of Indians on 1st January 1919	Percentage of Indians on 1st January 1928.	Remarks.
1	Imperial Forest Service, including Forest Engineers.	Sanctioned scale .	14	41	.	.	
		Appointments actually filled up.	15	35	*Nil*	37	
2	Provincial Forest Service.	Sanctioned scale ..	19	33		.	
		Appointments actually filled up.	14	*34	93	100	*Including probationary Extra Assistant Conservators of Forest.
3	Subordinate Services.	Sanctioned scale ..	182	258	..		
		Appointments actually filled up.	176	255	100	100	
	Clerks, including Draftsmen.	Sanctioned scale ..	88	149	.	.	
		Appointments actually filled up.	82	149	100	100	

(*vii*) Irrigation.

96. The Irrigation Branch of the Public Works Department occupies an important position as the chief agency which has of recent years ministered to the material improvement of the Province. Forty years ago, the canal-irrigated area of the Punjab amounted to 2,341,000 acres; to-day it stands over 11,000,000 acres, and important schemes which will yield a further increase of area are still under consideration. There are some 19,800 miles of main and branch distributaries, excluding of course purely village water-courses; the net revenue, direct and indirect, after payment of maintenance charges and interest on capital, amounts to some 4¾ crores of rupees. Further, the department has in the Punjab a position even more important than that which it derives merely from the great extent of its engineering activity, for on its revenue side, it is charged with the assessment, harvest by harvest, of the "fluctuating" land revenue and water-rates on the areas irrigated by the canals. On this side, it is brought into very close contact with the public; the range of that contact is best explained by the fact that out of a total area of some 30 million cropped areas in the Punjab, 11 million are irrigated by the canals.

97. As a broad description, the department is described as *quasi*-commercial; its purely commercial aspect is qualified by the fact that Government, in fixing the pitch of land revenue and water-rates, finds itself obliged to conform to the standards which regulate the general land revenue policy of the province. In such matters as remissions of charges on occasions of crop failure, protection of landowners from the effects of water-logging, or colonization of Crown waste lands coming under irrigation, it is also bound by considerations other than those of purely a "commercial" nature. While therefore, it is necessary for Government to exercise in these interests a close control over the working of the department, the operations of the department have also in their turn an important reaction on the general attitude of the public towards Government and its general administrative policy.

98. It was inevitable that the changes made by the Reforms Scheme and the greater opportunities afforded to the public for interesting itself in the working of the administration, should result in directing increased attention to the operations of a department which has so vital and widespread an influence over the agricultural life of the Province. The Irrigation Branch is a Reserved Subject ; actually the only change in form introduced by the Reforms is that it now works under the Member for Revenue, instead of directly under the Lieutenant-Governor. Its Chief Engineers (who are now three in number) are still Secretaries to Government, and as such have direct access to the Governor. They have presented to Government a note giving their views on the working of the Reforms Scheme as it affects their Branch. While finding that " the impact of the reformed constitution has had no direct effect on the administration of the department ", and stating that " they are unable to find any evidence to show that it has increased the efficiency of the department ", they think that it has been hampered in its progress in various ways. These are stated in the following extract :—

" (*a*) A highly technical service has been placed under Revenue Members who had previously had no technical or administrative training. The authority of the Chief Engineers has thus been curtailed, and a considerable portion of their time is taken up in explaining technical and revenue problems to the Revenue Member as Head of the Branch.

(*b*) The Legislative Council absorbs the energies of the Executive and Administrative Officers in preparing statistics and reports in reply to questions in the Council. These questions are generally inspired by communal or personal considerations and it is obvious that Indians serving in the Department consider the Council a suitable channel for airing their real or imaginary grievances. At the instance of the Legislative Council it was decided in 1923 to make an experimental transfer of assessment work on the Western Jumna Canal to the Civil Revenue Department ; the two Departments endeavoured to work the scheme for 3 years and it was given up. The double transfer entailed a great deal of correspondence and extra work to the staff of both Departments. Again in the same year possibly under the direct influence of the Legislative Council but directly as a result of the recommendations of the Committee appointed to consider the question of separating judicial and executive functions, the very limited magisterial powers under the Canal Act which had hitherto been exercised by Irrigation Officers were withdrawn. This has resulted in increased damage by cattle to canal banks, roads and plantations. Damage by the cutting of banks, unauthorized irrigation and waste of water has also increased. The dislocation of business by Canal Executive Officers having to institute cases and give evidence is marked. The non-official members of the Committee appointed by the Legislative Council do not show much practical enthusiasm for the prosperity of irrigation in the Province as a whole. The Canal Standing Committee, *e.g.*, consisting of 4 official and 8 non-official members presided over by the Member for Revenue, was convened at Simla last June to deal with a very important question " Khal Kiaris ", but only one non-official attended, so the meeting was abandoned and has not been convened since.

Interest in the meetings of the Divisional Canal Advisory Committees is also dying out.

The centralisation of power in the Finance Department, a direct result of the Reforms, is a brake on the efficiency of the Irrigation Branch. The Finance Department has effected many small economies that may or may not in the long run prove desirable, but it is averse to exercising control over the more important

irrigation undertakings because of its lack of technical knowledge :—

(*a*) The preparation of Budget Estimates, as estimates of probable expenditure, was a fairly simple matter in pre-reform days and was carried out under well understood rules ; the procedure has now grown into an indefinite, ever changing and increasing task, details being insisted on in matters of little importance as compared with the undertakings of the Branch.

(*b*) All new Major Works estimated to cost more than Rs. 10,000 have now to be submitted through the Finance Department and Standing Finance Committee to the Legislative Council for provision of funds before they can be undertaken, whereas formerely such works could be provided for departmentally without their having to first convince these authorities as to the necessity therefor : this lengthy procedure leads to much delay. The Finance Department can certify such works, but in the case of remodelling the Buchar Khana Distributary (a work entirely in the interests of cultivators), the Finance Department did not agree to the vote of the Council being anticipated, and therefore the work had to be postponed for a whole year ; this delay leads to a considerable loss of revenue,

(*c*) Since the reforms, petty estimates, even those connected with residential buildings of Subordinate Establishments, and estimates for other works amounting to only a few rupees, must be referred to the Finance Department.

The installation of telephones, the utility of which lies if anything in its universal adoption and is known to every commercial firm must receive the previous sanction of the Finance Department."

99. It has seemed preferable to give this extract in full rather than to summarize it ; but it must be given subject to some comment. The Lieutenant-Governor was equally a non-technical officer ; the real change which has taken place is perhaps rather in the fact that the increased attention attracted to the operations of the department, and the necessity for discussing or justifying them in the Legislative Council, has made it necessary to give far closer study than before to some aspects of the projects which come before Government. In particular, as regards the " revenue " side of the department's work, it must be realized that though Irrigation Engineers gain in the course of their work much experience of the revenue side of Canal administration, they come to the department as engineers, with no previous revenue training. That the necessity for answering questions and preparing for resolutions in Council throws a very considerable additional burden on a technical department, of a type which it had not hitherto experienced, is undoubted ; but this is an inevitable consequence of the extension of the powers of representative institutions and is not confined to the Irrigation Branch alone. As to the particular instance quoted of the intervention of the Legislative Council in securing the experimental transfer of assessment work on the Western Jumna Canal from the Irrigation to the Civil Department, it may be noted that the step was one which had in effect been recommended as far back as 1907 by the Canal Colonies Committee : it was felt that it was uneconomical to maintain two parallel agencies. It was one which found many supporters among officers of Government as well as in the Legislative Council ; and those officers of the Civil Department who were engaged in attempting to make the experiment a success claimed that they could have done so if they had obtained a fuller measure of co-operation from local officers of the Irrigation Branch. The withdrawal of the magisterial powers of Irrigation Officers was advocated by the High Court ; it has left some difficulties for which a full remedy has not yet been devised, but was a measure which might well have come in the ordinary course without the intervention of the Legislature. The subject of Standing Advisory Committees has been dealt with elsewhere (Chapter III, paragraph 51), but it is only proper to mention here, as regards the attitude of the Legislature, that it has never hesitated even during times of financial stress to support expenditure, capital or other,

proposed for the Irrigation Department, and has evinced little disposition to criticise any scheme put forward by it.

100. Financial control of course has become much closer than in pre-reform days. That is an inevitable development of a system under which the budget is bound to come under a scrutiny to which it was not previously subjected. It is admitted in the section dealing with Finance that pre-reform budgeting was of a somewhat sketchy description ; and though the looser procedure then followed may have rendered somewhat easier the task of a technical department, which had very wide powers of re-appropriation, it undoubtedly led to inaccuracy in estimating expenditure and contributed to the difficulty, expressed in the passage referred to, which was experienced during the earlier years of the Reforms in obtaining a clear view of provincial finance. The Reforms Scheme produced a Finance Department, and the department has produced a code of rules designed to meet its own requirements. There is perhaps something to be said for the position of a large technical department, which finds itself bound within the somewhat narrow restrictions of the " demand heads " and has frequently to wait for sanction to works which it feels to be urgent because the project has to be submitted to the Finance Committee or wait for the Budget and Supplementary Estimates. But there is no doubt, on the other hand, that the present system has led to much closer and more accurate budgeting and has compelled departmental heads to exercise far closer supervision over the finances of their departments, and has lead to expenditure for the year roughly falling into the proportion anticipated in the year's programme.

(viii) Commerce, Trade and Industrial Subjects reserved.

101. The following central or reserved subjects are administered by the Director of Industries under the Revenue Member :—

(*a*) The Indian Factories Act,
(*b*) The Indian Boilers Act,
(*c*) The Indian Electricity Act,
(*d*) The Indian Mines Act,
(*e*) Rules for the grant of prospecting licenses and mining leases,
(*f*) The Workmen's Compensation Act,
(*g*) The Indian Trade Unions Act,
(*h*) The Indian Joint Stock Companies and Societies Act (Central),
(*i*) The Indian Provident and Insurance Societies Act (Central),
(*j*) The Societies Registration Act (Central), and
(*k*) The Indian Life Assurance Act (Central).

102. *The Indian Factories Act.*—The number of factories registered under this Act rose from 297 in 1921 to 563 in 1926, and the number of workers from 42,428 in 1921 to 52,648 in 1926. The inspection of factories is carried out under an Inspector with four assistants. Attention is paid, during inspections, to water supply and lighting and sanitary conditions. Water supply and light are generally sufficient. Almost all the newly erected factories are provided with fairly good drainage systems, but the same does not apply to the old factories. Ventilation is found satisfactory in the large factories. Experiments are being conducted and temperature records taken in all textile factories with a view to framing rules for artificial humidification. Wet and dry thermometers are now provided in the weaving and spinning departments of all textile factories and records for comparative purposes are made daily. Record is kept of the wages in factories from which it appears that a little change has been registered in the cost of labour during the last four years. The health of the workers in the factories is generally good and no cases of occupational disease is reported from any factory during the last year. In most perennial factories quarters are provided for the workers and are superior to those which have been rented by the workers themselves. Seasonal factories, however, seldom provide quarters except for the staff. As regards the hours of employment, perennial factories find no difficulty in complying with the 60 hours week rule and printing presses and engineering works find 48 or 50 hours' work sufficient,

Seasonal factories, however, are reluctant to observe regular hours of work, cotton ginning factories being particularly prone to offend in this respect. Progress is slow as regards fencing machinery. In the larger and well established factories safety devices are approaching a better standard, but this is not the case in the smaller factories or in the majority of seasonal factories. Demonstrations to give the workers an understanding of the use of safety devices form a large part of the Inspector's duties. Factory employers are urged to undertake to provide suitable clothes for their workers and workers themselves are beginning to realize the dangers of wearing loose clothes when their machinery is in motion. In 1926 there were 523 accidents, of which 15 were fatal.

103. *The Indian Boilers Act.*—The number of boilers registered under this Act increased from 730 in 1920-21 to 1,981 in 1926-27, and the revenue realized under this Act from Rs. 27,869 in the year 1920-21 to Rs. 65,272 in 1926-27. A Steam Boiler Inspector exists for the purpose of carrying out the inspections required by the Act.

104. *The Indian Electricity Act.*—The Electric Inspector to Government, Punjab, has given considerable assistance to Local Bodies and private companies in the preparation of estimates and plans in connection with the electrification of the towns of Ambala Cantonment, Jullundur, Multan, Gujranwala and Rawalpindi. Apart from this the Electrial Inspector carrics out the necessary statutory inspections under the Indian Electricity Act and the Cinematograph Act.

105. *The Indian Mines Act.*—During the period 1921 to 1926 the production of coal from mines varied between 67,205 tons and 67,788 tons, and so far as the production of petroleum is concerned, the quantity of produce increased from 60,236 gallons in 1921 to 6,230,320 gallons in 1926. The revenue realized from the various mineral concessions, granted by the Punjab Government, increased from Rs. 67,423 in 1921-22 to Rs. 1,48,535 in 1926-27.

106. *The Indian Joint Stock Companies and Societies Act.*—During the period 1921 to 1926 the number of joint stock companies has increased from 145 to 211, and the revenue from Rs. 10,382 to Rs. 13,877. The office of the Registrar, Joint Stock Companies, was transferred from the Registrar, Co-operative Societies, to the Director of Industries in 1924. The detection of breaches of the provisions of the Indian Companies Act, which are still too common, form a large part of the Registrar's duties and strict vigilance is maintained by the Department on companies in regard to which fraud is suspected.

(*ix*) Criminal Tribes.

107. The Criminal Tribes Department having been established only in 1917, was as yet in its infancy when the Reformed Constitution, established under the Government of India Act, 1919, came into operation in the beginning of 1921. The lines originally adopted were yet being tested in the light of the actual experience and changes in the working system were being proposed where needed. The main features of the policy originally declared under Act III of 1911 for the reclamation of the criminal tribes were as below :—

(*a*) An effective but sympathetic control of the tribes combined with the provision of sufficient opportunity for earning an honest livelihood.

(*b*) Gradual relaxation and ultimate total exemption of well behaved individuals.

(*c*) Education.

108. Since 1921 there has been no radical change in the policy as indicated above, but some important details have been so altered as to place the working of the scheme on a more popular basis.

109. The control referred to in (*a*) was to be exercised by the removal of the worst characters to the various classes of settlements to be established for this purpose. No standard of criminality was, however, fixed for the selection of individuals and this resulted in indiscriminate transfers. To avoid the possibility of injustice, section 16 of Act III of 1911 was so amended by section 8 of Act I of 1923 as to necessitate a preliminary enquiry in each case and Rule 28 of the Rules framed under section 20 of the said Act was so amended as to give

each individual a chance of proving his innocence before his transfer was effected. Further, no period was fixed for the detention of an individual in a settlement. The prospect of a life long incarceration was apt to shut out entirely the chief incentive for reformation and to remedy this Rule 28-A was framed in October 1923, fixing a reasonable period of detention and also providing for ultimate release on probation. In pursuance of this policy a large number of persons have been released from settlements on probation and hardly two per cent. of them have been complained against so far.

110. Since the beginning of 1921 eleven labour supplying Industrial Settlements have had to be abolished for one reason or other, and four new Industrial and four Agricultural Settlements were established with a total population of nearly 2,000 souls. Two Reformatory Schools have also been established for the reformation of youths who were being brought up in criminal environments. Three Agricultural and two Industrial Settlements have been sanctioned for the next financial year and several other avenues of paying and instructive work are being explored for the reformation of the hereditary criminals.

111. With a view to wean the members of the criminal tribes from their evil pursuits, to provide means of livelihood for them, to educate them and thus to assimilate them gradually in the general body of the community, a special staff was appointed in 1925 and the work on all lines indicated above is progressing satisfactorily.

112. The gradual relaxation referred to in (*b*) above, has since 1921, resulted in the exemption of nearly 11,000 individuals from the operations of the Criminal Tribes Act. Of these hardly 10 per cent. were re-registered till the close of the year 1927, owing to their having reverted to criminal habits. The rest are reported to be behaving satisfactorily.

113. Rule 42 of the Rules framed under section 20 of the Criminal Tribes Act was so amended as to make education compulsory for the children of all members of the notified criminal tribes whether actually restricted or not, and so far as the economic condition of this backward community and the situation of the schools permit, efforts are being made to enforce this rule throughout the Province and considerable success has been achieved so far. Besides the two Reformatory Schools referred to above, 28 schools for boys and 26 for girls exist in the settlements and are attended by nearly 1,800 children. Night schools have also been started in all settlements for the benefit of grown up people and are attended by 665 men. The healthy influences under which the settlers have been placed in the settlements has engendered a desire for advance to such an extent that at one place, they have, out of their own earnings, established a Co-operative Anglo-Vernacular Middle School, which is attended by 90 youths. Nearly two hundred youths are at present receiving vocational training in the Amritsar Reformatory Factory and the Palampur Technical School.

114. The attitude of the reformed Council towards the Criminal Tribes administration has been one of sympathy and encouragement. While anxious to see that the money spent on the Department is not wasted, the local legislature has not been in any way grudging in sanctioning demands for this department. It is worthy of note that no demands in spite of the expansion of the activities of the department detailed above, have so far been disallowed by the Council.

(*x*) Arms.

115. There has been a considerable growth in the number of arms in the possession of the public licensed under the Arms Act or exempted from its provisions. To take the figures for fire-arms only the number in 1921 was 25,369; as a result of the relaxation of the rules by the Government of India in 1922 the number had increased to 43,126 in 1924 and to 51,595 in 1926. As far as the influence of the local legislature is concerned the legislature pressed for swords being exempted from the purview of the Arms Act, as was the case in the neighbouring provinces of United Provinces and the Frontier Province. It may be noted that the question has, in the Punjab, been complicated by the fact that the Sikhs enjoy an exemption from the operation of the Arms Act so far as concerns the wearing of kirpans; by a ruling of the High Court this term has been held to include swords. The Punjab Government was ready

to accede to this demand of the Legislature, but the disturbed conditions in the Province made it difficult to bring about this change. The Council persisted in the demand and the Punjab Government first conceded to it by exempting definite classes of tax-payers and title holders from licenses and later exempted a number of districts from the purview of the Arms Act, so far as swords were concerned.

(*xi*) Motor Vehicles.

116. Government introduced the Punjab Motor Vehicles Taxation Act as part of a body of legislation which had the sole object of balancing the budget. The part which the taxation of motors played was financially small, but it was introduced by way of a gesture indicating that the Council was prepared to accept taxation which affected its members personally. The Council showed a proper sense of responsibility in appreciating the necessity for such taxation, and passing the measure without objection. The Punjab is now the only province where provincial motor taxation exists. The reformed Council has been pressing for improving the administration of the road traffic under motor vehicles. It has taken some interest in the question of a transport monopoly given to a European firm on a dangerous hill road. As a result the road has been opened to three firms.

(*xii*) Excise.

117. *Revenue.*—The steady growth of revenue was a marked feature of the history of excise administration in the Punjab during the four years (1909—1913) prior to the war, the increase in income being mainly due to an increase in still-head duty and vend fees for country spirit. In the year preceding hostilities, and the first two years of the war, the revenue was practically stationery. The receipts began to swell in 1916-17, owing chiefly to the greatly enhanced demand for Indian-made liquor, particularly beer, the large concentration of troops in the province, and the prohibitive price of imported liquor. It was also very difficult to obtain liquor in large supplies owing to shipping difficulties. The excise revenue continued to advance owing to the general rise in the level of prices caused by the war, and the increase in the consumption of liquor resulting from the general prosperity of the working classes. It steadily rose till it reached the record figure of 147.8 lakhs in 1920-21, but progressively decreased in the following three years, owing to the anti-liquor agitation, the lessened demand for beer after demobilization, the marked decrease in the consumption of country spirit due to its high sale price, and heavy surcharges under the gallonage system introduced in 1922-23. The revenue began to recover in 1924-25, when it rose from 105.69 lakhs in the previous year to Rs. 119.47 lakhs, the increase being due almost entirely to an increase in still-head duty on country liquor.

In 1926-27 the reduction in still-head duty (from Rs. 14-1-0 to Rs. 12-8-0) amounted to 1.66 lakhs, but was more than counter-balanced by an increase of 1.81 lakhs in license fees for country spirit, as the bidders at the auctions anticipated an increase in sales. The income from opium went up by 2.18 lakhs, mainly in consequence of the fixation of its retail price. The total revenue during 1926-27 rose to Rs. 128.34 lakhs, which is the highest figure during the last six years.

The excise revenue in 1919-20 (129 lakhs) is just over the revenue in 1926-27 (128 lakhs), but the total consumption of liquor fell from 545 to 298 thousand gallons, with one rural shop to 182 square miles and an average consumption of 1.4 gallons per hundred of population as against the all-India figure of 2½ gallons.

118. *Expenditure.*—In the years immediately preceding the introduction of the Reforms, excise expenditure had been steadily rising. In 1919-20 it stood at Rs. 2,66,000; it has since risen to Rs. 15,16,000. Out of this a sum of Rs. 9,82,000 is merely due to a change in the system of accounts whereby the cost of opium supplied to the Excise Department appears on the expenditure side instead of as formerly being deducted from the receipts on account of its sale. This leaves Rs. 5,33,000. The main causes of increase have been a general revision in the scale of emoluments of the staff and the addition of establishment for administrative, preventive and detective purposes.

Offences.

119. The main problems of excise administration in the Punjab are the prevention of illicit distillation of country spirit and of smuggling of opium and *charas*. In the central districts the chief complaints are of illicit distillation; in the southern and south-western parts of the province the smuggling of Malwa opium causes the greatest anxiety, while in the north and north-west, *charas* is the chief subject of contraband. In the towns of Lahore and Amritsar serious complaints are made of cocaine smuggling. The Excise Intelligence Bureau established, as a tentative measure, in the Financial Commissioners' Office on 1st July 1912, became a permanent institution from 1st July, 1913, and stimulated interest in excise cases. It collates information and forms a forwarding and distributing agency between local officers in the Punjab and neighbouring administrations. A vigorous campaign was carried on during 1919-20 against excise offences in ten selected districts with satisfactory results. The large and progressive increase in arrests during 1922—26 points to a very substantial increase in the number of excise offences committed owing to the high prices of excisable articles.

Establishment.

120. The pay of Excise Inspectors and Sub-Inspectors was brought on an equality with those of Tahsildars and Naib-Tahsildars from 1st October 1920. The posts of the Distillery Expert (which was instituted in 1920 and held by a European) and Excise Superintendent were combined from 1925-26 in that of the Excise Assistant (an Extra Assistant Commissioner with special qualifications seconded from the ordinary cadre). The abolition of the post of Distillery Expert was done in deference to the wishes of the Legislative Council: and the action taken has resulted in depriving the Department of specialized technical advice.

Policy and control.

121. Under the Punjab Excise Act, I of 1914, subject to the control of the local Government, the general superintendence and administration of all matters relating to excise vest in the Financial Commissioner, Revenue; as a transferred subject, it has been placed in the portfolio of the Minister for Agriculture. Excise which, now-a-days has an expenditure of 20 lakhs, brings in over a crore of net revenue, and is a great earning department. During the period of the reforms, Excise Revenue stands now at the same figure as at the outset of the period, but licit consumption of liquor is only just over half the total consumption in 1919-20, while the number of retail shops is also constant, 666 in 1919-20 and 661 now. The Ministry has been successful in maintaining a policy of minimum consumption and maximum revenue. Though Temperance Societies and Associations are still in their infancy, recent years have been marked by an increasing interest in several quarters in the question of prohibition, which has found an echo in resolutions and interpellations in the Legislative Council, which at the instance of the Ministry passed a Local Option Act. The latter has shown itself critical but reasonable in its attitude to Excise administration. While it has displayed consciousness of a growing body of opinion in favour of prohibition, it has not failed to realize to the full the difficulties bound to arise, in the event of its introduction, from illicit production of excisable articles for which abundant facilities exist in the province; and it has also recognized that too hasty a step in the direction of total prohibition, before public opinion is more solidly arranged in its favour, would entail the sacrifice of considerable revenue without the corresponding achievement of material and moral progress.

(*xiii*) Agriculture (including Agricultural, Veterinary and Co-operative Credit Societies).

122. *Agricultural.*—The work of the Agricultural Department may be said to have begun with its experimental farm of 54 acres started in May 1901 at Lyallpur. The Department was then under the control of the Director of Agriculture and Land Records. In 1905, in pursuance of Lord Curzon's scheme for agricultural development, the Department of Agriculture (including Veterinary) was recognized on a more satisfactory basis and 2½ lakhs of rupees recurring were allotted by the Government of India to the Punjab. This sum was further increased by grants from Provincial funds.

123. By 1914 the expenditure on the Department had grown to Rs. 5,18,156 (*vide* Statement No. 1). District work had been started in Sialkot, Gurdaspur, Jullundur, Hoshiarpur, Gujrat and Montgomery Districts and in the Sargodha Colony. Further the Department had at Lyallpur a College of Agriculture and Research Institute. This College cost about Rs. 4 lakhs and was equipped with Chemical, Botanical and other laboratories, and a Mechanical Workshop; had 20 acres of land set aside on which students were made to grow crops, a dairy of about 20 cows to enable the Professor of Agriculture to teach practical dairying to the students, an experimental farm of 260 acres where the students were kept in touch with experiments and the larger farm operations; also an area of 65 acres in the Botanical Section.

1914.

124. In 1920-21, the year immediately preceding the inauguration of the Reforms, the expenditure of the Department was Rs. 14,54,454 (*vide* Statement No. 1). Apart from the College staff, the Department had a Director, three Deputy Directors, with two more under training, 5 Extra Assistant Directors and 43 Agricultural Assistants. Altogether it comprised 9 posts in the Indian Agricultural Service, 13 in the Punjab Agricultural Service and two special posts.

1920-21.

125. The College was affiliated to the Punjab University and the following courses were given in it:—

The College.

(*a*) A Course for the B.Sc. degree in Agriculture extending over four years.

(*b*) A Leaving Certificate Course extending over two years.

(*c*) A Vernacular Course extending over six months.

(*d*) A Rural Economy Class for officers of the Revenue, Irrigation and Co-operative Departments, extending over one month.

(*e*) A Course for Certified Vernacular Middle School teachers, extending over one year to qualify them to teach agriculture in Rural Middle Schools.

The number of students in the College in the year 1920-21 was:—

Degree Course	127
L. C. Course	23
Vernacular Course	26
Teachers Course	20
Rural Economy Class	23

126. In the Chemical Section of the Research Institute connected with the College in that year some 800 individual samples were analysed in connection with the chemical investigations, and some 170 samples were analysed for foreign Departments and private individuals. Work had been started by the Agricultural Chemist on the reclamation of hard alkaline barren lands in Montgomery District, and a farm had been opened on these lands. Studies of the movements of soil moisture and of nitrogen fixation in the soils of the Province were also in progress.

Research Chemical Section.

127. In the Botanical Section Ear-cockle disease of wheat, which was doing immense damage in some districts, was studied and a simple and effective cure was found for it. Work on the improvement of wheats and cottons was in progress, and the selected types of wheat, Punjab-11 and 8-A, were grown in the Province on 634,000 and about 5,000 acres, respectively. 4-F cotton was evolved and was then growing on an area of 524,500 acres. A variety of *Desi* cotton selected at Hansi was growing on about 5,000 acres and was also giving farmers greatly increased returns. Scotch potatoes introduced in the Simla hills gave farmers about Rs. 150 per acre more income than the old types grown there. The gram crop was tackled in the same manner as wheats and cottons.

Botanical.

Entomological.

128. The Entomologist had started work on cotton bollworm, pests of citrus, mangoes and other fruit trees; on insects which attack stored grains, etc., a campaign was started against rats, which were doing great damage to crops. Sericulture was introduced in some 15 districts of the Province.

Engineering.

129. In the Engineering Section 20 boring plants were at work. The number of bores sunk that year was 392, of which 326 successfully increased the water supply by over 25 per rent.

Miscellaneous.

130. Experimental farms were in existence at Lyallpur, Gurdaspur and Hansi. On these farms varietal, cultural, hydraulic and manurial experiments were conducted on cottons, wheats, sugarcanes, toria, etc., the Department had also Seed farms at Sargodha, Montgomery and Chillianwala and seven Demonstration farms which were financed by District Boards and managed with the assistance of the Agricultural Department. Cotton auctions were started by the Agricultural Department in order to get for farmers prices for improved cottons more near their real value than could be got at that time in the open market, also to enable the Department to get pure seed for distribution. At the Department's seed depots some 19,620 maunds of wheat seed and 50,370 maunds of cotton seed of pure types and superior quality were sold to farmers. A considerable number of improved country implements were designed and sold to farmers. Propaganda by means of crop experiments and ploughing matches, demonstrations of improved implements, etc., etc., at fairs was carried on. Several large grants of land were leased out to private individuals for the encouragement of fruit growing, the production of large quantities of pure seed for subsequent distribution to smaller farmers, etc.

The Reforms.

131. The foregoing account brings the history of the Department down to the beginning of the Reforms. Under the Reformed system of Government the Department was placed under the Minister for Agriculture and Industries. In the third Council a separate portfolio for Agriculture was created which did not include the subject of Industries.

1926-27.

The progress made under the Reforms may be partly gauged by the expenditure on the Department which had risen in 1926-27 to Rs. 21,60,000. The staff which in 1920-21 consisted, as above stated, of 9 posts in the Indian Agricultural Service, 13 in the Punjab Agricultural Service, and two special posts, now comprised 16, 29 and 17 respectively.

The College.

132. By 1927 the staff of the various sections of the Agricultural College and Research Institute had been greatly strengthened, and its laboratories, hostel accommodation and workshop greatly extended. The courses given there and the number of students attending them were :—

	Number of students.
(1) M.Sc. Course in Agriculture	1
(2) Course for the degree of B.Sc. (Agri.)	161
(3) Two years' Certificate Course	23
(4) One-year Teachers' Course	32
(5) Six months' Vernacular Course	42
(6) One month Rural Economy Course	15
(7) Special course of one month's duration in dairying to give some training in his subject to members of the staff of the Co-operative and the Veterinary Departments ..	10
(8) A blacksmith class extending to two months has been started in which instruction was given in oil engine driving, running repairs, maintenance of the simpler forms of improved implements and machinery, etc. ..	14
(9) A short course extending over a month in fruit growing was started this year and was extremely popular ..	40

The institution now possesses an agricultural section, with a professor and three assistants or associate professors ; a botanical section under an associate professor assisted by ten specialists or assistant professors ; a chemical section under an agricultural chemist with five professors or other specialist officers ; an entomological section under an entomologist with two qualified assistants ; a general section with assistant professors of English, Mathematics and Economics. A photographic and cinema section has been added to the Institute for the preparation and distribution of lantern slides for propaganda work in the Agricultural and other departments and in educational institutions in the Punjab: also for the making of cinema films to demonstrate up-to-date methods of scientific agriculture.

Chemical.

133. In the chemical section, in addition to the usual analysis of samples of soils, fodders, feeding material, water, milk, etc., the staff has been working on the digestibility of certain food stuffs, the efficiency for milk production of the College dairy diet, the quality of fodders from various parts of the Province, the food materials taken by crops from the soil, the relation, if any, that may exist between the vitamine contents of wheat as grown under the various types of farming (irrigated and unirrigated) and different conditions of soils and climate in the Province. Chemical work has been extended to a laboratory at Gurdaspur Experimental Farm where the systematic analysis of sugarcane is being carried on throughout the cane season.

Bacteriological.

134. In the bacteriological section in 1926-27 investigations were carried out in connection with the bacterial contribution of canal water to soils in the canal colonies, the fixation of soil nitrogen at various times of the year, the relation of bacteria to root rot, disease of cotton, etc.

Botanical.

135. In the botanical section the work is split up among a number of specialists. These officers are attacking problems on cottons, wheats, barley, millets, gram, rice, fodder, grasses , fruits, etc., and the Indian Central Cotton Committee is assisting with the cotton work. The area of improved cotton and wheat grown was then as under :—

Improved Wheats.

Punjab-11.	8-A.	Other improved varieties.	Total.
510,400	917 400	12,300	1,440,100

Improved Cottons.

American.			Desi.		Total.
4-F.	285-F.	289-F.	Indicum.	Neglectum.	
1,122,000	9,900	2,350	143,000	128,700	1,405,950

Entomological.

136. In the entomological section work on the spotted boll-worm and the pink boll-worm has been greatly extended. The Indian Central Cotton Committee is now assisting in the latter work. Investigations are being made on red cotton bug, rice stem borers, gram and lucerne caterpillars, the citrus leaf miner, etc., etc.

Entomological.

137. In the Agricultural Engineering Section, well-boring has witnessed great expansion. There are 92 plants against 20 in 1920-21, and the number of wells successfully bored in the year has risen from 326 to 475. A new lift irrigation division

has just been formed in this Section. Among agricultural implements a parallel cultivator or horse-hoe has been evolved which can be sold at half the cost of the imported article and a new plough has been devised in the workshop, and is under trial.

District work.

138. As regards the district work, the Province is now divided into seven circles, each with a Deputy Director of Agriculture and staff in charge. The number of experimental farms has increased from 3 in 1920-21 to 9: of seed farms from 3 to 4: and there are now 20 demonstration farms of various kinds against 11.

139. There are now 135 Agricultural Assistants against 43 in 1921 and these officials are found in every district of the Province; while a far greater demand for assistance has arisen from farmers than the Agricultural Department can cope with, even with its greatly increased staff. Students at the College are mainly sons of middle class farmers drawn from all over the Province, and when they leave the College they impart information of value to farmers with whom they come in contact. The result of this, and the fact that farmers have pocketed extra profits in hard cash by using the Agricultural Department seeds, implements, methods of cultivation, etc., has been the creation among agriculturists of a desire to win for themselves the increased profits which they see can be obtained from modern methods of agriculture. Their change of attitude in this direction forcibly strikes any one who attempted to get these men to adopt improvements 20 years ago. In those days most people regarded the task as hopeless. The position now is that so many farmers call for aid from the Agricultural Department that it cannot satisfy their demands.

140. Agriculture has been taught since 1917 in rural Vernacular Middle Schools which are equipped with gardens and small farms. This reaches masses of young people who never attain the Matriculation standard, and opens their minds to the possibilities of the improved methods of farming.

141. It is important to add that the Department is now in the third year of a five years' programme of development, which was introduced from 1st July 1926 and provides a framework for future expansion of the Department on an extensive scale.

1905.

142. *The Veterinary Department.*—The Veterinary College was opened in Lahore as early as 1882 in an old bungalow with a few improvised stables, a forge and some operation rooms. An Urdu course of two-years' duration was given. In 1889 the course was lengthened to three years, and many subjects were added to the curriculum in order to meet the advancing need of the country. The Veterinary Department was provincialized in 1901 and in 1905 it had a staff of 5 Imperial and one Provincial officer with 109 subordinate officers. There were 87 Veterinary dispensaries in the Province, and for the improvement of the cattle of the Province 214 selected stud bulls were at work.

1912.

143. In 1912 the Government Cattle Farm at Hissar was transferred to the Punjab Agricultural Department by the Government of India. This farm consists of about 40,000 acres, of which about 2,000 acres are irrigated by canal. It breeds Hariana cattle and is the main source from which Government supplies stud bulls to District Boards. These are supplied at concession rates.

1914.

144. In 1914 the expenditure on the Department was Rs. 5,63,279 (*vide* Statement No. 1). In that year the superior staff at the College consisted of a principal and four professors, and the number of students at the College was 176. The district staff comprised a Chief Superintendent, who was also Superintendent, Central Circle, and two other Superintendents, of Circles. There were 116 Veterinary dispensaries in the Province by that time.

1920-21.

145. In 1920-21 the gazetted staff of the College comprised a Principal, five other professors, a House Surgeon and a Camel Disease Specialist, and the number of students studying in the three-years' Vernacular Course was 216. Arrangements were

made to change the course of instruction from one of three-years' to one of four-years' duration and for the medium of instruction to be changed from Urdu to English as there were neither suitable books in Urdu, nor current literature to keep men up-to-date in their studies when they had passed through the course. The standard of entrance fixed was the Matriculation of the Punjab University, and students who passed successfully through the course at the Veterinary College were to receive the diploma of L. V. P.

146. Under the Reforms the Veterinary Department continued to be in the charge of the Director of Agriculture and was placed in the portfolio of the Minister of Agriculture. In 1926-27 the expenditure on the Department had grown to Rs. 12,59,604 (*vide* Statement No. 1), one Superintendent and eight Deputy Superintendents had been added to the district staff besides a large increase of subordinates and three professors to the College. The number of dispensaries had risen from 144 in 1920-21 to 219.

147. The district work done by the staff on tour and at Veterinary Hospitals, the villages visited, animals treated, castrations performed, are as follows :—

Work done.	1920-21.	1926-27.
Work on tour.		
Villages visited	13,167	23,457
Animals treated	72,182	129,803
Castrations performed	17,806	114,165
Work in hospitals.		
Animals treated	21,505	673,293
Cases supplied with medicine but not brought to hospital.	315,902	123,822
Castrations	13,791	104,219
Inoculation.		
Rinderspest	115,584	211,295
H. Septicæmia	13,279	89,753
Vaccination.		
H. Septicæmia	47,551	204,415
Black Water	6,380	23,146
Value of sera and vaccines	Rs. 67,600	Rs. 2,03,000

Sera and vaccines are supplied free of charge by Government for use in dealing with outbreaks of contagious diseases. The adoption of preventive measures against these diseases is steadily gaining popularity.

Cattle-breeding.

148. The number of stud bulls in the Punjab rose from 1,353 in 1920-21 to 2,233 in 1926-27. A new system of encouraging indigenous breeds was started in the form of grants-in-aid to the Hariana and Dhanni cattle-breeding schemes which now aggregate Rs. 60,000. The main principles of these two cattle-breeding schemes are to maintain specially selected indigenous bulls in selected villages, to eliminate inferior indigenous male stock by castration, to encourage the maintenance of good milch cows for breeding purposes. The main features of the Dhanni cattle-breeding scheme are similar to those of the Hariana scheme, but as there is no Government farm yet for the Dhanni breed of cattle, the selected bulls have to be obtained locally. The purchase and maintenance of the bulls is subsidized by District Boards and Government in equal shares. Another method of encouraging cattle breeding has been by the grant of leases in the canal irrigated colonies

for the purpose. There are now seven grants of this description covering an area of over 20,000 acres. The grantees by the terms of their grants are required to maintain over 2,000 head of cattle.

149. *Co-operative Credit Societies.*—The co-operative movement in the Punjab may be said to date from 1898 when a few societies were formed in the Western Punjab, but it was not until 1904 that it took regular shape with the passing of the first Co-operative Societies' Act.

150. The original Act was intended to meet the needs of credit banks designed on the Raiffeisen model; but this type has been departed from to the extent that a considerable portion of the funds needed by members are contributed by them in the form of small shares paid up, by instalments, in the course of ten years. During this period all profits are indivisible. The advantage of this system is that it encourages thrift. At the end of ten years the shares may be returned and the profits voted indivisible for ever, in which case the society becomes pure Raiffeisen in type. Or the shares may be retained and three-fourths of the profits allotted as share capital in proportion to the shares held, in which case, in succeeding years, three-fourths of the annual profits may be divided amongst the members in proportion to shares held. To guard against dividend hunting, the maximum dividend admissible is 10 per cent. The result of the shares system combined with indivisible profits is that after ten years, most societies are nearly, if not quite, self-supporting in the matter of funds. The original Act did not provide for secondary banking institutions. This was done by the Act of 1912, and there are now in the Punjab in addition, to a provincial bank, 47 central banks and 69 banking unions whose function it is to finance primary societies.

151. The primary co-operative societies are divided into two classes, agricultural and non-agricultural. The former number 14,148 of which 13,446 are credit. Twelve of these credit societies are mortgage banks with a working capital of 13 lakhs. The remainder represent the bulk of the co-operative societies in the Punjab, whose general character has been described above. They contain 372,000 members: their paid up share capital is Rs. 67 lakhs, their reserve funds Rs. 101½ lakhs and their profits last year Rs. 20 lakhs. They generally borrow at 9 per cent. and lend at 12½. Many of those who have sufficient resources of their own lend at 9⅜ per cent. Other agricultural societies are for miscellaneous objects such as purchase and sale, silt clearance of canals, stock breeding, fodder storage, reclamation of land, better farming and milk recording. An unusual and useful type is that for consolidation of holdings: this is intended to counteract the great evils that have followed from the recurring sub-division and fragmentation of land, which results in the holdings of a single proprietor being scattered in small parcels all round the village.

152. Non-agricultural societies number 2,273. About one-third of these are for credit with a working capital of Rs. 53 lakhs, another third for thrift with a working capital of Rs. 4 lakhs and most of the remainder are organized for education and have no financial bearing.

153. Turning to secondary societies, we have two classes—central banks and banking unions. There are 37 central banks with assets of Rs. 445 lakhs and liabilities of Rs. 440 lakhs, and last year they advanced Rs. 91 lakhs to each other and Rs. 171 lakhs to primary societies. There are 69 banking unions with assets of Rs. 71½ lakhs. Last year they advanced 7 lakhs to central banks and Rs. 31 lakhs to primary societies. The Provincial Bank has assets, with corresponding liabilities, of nearly 40 lakhs. Its paid-up share capital of 7¾ lakhs is held by nearly 10,000 co-operative societies (all in the Punjab). It has received 20 lakhs in deposits and has invested 22 lakhs in Government securities. Five lakhs of debentures have been issued at 6 per cent., a rate which the Punjab Government has guaranteed for the duration of the issue (25 years). The debentures were issued to provide long-term capital for financing the land mortgage banks of the province and were over-subscribed. Further long term capital is provided by the Punjab Government in the shape of loans for 10 years at 6 per cent. These loans amount to 4 lakhs and are likely to increase. The two main functions of the Bank are to finance the mortgage banks—9 lakhs have been advanced in this way—and to provide a balancing centre between Central Banks with surplus funds and those with insufficient funds. The control of the

movement is under the Minister for Agriculture and the Financial Commissioner, Development, in the hands of the Registrar, Co-operative Societies. The latter is assisted by three Deputy and sixteen Assistant Registrars for the supervision of the field staff which consists of 103 Inspectors. The industrial societies (186) and those for the consolidation of holdings are entirely controlled by the Government staff. In regard to other societies, the duty of audit and certain miscellaneous duties of inspection are carried out by 447 Sub-Inspectors appointed by the Punjab Co-operative Union, which represents the societies of the province.

Progress.

154. The following figures show the progress made since the Reform Scheme was introduced :—

	31st July 1920.	31st July 1927.
Societies.		
1. Number of Societies	7,174	16,563
2. Members	205,405	505,122
3. Working Capital	2,76,46,147	11,60,71,088
Official Staff.		
1. Gazetted Officers (Registrar, Deputy Registrars, Assistant Registrars).	7	21
2. Inspectors	44	109
3. Sub-Inspectors	49	100
Non-Official Staff paid by the Punjab Co-operative Union.		
1. Auditors	..	5
2. Sub-Inspectors	141	442

155. Co-operation has continued steadily to develop and the movement is one that naturally makes a strong appeal to the Council composed so largely of agricultural representatives. The Reforms have undoubtedly stimulated the interest taken in the co-operative movement, and have accelerated the progress of that movement perhaps even beyond the limits of prudence. The problem of shielding the agriculturists is one in which the Council takes a very keen interest. The following remarks of the late Registrar, Mr. Calvert, are of interest in this connection :—

"The Finance Committee has invariably proved quite sympathetic towards all requests for more funds and has never rejected one that has been put before it. The Legislative Council has similarly proved sympathetic and has never placed any obstacle in the way of the budget.

When any co-operative matter has come before it, such as the proposal that Government should guarantee interest on bonds to be issued by the Provincial Bank, it has supported the proposals of the Registrar."

There is not that interest nor is there that organization in industrial societies as obtains in agricultural credit societies and other activities of the department affecting agriculturists. The Co-operative movement has gained greatly by the introduction of the Reformed Constitution, as the increase of working capital from Rs. 2,76,147 in 1920 to Rs. 11,60,71,088 in 1927 and membership from 2,06,408 to 5,05,122 clearly shows.

General.

156. As might naturally be expected owing to its largely agricultural composition the Punjab Legislative Council has been keenly interested in the development of the Departments of Agriculture, Co-operation and Veterinary, and has shown a readiness in almost every case to vote the supplies demanded by the considerable expansion that has taken place in these Departments since 1921. The large profits which have been made by the farmers of the Province from the improved wheat, cotton and other crops, the improvement of agricultural implements and the expansion of well-boring have undoubtedly changed the attitude of the Zemindar to these Departments from one of hesitation and suspicion to one of friendship and an almost clamourous demand for further assistance. This attitude has been reflected in the Legislative Council. The questions which have been put have mainly dealt with the proportion of representation of the various communities in the personnel of the Department. The same remark applies to the cuts proposed on the budget demands, though in a few cases these have been the occasion of criticism of some particular line of expansion as less urgent or

less desirable than some other line. Such criticisms have for the most part been intelligent and moderate in tone, and much has been done to meet them. The Ministers in charge of the Department have, with one exception, been members of agricultural tribes, and their keen desire to further the interests of the rural communities has been generally recognized. This fact has disarmed critics of the Department.

157. The Reforms have led to a general awakening of political consciousness among classes who till recently took little interest in political questions, and in no department of the administration has this awakening been more marked than in the Agricultural and Veterinary Departments. The Punjabi farmer is quick to appreciate the solid benefits conferred on him by these Departments in the shape of improved seed and implements for his farm, better stud-bulls to serve his cows, and new hospitals to minister to their ailments, and his representatives in the Council have been ready and even eager to vote money for such objects.

158. During the Reform period, considerable difficulty has been found in recruiting European personnel in these departments; it is clear that there is considerable reluctance of Englishmen to accept service at present rates of pay and prospects in the service. The difficulty has been accentuated by the fact that a number of officers of the department have resigned in order to obtain better paid appointments in India or other countries.

STATEMENT No. I.—*Showing Expenditure on Agriculture including Veterinary, for the years* 1906-07 *to* 1927-28.

YEAR.	BUDGET OF DIRECTOR OF AGRICULTURE, PUNJAB.			BUDGET OF P.W.D.	Grand Total.
	Agriculture.	Veterinary.	Total.	Major and Minor Works Agriculture and Veterinary.	
	Rs.	Rs.	Rs.	Rs.	Rs.
1906-07 ..	96,710	3,63,210	4,59,920	1,61,782	6,21,702
1907-08 ..	1,35,635	3,45,520	4,81,155	1,81,398	6,62,553
1908-09 ..	1,80,248	3,12,826	4,93,074	60,367	5,53,441
1909-10 ..	2,14,227	3,24,077	5,38,304	87,400	6,25,704
1910-11 ..	2,26,614	3,18,421	5,45,035	65,419	6,10,454
1911-12 ..	2,46,546	3,33,897	5,80,443	53,378	6,33,821
1912-13 ..	2,72,416	5,16,304	7,88,720	70,913	8,59,633
1913-14 ..	3,71,552	5,54,035	9,25,587	4,44,153	13,69,740
1914-15 ..	5,18,156	5,63,279	10,81,435	4,16,936	14,98,371
1915-16 ..	5,20,506	6,29,617	11,50,123	1,69,070	13,19,193
1916-17 ..	5,75,634	5,86,351	11,61,985	1,29,840	12,91,825
1917-18 ..	7,52,382	5,14,230	12,66,612	72,234	13,38,846
1918-19 ..	10,09,617	5,60,190	15,69,807	1,05,139	16,74,946
1919-20 ..	12,59,024	6,86,904	19,45,928	1,11,688	20,57,616
1920-21 ..	14,54,454	8,88,231	23,42,685	3,31,858	26,74,543
1921-22 ..	16,36,010	10,47,894	26,83,904	2,86,768	29,70,672
1922-23 ..	14,84,105	9,69,414	24,53,519	1,35,277	25,88,796
1923-24 ..	13,25,635	8,65,033	21,90,668	77,886	22,68,554
1924-25 ..	14,03,169	9,02,557	23,05,726	77,337	23,83,063
1925-26 ..	18,08,980	12,06,438	30,15,418	1,90,224	32,05,642
1926-27 ..	21,61,847	12,59,604	34,21,451	8,36,830	42,58,281
1927-28 ..	28,56,300	13,40,100	41,96,400	8,50,557	50,46,957

NOTE.—Figures of actual expenditure for the year 1927-28 being not available, budget figures have been given.

(*xiv*) Buildings and Roads and Hydro-Electric Branches of the Public Works Department, Punjab.

Organisation.

159. Since 1856 the Public Works Department in the Punjab has been divided into two Branches—the Irrigation Branch and the Buildings and Roads Branch. Towards the end of 1925 a new temporary Branch—the Hydro-Electric Branch—was constituted to deal with the Mandi Hydro-Electric Scheme. The Irrigation Branch deals with all Irrigation and waterlogging problems and is included in the portfolio of the Member for Revenue. The Buildings and Roads Branch is concerned with all other provincial public works and together with the Hydro-Electric Branch is under the Ministry of Agriculture. The Buildings and Roads Branch and the Hydro-Electric Branch is each under the control of its own Chief Engineer, but the Chief Engineer of the Buildings and Roads Branch is the Administrative Secretary for both Branches. The general frame work is very similar in both Branches. The Chief Engineer is the administrative and professional head and is the responsible professional adviser of Government in all matters relating to this Branch. The Circle is, however, the administrative unit of the Department and under each Chief Engineer there are a number of Circle each in charge of Superintending Engineer.

The Hydro-Electric Branch being a single large project of a special nature, with extensive designing, but with the actual construction, in the early stages, all concentrated in a small area, it has been found convenient to divide up the work under (1) Administration. (2) Engineering, and (3) Construction ; each as a Circle in charge of a Superintending Engineer. The headquarters of the Construction Circle are at the headquarters at Shanon in the Mandi State, while the other two Superintending Engineers are with the Chief Engineer in Lahore.

The scope of the Buildings and Roads Branch is, however, more varied and at present eight Superintending Engineers are controlled by the Chief Engineer of this Branch :—

(*i*) Four Superintending Engineers in charge of the general work of the Department.

(*ii*) A Superintending Engineer (Specialist Officer) in charge of the Sanitary Circle.

(*iii*) An Electrical Engineer (Specialist Officer) in charge of all electric works.

(*iv*) A Consulting Architect (Specialist Officer) in charge of certain selected buildings projects mainly those in Lahore which call for better architectural treatment than can be given by the general engineering establishment.

(*v*) The Superintending Engineer in charge of the Rural Sanitary Board work is also under the Chief Engineer as regards establishment.

Buildings and Roads Branch.

160. The Buildings and Roads Branch of the Punjab, Public Works Department, might be more appropriately styled, as it sometimes is, the General Branch, as it is the agency by which the Provincial Government executes all its schemes of public works, other than railways and irrigation, required for the administration and development of the Province. It serves also as occasion demands as an agent of the Central Government for the execution of works and their subsequent maintenance from Central funds, and of Local Bodies for the execution of works such as water supply and drainage schemes, while its Electrical Section under the Electrical Engineer advises Local Bodies in the development of electrical undertakings.

Buildings.

161. Table I gives the expenditure on the construction and maintenance of provincial buildings during recent years :—

TABLE I.

Year.	Construction.	Maintenance.	Total.
	Rs.	Rs.	Rs.
1916-17	10,20,760	4,70,840	14,91,600
1917-18	13,52,890	5,22,901	18,75,791
1918-19	15,31,045	6,48,200	21,79,245
1919-20	22,12,241	5,75,762	27,88,003
1920-21	34,02,427	7,01,532	41,03,959
1921-22	50,01,779	8,13,098	58,14,877
1922-23	36,92,401	8,16,529	45,08,930
1923-24	27,12,276	8,20,007	35,32,283
1924-25	18,68,299	8,21,784	26,90,083
1925-26	26,22,917	9,38,628	35,61,545
1926-27	50,23,165	9,80,705	60,03,870

Roads.

162. The extension and maintenance of the provincial road system is the other main activity of the Branch. In 1919-20 Rs. 26,37,108 and Rs. 19,83,227 were provided for original works and maintenance, respectively :—total Rs. 46,20,335. In 1926-27 the provision reached the figure of 87,50,111.

In 1923 the reclassification of the Punjab Roads was put in hand as the result of which the mileage being maintained from provincial funds has largely increased, as may be seen from Table II.

TABLE II.

Class.	Mileage.		Total.
	Metalled.	Unmetalled.	
Roads maintained from provincial funds prior to 31st March 1924.	1,176	762	1,938
Additions resulting from the first instalment of the reclassification scheme.	613	1,017	1,630
Further additions resulting from the second instalment of the scheme.	351	803	1,154
Roads proposed or under construction in the Nili Bar.	471	383	854
Total mileage for future maintenance assuming Government remains responsible for the Nili Bar roads.	2,611	2,965	5,576
Leaving eventually for maintenance by District Boards with the help of provincial grants in aid through the Communications Board.	2,129	19,019	20,148
Total length of Roads in the Punjab excluding those maintained by Urban authorities and village lanes.	3,740	1,984	25,724

A number of the roads taken over from District Boards had suffered from years of neglect and had to be practically reconstructed, while the growth of motor lorry traffic all over the Province is steadily increasing the maintenance bill. The present programme is to add a hundred miles a year to the length of provincial metalled roads and, as a matter of fact, 140 miles of roads were newly metalled last year. To carry out this programme involves an annual expenditure of upwards of 25 lakhs with an annual increment to the repair bill of at least 1¾ lakhs for the upkeep of this new construction.

Sanitary Works.

163. All the sanitary work of the Branch is carried on by the Sanitary Engineer who is responsible for the design, execution and maintenance of practically all water supply and sanitary works required in connection with Government schemes, but, as may be seen from Table III, most of this officer's work is concerned with contribution works. They are chiefly controlled by the Urban Sanitary Board which is dealt with in the note on the Public Health Department.

TABLE III.

Work done by the Sanitary Engineer to Government, Punjab.

Year.	Contribution Works			Government Works.			Grand Total.
	Works outlay.	Departmental charges.	Total.	Original Works.	Repairs	Total.	
	Rs.	Rs	Rs.	Rs.	Rs.	Rs.	Rs.
1924-25 ..	11,29,163	2,14,300	13,43,463	1,63,342	26,122	1,89,464	15,32,929
1925-26 ..	5,82,799	2,27,093	8,09,892	2,09,523	30,929	2,40,452	10,50,344
1926-27	4,64,545	88,265	5,52,810	2,94,127	57,878	3,52,005	9,04,815

The Sanitary Engineer's activities cover the whole Province. To supervise the execution of the work entrusted to him he has three Executive Sanitary Engineers in charge of Divisions and four Sub-Divisional Officers.

Electrical Works.

164. The Electrical Engineer has a dual status. As Electric Inspector he is required to make statutory inspections under the Electricity and Cinematograph Acts. He is also the adviser to the Provincial Government on all electrical questions and is responsible for all Government electrical installations throughout the Province. His services are also, with the special sanction of the Ministry, from time to time, made available for Local Bodies, Indian States and prospective licensees. The Electrical Engineer, however, has nothing to do with the Hydro-Electric Scheme.

His staff consists of an Executive Electrical Engineer and two Sub-Divisional Officers.

Effect of the Reforms.

165. From the separate notes attached giving the histories, constitutions and functions of the Hydro-Electric Branch of the Department, the Rural Sanitary Board and the Communications Board it will be seen that all these were the direct outcome of factors operating even before the establishment of the Reformed Constitution.

The years which have followed the period of financial stringency which ended in 1925, however, have been years of expansion in all directions, and while this has been most apparent in the departments of Public Health and Education, in the development of agriculture and industries, and in making medical and veterinary aid more readily accessible to the people, it has also been reflected in the growing budgets of the Buildings and Roads Branch for buildings and for the extension and improvement of roads.

The progressive educational policy of Government has been directly reflected in the growth of the Government School of Engineering at Rasul and in that of the Maclagan Engineering College in Lahore. The growth of the former

institution has been a natural growth endeavouring to keep pace with the growing volume of work of the Department as a whole while the growth of the Maclagan College has been stimulated by the Ministry in order to meet a demand, still however, in its infancy, for mechanical and electrical engineers and properly trained indigenous mechanics and electricians, in anticipation of an industrial future. A separate note is attached on this institution which is not a recruiting ground for the department, while the Rasul School is dealt with in the note on recruitment.

166. It will have been inferred that the organization of the Department has not been very appreciably affected by the Reforms, and indeed outside the Secretariat things proceed very much as before though with increased activity due to the expansion of other departments. In the Secretariat, however, the Reforms has been felt in the tightening up of financial control in sanctioning both works and establishment. The new procedure for budgeting has meant a large increase in correspondence in justifying to the Finance Department grants for additional establishment, etc., required to enable the Department to cope with the demands made on it and the Chief Engineer suggests that this argues desirability of giving him a freer hand in such matters. Attending meetings of the Legislative Council is another severe tax on the Chief Engineer's time and he thinks that the labour involved in collecting material to answer some of the questions asked in the Council is often out of all proportion to the importance of the information elicited. The preparation of statements for the use of Members of Government in defending proposals in the budget estimates and explanatory notes necessary to make technical proposals intelligible also occupy much time which in pre-reform days could be devoted to technical work.

167. As far as figures can be used to gauge the efficiency of the Branch we find in the first place that the percentage of establishment charges on total expenditure which was 21·8 in 1916-17 had fallen to 14 in 1919-20. This rose during the years of financial stringency when works were suddenly cut down, but has fallen in 1926-27 to 13·6. But, though the lower percentage of establishment to the cost of works may, to some degree, also reflect the result of substituting provincial service men for the more highly paid Imperial service, it cannot be accepted as a measure of efficiency. The efficiency of an engineer is measured by the cheapness of his designs to attain a definite purpose and the greater his efficiency the higher is likely to be his own market value, and therefore the higher his own cost as compared with that of his work. Irrecoverable losses have shown a tendency to increase which the Chief Engineer suggests that the sub-divisional control of recent years has not been so efficient as in pre-reform days, but some of the losses refer to previous years and others to depreciation in the value of material on stock or material at site purchased immediately after the war, when prices were at their peak, and then, not used for one reason or another. The percentage of outlay held under objection* to total expenditure which had grown from 16·4 in 1916-17 to 36·2 in 1920-21 fell by 1926-27 to 4·06, a result no doubt of the stricter financial control which is the child of the reforms.

System of Budgeting.

Old system.

168. Previous to the introduction of the reformed constitution when once the Budget was sanctioned, the Public Works Department, if it found it could not spend the amount allotted to a particular work, had full powers to reappropriate funds from one sanctioned work to another, even though the works related to different Departments. Under the reformed constitution, however, the Department's powers of reappropriation have been severely curtailed. It is not necessary here to give the somewhat elaborate procedure under which works required for various departments find their way into the Public Works Department budget. It may be noted, however, that to correct the tendency to over-budget for a year's expenditure from a fear lest a work should be held up for want of the sufficient funds to push on with it, Government has decided that unless the Legislative Council deliberately lays down a rate of progress to be observed in the execution of a scheme, it is to be assumed that its vote carries the implication that the scheme is to be brought into effect with as little delay as possible and that, therefore,

*This excludes the amount of objections common to more than one head of objections.

if the original budget grant proves insufficient, owing to a work being pushed on more rapidly than was originally anticipated, the Council will prefer the submission of occasional supplementary demands to over-budgeting from a desire to have funds in hand to meet every possible contingency with no allowance for possible delays through change in design or labour troubles, etc.

169. Demands for maintenance, repairs and works in progress are not usually laid before the Standing Finance Committee. The figures for repairs and maintenance, however, are scrutinised by the Finance Department in the light of previous actuals, and any increase not due to normal causes—a demand for an increased grant for road maintenance for instance, due to a proposal to provincialize a number of district roads—is treated as new expenditure and as such is placed before the Standing Finance Committee. Grants required for works in progress and ordinary expenditure on repairs and maintenance are, however, included in the consolidated budget presented to the Council.

170. Under the new procedure the Public Works Department has no power to reappropriate funds from one minor head [*vide* Budget Manual Appendix B, paragraph 2 (*c*)] to another, *i.e.*, from an educational to a police work, nor from one grant to another, and this restriction combined with the uncertainty as to the definition of " a new service " (Budget Manual 16·4) has caused delays and inconvenience in utilizing the grants for budgeted works to the best advantage. As a recent example, the Rs. 2 lakhs voted last November for the combined road and railway bridges at Chiniot and Khushab may be quoted. In January 1928, the Superintending Engineer made certain demands for roadwork which could have been met from these Rs. 2 lakhs, which it had not been found possible to utilize on these bridges this year, but as no reappropriation could be made without the approval of the Standing Finance Committee, which did not meet till 5th March 1928, a proportion of the grant will lapse.

Recruitment.

Engineers.

171. Prior to the reorganization of 1920, recruitment for appointments to the Engineer Service was made by the Secretary of State, either from England or from the Thomason Engineering College, Roorkee, and when on account of a pressure of work, additional staff was necessary to supplement the permanent establishment, temporary engineers were appointed by the local Government.

Indian Service of Engineers.

172. The following table shows the more recent recruitment to what is now known as the Indian Service of Engineers :—

Year.	Europe recruited.	India recruited.	Promoted from lower services.
1916	..	..	1
1917	1	..	..
1918	..	..	2
1919	4	1	..
1920	1	..	..
1921	..	1	..
1922	..	1	..
1923	..	..	..
1924			
1925			
1926	..	..	..
1927			
1928			
Total ..	6	3	3

Punjab Provincial Service of Engineers.

173. On the introduction of the Punjab Provincial Service of Engineers, in 1920, the cadre of the Indian Service of Engineers was reduced from 43 to 33. The new Service was to be primarily a Service of Sub-Divisional Officers and was to be composed of 24 officers. It has so far been constituted by promotions of 19 subordinates and two temporary engineers, while there have been four direct appointments from the Roorkee College.

174. Government of India, Public Works Department, letter No. 441-E. A., dated the 16th July 1920, placed the Punjab Government under an obligation to recruit from Roorkee up to the extent of 0·6 candidate per annum for the Indian Service of Engineers and 1·2 candidates for the newly created provincial service, but this was ineffective owing to the reduction in the cadre of the Indian Service of Engineers stopping all recruitment for this service while there were no properly trained candidates available for recruitment to the Provincial Service of Engineers. With the delegation of powers in 1927, under Section 96-B (*a*) of the Government of India Act, the Provincial Government now has a free hand in recruitment, and proposals are under consideration for the consequent reorganization of all the engineering services.

Specialist Officers.

175 A further source of recruitment are the Specialist Officers brought out from England. These, as required by the local Government, are selected in England by the High Commissioner with the assistance of a Selection Board, from applications received in response to advertisements. The following are the Specialist Officers now in the Department with the dates of their appointments —

Consulting Architect	1924
Electrical Engineer	Appointed in India.
Executive Electrical Engineer	1927
Two Assistant Electrical Engineers	Appointed in India.
Sanitary Engineer	Ditto.
Two Executive Sanitary Engineers	1920
Four Assistant Sanitary Engineers	All appointed in India.

Temporary Engineers.

176. Temporary Engineers are still engaged periodically to supplement the regular cadre. Two were recruited in 1923 and 1925, four in 1926, and ten in 1927. The appointments in 1927 were made by a Selection Board composed of a European Superintending Engineer with three members representing the three principal communities in the Province (Muhammadan, Hindu and Sikh). The instructions of the Ministry were that only capable engineers were to be selected and that not more than five per cent. should be allowed to a candidate with the object of equalizing the recruitment between the different communities of the selected candidates.

Government School of Engineering, Rasul.

Subordinates.

177. Formerly recruitment of both upper and lower subordinates for the permanent establishment was from the Thomason Engineering College at Roorke, but in 1912 an engineering school was established at Rasul to train sub-overseers for both branches of the Department. At first admissions to the school were on a proportionate communal basis, and in order to secure the required proportion of Muhammadans and Agriculturists, ten students were admitted each year by nomination while the remaining 35 admissions from the Punjab were based on the results of an admission examination in which only matriculates were allowed to compete.

In 1923 it was decided to do away with the system of direct nomination, and, since 1925, 45 students have been admitted from the British Punjab to the school each year, for training as subordinates as the result of the competitive

examination, but of these at least 22 must be agriculturists (*i.e.*, members of an agricultural tribe notified under the Alienation of Land Act).

Last year it was considered that the growth of general education and the multiplication of Intermediate Colleges justified a further advance, and, with effect from 1929, only F.A., F.Sc., and Senior Cambridge students will be allowed to compete for admission. Concurrently with this advance, the system of nomination (by the Minister for Agriculture) has been reintroduced, but is being limited to five students annually from backward classes.

Maclagan College, Mogulpura.

178. The Maclagan College was started in October 1923 under the Director of Industries with the object of providing efficient theoretical and practical training for young men desirous of following the profession of mechanical or electrical engineering and for those wishing to qualify themselves as mechanical or electrical foremen. The cost in 1927-28 was Rs. 2,13,835.

The Communications Board.

179. In December 1919, a Communications Board was constituted consisting of five provincial officials, seven nominated non-official members and representative from the North-Western Railway. It was also to co-opt a member to represent any Indian State whose interests were likely to be affected by any proposal coming up for consideration. Its functions were to develop communications by rail, by train, by ropeway, by road, by water and by air. So far as communications by rail were concerned its duties were to be chiefly initiatory, advisory and mediatory and were to be chiefly in the direction of pressing projects in their order of urgency upon the attention of the Railway Board. Its more important functions, however, were concerned with communications by ropeway, by water, by road and by horse-tram. With reference to these, its work was to be—

(1) experimental; as to methods, materials and forms of transport; types of level crossings; use of crude oil; types of boats and vehicles; width of tyres as affecting the life of roadways, etc.

(2) the development of quarries and kankar beds and of communications with them; the eliciting of Railway concessions for the carriage of material;

(3) the co-ordination of local communications;

(4) the establishment, if necessary, of depôts of road rollers and expensive plant, to be lent or hired out to local bodies;

(5) the distribution of grants-in-aid of communications;

(6) the removal of obstacles to the free use of existing communications;

(7) the drawing of attention to defects of organization.

The Board was to have no authority over local bodies except in so far as the power to give or withhold grants or other assistance conferred by authority. It had no powers of technical sanction. In addition to the grants-in-aid handed over to it for distribution to local bodies, it was, however, given an annual allotment for expenditure on schemes which came within the scope of its work.

180. During the first year of its existence (1920) the Board laid down the principal alignments along which it considered new trunk roads should be developed and in conformity with which local schemes of communications should be blended. It proposed the construction of 700 miles of new trunk roads spread over a period of 21 years.

181. With the introduction of the Reforms in January 1921, the Minister for Agriculture displaced the Financial Commissioner as President of the Board and towards the end of the year, a wholetime engineer officer was appointed as Road Engineer and Secretary to the Board. The year 1922-23 was a year of financial stringency and arrested development, but the Board was able to claim credit for the share it took in ensuring provision being made for a roadway on the new weir across the Sutlej at Suleimanke, and also for successfully arranging for the

diversion, during relaying, of the Sutlej Valley Railway to a more suitable alignment. 1923-24 saw the practical completion of a reclassification scheme under which the Public Works Department was to start taking over from district boards, with effect from 1st April 1924, a number of miles of metalled and unmetalled roads which had been classed as arterial. In 1925 the experimental works undertaken by the Board was continued ; the rough project for the provision of roads in the Nili Bar area practically completed and good progress was made on the diversion of the railway between Pakpattan and Mailsi through the agency of the North-Western Railway.

182. During 1925-26, the post of Road Engineer was separated from that of Secretary of the Communications Board. The Road Engineer's charge of the Nili Bar Colony communications scheme, with the bulk of his experimental work and the control of the quarries were transferred to the newly created Public Works Department post of Superintendent of Works, Communications, and the post of Secretary of the Communications Board reconstituted, in a somewhat modified form as Engineer Secretary, with a wholetime officer in charge. This in addition to the Secretaryship of the Communications Board was to include the supervision of all expenditure by District Boards of grants-in-aid for development, and on the maintenance of their second class roads, towards the upkeep of which it had been decided to make grants at the average rate of six annas in the rupee ; a further reclassification of the roads on a more liberal basis was also undertaken, but perhaps the year was chiefly remarkable for the abandonment for the time being, of the policy of constructing agricultural tramways—this being a direct consequence of the Government of India's new railway policy to construct broad-gauge lines to a cheaper standard. The Board is at present composed of the Minister for Agriculture and President with eleven official and seven non-official members nominated by Government.

183. The following table shows the disbursements made by the Board since its inception :—

Year.	Development.	Maintenance.	Total.
	Rs.	Rs.	Rs.
1919-20	..	..	..
1920-21	6,05,000	..	6,05,000
1921-22	9,00,000	..	9,00,000
1922-23	9,25,000	..	9,25,000
1923-24	4,41,000	..	4,41,000
1924 25	3,07,000	..	3,07,000
1925-26	2,88,000	4,50,000	7,38,000
1926-27	6,91,800	6,49,800	13,41,600
1927-28	*7,79,200	*5,91,700	*13,70,900

*Anticipated expenditure.

Hydro-Electric Branch.

184. Much preliminary work in investigating the water power resources of the Province was carried out during 1921 and various sites were investigated. These investigations continued throughout 1922 and seemed to point finally to a site on the Uhl River in the Mandi State as being most suitable for development. An Electricity Board was constituted in that year, and after further investigation regarding the possibilities of the scheme it finally, in March 1923,

recommended the immediate construction of the scheme by the Punjab Government, after the permission of the Government of India had been obtained to raise a loan to provide the necessary capital. The Board also advised that the scheme should be controlled by a Committee which could eventually be developed into a statutory body similar to a Port Trust.

185. In October 1924, the Punjab Government submitted an *interim* report on the scheme to the Government of India for consideration, with special reference to the scrutiny and the financing of the project ; on the advice of the Government of India the project was referred for scrutiny to an eminent firm of Consulting Engineers in London. Later, as the result of criticisms in the press and elsewhere, urging the superiority of the Madhopur-Subera hydro-electric scheme over the Mandi project, a special committee of the Punjab Legislative Council was formed to consider their comparative advantages. This committee called upon certain experts for advice and having examined the relative merits of the two schemes reported in favour of the Mandi Scheme. The special committee—in March 1925—recommended the Council to proceed with the Mandi Scheme.

186. The scheme was debated in the Budget Session of the Legislative Council on the 12th and 13th March 1925, and the Council agreed to the construction of the scheme and also to an expenditure of 35 lakhs in the year 1924-25. Detailed estimates were then undertaken, due attention being given to the advice tendered by the Consulting Engineers in their scrutiny of the project. The question of the agency by which the scheme was to be carried out also came under consideration, and it was agreed that recourse should be had to the best technical talent (wherever found) regarding any part of the scheme which presented problems of difficulty, and that the work itself should be executed departmentally. The constitution and position of the departmental agency was next reviewed, and it was decided to form a separate Hydro-Electric Branch of the Public Works Department, under a Chief Engineer, and finally, on 23rd November 1925, administrative approval of the Punjab Government (Ministry of Agriculture) was given as below to the first stage of the Uhl River (Mandi) hydro-electric scheme :—

	Lakhs.
Capital cost, exclusive of interest during construction ..	3,74·99
Mill conversion fund	8·33
Additional local distribution	16·91
Extensions of the transmission system during the first five years of operation	20·00
	4,20·23

187. The Hydro-Electric Branch was accordingly constituted with effect from 9th December 1925, when it was anticipated that the scheme would start earning revenue from 1st April 1930. In order to facilitate the transaction of business and save correspondence weekly meetings are held between the Secretary to Government, Hydro-Electric Branch, the Chief Engineer, Hydro-Electric Branch, and the Financial Adviser, and for the settlement of more important questions and also to afford the Ministry an opportunity of keeping fully acquainted with the progress being made, quarterly meetings are also held between the Finance Member, the Minister for Agriculture and the three above-mentioned officers. This is one of the biggest undertakings sanctioned by the Legislative Council in the transferred service since the inauguration of the Reforms. The fact that it has throughout been treated as a transferred subject is due to the fact that, on a doubt arising in 1923, the Governor ruled that it fell under head 25 of schedule II of the Devolution Rules rather than under 26 (*c*).

(*xv*)—Industries.

188. Prior to May 1918, the Departments of Agriculture and Industries were combined and administered by the Director of Agriculture. The increase in work generally, and the necessity felt for the appointing of a Controller of Munitions, and a Director of Civil Supplies led to the creation of a second Director

to discharge the duties of Director of Industries, Civil Supplies and Controller of Munitions. In 1919 an Assistant Director of Industries was appointed, and a year later, this officer was appointed a separate Director of Industries in charge of the Industries Department. Industrial and Technical Education which originally was the concern of the Director of Public Instruction is now under the Director of Industries.

189. On the transferred side the activities of the department comprise the following functions :—

(*a*) Industrial and Technical Education.

(*b*) The setting up of model factories.

(*c*) Dissemination of commercial intelligence.

(*d*) General encouragement to industries, such as grant of loans and subsidies, holding of exhibitions and other miscellaneous concessions.

The subjects of the Reserved side dealt with by this department have been described elsewhere.

The Transferred subjects are in the charge of the Minister for Education. Up to a year ago, these subjects were in the portfolio of the Minister for Agriculture.

190. It was largely at the instance of the Ministry for Agriculture in 1923 that the step was taken of provincializing the industrial schools in the Province. These schools were threatened with extinction owing to the inability of local bodies to maintain them. There are a score of such schools in existence in the districts at the present time, and though problems of equipment and organization are still engaging the attention of Government, the schools have by now weathered their main difficulties and it is hoped that they will develop into real centres of industrial education both for artizan and non-artizan boys.

191. No regular provincial industrial service has as yet been created: the question of creating such a service is under consideration. The higher posts in the department are of necessity of a specialist nature. The staff of the department on 31st March 1920 consisted of two officers and 23 subordinates, whereas the staff employed on 31st March 1927 consisted of 12 officers and 254 subordinates. Out of the entire strength of the officers of this Department, 8 posts are held by Indians and 4 posts by Europeans. It must also be mentioned here that the posts of Director of Industries and the Chief Inspector of Boilers, which were previously held by Europeans, are now held by Indians.

192. The following are some of the important schemes initiated and important results obtained :—

(1) The establishment of a Central Weaving Institute at Amritsar and four District Weaving Schools at other important weaving centres in the province, with a view to encouraging the hand-loom industry.

The results obtained were very satisfactory, inasmuch as, during the course of these five or six years, the department was able to train three to four hundred students in the use of improved type of looms and appliances and introduce roughly 700 improved type of looms in place of the primitive pit looms.

(2) The establishment of the Arts and Crafts Depôt in Lahore.

This institution has succeeded in supplying new ideas and designs to the cottage workers of the province and stimulating trade in art wares. During the five years of its brief existence the Depôt has paid in round figures Rs. 3,00,000 into the hands of workers in art wares and traders in this line.

(3) The establishment of the Maclagan Engineering College for the training of mechanical and electrical engineers.

This college has since been transferred to the control of the Public Works Department.

(4) The establishment of an Institute of Dyeing and Calico Printing at Shahdara.

This Institute during the period under review, turned out more than 300 students qualified in the art of dyeing and bleaching. Some of these students, after receiving the necessary training, have commenced operations on their own account and some have taken positions of responsibility in dye-houses and various industrial schools of the province.

(5) The enactment of the Punjab Industrial Loans Act and provision of a sum of Rs. 1 lakh by the Punjab Government for distribution among industrialists and cottage workers of the province under this Act.

A sum of Rs. 62,300 has already been advanced as loans among the various industrial concerns in the province.

(6) Participation of the Industries Department in the British Empire Exhibition held at Wembley, in 1924.

The Department was able to sell at this Exhibition art wares manufactured in the Punjab to the extent of about Rs. 2,70,000 with the result that the arts and crafts of this province received publicity in the principal foreign markets of the world.

(7) The establishment of the Punjab Government Tannery at Shahdara.

Fifty artisan students and four apprentices (whose training remained incomplete owing to the close of the Tannery), were trained during the brief period of its existence in the modern methods of tanning and curing of hides. On the commercial side, the results were not encouraging and Government was compelled to wind it up. The department, however, has continued to give useful advice to the tanners and slaughter houses of the province, and has succeeded in effecting improvement in the methods employed in flaying.

(8) The establishment of the Lady Maynard Industrial School for Hindu and Sikh women and girls.

The school started with a dozen of students on its roll and has now nearly 150.

(9) The opening of Industrial Middle Schools and provincialization of such industrial schools as belonged to Local Bodies.

The only industrial school that was maintained by the Industries Department in 1920-21 was the Government Technical School, Lahore. To-day the department controls, in addition to the Government Technical School, Lahore, 19 Government Industrial Schools and three schools aided by Government.

(10) The establishment of the Hosiery Institute at Ludhiana.

This is the youngest Institution of the department. Twenty-one students out of the 35 successful candidates of the first year, have succeeded in finding suitable employment in concerns engaged in hosiery trade.

(11) The establishment of a Demonstration Weaving Factory at Shahdara.

This will start working early next financial year.

(12) Inauguration of a Women's Home Industries Section in the Department of Industries.

The Lady Instructor has recently been appointed and proposals for the development of this section are under the consideration of the department.

(13) The establishment of three special institutes (two metal institutes at Sialkot and Jagadhri and one wood working institute at Jullundur).

The institutes are in the course of erection.

193. The criticism is frequently made in Council that the expenditure on industries is insufficient and that Government might do more in subsidizing or helping nascent industries, and in setting up pioneer or demonstration institutions. The staff of the department has, however, greatly increased since 1920. There are now 12 officers in the department with 254 subordinates as against 2 and 23 in that year, a great number of the posts being technical education posts. The need for caution in the matter of setting up training or demonstration concerns to aid industries in the province may be illustrated by the failure of the Tannery at Shahdara near Lahore. This scheme was approved in 1921 when in the portfolio of the Minister for Agriculture. The Tannery cost over 4½ lakhs to build and equip. The idea of the Tannery originated in Government's desire to improve the tanning industry of the Province by bringing to its assistance technically trained men. In its inception the Tannery was meant to be a training institution, but an attempt was also made to work it on industrial and commercial lines. That attempt broke down, and it became necessary to close the institution.

194. The Standing Committee on Industries of the Punjab Legislative Council holds meeting from time to time to advise Government on matters relating to the Industries Department, which are referred to it. Mention should also be made of an advisory body created in 1927 at the instance of the Ministry and known as the Joint Development Board the function of which is to advise Government in regard to the development of industries and the agriculture of the province. The members of this body are representatives of the various interests concerned, and are nominated by Government. The scope of the deliberations of this body can be best seen from the constitution of its sub-committees, which are as follows :—

(*i*) Sugar Sub-Committee.

(*ii*) Hosiery Sub-Committee.

(*iii*) Commercial use of electricity.

(*iv*) Edible Oils.

(*v*) Essential Oils.

(*vi*) Weaving.

(*vii*) Lift and flow irrigation.

(*viii*) Development of agriculture.

(*ix*) Fruit farming and intensive agriculture.

(*x*) Co-operative marketing.

All these sub-committees with the exception of the last one have submitted recommendations and reports.

195. In the years 1921-22 to 1924-25, 8½ lakhs were spent on the construction of the Maclagan Engineering College ; and in the years 1923-24 and 1924-25, 1½ lakhs were spent in connection with the British Empire Exhibition. Since 1923-24 under the head Capital Outlay on Industrial Development, 1,39,000 have been spent on the tannery and ½ lakh on the dyeing factory. The budget for 1928-29 amounts to 8½ lakhs charged to revenue, in addition to 1¾ lakhs on buildings and 5 lakhs capital outlay on industrial development. Of the expenditure charged to revenue the greater part is on account of industrial education—7,41,000. Excluding the expenditure on the Maclagan College the amount for industrial education in 1921-22 was 1,70,000 only. Three lakhs out of the provision for 1928-29 is on account of industrial schools. Under the capital head, 3 lakhs are for working capital for a demonstration weaving factory and two for a sugar factory.

(*xvi*)—Registration.

196. Registration of documents, though a transferred provincial subject, is subject to legislation by the Indian legislature, and the agency to be employed for registration and the procedure to be followed are determined by the Indian Registration Act, 1908. Under that Act, however, the power of fixing the fees

to be levied for registration rests with the local Government as also does the power of appointing non-officials to be Sub-Registrars and fixing their remuneration. While, therefore, actual registration work has been unaffected by the Reforms, the Ministry (first of Education and since 1st January 1927 of Local Self-Government), to whose charge this department of the administration has been transferred, has had important functions to perform. The manner in which those functions have been performed is described below :—

197. In 1920 among other measures suggested by the Standing Finance Committee of the Legislative Council, in order to improve the finances of the province, was the enhancement of registration fees. This was readily agreed to by the Ministry of Education, and with effect from 1st January 1922 the fees were raised by from 25 to 100 per cent. in respect of the various classes of documents. Towards the end of that year the Finance Department pressed for a still further increase, and from October 1923 the fees were raised by approximately 50 per cent. over the rates sanctioned in 1922. In order that provincial revenues might benefit fully by these increases the percentage of fees payable to Sub-Registrars was in 1923 reduced by one-third.

198. The Ministry of Education not only co-operated thus to increase provincial revenues but also gave effect to a recommendation made by the Retrenchment Committee in 1922 for a reduction in the number of non-official Sub-Registrars, so that wherever possible the work might be done by official agency without extra remuneration. The Ministry agreed that the offices of all Departmental and Honorary Sub-Registrars situated at Tahsil headquarters where the number of documents registered did not exceed 500 per annum should be abolished, and where the number was between 500 and 700 the question of the retention of the office should be considered in each case on the expiry of the term of the then existing incumbents of the posts. In pursuance of this policy 20 offices out of a total of 90 were abolished in 1924 and 1925, effecting a saving of about Rs. 4,500 a year.

199. Another step taken by the Ministry in the interests of efficiency was to bring the rule as to the age limit for the employment of Sub-Registrars into line with the general rule applicable to all Government servants, so as to require the sanction of Government to the retention of Sub-Registrars after they attained the age of 55 years and to prevent their retention in any case after attaining the age of 60. The Ministry has also now decided not ordinarily to appoint anyone as Sub-Registrar unless he can read and write the vernacular freely, while in big towns a fair knowledge of English, and preferably some knowledge of law, will be required of candidates for appointment.

200. The Ministry, as explained in paragraph 3 above, voluntarily curtailed its patronage in respect of Sub-Registrarships to a considerable extent : it remains to see how it has exercised the patronage left to it. Since 1st January 1921 to date (20th March 1928) 47 Sub-Registrars have been appointed. In all but half-a-dozen cases the recommendations made by the Deputy Commissioner and Commissioner have been accepted, and in no case have communal considerations unfairly influenced the decision. In one case a Muslim was appointed because he was a Muslim though he was not the best candidate available, but the appointment was recommended by local officers on the ground that all other Sub-Registrars in the district were Hindus or Sikhs and the appointment was agreed to by a Hindu Minister. In another case the recommendation of local officers in favour of a Sikh candidate was not accepted by the Muslim Minister, but the vacancy was one caused by the death of a Muslim Sub-Registrar, the majority of the population of the tahsil in question was Muslim and most of the other Sub-Registrars in the district were non-Muslims. It was, therefore, not unreasonable that the vacancy should again be given to a Muslim. In other cases where the recommendations of local officers were not agreed to communal considerations did not enter into the question, but the Minister merely differed from the local officers as to who was the most suitable person for appointment among the candidates belonging to one community. All cases were submitted to His Excellency the Governor before orders issued.

(*xvii*)—MEDICAL.

(*i*) *Organization of the Department and progress since the Reforms.*

The Medical Services.

201. The higher ranks of the Medical Department are manned in the Punjab as in other provinces by officers of the Indian Medical Service for whom 86 posts including jail and public health appointments were until recently reserved. In the Medical Department proper the posts so reserved included those of Inspector-General of Civil Hospitals, 10 professorships at the Medical College and the principalship of the Medical School, 13 out of the 29 Civil Surgeoncies and the posts of Chemical Examiner and Medical Superintendent of the Punjab Mental Hospital. Orders have, however, recently been passed by the Secretary of State under which the number of posts eventually to be reserved for Indian Medical Service Officers will be reduced to 21, but the orders are subject to arrangements being made to safeguard the right of officers already in civil employ and will not make any immediate difference to the organization of the department. The appointment of Deputy Inspector-General of Civil Hospitals was created as a temporary post in 1925 and has now been made permanent in view of the great expansion of medical relief which has taken place in the last two or three years and is continuing on an ever-increasing scale. It may be filled by any Civil Surgeon whether belonging to the Indian Medical Service or not. Below the Indian Medical Service come the parallel cadres of Military Assistant Surgeons belonging to the Indian Medical Department and Civil Assistant Surgeons belonging to the Punjab Civil Medical Service. Further recruitment of officers of the former class for employment in the Punjab has now ceased, but meanwhile both classes of Assistant Surgeons are eligible for appointment to the civil surgeoncies not held by Indian Medical Service officers, and are otherwise employed in the teaching institutions or as assistants to the Civil Surgeons at the headquarter hospitals of districts or in independent charge of the larger mofassil hospitals. At present 17 appointments are held by Military Assistant Surgeons while the cadre of Civil Assistant Surgeons, including the leave reserve, amounts to 144. Candidates for employment as Civil Assistant Surgeons must possess at least the M.B., B.S. degree of the Punjab University or similar qualifications, and they are required in later years to undergo post-graduate training, while many possess higher Indian degrees or British qualifications obtained after study leave in Great Britain. The third rank of medical officers consists of the Sub-Assistant Surgeons, who at present number 729 and are in charge of most of the smaller local fund dispensaries and the numerous Government departmental hospitals and dispensaries. Candidates for appointment must possess at least the L.S.M.F. diploma of the Punjab State Medical Faculty, and after appointment Sub-Assistant Surgeons have to pass quadrennial professional examinations before completion of 4, 8 and 12 years of service. They are encouraged to obtain superior qualifications, and in 1922 the Ministry agreed to the reservation of six places in the cadre of Assistant Surgeons for such of them as might show themselves to be possessed of exceptional attainments.

General medical relief up to 1925.

202. Up to recent years the provision of medical relief for the population at large was administered mainly through the agency of local bodies, missionary and charitable organizations, Government contributing assistance in certain places. Government maintained the Mayo Hospital at Lahore, as a teaching hospital, in connection with the Medical College, and there were numerous departmental hospitals and dispensaries for the employees of the Irrigation, Police, Jail, Railway and other departments. In addition there have been since 1921, 32 itinerating dispensaries of which the usefulness especially in time of epidemics has been much appreciated. Government also paid for the Indian Medical Service officers who as Civil Surgeons were in charge of the general hospitals at the headquarters of each district and supervised the working of all other hospitals and dispensaries within their respective districts, but local bodies were required to contribute for the services of Assistant Surgeons, and had to meet all charges on account of the Sub-Assistant Surgeons who manned their dispensaries as well as the entire maintenance charges of all their hospitals and dispensaries. Even for new buildings and equipment it was only occasionally that Government came to the assistance of local bodies, and no regular system of subvention was in existence before

1917, when the small sum of Rs. 20,000 was placed at the disposal of the Inspector-General to enable him to help indigent local bodies. In the following year the grant was raised to Rs. 1 lakh for the purpose of assisting the opening and equipment of new hospitals. In 1919-20 the amount was further raised to Rs. 1½ lakhs, and in 1920-21 additional funds were made available for the improvement of existing hospitals and dispensaries. The year 1920 closed with 540 medical institutions of all classes, Government, local fund and missionary hospitals and dispensaries. During the next three or four years there was a slow but steady increase at the average rate of 25 dispensaries a year, progress being retarted in the earlier years both for financial reasons and because the Medical School was not in a position to turn out sufficient qualified men to enable a more rapid rate of expansion to be attained. By 1925, however, conditions had changed : plenty of qualified men were available and there had been a great improvement in provincial finances, but local bodies were unable to meet any further call on their funds, and it was clear that if progress was to be made it must be financed by Government. A comprehensive programme of expansion was accordingly worked out in accordance with a scheme outlined by the Minister, and funds for its execution have been readily voted by the Legislative Council.

The 1925 programme of expansion and the results achieved up to date.

203. The 1925 programme had three parts. In the first place it aimed at providing within five years, in addition to all Government departmental dispensaries, sufficient dispensaries to bring the total number in each district up to the mean between a dispensary for every 100 square miles of area and a dispensary for every 30,000 of the population. The number to be provided came to 375 and it was obvious that they must be of the simplest pattern and must be run as economically as possible. A standard plan costing Rs. 5,400 was evolved and Government undertook to pay the entire capital cost in addition to Rs. 1,600 for initial equipment, and to provide a sum of Rs. 2,500 a year for the maintenance of each dispensary. If more elaborate buildings and equipment or a higher standard of maintenance were required it was left to the local body or to private generosity to make good the extra amount involved. This part of the programme met with immediate appreciation : up to the end of 1927, 205 such new dispensaries had been built, and though many of them had been open only for a few months the number of patients treated at them during the year was not far short of a million and a half. The second part of the programme contemplated the taking over by Government of the headquarter hospital of each district and the dispensary at the headquarters of each revenue sub-division (*tahsil*) of each district. Financial conditions made it impossible to relieve local bodies of all charges in respect of these institutions, and local bodies are therefore required to contribute towards their up-keep to the extent of their average expenditure on them during the two years previous to their being provincialized ; but the responsibility for all future requirements in the way of extra staff and equipment will be Government's, and in the case of most *tahsil* hospitals very large expenditure will be needed in respect of buildings. In many cases entirely new hospitals are to be built while in others heavy expenditure on additions and alterations will be necessary. The *tahsil* hospitals will be placed under the charge of Assistant Surgeons and will have indoor accommodation for 12 patients, and it is intended that they should serve as centres to which the more serious medical and surgical cases may be sent from the rural dispensaries. The third part of the programme relates to the provision of special female medical relief. In 1917 the number of institutions, large and small, where women could be treated by doctors of their own sex, was 53, of which 20 were hospitals maintained by missionary societies which undertook the pioneer work of female medical relief in this Province : this number has now risen to 66, but the demand for such institutions is very far from being met. The 1925 programme accordingly contemplated the provision of a first class women's hospital under a lady doctor at the headquarters of every district where such a hospital was not already in existence, and of a female section under the charge of a female Sub-Assistant Surgeon at most of the *tahsil* headquarter hospitals. The progress attained with the two latter parts of the programme has not so far been very great, but by the end of 1927-28 four *tahsil* hospitals and six headquarters hospitals had been provincialized, and provision has been made in the current year's budget

for the provincializing of ten more *tahsil* and ten more headquarter hospitals. The building programme, which is costly, will, however, be spread over a considerable period. The total capital cost and the eventual recurring cost to Government of the three parts of the programme are estimated at Rs. 55.6 lakhs and Rs. 16.3 lakhs, respectively.

Statistics of 1920 and 1927 compared.

204. Before turning to the subject of medical education and other miscellaneous matters it may be of interest to record some figures with regard to the work done at the hospitals and dispensaries of the province in 1920, the last pre-Reform's year, and in 1927. The following table is therefore subjoined :—

	Number of patients *			Operations.					
Year.	Indoor.	Outdoor.	Total.	Total No. performed.	Number cured.	Number relieved.	Number discharged otherwise.	Number died.	Expenditure.
									Rs.
1920 ..	96,783	4,512,863	4,609,646	250,568	234,387	3,663	853	500	24,15,570
1927 ..	135,978	7,825,545	7,961,523	379,926	358,364	6,330	1,465	825	52,55,628

Of the expenditure the portion contributed by Government rose from Rs. 3½ lakhs to Rs. 18 lakhs.

The King-Edward Medical College.

205. The Medical College was established in 1860 ; it was rebuilt in its present form during the years succeeding the death of King-Edward VII, as part of the provincial King-Edward Memorial and since 1918 has been known as the King-Edward Medical College. The existing buildings challenge comparison with those of any other Medical College in India and are well worthy of a visit. The College prepares students for the M.B., B.S. degrees of the Punjab University and the diploma of Membership of the Punjab State Medical Faculty and provides facilities for students preparing for the M.D.,M.S. degrees of the University besides admitting casual students for practical work in its laboratories and dissecting rooms. Admission to the College is now restricted to 75 students a year and during the last ten years, 465 men have qualified for the M.B., B.S. degree. The staff previous to the introduction of the Reforms consisted of 9 whole-time I.M.S. professors, 3 part-time professors and 9 demonstrators, and since then one more professor, 6 clinical assistants, 5 assistants to professors and 2 demonstrators have been added, while the appointment of an anæsthetist has recently been sanctioned. In the same period maintenance charges have risen from about Rs. 1¾ lakhs to Rs. 4 lakhs.

The Mayo Hospital.

206. Attached to the College as its teaching hospital is the Mayo Hospital, most of which was rebuilt as part of the King-Edward Memorial at a cost to Government, excluding private subscriptions, of Rs. 14½ lakhs. It provides accommodation for 422 in-patients with a detached wing known as the Albert Victor wing for patients who observe European ways of living and separate Indian private and family wards. It possesses a modern X-ray and electrical department, and the pathological and bacteriological laboratories of the Medical College are at its disposal for diagnostic purposes. The staff consists of 6 visiting surgeons and physicians, 10 house surgeons and house physicians, 57 nurses, a whole-time

* These figures do not include private patients at state-special, private non-aided and railway dispensaries 1927 total including these was, 9,100,351.

Deputy Medical Superintendent, an X-ray specialist with a clinical pathologist and an adequate establishment of technical and menial staff. A separate casualty department was added in 1926, where a medical graduate is on duty to attend to emergent cases at any hour of the day or night. The daily average number of in-patients has risen from 185 in 1920 to 337 in 1927, and the cost of maintenance has increased in the same period from about Rs. 3¼ lakhs to over Rs. 6 lakhs.

The Maternity Hospital.

207. Arrangements for the training of the Medical College students in midwifery have for some time not been satisfactory, and in 1923 the Inspector-General recommended that, in view of the insufficiency of clinical material for training in this subject, admissions to the College should be limited to 50 each year. To this, however, the Minister was unable to agree as applications for admission were far in excess of this number, and instead of limiting the numbers to suit the clinical material he considered that the better course was to attempt to increase the amount of clinical material. In the meantime the restriction of the yearly admissions to 75 was accepted, and a temporary maternity hospital with ten beds was opened in 1924, which besides furnishing a certain amount of clinical material has paved the way for the popularity of the large modern maternity hospital which is under construction and now nearing completion. The latter, which it is hoped to open on the 1st October 1928, is to have 56 beds and is expected to cost over Rs. 11 lakhs by the time it is finished and equipped.

The Punjab Bacteriological Laboratory.

208. Up to 1919 the pathological and bacteriological work of the province was done at the Pasteur Institute at Kasauli. This arrangement had, however, many disadvantages, and in 1919 the Punjab Provincial Bacteriological Laboratory was created in association with the pathological laboratory of the Medical College. Here all pathological and bacteriological work connected with Government and local funds hospitals, Government servants entitled to free medical attendance and indigent patients in charitable and mission hospitals, is done free of charge. A centre for anti-rabic treatment was established in connection with this laboratory in 1925 and about 6,400 patients were treated there up to the end of 1927.

The Medical School, Amritsar.

209. The Medical School for the training of students for the L.S.M.F. diploma of the Punjab State Medical Faculty was until 1920 associated with the Medical College, but in that year its transference to Amritsar, which had been proposed by the Punjab Government in 1917, was sanctioned by the Secretary of State. It is for the present accommodated in temporary buildings, but permanent buildings estimated to cost over Rs. 12 lakhs are under construction. The annual admissions are fixed at 85, and 642 students have qualified during the last ten years. The staff consists of a Principal who is an I.M.S. officer, 7 lecturers and 11 demonstrators with the necessary technical and menial establishment. Expenditure on the school has risen from about Rs. 36,000 in 1920-21 to about Rs. 1¼ lakhs in 1926-27. Associated with the school as its teaching hospital is the Amritsar Civil Hospital, formerly a municipal institution, which has now been taken over by Government. It has accommodation for 176 in-patients but the average attendance is about 250 and at times rises as high as 450, and extension of the accommodation is urgently required.

Dental School and Hospital.

210. A school for teaching dentistry with an attached hospital is under construction at Lahore at a cost of over Rs. 1½ lakhs and is expected to be ready for occupation before the end of the year.

Female Medical Education.

211. The Punjab Medical School for Women, with which is incorporated the Women's Christian Medical College, is situated at Ludhiana. This missionary institution was founded in 1894 and was recognised in 1897 as a teaching institution capable of teaching up to the Sub-Assistant Surgeon standard. In 1915 it was converted into the Punjab Medical School for Women and with the assistance of Government, which has contributed about Rs. 3½ lakhs, has been provided with fine buildings. Government also now makes a recurring grant of about Rs. 87,000 a year towards the maintenance charges. The staff consists of the Principal,

Dr. Edith Brown, M.D., and 9 lady lecturers, 3 male part-time teachers and 8 assistance lecturers and provides training not only for students for the L. S. M. F. diploma of the Punjab State Medical Faculty but also for nurses, dispensers, nurse-dais, midwives and indigenous *dais*. Attached to the school is a Memorial Hospital with 200 beds for in-patients. The training of *dais* is also undertaken at hospitals at nine other centres in the province. The certification and supervision of midwives and of indigenous *dais* are done by the Punjab Central Midwives' Board which was constituted in 1917. In view, however, of the expansion of female medical relief which is now taking place, it is felt that the Ludhiana School will not be able to turn out sufficient women doctors for the needs of the province: plans have therefore been prepared for the construction of a medical school for women at Lahore in association with the Lady Aitchison Hospital which will have to be re-built. The scheme is expected to cost about Rs. 33 lakhs and if it is undertaken the buildings should be ready in three or four years.

The Punjab Mental Hospital

212. The only institution for the care of mental patients is the Punjab Mental Hospital at Lahore. The daily average population of this institution in 1927 was 890. Large sums have been spent in recent years on improving and enlarging the accommodation, and the annual maintenance charges have arisen from about Rs. 1½ lakhs in 1920 to about Rs. 2⅓ lakhs in 1927. Much, however, remains to be done before the institution can be thoroughly modernized, and the measures to be taken to this end are now under consideration.

The care of lepers.

213. Lepers are cared for in five asylums under the control and management of missionary societies. Before 1918 these received but little assistance from provincial revenues, but liability has since been accepted for the maintenance of the inmates, and a sum of about Rs. 70,000 a year is now contributed by Government on this account besides occasional grants for the extension of buildings.

The Chemical Examiner.

214. The Chemical Examiner, who is an Indian Medical Service officer, and his assistants are responsible for all medico-legal anaylsis in the province besides a considerable volume of general analysis undertaken for different departments of Government, including the Excise Department. The number of cases sent to him for examination has risen from 965 in 1920 to 2,557 in 1927, in which year 7,046 articles were examined

(ii) *Effect of the Reforms on the Medical Department and questions relating thereto requiring consideration.*

215. As in other transferred fields of the administration, the Reforms coupled with the improved financial position of the province, have stimulated development in the Medical Department. The additions made to the staffs and equipment of the Medical College have indeed been made in response to the demand of the British Medical Council for better means for the training of students as a condition of its continued recognition of the medical degrees of the Punjab University, but for the great expansion of facilities for medical relief, which has taken place in the last few years, the credit is almost entirely due to the Ministry. The 1925 scheme of expansion when submitted to the Legislative Council was no doubt cordially welcomed and the execution of the scheme, so far as it has gone, has been widely appreciated in the districts, but there has never been the same popular demand for more extensive provision of facilities for obtaining western medical relief as there has been for the extension of education. The Legislative Council has in fact interested itself rather in bringing pressure to bear upon the Ministry to encourage the indigenous systems of medicine, inspired partly by the patriotic feeling that it is not right to neglect the Indian systems and partly by a feeling that indigenous medicines and methods of treatment are likely to be less costly than western medicines and therapeutics. The Ministry, however, while sympathizing with these views and prepared to admit that there is considerable truth in the latter proposition, have held to the opinion that with only limited funds at their disposal it is their first duty to attempt to bring the benefits of modern scientific medicine and surgery within reasonable reach of all. At the same time they are prepared to do what is possible to encourage research in indigenous medicine and to support such efforts as are being made to establish organized teaching of these systems.

Interests of the Legislative Council in demands made by members of the medical establishments and in communal representation in the medical services.

216. Apart from its interest in the indigenous systems the Legislative Council has, so far as the Medical Department is concerned, confined its attention to claims of various sorts made by members of the medical establishments and to considerations of communal representation in the medical services. Thus the decision to stop recruitment for civil employ of officers of the Indian Medical Department, to which reference has been made above, was taken in deference to the wishes of the Council, which supported the contention of the Civil Asistant Surgeons that the reservation of civil surgeoncies for these officers to the prejudice of themselves was unjustifiable in view of the fact that their qualifications were inferior. Though, however, the Minister agreed to stop future recruitment of these officers, he strongly resisted the demand that a class of officers which had done valuable service in the past should now be debarred from promotion to civil surgeoncies. Similar steps have been taken in other provinces, but it is believed that the decision taken in the Punjab left the position of the officers of the Indian Medical Department in the province superior to that which they occupy in other provinces. The question of the proper representation of the different communities in the medical services is only part of the general question which has been dealt with elsewhere, but it has a particular importance in the medical department, as critics of the attempts made to secure that a reasonable proportion of the personnel of the department shall be Muslims, are able to urge that where the efficiency of officers may be a matter of life and death to thousands it is wrong to recruit any but the best men available irrespective of the community to which they belong. The measures actually taken by the Ministry to ensure the due representation of all communities have been to lay down the proportions in which students belonging to the different communities shall be admitted to the Medical College and School and to prescribe the proportions in which, subject to qualified candidates being available, recruitments of Sub-Assistant Surgeons belonging to the different communities shall be made. Similar considerations have weighed with Ministers in sanctioning appointments of Assistant Surgeons and in making selections for such posts as the house-surgeoncies at the Mayo Hospital, and it is difficult to see how in existing conditions in this province Ministers could do otherwise.

(*xviii*) Public Health.

(*i*) *Organization of the Department.*

Control of Epidemics.

217. As the following paragraphs will show, the separate organization of a department of preventive medicine has been a matter of slow growth, but this does not mean the neglect during all these years of public health. On the contrary from annexation the control of epidemics has been a charge which has lain heavily on the Civil Surgeons of districts as well as on the Deputy Commissioners, often assisted by special establishments. The long drawn warfare with cholera epidemics furnish a little known but very honourable record, and the history of the strenuous attempt at the end of the 19th and the beginning of the 20th centuries to check the onset of plague is one which space forbids telling here, but should not be forgotten.

Public Health organization at headquarters up to 1916.

218. The first appearance of a separate organization of preventive medicine in the province may be dated from the appointment of a Superintendent General of Vaccination shortly after annexation. This was followed by the appointment of a Sanitary Commissioner in 1868, and in 1880 his department was amalgamated with the Vaccination Department, the two officers of the latter department becoming Deputy Sanitary Commissioners, one in charge of an Eastern Circle comprising the districts in the south-east and centre of the province up to Amritsar, the other in charge of a Western Circle comprising the remaining districts of the province, which at that time included the districts now forming the North-West Frontier Province. The Deputy Sanitary Commissioners were responsible for the general supervision of vaccine operations, including the adequate supply of lymph in their respective circles and the conduct

of vaccination operations throughout the year by a special staff of vaccinators paid from provincial revenues as also for the inspection of the work done by the vaccination staff of local bodies under the superintendence of Civil Surgeons. One of the appointments of Deputy Sanitary Commissioners was abolished in 1886 and was not revived until 1913. In 1890 a Sanitary Board consisting of officials with the Sanitary Commissioner as its Secretary was created for the purpose of advising Government with regard to the execution of sanitary works for local bodies. In 1897-98 bubonic plague first occurred in the province and the Deputy Sanitary Commissioner was detailed to act as Plague Medical Officer in addition to his own duties, but subsequently a separate department was created and placed under the Inspector-General of Civil Hospitals. Twelve years later the province was visited by an epidemic of malaria of extreme severity, in consequence of which an Imperial Malaria Conference was held in July 1910, and this led to the appointment under the Inspector-General of Civil Hospitals of a Chief Malaria Medical Officer in charge of the Punjab Malaria Depôt, In 1913, as already noted, the second appointment of Deputy Sanitary Commissioner was revived.

Extension of Public Health organization to outside areas and expansion of the central organization up to 1920.

219. Up to this time apart from the vaccination staff and the temporary staff employed in combating plague, the establishment employed for public health purposes was almost entirely concentrated at the headquarters of Government. It is true that Medical Officers of Health were employed by the municipalities of Lahore and Amritsar, and in 1905 a post of Medical Officer of Health for Simla was created by the Government of India, but it was not until 1915 that rules were made requiring the municipal committees of Lahore, Amritsar, Multan, Rawalpindi, Sialkot, Ludhiana and Jullundur to employ Medical Officers of Health, half of whose pay was to be provided by Government, and at least two qualified Sanitary Inspectors each ; while 29 other municipal committees were required to employ at least one qualified Sanitary Inspector. Courses for the training of Sanitary Inspectors were instituted and committees were prohibited from employing men who had not obtained the certificate awarded to successful candidates on the conclusion of these courses or similar certificates granted in Bombay, Madras or London. In 1920 the first step was taken towards the provision of a permanent Public Health establishment in rural areas, and three districts were provided with District Medical Officers of Health at the expense of Government. The value of propaganda work also received recognition at this time and the Education Bureau of the department was created for the preparation of lantern slides from local subjects to illustrate popular lectures. In the same year the Chief Plague Medical Officer and the Chief Malaria Medical Officer were transferred from the control of the Inspector-General of Civil Hospitals to that of the Sanitary Commissioner and were designated Deputy Sanitary Commissioners, thus bringing the number of these officials up to four.

Expansion of the administrative and district staff from 1921 up-to-date.

220. The year 1921 saw the inauguration of the Reforms, and Public Health found a staunch champion in the first Minister, in whose portfolio this subject was included. In 1922 the designation of the department was changed from Sanitary Department to Department of Public Health, the Sanitary Commissioner and Deputy Sanitary Commissioners becoming Director of Public Health and Assistant Directors of Public Health, respectively. Sanction was also recived for the creation of two new appointments of Assistant Directors of Public Health but the appointments were not then filled. In 1923 the department was re-organized : the Punjab Malaria Bureau became the Epidemiological Bureau, Punjab, and 15 medical graduates with the British Diploma of Public Health were added to the establishment. These officers were entitled Assistant Epidemiologists and three of them were posted to the Epidemiological Bureau, while the other twelve were allotted to selected districts and were provided with eight Sanitary Inspectors and 20 Dispensers for work in rural areas. In 1926 it was decided that every district, except the Simla district, which consists of only two or three small out-lying hill areas besides the Simla municipality, should have its own District Medical Officer of Health who should be a Government servant ; control would thus be centralized instead of being

divided between the Public Health Department and local bodies, and it would be possible to provide a leave and emergency reserve and to arrange for the posting of officers to different districts, as circumstances might demand. The scheme was put into operation from 1st April 1927 and every district has been provided with its own Medical Officer of Health with a Sanitary Inspector and Dispenser attached to him. Even this organization is, however, obviously incapable of dealing with the problems presented by the recurrence of devastating epidemics of plague, cholera and malaria. Up to 1926 it had been the practice to engage large temporary establishments to combat epidemics after they had broken out and but little could thus be done between epidemics to prevent their recurrence. In 1926, however, the outbreak of a very severe epidemic of plague called for extraordinary measures, and the large special staff employed was retained after the epidemic had subsided, and has been engaged in preventive measures ever since. The results achieved were striking and it was decided to place at least the nucleus of this preventive establishment on a more permanent footing, and in order that effective supervision might be maintained to raise the number of Assistant Directors of Public Health to five. At the moment, however, there are only four Assistant Directors of Public Health, and only one of them and the Director of Public Health are Officers of the Indian Medical Service. It has, moreover, now been decided by the Secretary of State that the only appointment in the Public Health Department to be reserved in future for officers of the Indian Medical Service shall be one appointment of Assistant Director.

The Punjab Vaccine Institute.

221. In the preceding paragraphs the general organization of the department has been sketched from its infancy to the present day, and reference has been made to the foundation of various subsidiary institutions and organizations. The earliest of these was the Animal Lymph Depot which came into existence in 1892 and was re-named the Punjab Vaccine Institute in 1908 and placed under a whole-time Superintendent. The Institute has permanent buildings, both at Lahore and at the hill station of Murree, and the preparation of lymph is undertaken at the former station during the cold weather and at Murree during the hot weather. The Institute supplies lymph to all civil and military authorities and private medical practitioners in the Punjab, the Punjab Indian States and the North-West Frontier Province and also for use in about a dozen other Indian States, Tibet, Nepal, Chinese Turkistan, Iraq, Persia and Afghanistan as well as the Andaman Islands, the average number of doses issued annually during the past three years amounting to over three and a quarter million. As the law now stands compulsory vaccination can be enforced at the desire of local authorities in urban areas only and the Act has been applied to 166 such areas. The amendment of the law so as to enable rural local authorities (district boards) to enforce compulsion is now under consideration. The Assistant Director of Public Health (Technical), Vaccination, exercises general supervision over all vaccination operations, while more immediate control vests in the Municipal and District Medical Officers of Health. The field staff, which, except for a small special staff, is entirely in the employ of local bodies, consists of 31 Superintendents and 371 vaccinators.

The Punjab Epidemiological Bureau.

222. It has already been noted that the Punjab Malaria Depôt was founded in 1910. The work done in the Bureau included malarial surveys, spleen census, microscopical diagnosis of malaria and other parasitic diseases, the calculation of epidemic figures and other statistical work, the study of the habits and habitats of insects, especially mosquitoes, and the mounting of adult mosquitoes and their larvæ. In 1923 the Bureau was converted into the Punjab Epidemiological Bureau and its utility and sphere of action were largely increased. Its staff now consists of the Assistant Director of Public Health (Technical), Epidemiologiy, 3 Assistant Epidemiologists with the British Diploma of Public Health, 3 Laboratory Assistants, 1 Laboratory Attendant, 2 clerks and 5 menials. Its researches are no longer confined to malaria, and in addition to epidemiological work proper it carries out the routine examination of blood films, sputum, fæces, urine, throat-swabs, pus and blood for Widal reaction, and the bacteriological examination of water and food-stuffs.

The Public Health Department Education Bureau

223. The Public Health Department Education Bureau was started in 1920 and with the financial help of the Punjab Red Cross Society and funds placed at its disposal by Government has been able to prepare 387 sets of lantern slides on the subjects of plague, malaria, relapsing fever, smallpox, cholera, ante-natal hygiene, reproduction and child-welfare.

The Urban Sanitary and Town Improvement Board.

224. The Sanitary Board constituted in 1890 consisted of officials only and its functions were purely advisory. In 1900 a special Sanitary Engineer was appointed for the preparation, execution and supervision of water-supply, drainage and other sanitary schemes for local bodies and was added to the Board, which in 1901 was constituted the approving authority for all such works. In 1902 a small sum was placed at its disposal to defray the cost of certain experiments conducted by the Sanitary Engineer, and in 1905 it was entrusted with the distribution of grants-in-aid to local bodies for sanitary works. In 1909 its constitution was widened by the addition of five non-official members, and after the introduction of the Reforms this number was increased to seven and the chairmanship of the Board was assumed by the Minister in charge of the Public Health Department. During this peroid the sphere of activities of the Board has steadily widened as the demand for sanitary amenities has increased, and it now directs the whole general technical sanitary policy of the province. For, not only is its administrative approval required for nearly all sanitary projects undertaken by urban local bodies, but it is the sole channel for the distribution of grants-in-aid to such bodies and is thus able to insist on compliance with various stipulations, such as the proper maintenance of schemes after completion and the metering of all house-connections in a water supply scheme to prevent wilful or negligent waste of water. The funds placed at its disposal for grants-in-aid have gradually increased from Rs. 30,000 a year at the start to about Rs. 8 lakhs (£60,000) during each of the last four years. The total amount distributed by it since its constitution amounts to over Rs. 80 lakhs and with this assistance local bodies have been able to construct water-supply, drainage and other sanitary works at a total cost which must amount to about a crore and a half of rupees. Water-supply and drainage systems have been provided in 22 towns, water-supplies alone in 12 towns and 7 rural areas, and drainage works in 25 towns. Most of these works have been constructed by the Sanitary Engineering Section of the Buildings and Roads Branch of the Public Works Department and to cope with the work the Sanitary Engineer who is now designated as Superintending Engineer, Public Health Circle, has five assistants and a considerable subordinate establishment. Several valuable experiments have been carried out under the direction of the Board and it has recently obtained the sanction of Government to the provision in every district of a pulser chloronome apparatus with which to treat the water-supplies at the many religious and other fairs which frequently take place and constitute a most dangerous means of disseminating epidemic diseases. A pure water-supply has been provided at Choa Saidan Shah for one of the most important fairs in the Western Punjab While, however, the Board has been able to achieve valuable results in the direction of providing urban areas with sanitary amenities, it has not so far been able to effect much improvement in housing conditions in towns or to do very much for the amelioration of public health conditions in rural areas. In order to enable it to do something to cope with the first of these problems it has been decided to appoint a Town Improvement Engineer who will be in the same relation to the Board in respect of general improvement schemes as is occupied by the Sanitary Engineer in respect of sanitary works.

The Rural Sanitay and Improvement Board.

225. The problem of improving public health conditions in rural areas has two aspects. On the one hand large engineering works are required to drain swampy areas, prevent inundations by river floods and to remedy the water-logging due to excessive irrigation and the blocking of natural drainages by canals and railways. Such works are beyond the resources of local bodies and must often involve more than one district. On the other hand, there

is much to be done in the way of cleaning up village sites and providing villages with pure water-supplies which local bodies could undertake with assistance from provincial revenues. To deal with the problem of water-logging and with other large drainage questions a Drainage Board was constituted in 1918, consisting with one exception of official members, and a special Drainage Engineer was subsequently appointed. The functions of the Board were defined as follows :—

(*i*) to investigate the causes and effects of all cases of water-logging on a large scale, that affect the health and prosperity of the rural population or the Government revenue :

(*ii*) to propose remedies which would generally take the form of opening up natural drainages, surface or sub-soil drainage schemes, or contraction of irrigation where its excessive use is undoubtedly the cause of deterioration, etc., etc. :

(*iii*) to prepare measures necessary to give effect to (*ii*) :

(*iv*) to decide the agency for carrying out these measures which would usually be the Irrigation Department in canal tracts, the Buildings and Roads Branch, Public Works Department, the Railway or Local Bodies concerned in other cases :

(*v*) to advise Government as to the equitable distribution of the cost.

226. Up to the end of 1923, the Board had considered in detail various drainage projects, which were estimated to cost in the aggregate nearly half a crore of rupees. These were practically all administratively approved, but owing to the financial stringency only those considered to be of pressing importance were put forward for financial sanction, and of these only two projects were sanctioned, namely the Sarusti Nallah Drainage Project (Karnal District) and a project for the maintenance and improvement of the bunds in the Gurgaon District. This restriction of its functions owing to the withholding of financial grants became so discouraging that, in October 1923, the Board considered proposing to Government its own abolition. Shortly after, however, matters improved with a relaxation of the financial stringency.

227. In April 1925, the Board recommended to Government that in order to give greater vitality to its operations its constitution should be changed, and it was reconstituted as the Rural Sanitary Board, under the Minister for Agriculture, with effect from 1st April 1926, and became a " Transferred Subject." It will be remembered that under the Devolution Rules Drainage is a reserved head, but Public Health and Sanitation are transferred. By 1926 the extent of the danger from water-logging due to irrigation canals had begun to be realized, and it was decided that this problem must be dealt with by the Irrigation Branch of the Public Works Department, while the Drainage Board should confine its attention to drainage in other areas though it was to be at liberty to initiate proposals for drainage and reclamation anywhere in the Province, and to carry out such works as were not carried out by the Irrigation Department either by its own agency or by making grants-in-aid to district boards. The Board as reconstituted consisted of the Minister for Agriculture as President and seven permanent official members and six non-officials appointed by the Minister for Agriculture. On the formation of a third Ministry in January 1927, the Rural Sanitary Board was transferred from the portfolio of the Minister for Agriculture to that of the Minister for Local Self-Government. It has now successfully carried out a number of drainage schemes such as those at Hazro, and minor irrigation works in Karnal and Gurgaon. The Board is now to be known as the Rural Sanitary and Improvement Board and it has been decided to entrust to it the improvement of rural water-supplies, work which has hitherto been within the sphere of activities of the Urban Sanitary Board.

228. The following table shows the expenditure incurred since the formation of the Board :—

Table of Expenditure.

Year.	Works Expenditure.	Maintenance.	Establishment.	Total.
	Rs.	Rs.	Rs.	Rs.
1918-19	Nil.			
1919-20				
1920-21				
1921-22	.	..	26,464	26,464
1922-23	5,765	19,765	38,975	64,505
1923-24	3,753	30,100	37,037	70,890
1924-25	54,620	59,496	52,674	1,66,790
1925-26	2,16,100	27,793	69,699	3,13,592
1926-27	4,31,254	98,451	1,00,197	6,29,902
1927-28	15,34,000	2,22,000	1,46,400	19,02,400

Maternity and Child-Welfare Work.

229. It remains to notice the maternity and child-welfare work which is being undertaken under the auspices of the Punjab Public Health Department. In 1922 the Punjab Provincial Branch of the Lady Chelmsford Maternity and Child-Welfare League decided to open a Health School for the purpose of training Lady Health Visitors who could be put in charge of Maternity and Child-Welfare Centres throughout the province. Popular interest in this subject was soon aroused and 25 centres have already been opened and the demand for more is keen. On the 1st April 1927 the Punjab Health School was taken over by Government and is now run as a provincial institution, but the work of choosing Lady Health Visitors and supervising their work at the centres is for the present being left to the Lady Chelmsford League. The Health School has a staff consisting of a Principal and Superintendent, who are European ladies, and an Indian lady as Assistant Superintendent, and they are assisted by outside lecturers in different subjects. Government assists the centres by grants-in-aid and a sum of Rs. 15,000 has been provided for the purpose in this year's budget.

(ii) Influence of the Reforms on the work of the department.

Popular demand for public health measures.

230. In the case of the Medical Department it was observed that while the public had been appreciative of the progress made, there had been no great popular demand for the expansion of medical relief, and that it was the Ministers who had initiated and pushed through the programme of expansion. In the case of the Public Health Department the position has been rather different. There has been a strong and persistent demand, which has found constant expression in the Press and in the Legislative Council, for public health measures, especially in rural areas, to reduce the great mortality from epidemic diseases and to improve the sanitary conditions of towns and villages. Ministers have been no less anxious than the public and the Council that steps should be taken to achieve these purposes, and the increase in expenditure on Public Health from Rs. 8 lakhs in 1920 to over Rs. 28 lakhs in the current year is evidence of the greatly increased interest taken in the subject. However, the amelioration of public health conditions is a much less simple problem than the expansion of medical relief. Any layman can see that expansion of facilities for medical relief is simply a matter of multiplying doctors and hospitals and improving the equipment of medical institutions, but public health problems are capable of no such easy solution and are complicated by the fact that improvement in many respects can only be effected by the subordination of the interests of individuals to the public good. Moreover, public health reformers are bound

to come up against social habits which are hard to change, and in the absence of any real appreciation of what is involved in public health questions it is difficult for public health experts to obtain agreement to the measures which they consider necessary. In these circumstances no such striking advance as has been made in respect of medical relief could be expected with regard to public health measures, and the propress made has not been such as to satisfy the popular demand. At the same time the ground has been thoroughly explored during the last six or seven years and the problem of reconciling what Government considers to be practicable with what the experts consider necessary is now within sight of solution. The foundations have thus, it may be hoped, been laid for a more rapid rate of progress in future.

Growth of educated public opinion.

231. Meanwhile it is satisfactory to note that, though there is as yet but a dim appreciation of the fact that prevention as distinguished from cure is of the essence of public health policy, the measures advocated by the Public Health Department for combating epidemics in progress are more and more accepted by local bodies and the public in general. A striking instance of this is afforded by the statistics of anti-plague inoculations, which in 1926 numbered nearly 800,000, a figure never previously approached in the thirty years that have elapsed since plague first appeared in the Punjab. Maternity and child-welfare work is another matter in respect of which there is a rapidly growing appreciation of the policy of the Public Health Department, though the progress made has not been great owing largely to the lack of trained workers. In all these matters the Public Health Department has received most valuable co-operation from the Education Department, and the propaganda conducted in schools and through the agency of the Central Community Board, to which reference has been made in paragraphs 15 and 16 of Chapter VI of this Memorandum, is undoubtedly creating a better understanding of public health problems. The Punjab Red Cross Society and its many local branches which were founded during the war have also taken a valuable part in educating public opinion on these questions.

SECTION D—Finance.

(i) *The Finances of the Provincial Government.*

232. The attitude of the Council towards matters of finance has been dealt with in Chapter III of this Memorandum. The following paragraphs deal with the subject from another point of view, and describe, generally, the financial position of the Punjab from the inception of the Reforms; and the methods in which budgets have been balanced; they also endeavour to give an appreciation of the existing situation.

The Meston Settlement.

233. With the Reforms was introduced a complete reclassification of accounts, and, whereas formerly certain heads of revenue and expenditure, known as divided heads, were shared between the Central and the Provincial Governments and certain grants were made to the latter by the former, it was regarded by the authors of the Joint Report as an essential condition of provincial autonomy that there should be a complete separation between the revenue and expenditure of the Provincial and Central Governments. But as the distribution left the Imperial Government with a deficit, each province under the Meston Settlement, had, in addition to meeting its own expenditure from its revenue, to make a contribution to the Central Government which in the case of the Punjab amounted to 1,75 lakhs. The Meston Committee calculated that this arrangement would give the Province 1,14 lakhs in increased spending power, and an examination of the accounts of 1921-22 showed that this estimate was not far wrong; as a matter of fact the Province in that year benefited by the re-adjustment to the extent of 1,02 lakhs. The Punjab books opened with a balance of 1,93 lakhs. The system of Provincial book-keeping that had prevailed till then made no distinction between what may be described as normal receipts and

those of an abnormal or non-recurring nature. The result was that the Province had been for some time in the position of having its revenue swollen by receipts from sales of land. These receipts which in the Punjab are of considerable amount, being mainly derived from Crown lands made available for disposal by expansion of irrigation, were obviously of a wasting nature, and their utilization as a means of meeting the ordinary expenditure was bound to involve future difficulties. Therefore one of the earliest steps that had to be taken in putting the Provincial finances on a sound level was to separate these Extraordinary Receipts as they were known and in the process of so doing it became apparent that out of a balance of 1,93 lakhs with which the Province opened, 1,27 lakhs were on account of sales of land. This distinction between Ordinary and Extraordinary Receipts has been rigorously maintained, and while it is recognized that the occasional utilization of Extraordinary Receipts to supplement ordinary revenue may be necessary as a temporary measure of expediency, it has now been accepted as a cardinal principle that resort to this expedient must be justified by exceptional circumstances. Their proper use is to meet abnormal expenditure or expenditure of a capital nature, thus reducing debt charges. The Legislative Council was quick to appreciate the soundness of this principle, and although its application involved first, the levy of new taxation to balance the ordinary revenue account, and later the postponement of remission of taxation, the Council did not seriously press for the utilization of Extraordinary Receipts either to escape new burdens or to obtain relief from existing ones. In this respect they helped to render less difficult the task of the Executive Government in placing the Provincial finances on a sound basis.

The various accounts.

234. The various accounts under which the financial position of the Punjab is shown are summarised in the attached statement. There are, in addition to the ordinary revenue accounts and the account of Extraordinary Receipts, the Capital Account, the Provincial Loan Account and the Famine Insurance, Sinking, Depreciation and Revenue Reserve Funds.

The Revenue Account.

235. Turning to the ordinary Revenue Account which, as we have seen opened with a balance of 66 lakhs, the first year of the Reforms was financially disastrous. Owing to the failure of the rains and other causes receipts were abnormally low; the Province had to meet the increased obligations due to the Reforms and what was more serious, the great increase of expenditure on salaries due to the high prices that followed the war. How this expenditure grew even while the provincial settlements were being made appears from the fact that expenditure (excluding contributions) which was 6½ crores in 1917-18 had reached the sum of 8⅘ crores in 1921-22. In addition to this the local Government in its first year met from revenue the charges due to the taking over the Provincial Loan Account, *i.e.*, the assests existing on account of advances made to local bodies and cultivators. The result was a deficit at the close of the year 1921-22 of two crores. It must be admitted now that lack of caution was shown in admitting fresh expenditure during the first year of the Reforms, and an insufficient appreciation of the real effect of the change introduced by the new settlement. This state of things drew upon the Province the unfavourable attention of the Government of India. When the Punjab proposed to budget for another deficit year, it was told that the Government of India was not prepared to allow "overdrafts" from central balances in order to meet further provincial deficits unless the Province took steps to set its house in order and make its revenue cover its expenditure. Finally, to tide over the situation, a loan of 60 lakhs was granted on revenue account and even with this the year closed with a deficit of 28 lakhs.

Balancing the Budget economies.

236. In the meantime a strenuous and persistent effort was made to balance the Budget by reducing expenditure and increasing revenue. A Retrenchment Committee largely composed of non-officials was appointed which passed in review the working of every department. The economies which were effected have been put at 24 lakhs, but it is difficult to assign any precise figure, as it is hard in any

individual case to say what is true retrenchment and what is postponement of expenditure; but there is not doubt about the general result, which was the pruning away in every department not merely of all wasteful expenditure, but of much that made for the smoother working of the machinery. In figures the real effect of the retrenchment campaign may be gauged from the expenditure charged to revenue. Excluding the contributions this, as we have seen, was 6½ crores in 1917-18 and had risen to 8.8 crores in 1921-22; in 1923-24 it had been reduced to 8 crores and what is remarkable about this reduction is that the expenditure on the beneficient departments which had only been .8 crores in 1917-18 and 1.7 crores in 1921-22 had risen to 1.8 crores in 1923-24. At the same time to attempt was made to restrict capital expenditure on productive works on account of the deficit under revenue account.

Raising the revenue.

237. Concurrently, every avenue was explored by which the income of the Province could be raised. The sources from which as a matter of fact, apart from retrenchment, the financial position of the Province has been improved are fourfold. In the first place there has been the reduction of the Meston contributions, a boon which it was at the time of financial stringency impossible to foresee. *Secondly*, there has been the accretion of revenue due to the normal process of re-settlement of land revenue. In the last seven years re-assessments have been made in nine districts including practically the whole area watered by the Upper and Lower Jhelum Canals and the Upper and Lower Chenab Canals and comprising some of the most prosperous areas in the Province. Gross land Revenue receipts have thus risen from 3,91 lakhs in 1919-20 to 4,90 lakhs in 1927-28, and, though some of the increase may be attributed to extension of cultivation in areas subject to fluctuating assessment, a far greater part is due to re-assessment. *Thirdly*, there is the extension of Irrigation, and indistinguishable from that, a large increase in the area under cotton. Direct irrigation credits due to water rates, without deducting working expenses, increased from 3,26 lakhs in 1921-22 to 4,28 in the figures for the revised estimates of 1927-28; though a drop from 4,24 in 1925-26 to 4,05 in 1926-27 due to the failure of the cotton crop is a reminder of the uncertain nature of this our main source of revenue. None of these sources of revenue, however, were available at the time and it became imperatively necessary to have recourse to new taxation. As was to be expected this was a course to which the Council was strongly opposed. It was naturally a good deal to ask of the newly appointed representatives that their first task should be to increase the fiscal burden; and the first Council actually negatived a Government proposal to appoint a committee to examine methods of increasing the revenue. Several Members drew attention to the prospects of increase in Irrigation receipts, including the ultimate effect of the construction of the Sutlej Valley Canals. The Council further held the view stronglythat the administration was being carried on in an extravagant manner, an idea which has only been gradually dispelled, partly as a resuit of the examination of the Retrenchment Committee: and it was also inclined to pin its faith to the success of an appeal to the Government of India to remit contributions under the Meston Settlement. Nevertheless, as the following statement shows, it was persuaded to increase taxation. Registration fees were increased in January 1922, and a year later a considerable increase was made in Court Fees and the charge for non-judicial stamps, followed up in October 1923, by an increase in fees on mutations of land. Before the marked improvement which took place during the financial year 1924-25 had declared itself, Government found it necessary to utilize its executive powers to increase occupiers' rates on canals by an amount estimated at 55 lakhs and in the budget session of the following year a further increase was made in Stamp Duties and a tax on motors. At the same time arrangements were made to fund a considerable part of the loan due to the Government of India for previous 'overdrafts' on the revenue account instead of repaying them as originally arranged in short period instalments.

In the statement below are shown the changes in taxtation since the Reforms to the end of the financial year 1927-28. The financial results of the changes, as given in the statement, are estimates made at the time when the

changes were introduced; in some cases they probably differ considerably from the actual results:—

Statement showing the various increases and decreases in taxation.

(Figures are in thousands of rupees).

	Date.	Increase.	Decrease.	Net increase.
		Rs.	Rs.	Rs.
Registration fees ..	1st January 1922 ..	1,56	..	
	22nd October 1923 ..	3,00	..	
				4,56
Mutation fees ..	1st October 1923 ..	3,00	..	
	26th June 1925 ..	..	3,00	
Court-fees ..	15th January 1923 ..	(20,00 to 25,00) 22,50 say.	..	
	15th July 1926 ..	..	9,00	
				13,50
Stamps ..	15th January 1923 ..	(6,00 to 11,00) 8,50 say.	..	
	1st March 1925 (Urban conveyances).	5,00	..	
				13,50
Motor taxation ..	1st April 1925 ..	3,00	..	
	1st July 1925	..	30	
				2,70
Occupiers' rate ..	*Kharif* 1924 ..	55,00	..	
	Kharif 1925 ..	..	17,00	
	Rabi 1928 ..	..	8,00	
				30,00
	Total ..	..	..	64,26

Effects.

238. These efforts although they had little effect in the year 1922-23, were amply apparent in the year 1923-24 which closed with a revenue surplus of 43 lakhs. In the following year there was a further increase in receipts and, as expenditure was still rigorously controlled, financial stability was secured with a surplus of over a crore. The marked and rapid improvement combined with the expectation of large receipts in 1925-26 allowed a relaxation of the policy of strict economy that had been pursued during the previous years. The departments were encouraged to frame programmes of expansion and the Council voted large grants for the beneficent departments. The departments were, however, owing to lack of preparation, unable to spend the sums allotted to them and there was again a surplus of more than one crore. In 1926-27, the last year of the life of the late Council, the policy of expansion was with its consent, vigorously pursued. The total provision voted and non-voted, on revenue account amounted to 11,63 lakhs or approximately a crore in excess of the large actuals of 1921-22 and was in fact again beyond the spending capacity of the Departments. The actual expenditure on revenue account for the year 1926-27 was indeed only 10,85 lakhs. For the year which has just closed 1927-28, the revised estimates are receipts 11,03 and expenditure 10,83 lakhs, and it is estimated that the opening balance of the Revenue account on April 1st, 1928, will be 1,26 lakhs. At the same time it has been found possible to reduce some of the new taxation. The increase of Mutation fees was dropped in 1925, and in the same year 17 lakhs were remitted on account of occupiers' rates and a slight relief given under motor taxation. There was a considerable reduction made in Court-fees in 1926 and a further considerable relief under occupiers' rates announced in that year has had effect in 1928.

The present financial position of the Punjab Revenue.

239. The best indication of the present financial position of the Punjab is to be found in the Budget for 1928-29, with the one correction due to the fact that the last remnant of the contribution to Central Revenues was remitted after the Budget was printed. In the revenue account the Receipts are estimated at 11,22 lakhs distributed as follows :—

Irrigation	4,21
Land Revenue	3,05¼
Excise	1,26¼
Stamps	1,21¼
Forest	37
Registration	9½
Interest	8½
Share of Income-tax	3¼
Receipts under expenditure heads	89½
Total ..	11,21½

Irrigation receipts are net receipts after deducting working expenses but include 1,82 lakhs on account of Land Revenue due to irrigation. The above figures make it clear that the Province depends on Land Revenue and Irrigation—two sources contributed by the rural community practically unaided—for 65 per cent. of its revenue. Excise and Stamps account for 22 per cent. more, which may be regarded as indifferently rural and urban in its incidence. Forests hardly deserve to be counted as an important head as their net income is only some 11 lakhs. The first feature in the Provincial income is, therefore, that it is levied chiefly on the rural population. The second is that it is inelastic. With the final extinction of the Meston contributions the province has received its last large windfall and the prossibilities of a growth of receipts are restricted. The only Land Revenue resettlement likely to have a considerable effect on the budget is that of the Lower Bari Doab Canal area ; and the time when the growth of revenue owing to increase of canal irrigation will come to an end is already in sight, and there is even some indication that the growth of water-logging may result in the actual reduction of the figures now realized under both Land Revenue and Water-rates. Excise is not a source of income on which any dependence can be placed, and as for Stamps the duties whether on litigation or transfers of property and other non-judicial objects are already high. Other taxation is not important ; motor cars, which this Province alone has taxed, yield not much more than 3 lakhs. Nor are there prospects at present of taxes such as one on entertainments being worth collecting. The position, therefore, is that when the Province finds itself, as it will in the course of a very few years, in need of fresh sources of income to finance its schemes for development in the beneficent departments it appears likely that it will be unable to impose fresh taxation except by further increase of canal rates, which will fall wholly on the rural taxpayer.

Expenditure.

240. The expenditure Budget for 1928-29 is as follows :—

	Lakhs.
Civil Administration	3,30
Beneficent Department	3,19
Civil Works	2,16
Irrigation Revenue accounts including interest ..	1,37
Direct demands on revenue	87
Miscellaneous and Debt charges	53
Total ..	11,42

The distribution of the total expenditure between these various heads will be considered later on while dealing with the financial relations between the 'Reserved' and 'Transferred' sides of the Government ; in this place it is

desired to bring into prominence the question of the future of provincial expenditure. In spite of the great increase which has been made in the expenditure on the beneficent departments which has arisen from 1,69 lakhs in 1921-22 to 3,19 in 1928-29, and from 15 per cent. to 28 per cent. of the total expenditure, they are still in need of a steady increase of the funds at their disposal if they are to proceed with their plans of development. In nearly all of these departments programmes on a large scale have been worked out demanding a steady increase of expenditure year by year; and, although the increase in 1928-29 is substantial, it does not pretend to go far towards satisfying their ultimate requirements. It is, moreover, probable that local bodies will require considerable subventions if they are to play their part in the task of development. As the bulk of the public debt is held in the form of 3½ per cent. loan which it is not profitable to repay, the decrease of expenditure on debt charges is strictly limited. It is, therefore, unnecessary to labour the point that in order to proceed with schemes of development it will be necessary in a very few years to have recourse to fresh taxation; and, as has been explained in the preceding paragraphs, the existing sources of the revenue of the Province offer a very restricted scope within which this can be done.

The effort of the Province.

241. Before leaving the Revenue account, it is necessary to stress the part played both by the Executive and the Legislature of the Province in stabilising the finances of the Province, lest it should be imagined that the present satisfactory position of the Punjab is due to normal increase of resources or favourable treatment under the original Meston Settlement. That settlement did, it is true, give the Province an initial access of about a crore of spending power: but that access was immediately swallowed up by the great increases of establishment charges. It would have been easy for the Provincial Government to stagger on along an undesirable path by continuing to show receipts from sales of land as revenue, and it could have balanced its budget for years to come without troubling either to reduce expenditure or increase revenue. The immediate result would have been to have increased capital charges and the interest thereon (now largely obviated by meeting the bulk of capital expenditure from extraordinary receipts); the ultimate result would would have to find itself, when it had no more land to sell, with heavy liabilities in recurring expenditure, and no visible means of meeting them. When the Punjab at the moment of budgeting for a deficit deliberately excluded its extraordinary receipts from the account it did not do so at the instance of the Central Government. On the contrary it was not until after much explanation that it found itself able to take this step. The Meston Settlement has resulted in placing the Punjab, for the time being, in a good financial psoition: but it has done so because the Punjab Government, with the assent of the Legislature, has denied itself the use of its Extraordinary receipts for normal expenditure, and has, equally with the aid of the Legislature, provided by fresh taxation for such portion of its increasing expenditure as could not be met from the normal increase of its revenues.

The Capital Account.

242. Receipts on the Capital account at the end of 1926-27 amounted to 3,54 lakhs and were expected to reach 4,27 lakhs by the end of 1928-29. Expenditure on objects of a capital nature had reached 7,82 lakhs by the end of 1926-27 and were expected to reach 11,71 by the end of 1928-29. The balance of 7,44 lakhs is technically capital expenditure charged to revenue, but this does not mean that it has been paid out of the true revenue account except for a small sum. The difference of 7,44 lakhs has been met chiefly from extraordinary receipts, that is to say, from sales of land which by the end of 1928-29 are expected to reach 8,31 lakhs. The chief object of capital expenditure is the construction of canals. Up to the end of 1926-27, 6,72½ lakhs have been expended on this account and the estimates for the two succeeding years add 2,11½ lakhs. Next in importance comes the Hydro-Electric Scheme on which 27 lakhs have been spent up to the end of 1926-27 and 80 are expected to be spent in the following two years. All the above is productive expenditure; the net profit earned by the canal system being 8½ per cent. if only direct receipts are admitted and 17¼ per cent. if indirect receipts are included. The only non-productive capital expenditure is that on certain large schemes of civil works on which 84½ lakhs have been spent up to the end of 1926-27 and 65½ are expected to be spent in the following two years.

The Loan Account.

243. The Provincial Loan Account relates to the loans made by the Government either to cultivators for agricultural improvements and purchase of seed and cattle or to local bodies for various sanitary and other works. At the outset of the Reforms there were outstanding loans amounting to 53 lakhs; since then the Punjab Government has recovered 1,74 lakhs and disbursed 2,92 lakhs in loans. The difference of 1,18 lakhs has been found from the Extraordinary Receipts.

The Famine Insurance and Sinking Fund Accounts.

244. Payments into the Famine Insurance Fund are governed by the statutory obligation of the province to pay yearly Rs. 3,81,000. The fund has been occasionally drawn on to meet demands arising out of seasonal calamaties and the balance amounts to 19½ lakhs. The Sinking Fund is designed to secure the redemption of Provincial loans, and is being largely used for the purchase of Provincial bonds in the market.

The Revenue Reserve Fund.

245. The Revenue Reserve Fund has been designed with a view to accumulating a reserve which can be transferred to Revenue Account when for any unforeseen cause, such as seasonal calamity, there is a serious shortage in current revenue. Exception has been taken to the creation of this fund by the Secretary of State but it is a measure of precaution which is thoroughly acceptable to the Council as well as to the local Government. It is expected that 40 lakhs will have been accumulated in this fund by the end of 1928-29. It is perfectly true that the same amount might equally well have been allowed to accumulate in the general balance on Revenue Account, but psychologically the effect would be far different. By a perfectly natural feeling the Council, which would object to seeing large unexpended balances at the end of the year, is well content when they are separately placed in a fund which will provide against a falling off in normal receipts owing to failure of rains or similar causes.

The Public Debt.

246. The Public Debt of the Punjab stood on the 1st of April, 1928 at Rs. 25,82,37,000. Of this debt by far the greater part is on account of Irrigation capital expenditure prior to the 31st March 1923. This accounts for 21½ crores bearing interest at 3½ per cent. In addition to this 4 lakhs of Irrigation capital expenditure bearing interest at 5·2 per cent. were taken over with the Reforms and the Punjab Government borrowed from the Government of India 71 lakhs at 6½ per cent. for the same purpose in 1922-23.. The other loans for which interest is payable to the Government of India are 55 lakhs being what remains of the Revenue deficit of 1922-23 and 30 lakhs for the Hydro-Electric Scheme borrowed on the 1st March 1928. The Punjab Government raised two loans in the local market one of 1,90 lakhs at 6¼ per cent. and the other of 88½ lakhs at 5¾ per cent. No arrangements exist for the repayment of the irrigation debt prior to the Reforms, the reason being that the greater portion of it is at 3½ per cent. which it is not profitable to repay. The Revenue deficit of 1922-23 is being repaid in equated payments spread over 25 years and the same period has been applied to the Hydro-Electric loan of 1928. The Irrigation loan of 1922-23 is being repaid in payments spread over 50 years. As regards loans from the public, a Sinking Fund is set apart for their amortisation and this is being utilised for the purchase of bonds in the market. The total interest charges estimated for the year 1928-29 amount to 1 crore. The interest transferred to commercial departments amounts to 1,30 lakhs. The difference of 30 lakhs is due to the fact that capital expenditure, as already observed, has been met to a great extent from Extraordinary Receipts and therefore involves no payment of interest. It will be obvious that the capital at charge would have been far larger in amount but for the fact that as shown in paragraph 242 large sums have been placed from Extraordinary receipts towards the credit of the capital head.

(In lakhs of rupees.)

Year.	Ordinary Revenue Account.				Capital Account.			Provincial Loans Account.			Extraordinary Receipts.			Famine Insurance, Sinking, Depreciation and Revenue Reserve Funds.							
																	Revenue Reserve Funds.				
	Receipts.	Disbursements.	Surplus or deficit of the year.	Balance.	Receipts.	Disbursements.	Balance.	Receipts.	Disbursements.	Balance.	Receipts.	Disbursements.	Balance.	Famine Insurance Fund (balance).	Sinking Fund (balance).	Depreciation Fund (balance).	Receipts.	Disbursements.	Balance.	Total balance in all Funds.	Total balance on all Accounts.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Opening balance ..	..	..	..	66	..	..	..	..	..	..	..	..	1,27	..	..	..	..	.	..	.	1,93
1921-22 ..	8,64	10,69	—2,05	—1,39	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1922-23	*10,33	10,61	—28	—1,67	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1923-24	10,22	9,79	+43	—1,24	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1924-25	10,86	9,71	+1,15	—9	2,64†	3,68‡	—1,04	97†	1,81†	—84	2,00	..	3,27	10½	½	..	..	..	..	11	1,41
							Deficit of Balance. Year.			Deficit of Balance. Year.											
1925-26	11,39	10,26	+1,13	+1,04	73	1,88	—1,15 —2,19	15	18	—3 —87	1,28	..	4,55	14	1	..	..	..	..	15	2,68
1926-27	10,87 (a)	10,85 (b)	+2	+1,06	17	2,26	—2,09 —4,28	25	21	+4 —83	84	..	5,39	14	½	½	20	10	10	25	1,59
1927-28 (revised estimate)..	11,03	10,83 (c)	+20	+1,26	31	2,06	—1,75 —6,03	19	33	—14 —97	1,40	..	6,79	17½	..	½	15	..	25	43	1,48
1928-29 (budget estimate) ..	11,22	11,43 (c)	—21	+1,05	42	1,83	—1,41 —7,44	17	38	—21 —1,18	1,52	..	8,31	19½	..	½	15	..	40	60	1,34

*Includes a revenue loan of 60 lakhs.
†Includes receipts from 1921-22.
‡Includes disbursements from 1921-22.

(a) Includes 10 lakhs transferred from Revenue Reserve Fund.
(b) Includes 20 lakhs transferred to Revenue Reserve Fund.
(c) Includes 15 lakhs in each year for transfer to Revenue Reserve Fund.

(ii) *Financial relations between the Reserved and Transferred sides of the Government.*

Beneficent Departments.

247. In discussions on financial matters in the Council and the press, the distinction between Reserved and Transferred subjects has in the Punjab been assigned only a secondary place in the presence of another distinction which perhaps more nearly expresses the spirit of the Reforms. It is the distinction on the one hand between those services which are necessary for carrying on the administration, and on the other hand, those services which have come to be known as 'Beneficent Departments.' This line of demarcation follows closely though not accurately that between Reserved and Transferred subjects. To the first class, that of Departments of Administration, belong the reserved departments of Police, Jails, Forests and so forth, but it also includes the Transferred Department of Excise. The feeling within the Government itself has from the first been directed towards a rigorous criticism of what may be described as the overhead charges of Government coupled with a strong desire to be generous to the welfare of the beneficent departments. In actual practice the distribution of funds has been as follows.

The distribution.

248. The Budget is usually treated as divided into two portions comprising ordinary and new expenditure. The estimates of ordinary expenditure represent the money required to carry out the operations of Government as they stand without any expansion. Their preparation does not call for the intervention of Government unless with the object of making some definite reduction, and their preparation is entrusted to the Finance Department on material supplied by the various departments. It is the peculiarity of provincial finance in India that the provincial revenues are not elastic. The chief source—Irrigation receipts—can be arranged by raising the rates, but the effect of this if done at the time of the budget would not be apparent till the second part of the financial year. Land Revenue, the next largest source of income, can only be raised at the settlement of each district. There is nothing like the income-tax or customs duty on tea by which the British Chancellor of the Exchequer can make his income cover his expenditure. The Finance Member, therefore, is reduced to the expedient popularly known as 'cutting his coat according to his cloth.' He has to make the expenditure come within the income. The Finance Department, therefore, having made its estimate of probable revenue and of ordinary expenditure, advises as to the amount of new expenditure which can safely be accepted, and its advice is modified, if necessary, by the Governor in Council who fixes the amount up to which schemes of new expenditure can be included. Objects which may be appropriately financed by loans are not of course dependent on the yearly revenue budget. The sum available for new expenditure is considered as at the disposal of Government as a whole and its allocation is decided by discussions, in which both the Member and Ministers take part. The basis of this discussion is the list of approved schemes for new expenditure, that list having been arrived at in the following manner. Except where the assent of the Finance Department is presumed, schemes of new expenditure are submitted for its concurrence, previous to the grant of administrative approval by the Administrative Department concerned. If the advice of the Finance Department differs from the proposals of the Administrative Department, the Rules of Executive Business provide that, if the Member or Minister in charge of the department concerned does not wish to accept the advice given, then he should personally discuss the case with the Finance Member and, if as a result of the discussion, it is not possible to reach an agreement, then the Member or Minister concerned may, if he so wishes, submit the case for the orders of His Excellency the Governor. In accordance with the orders of the latter, administrative approval is given or withheld as the case may be. Cases in which the advice of the Finance Department is not accepted are comparatively few and cases in which a reference has to be made to His Excellency the Governor have been rare. The schedules of new expenditure include only those schemes to which administrative approval has been given and which the Departments concerned provisionally propose to include in the estimates and therefore (so far as they relate to voted expenditure) in the list of demands to be presented to the Legislative Council. This schedule is then

examined by the Governor, sitting with both Members and Ministers and, if as usually happens, the amount of the provisional list is in excess of the limit previously agreed on, each item is discussed in turn with the view of reaching an agreement as to which items should be included and which items should be excluded. This system has worked well in practice and during the past three years no case has occurred in which as a result of discussion it has not been possible to reach agreement. The items of new expenditure to be included in the schedules having thus been determined by the Governor in Council sitting with his Ministers, the schedules are placed before the Standing Finance Committee for its advice. While constitutionally it is necessary to place before that committee only those items for which the provision is votable, it is the practice to submit non-votable items also for its advice. If the Committee advises against a particular item, its advice is usually accepted ; there have in fact been very few occasions in which new expenditure has been inserted in the budget against the advice of the Standing Finance Committee. If the Committee advises in favour of an item, that item, unless some reason subsequently arises for its exclusion, is placed in due course before the Council.

Effect as between the two sides.

249. The question then arises, to what extent has this method operated fairly as regards the Transferred Departments. Receipts on the Revenue Account have risen from 864 lakhs in 1921-22 (or if that year be regarded as exceptional from 9,73 in 1922-23) to 11,22 estimated for 1928-29 and 1,75 lakhs of contributions have been remitted. The history of the various heads of expenditure forms an interesting commentary on the use to which the Punjab Government has devoted its accretions of revenue and remissions of Provincial contributions. The direct demands on revenue which represent the cost of the collection of the chief sources of income except irrigation have fallen from 1,01 lakhs in 1921-22 to 87, and what is more important, whereas in the former year they represented 21 per cent. of the collections, in 1928-29 they are less than 15 per cent. Civil Administration which includes the Security Departments of Justice, Police and Jails besides General Administration cost 2,97 lakhs in 1921-22 and had arisen to no more than 3,03 in 1926-27. Long due reforms in the Jail and Police Departments have brought it up to 3,30 lakhs in 1928-29.

The expenditure on the Irrigation Revenue Account consists, for the most part, of the *pro forma* charge of interest on the capital expenditure and has arisen from 92 to 1,37 lakhs. On the other hand if we turn to the beneficent departments we find an increase from 1,69 to 3,19 lakhs, while Public Works, comprising roads and the buildings required in the transferred as well as the reserved departments, which started at 1,25 lakhs and fell steadily to 70 lakhs in 1924-25 have now risen to 2,16 lakhs ; indeed but for the over-due reforms that have been introduced in the Jail and Police Departments and for a considerable addition in the last three years upon the expenditure on roads, the beneficent departments would have monopolised the advantage of the improved financial conditions.

The situation may be summarised in the following statement which shows the percentages of total expenditure for which each head is responsible :—

Year.	Direct Demands on Revenue.	Irrigation Revenue Accounts.	Civil administration.	Beneficent Departments.	Buildings and Roads.	Miscellaneous and Debt Services.	Contributions.	Total.
1921-22 ..	9.5	9.6	27.2	14.9	11.6	9.6	17.6	100
1922-23 ..	9.7	8.4	29	17	9.9	9.4	16.6	100
19 3-24 ..	8	10.4	30.1	18.6	8.6	6.5	17.8	100
1924-25 ..	7.9	11.2	30.7	19.7	7.2	5.2	18.1	100
1925-26 ..	8.9	11.3	28.9	23.3	10.7	5.7	11.2	100
1926-27 ..	8.3	10.9	27.9	23.9	13.9	7.2	7.9	100
1927-28 ..	8.2	12.0	29.4	25.9	18.8	5.7	..	100
1928-29 ..	7.7	12.0	28.8	27.9	18.9	4.7	..	100

The divided purse.

250. With this result we may compare what might be expected as likely to have happened had the Provincial finances been started with a divided purse. In the year 1921-22 the actual expenditure on beneficent departments was 1,69 lakhs out of the total of 10,69 lakhs charged to Revenue, or of 8,84 lakhs if contributions are neglected, *i.e.*, 19 per cent. of the expenditure excluding contributions. It is natural to assume that in dividing the purse something like this proportion would have been accepted, and that after the contributions, whatever they might be, had been paid beneficent departments would have been regarded as entitled to 1/5th of the Provincial expenditure. Had this been carried out the expenditure on beneficent departments would have been 2,29 lakhs in 1928-29 instead of 3,19.

(*iii*) *Financial Control.*

The nature of financial control.

251. Two elements are necessary before public money can be spent. Firstly, there must be the act of sanction of authority competent to sanction, and secondly, there must be the act of appropriation of funds for the purpose by an authority competent to appropriate. Financial control, therefore, has two sides, that of sanction and that of appropriation.

Control of sanctions.

252. Under section 45-A of the Government of India Act, rules may provide for the devolution of authority in respect of provincial subjects to local Governments and for the transfer from provincial subjects of subjects, to the administration of the Governor acting with the Ministers, and the devolution of financial authority, and its restrictions are laid down in the case of 'Reserved' subjects in Resolution No. 1449-E (*a*) of the Government of India in the Finance Department, dated the 29th September, 1922, and in the case of 'Transferred' subjects in Rules 27 and 28 and Schedule III of the Devolution Rules. These orders enable money to be spent from Provincial funds for Provincial subjects, subject to the reservation of the control of the Secretary of State in certain definite matters. The Fundamental Rules also reserve certain powers to the Secretary of State in respect of Government servants appointed by him. It will be observed that in the matter of sanction no power is reserved for the Government of India except as they may anticipate the sanction of the Secretary of State in certain matters. The financial control of the Secretary of State is referred to in Chapter IX paragraph 11. Within the powers of the Provincial Government there remains the control of the Finance Department. Section 45-A (2) of the Government of India Act lays down that rules under the Act may provide for constituting a Finance Department in any province and for regulating its functions and this has been done under the Devolution Rules. Rules 39 to 45 of these Rules prescribe matters which are to be referred to the Finance Department: and, in the matter of Government servants appointed by the Secretary of State, the Fundamental Rules also require that department to be consulted in certain matters. The procedure is that in the first place the Finance Department lays down those cases in which its consent is presumed. A schedule of such is found in the Books of Financial Powers and Subsidiary Rules issued by the local Government. Where the consent of the Finance Department is not presumed cases are sent to it by the Secretary of the department concerned before being submitted to the Member or Minister of the Government in charge. The function of the Finance Department is purely advisory. If the Member or Minister in charge of the department is not prepared to accept the advice of the Fianance Department the matter comes before the Government for decision under the rules of business. In view of the large amount of capital expenditure involved, the Finance Department is represented in the Public Works Department by a Financial Adviser whose functions are the same as those of the Financial Secretary. It has not been found advisable to appoint a separate Joint Financial Secretary for the purpose of dealing with the 'Transferred' Departments; such a course has not hitherto been regarded as necessary or desirable, partly on the ground that it might have a tendency to create different financial standards in the two sides of Government, partly also on the ground that it would undoubtedly involve some duplication of work.

Control of appropriation.

253. On the side of appropriation financial control has two aspects. There is, first, the question of getting an appropriation into the Budget and, then when it is in, that of confining the spending department to it. In the matter of making up the Budget, the Finance Department, as explained in paragraph 248, advises on the various schemes of new expenditure submitted from time to time for inclusion by the heads of departments. Here again its function is purely advisory and is subject to the final authority of Government as a whole. When the scheme has once been included in the schedule of approved objects of new expenditure the Finance Department ceases to be interested in the rival claims of various subjects. Its function, as has already been described, is that of ascertaining how much money is available for new expenditure. The division of that sum is for Government as a whole. The fact that in several years remission of provincial contribution were made after the provincial budget had been passed, made new resources available and necessitated the moving of demands for supplementary grants.

Control of reappropriation.

254. When money has been voted the department of Government is bound to devote supply to those heads of accounts which have been expressed in the Budget. The Finance Department can, however, sanction a re-appropriation within a grant from one major or minor head to another.

Irregularities.

255. In addition to exercising control before money is spent the Finance Department has an obligation concurrent with that of the Department of Audit in the matter of irregularities. While it is primarily the duty of the Audit Department to bring irregularities to notice, the Finance Department is bound to take steps to see that all irregular expenditure is discontinued, and, it has to lay the Audit and Appropriation Accounts before the Committee on Public Accounts.

Revenue.

256. Finally the Finance Department exercises control in the matter of revenue. All new proposals involving abandonment of revenue for which credit has been taken in the Budget must be submitted for the consideration of the local Government by previous consultation of the Finance Dpeartment, and the Finance Department advises in the matter of grants of land and assignment of land revenue and other concessions.

Summary.

257. There is no doubt that the Reforms have resulted in a great tightening up of financial control. Such a tightening up is not indeed necessarily connected with the Reforms. It might equally well have been insisted on under a purely bureaucratic form of Government; but, as a matter of fact in the pre-Reform Government neither was the Provincial Budget taken with equal seriousness nor was there the same financial watch over expenditure, as there has been under the Reforms. This was partly due to a division of responsibility with the Government of India but mainly to the fact that neither the budget as a whole nor the detailed items of expenditure came under the same public scrutiny or criticism. That this tightening up of control has proved irksome cannot be denied. The old departments, especially those dealing with Public Works, who had been accustomed to budget in a manner indicative of little more than of the money they hoped to spend under favourable conditions, found it difficult to accommodate themselves to a condition of affairs in which it was of serious importance that there should be an accurat forecaste of the money spent in a particular year; nor were they inclined to regard favourably the introduction of an approximation to the English system of treasury control over expenditure. On the other hand the new 'Transferred' departments, full of zeal for the development of their own schemes, had a tendency to regard as unduly orthodox the protests of the Finance Department against the introduction of new expenditure at any period of the budget year, and as obstructive the criticisms made upon the schemes from the financial point of view. The case of the 'Transferred' departments is perhaps accentuated by the suspicion referred to in the Reforms Enquiry Report that the Finance Member being also Member in charge of some

of the 'Reserved' spending departments was judge in his own cause. That there are no grounds for this suspicion in practice can be confidently affirmed. It is strictly true to say that the 'Reserved' Departments under the Hon'ble Member for Finance have, whether in the matter of sanction or budget provision, been regarded by the Financial Secretary precisely on equal terms with the 'Transferred' departments and by the Hon'ble Member himself with an even severer eye; and as a matter of fact this has been accepted tacitly by the Council. The change in the attitude of the Council towards demands for grants is an indication that generally speaking the Council has placed increasing confidence in the Finance Department, working hand in hand with the Standing Finance Committee. This should not, however, be taken to imply that it is not desirable if circumstances permitted to place the Finance Department in a neutral position where no such suspicion can attach to it.

CHAPTER IX.—Relations with the Central Government and the Secretary of State.

SECTION A.—THE LEGISLATIVE FIELD.

The Legislative field.

THE provincial field of Government may be regarded in three aspects; as the field of Legislation, the field of Administration and the field of Finance. From the point of view of Legislation, Section 80-A of the Government of India Act empowers the Punjab Legislature, subject to the provisions of the Act, to make laws for the peace and good government of the Province, and to repeal and alter as regards the Punjab any law made by any authority in British India other than itself. But the previous sanction of the Governor-General is needed before it can make or take into consideration laws falling under nine specified categories. For example, the Punjab Legislative Council cannot, without previous sanction, impose or authorise the imposition of any new tax unless it has been scheduled under the Scheduled Taxes Rules. It cannot make any law which "regulates a central subject," nor legislate on any matter connected with a provincial subject, with regard to which a declaration has been made that it is subject to legislation by the Indian Legislature. It can alter or repeal a law made by any authority in British India before the commencement of the Indian Councils Act, 1861, only if it has been specially notified as liable to be so altered or repealed, and it cannot repeal or alter without previous sanction of the Governor-General any of the laws shown in the Schedule to the Local Legislature (Previous Sanction) Rules. Further, it cannot, in any circumstances, make any law affecting any Act of Parliament.

2. The effect of these restrictions taken together is that in theory there is little scope for Provincial Legislation which does not require for its introduction the previous consent of the Governor-General. For example, there are few projects of legislation which will not directly or indirectly touch civil rights and liabilities, and as these are a central subject under the Devolution Rules, all such legislation has been held to require previous assent.

3. In effect 63 Bills have been introduced in the local legislature up to the end of 1927 and out of these 30 have been referred for previous sanction to the Government of India. In addition to these in one case the Government of India when conveying assent remarked that previous sanction should have been obtained. In 22 cases the sanction was required wholly or in part under clause (*e*) of Section 80-A, *i.e.*, because the Bill regulated a "central subject." Examples of such Bills are, Bills "to make better provision for the administration of small towns of the Punjab," "to make provision for the improvement and expansion of towns," "to regulate the rent and occupation of houses in Simla," "to facilitate purchase of land voluntarily sold for industrial purposes," "to improve the law relating to loans granted by Government for industrial purposes," "to provide for the control of the practice of Opium Smoking," "to authorise, facilitate and regulate the construction and working of Aerial Ropeways in the Punjab," "to provide for the release of good conduct prisoners on conditions imposed by the local Government." All these Bills, as has been said, required the previous consent of the Governor-General, because though the actual main subjects were provincial, civil rights and liabilities were affected. Under other clauses we find that the following required assent under clause (*a*) as imposing or authorising the imposition of new taxation:—The Bill above quoted to make better provision for the administration of Small Towns, "a Bill to impose a tax on motor vehicles," "a Bill to validate the imposition of certain taxes by District Boards." Under clause (*b*) were referred the Bill above quoted to improve and expand towns, and Bills "to amend the Punjab District Boards Act," and "to provide for restriction of the sale of intoxicating liquor according to the wishes of local bodies." Under clause (*f*) we find Bills "to make better provision for the administration of Small Towns," "to amend the Indian Stamp Act," "to amend the Prisons Act and make provision for the establishment and regulation of Borstal Institutions;" also under this clause the Government of India remarked that "An Act to amend the Punjab Courts Act" should have received previous sanction. Under clause (*h*) sanction was obtained for the same "Punjab Town Improvement Act" and the "Punjab Municipal Amendment Act."

4. The terms of Section 80-A (3) of the Government of India Act have been somewhat loosely drawn, particularly as regards sub-section 3 (*e*), and this had led in practice to some apparent lack of definite principle in the matter of sanction. Thus if we contrast the legislation that has been introduced and received assent without previous sanction or any comment of the Government of India to the effect that previous sanction was required, it might be felt that, *e.g.*, Punjab Act, I of 1922, to amend the Punjab Municipal Act of 1914 in order to legalise the imposition of terminal tax by municipalities, might have required sanction under clause (*a*), and Act VII of 1922, to amend the Court Fees Act, with reference to the scale of court-fees in the Punjab, under clause (*b*). Again the private Bill for the repeal of the Punjab Loans Limitation Act obviously affected rights and liabilities and might have been held to require sanction under clause (*e*), and the Court Fees Bill of 1922 to amend the Court Fees Act in order to raise the rate of valuation of land, might be said to have come under clause (*b*), while Act V of 1925, to validate the notification regarding the imposition of terminal tax by the Municipality of Lahore, might have come under clause (*a*).

5. In two cases only sanction to introduce a Bill was refused. The Punjab Courts Amendment Bill transferring jurisdiction in certain appeals from the High Court to the District Judge was held by the Government of India to be *ultra vires* of the local legislature in that it aimed to reduce the jurisdiction of the High Court vested in it by Letters Patent. Sanction to introduce a private Bill to make provision for charitable relief from taxes levied from voluntary participators was also refused. The Punjab Chiefs' Association and Aitchison College Bill, which required sanction under clause (*a*), has been held in abeyance for over three years by the Government of India. Speaking generally, the control exercised by the Central Government has proved useful in that on various occasions valuable advice has been given as to substance in drafting a Bill, but, on the other hand, it is felt that there has been a tendency to widen the interpretation of the requirements of previous consent, and to bring legislation to an increasing extent within its scope. It might have been open to the Government of India to operate the requirements of previous sanction so as to refuse sanction to measures or provision which seemed either politically or administratively inconvenient ; but its discretion has not been exercised in this direction in the experience of this Province, and measures or provisions, which might have seemed inconvenient have been left, where technically free from objection, to stand their chance of defeat in the processes of the legislature or after being passed at the stage of assent.

6. The above paragraphs have been confined to the cases in which the previous consent of the Governor-General is required by the sections of the Act above quoted ; but in addition to this the Government of India have, in exercise of its general power of superintendence, issued instructions to local Governments laying down " that a Bill which, in the opinion of the local Government, contains no provisions, in respect of which either the sanction of the Governor-General is necessary or the local Government entertains a doubt as to the necessity of sanction, only if it relates to a ' reserved subject ' and, in the opinion of the local Government, is of substantial importance should be submitted to the Government of India in sufficient time to admit of its examination and of the communication of the observations of the Government of India before the Bill is introduced." The object of these orders is no doubt the fact that if superintendence is to be exercised at all it must be at this stage. When a Bill has been passed there only remains the refusal of assent, which is a function not of the Governor-General in Council, but of the Governor-General. In consequence of these orders the introduction of the Punjab Land Revenue Amendment Bill, which deals with a purely provincial subject was, against the will of a substantial majority of the Council, delayed for over two years.

1	2	3	4	5	6	7
Serial No.	Number and year of Act or Bill.	Previous sanction obtained under section 80-A (3)—clause.	Whether advice received *re* drafting	Whether advice received *re* substance.	Result.	Remarks.
1	The Punjab Small Towns Act, 1921 (II of 1922).	Clauses (*e*), (*a*) (*f*)	..	Observed that clause 19 (*a*) in its existing form was *ultra vires* of the Local Legislature under section 80-A (4) of the Government of India Act in that it purported to empower the local Government to property which is vested in the Secretary of State in Council and therefore affected section 28 of the Government of India Act. The substitution for the word "Government" of the words "the Secretary of State for India in Council" would remove this objection.	Followed.	
2	The Punjab Village Panchayat Act, 1921 (III of 1922).	Clause (*e*) ..	..	..	..	Government of India objected to certain of the provisions dealing with judicial functions of Panchayats. They also objected to exclusive jurisdiction conferred under section 20, but were prepared to accept the Bill if this clause was amended on the lines of the United Provinces Act. They made several other suggestions. Apparently exclusive jurisdiction was conferred on Panchayats.
3	The Punjab Town Improvement Act, 1922 (IV of 1922).	Clauses (*e*), (*f*) and (*h*).	..	Advised reconsideration of clause 55 of the Bill regarding the expediency of its retention.	Advice not followed.	Clause 55 (new section 56 of the Act as passed) Government of India was of opinion that this provision was of a nature to give rise to abuse.
4	The Simla House and Rent Act, 1922 (V of 1922).	Clause (*e*) ..	Suggested the desirability of (1) providing a definition of the word "salary" in clause 2, (2) of defining the limits within which under clause 4 (2) the Committee shall have power to reduce rent, and (3) alteration of the marginal note to clause 18 of the Bill.	Suggested the alteration of the duration of the Act from one year to two years.	Suggestions 1 and 3 only in column 4 were followed and the suggestion in column 5 was not followed.	

1	2	3	4	5	6	7
Serial No.	Number and year of Act or Bill.	Previous sanction obtained under Section 80-A (3)—clause.	Whether advice received *re* drafting.	Whether advice received *re* substance.	Result.	Remarks.
5	The Indian Stamp Punjab Amendment Act, 1922 (VIII of 1922).	Clause (*f*) ..	Advised the removal of certain instruments from Schedule I-A against which no entry as to duty was made.	..	Followed ..	The words " as in Schedule I " were entered against those instruments which were not altered by the Local Legislature.
6	The Punjab Courts (Amendment) Act, 1922 (IX of 1922).	Not obatined ..	..	..	..	In conveying the assent the Government of India remarked that the Act in conferring administrative powers on the High Court required sanction under clause (*f*) of sub-section (3) of section 80-A and should have been reported in advance.
7	The Punjab Village Panchayat (Amendment) Act, 1922 (X of 1922).	Clause (*e*) ..	..	..	..	In conveying assent the Government of India advised rectification of two errors in drafting. The said errors have not been rectified as yet.
8	The Punjab District Boards (Amendment) Act, 1922 (XI of 1922).	Clause (*h*) ..	Advised the insertion of the words " Notwithstanding anything contained in the Indian Oaths Act, 1873 " at the opening of new section 11-A.	..	Followed.	
9	The Punjab Land Acquisition (Industrial) Bill.	Clause (*e*) ..	..	..	..	The Bill was dropped.
10	The Punjab (Urban Property) Rent Regulation Bill.	Do. ..	..	Pointed out that there was no provision for the questioning of the decision of the local Government which would be final. (2) Recommended another clause requiring the Commissioners to fix the principles and indicate definitely how rents are to be regarded as capable of variation, (3) a clause giving definite right of single appeal from the Commissioners.	..	Refused leave to introduce.
11	The Punjab Industrial Loans Act, 1923 (I of 1923).	Do. ..	Advised that clauses 7 and 12 (*iv*) appear to contemplate a charge of interest on loans and reference to these should be made in clauses 5 and 6.	Suggested the desirability of providing for an appeal to a Commissioner or a Financial Commissioner against the penalty imposed under clause 11.	Followed.	

1	2	3	4	5	6	7
Serial No.	Number and year of Act or Bill.	Previous sanction obtained under Section 80-A (3)—clause.	Whether advice received *re* drafting	Whether advice received *re* substance.	Result.	Remarks.
12	The Punjab Municipal (Amendment) Act, 1923 (II of 1923).	Clauses (*e*) and (*h*)	..	..	..	
13	The Punjab Local Option Act, 1923 (V of 1923).	Clause (*b*) ..	..	Advised omission of the foreign liquor from the operation of the Bill.	Followed.	
14	The Punjab Opium Smoking Act, 1923 (VI of 1923).	Clause (*e*) ..	*Nil*.	*Nil*	..	
15	The Punjab Stamp (Amendment) Act, 1924 (I of 1924).	Clause (*f*) ..	*Nil*.	*Nil*	..	
16	The Punjab Motor Vehicles Taxation Act, 1924 (IV of 1924).	Clause (*a*) ..	*Nil*	*Nil*	..	
17	The Punjab Courts Amendment Bill.	Not obtained ..	..	..	..	The Bill was held by the Government of India to be *ultra vires* of the Local Legislature in that it aimed to reduce the jurisdiction of the High Court vested in it by Article 11 of its Letters Patent. The High Court held that in view of the fall in the value of the rupee and also as a measure of reducing the number of appeals preferred to it, the appellate powers of District Judges be increased so as to include appeals up to Rs. 7,500.
18	Punjab Registration of Money-lenders Bill, 1924 (non-official).	Clause (*e*) ..	..	..	..	The *Bill* was dropped by the mover and a new Bill was subsequently introduced by him,—*vide* No. 31.
19	The Punjab Chiefs' Association and Aitchison College Bill, 1924.	..	..	..	..	The Bill required sanction under clause (*a*) and has been held in abeyance by the Government of India pending the receipt of a reply to a *letter* from the Government of India, Foreign and Political Department. It is still in abeyance.

1	2	3	4	5	6	7
Serial No.	Number and year of Act or Bill.	Previous sanction obtained under Section 80-A (3)—clause.	Whether advice received *re* drafting.	Whether advice received *re* substance.	Result.	Remarks.
20	The Punjab Municipal (Amendment) Act, 1925.	Clause (*e*) ..	..	Suggested the insertion in the Bill of a provision to amend section 242 of the Principal Act with retrospective effect in such manner as to make explicit the fact that the sanction of the Governor-General in Council is not and never has been required to the imposition in a notified area under that section of taxation which would require such sanction if imposed in a Municipality.	Followed ..	The required provision was made in section 9 of the Act.
21	The Punjab Excise (Amendment) Act, 1925 (II of 1925).	Do. ..	*Nil*	*Nil*	..	
22	The Opium (Punjab Amendment) Act, 1925 (III of 1925).	Do. ..	*Nil*	*Nil*	..	
23	The Punjab Small Towns (Amendment) Act, 1925 (IV of 1925).	Do. ..	*Nil*	*Nil*	..	
24	The Punjab District Boards (Amendment) Act, 1925 (VI of 1925).	Do. ..	*Nil*	*Nil*	..	
25	The Sikh Gurdwaras Act, 1925 (VIII of 1925 (non-official).	Do. ..	..	The Government of India held certain provisions of the Bill to be *ultra vires* of the Local Legislature and took no objection to the insertion in the Bill of matter which was *ultra vires* and gave a general undertaking to initiate validating legislation in the Central Legislature.	..	The Central Legislature passed the Sikh Gurdwaras (Amendment) Act, 1925 (XXIV of 1925) in order to supplement the provisions of the Principal Act.
26	The Punjab Aerial Ropeways Act, 1926 (V of 1926).	Do. ..	*Nil*	*Nil*	..	
27	The Prisons (Punjab Amendment) Act, 1926 (IX of 1926.)	Clause (*f*) ..	*Nil*	*Nil*	..	
28	The Good Conduct Prisoners' Probational Release Act, 1926 (X of 1926).	Clause (*e*) ..	*Nil*	*Nil*	..	
29	The Punjab Borstal Act, 1926 (XI of 1926).	Clause (*f*) ..	*Nil*	The Government of India made the following observations on the Bill:— 1. (*i*) Clause 5—the desirability of fixing an age limit at a minimum and maximum of 15 and 21 respectively. (*ii*) Advisability of inserting a provisione enabling a Magistrate, not empowered to commit to a Borstal Institution, to submit a case to a Magistrate so empowered.	.. 1. (*i*) Partly followed. (*ii*) and (*iii*) followed.	

1	2	3	4	5	6	7
Serial No.	Number and year of Act or Bill.	Previous sanction obtained under Section 80-A (3)—clause	Whether advice received *re* drafting.	Whether advice received *re* substance.	Result.	Remarks.
29—*concld.*	The Punjab Borstal Act, 1926 (XI of 1926—*concld.*	Clause (*f*) ..	*Nil*	(*iii*) Invited attention to paragraph 394 of the Jail Committee's Report relating to the list of offences for which persons may be committed to a Borstal Institution.	..	
				2. Desirability of a provision for appeal to a Sessions Court or High Court.	2. Followed.	
				3. Invited attention to paragraph 399 of the Jail Committee's Report regarding the transfer of persons from Juvenile Jails to Borstal Institutions by Superintendent instead of the Inspector-General of Prisons.	3. Followed.	
				4. The expediency of inserting a provision in the Bill to the effect that before committing an offender to a Borstal Institution the court should consider any report or representation made by or on behalf of the Inspector-General, Prisons, as to its suitability.	Not followed.	
30	The Punjab Regulation of Accounts Bill, 1926 (non-official).	Clause (*e*) ..	..	..	..	The Bill was passed by the Council, but His Excellency the Governor in exercise of the powers vested in him by sub-section (1) of section 81 refused assent. The Bill, in his opinion, interfered with the ordinary method of keeping trade and commercial accounts and was lacking in precision of definition as to involve the increase of litigation or uncertainty in its result.
31	The Punjab District Boards (Tax Validating) Act, 1927 (III of 1927).	Clause (*a*) ..	*Nil*	*Nil*	..	The Bill required the sanction of the Governor-General under clause (*e*) which had not been obtained, and his Excellency the Governor reserved it for the consideration of the Governor-General under rule 3 (*v*) of the Reservation of Bills Rules. The Governor-General has given assent to this Act.
32	The Punjab (Rifah-i-'Am) Bill.	Not obtained ..	*Nil*	*Nil*	..	A private Bill. Sanction was refused by the Governor-General.

SECTION B.—THE ADMINISTRATIVE FIELD.

The administrative field.

7. Devolution of authority to provinces in the administrative field has been brought about by the classification of certain subjects as Central and others as Provincial; all subjects which have escaped classification under either head being Central. The principle of discrimination laid down in the Functions Committee's Report between Central and Provincial subjects of administration is that where extra-Provincial interests predominate the subject is treated as Central, while, on the other hand, all subjects in which the interests of the Province essentially predominate are provincial. This distinction, it may be observed, does not strictly apply to the financial field. For example, Income-tax is a Central subject not because the provinces have less interest in it than the Central Government but mainly because considerations of assessment require a Central agency. But in the field of general administration, this principle holds good. Turning to the distinction actually made, a large number of Central subjects require no comment; if there was a federal form of government in India they would have belonged to the federal government. Apart, however, from constitutional theory, and leaving aside any question of financial results arising from the division, the main point of interest at the moment is the extent to which the local Government has in practice felt administrative inconvenience from the retention of certain spheres of work as Central. The most characteristic instance is possibly one already referred to, namely, that of income-tax. The retention of assessment in the hands of a Central agency, whatever its expediency on other grounds, does actually remove from Provincial control a subject the administration of which may have important reactions on the contentment and goodwill of an important section of the public. The provision under which civil law, including laws regarding status, property and civil rights and liabilities is retained as a Central subject has caused some embarrassment, but chiefly (as shown in paragraph 3) in the legislative sphere. Commerce and Trading Companies while a Central subject are managed as an agency subject by the Provincial Government. As a matter of fact the amount of work in this connection has not been great, but it has not been entirely easy to distinguish the field of commerce from that of the Provincial 'Transferred' subject of Industry. There is some obvious advantage in retaining Archæology in Central hands, but the province has on some occasions felt the advisability of "protecting" monuments which have not been viewed as of importance by the Archæological Department. Some difficulty was at one time felt from the circumstances regulating the construction of tramways. Light and Feeder railways are classified as a Provincial subject so far as provision for their construction and management is made by the Provincial legislature, but they are subject to legislation by the Indian Legislature if in physical connection with a main line. The construction of provincial tramways was mooted, but in practice it was found that those tramways could not face the opposition of the Indian State Railways. Apart from the fact that any light railway must be in physical connection with a main line if it is to pay, no tramway could be constructed prudently without a guarantee on the part of the railways that they will not build their own line over the same ground and this guranatee was never forthcoming. In practice the matter has become of minor importance as the needs of the Province can now ordinarily be met by guaranteeing the interest of certain railways built by the Central Government.

On the whole, it may be said that the division of subjects, in itself, has not involved administrative difficulties of any importance.

Reserved and Transferred.

8. Within the provincial sphere the distinction of these provincial subjects between 'Reserved' and 'Transferred' has an important bearing on the question of the control of the Secretary of State and of the Government of India. In the case of the 'Transferred' subjects the interference of the Government of India and the Secretary of State is limited to specific occasions only and for definite purposes. That is, by rules made under section 33 of the Government of India Act the power of superintendence, direction and control vested in the Secretary of State in Council in relation to 'Transferred' subjects can be exercised only for purposes of (1) safeguarding the administration of Central subjects or (2) deciding

questions between two provinces or (3) safeguarding Imperial interests or (4) determining the position of the Government of India in respect of other parts of the British Empire, or (5) the safeguarding of the Secretary of State's own powers regarding the High Commissioner, borrowings and the services and other matters in which an obligation is placed on him by rule; while the Government of India may interfere under Devolution Rule 49 only for the first, second and fifth of these purposes. In theory the powers of superintendence, direction and control of the Government of India and the Secretary of State in respect of 'Reserved' subjects are wholly unlimited. As regards the administration of 'Transferred' subjects, practically the only case of interference (apart of course from action regarding sanction to legislation to which reference has already been made in paragraph 3) lies in the matter of vend restrictions and duties on the consumption of foreign liquor, and the pressure brought on the local Government to take steps to appoint a Committee to consider further restrictions on the consumption of Opium. In the former case, at all events, the matter was primarily financial and there was a real conflict of interests. The difficulty which arose in regard to the proposed construction of tramways has already been referred to; this was hardly a direct interference with a Transferred subject. It may be noted as a matter of interest here that by a ruling of the Governor in 1923 hydro-electric surveys and schemes for the development of industries by hydro-electric installations were held to be a 'Transferred' subject; this is of importance in view of the large project now being undertaken for hydro-electric supply of energy from a site in the Mandi State. The Ministers have welcomed the movement of the Government of India to convene occasional conferences on Educational subjects and to consider problems of road construction. In one respect, Ministers have felt themselves at some disadvantage in the administration of their subjects owing to action taken by the Central Government. Public services are a 'Reserved' subject, and action taken by the Central Government in regard to selection of officers for service in a Transferred Department is not technically an interference with a Transferred subject. But though the Ministry has accepted the proposals of the Government of India in regard to the number of posts in the Punjab Medical Department establishment which should be reserved for officers of the Indian Medical Service, it has more than once found a difficulty in the fact that it has no voice in the actual selection of the officers on the cadre of the Indian Medical Service who may be sent by the Imperial Government to fill posts within the province. The matter is one which has excited a good deal of interest, for it is natural that Ministers should desire to have some voice in the choice of officers for posts so important as those in the Professoriate of the Medical College.

9. As regards Reserved subjects, wide as is the potential scope for intervention, instances of its exercise, apart from the field of finance and the public services, are not numerous, though they are of some importance. The Central Government has exercised its powers to prevent the local Government from making changes in the conditions regarding a large number of grants of land in the Canal Colonies, made with the sanction of the Government of India in pre-Reform days with the object of encouraging mule and horse-breeding for Army purposes. The local Government held that the maintenance of these conditions caused it serious financial loss in that it deprived it of the power of making a more profitable disposal of the land, and claimed that interference in this respect was an invasion of its powers under the Devolution Rules. It was unable to obtain the authority it desired; nor has the Government of India been prepared to consider compensation for the loss caused to it. On another point, the intervention of the Government of India has had serious results for the local Government. In the matter of the use of the water of the Indus, in which the Bombay Government is a party in the interests of the Sukkur Barrage Scheme, the local Government has found reason to complain of a decision which, in its opinion, has given to Bombay a lien on the available supply which is both unjustifiable, in view of the needs of the Punjab for expansion of its irrigation, and uneconomical, in view of the comparatively high standard of supply to the cultivator assumed in the Sukkur Barrage project. That, however, was an award by the Central Government between the claims of two local Governments; it was not, as was the former, a matter in which the Central Government itself had a direct interest in the result. It is also proper to add that the decision in

regard to the use of Indus water has been upheld by the Secretary of State. The action taken in regard to the Land Revenue Bill has already been described in paragraph 6. In a fourth instance, the course pursued by the Central Government amounted less to intervention than to an effort to secure united action in a matter of great importance. During the height of the Sikh agitation it invited the local Government to send representatives to concert common measures to be taken by both Governments in order to meet the menace to law and order. Finally, control has been exercised in respect of alienation of land and land revenue. This subject was, previous to the Reforms, dealt with under certain rules and also by administrative orders issued by the Government of India from time to time for the guidance of local Governments. The Statutory Rules remain in force being saved by virtue of proviso (*a*) to Section 130 of the Government of India Act and rules made under the administrative orders of the Government of India are maintained under the power of control over Provincial 'Reserved' subjects. The form in which this control should be exercised in this case has been a matter for discussion between the Central and Provincial Governments—a discussion which has been held in abeyance pending the appointment of the Statutory Commission. These are perhaps the only cases of importance which deserve to be quoted; there is little evidence of interference or intervention in the ordinary course of administration. More than once information has been sought, and some criticisms made, regarding matters, especially those arising in judicial proceedings, which have attracted the attention of the Central Government. For the rest, the latter has been mostly in evidence in the course of the proceedings consequent on the revision of the Statutory Rules regulating the pay and leave conditions of the Services. There were decisions taken here (such as the decision to refer to the Public Services Commission cases of promotion from the Subordinate Service to 'listed' posts) which did not commend themselves to the local Govenment; there were similar cases regarding the concessions to be given to certain specialist officers; but the responsibility for these decisions is shared between the Government of India and the Secretary of State.

SECTION C.—THE FINANCIAL FIELD.

The financial field.

10. In the financial field the control of the Central Government is manifested, in the first instance by the fact that it is the banker of Provincial Governments. The Governor-General in Council retains under Devolution Rule 21 power to require a local Government, if necessary, so to regulate its programme of expenditure as not to reduce the balance at its credit below a stated figure. In practice this power has only been exercised when the local Government has desired to overdraw its account. In Chapter VIII, Section D, it has been recounted how at a certain period of the financial history of the Punjab when it had shown a deficit on revenue account of two crores in one year and was preparing to budget for another, the Central Government interfered to insist on its balancing its budget. Before this object was finally achieved the matter was the subject of discussion between the Provincial and Central Governments, and strong representations were made as to the political inadvisibility of further taxation, and, while it was not possible to avoid this entirely, a form of compromise was arrived at by which the Central Government agreed to the amortisation of the existing debts over a long period of years in consequence of which the burden of fresh taxation was reduced. It is known that the action of the Central Government was not confined to the Punjab, and it must be admitted that it was not an unreasonable exercise of its obligations as banker. Another form of control of the Central Government lies in the matter of borrowing. The Punjab Government has twice raised loans in the local market, but it has done so always with the consent of the Government of India and at a time at which it would not by so doing compete with Central loans. It is obvious that some means are necessary for avoiding competition in the market not only between a province and the Central Government but between two provinces.

Expenditure.

11. In the matter of expenditure the Secretary of State limits the power of local Governments to spend in certain directions under what is known as the Provincial Audit Resolution in respect of 'Reserved' subjects, and under schedule 3 of

the Devolution Rules in respect of 'Transferred' subjects. There is nothing in the exercise of these powers which calls for any particular remark.

Accounts.

12. The fact that the form of Public Accounts is prescribed by the Secretary of State has made for an exercise of control which has to some extent been embarrassing. The narrative in Chapter III Section D has shown how at an early stage in the Reforms period, the local Government was impressed with the advisability of keeping its receipts from the sale of lands out of the ordinary revenue account. It held, and with reason, that the whole of its future financial stability depended on the adoption of this measure. The intention of the local Government had been to finance from this source its large capital projects for productive canals. The proposal made was that these receipts should be brought upon the capital account and passed as capital receipts. This proposal was negatived on technical grounds, as the receipts neither represented the creation of liabilities nor the reduction of amounts already recorded as assets. Permission was, however, granted to classify these receipts as Extraordinary Receipts. From the point of view of displaying the accounts to the public, this arrangement is not quite as satisfactory as if it had been possible to show receipts under the capital head. As Extraordinary Receipts are merely a special part of the revenue head we find the result that a large part of the capital expenditure of the Province, which has been actually met from sales of land, appears in the accounts as paid from revenue, a result which is always liable to mislead and to make imperfectly informed persons entertain the not unnatural belief that the Province is meeting from revenue, expenditure which is really of a capital nature.

13. Another matter in which control of the form of accounts has proved irksome arose from the proposal of the Punjab Government to start a separate fund called the 'Revenue Reserved Fund' to provide against failure of current revenue. The disastrous year 1921-22 had shown how a Province that depended on agricultural resources for its income was liable to have its finances disorganized by a single failure of crops. An event of that nature, unfortunate though it may be, does not really require that dislocation of the finances which would result from balancing the budget by sudden taxation or violent retrenchment. The Punjab Government proposed to place year by year a certain amount in a separate Revenue Reserve Fund, to be drawn on in case of a seasonal calamity producing abnormal income. This has been objected to on the grounds that there is no necessity for a separate fund; the Province can simply allow the ordinary balance to grow to the requisite amount. But this ignores the psychology of the Legislature. Suppose it is required to place 20 lakhs a year in the Revenue Reserve Fund; the Council would not accept a situation in which the revenue keeps exceeding expenditure by more than 20 lakhs and general balances are allowed to mount up, without pressing for a reduction of taxation, but it has with equanimity seen 20 lakhs put into a special fund and the general revenue budget thereby just balanced.

Control of taxation.

14. Finally, there is the question of control in the field of taxation. Mention has already been made of the fact that the Punjab Council cannot without previous sanction impose or authorize the imposition of a new tax unless it has been scheduled in the Scheduled Taxes Rules. This has required the Bill for Motor Taxation to be referred to the Government of India and also two Bills referring to taxation by local bodies; while the provision which required reference in the case of measures regulating provincial subjects which are subject to legislation by the Indian Legislature, made it necessary to submit the amendment of the Court-Fees and Stamp Acts to the Government of India. There has in point of fact been no fiscal legislation laid before the Council without the sanction of the Government of India. The limitation of the power of taxation is, however, a matter which more nearly concerns the division of Central and Provincial sources of revenue. Thus the decision that a tax laid by District Boards on professional and commercial classes according to their income was illegal was a decision of the courts and not a result of control by the Central Government.

CHAPTER X.—The Services.

1. The classification of Government servants is as follows :—

The classification of Government services.

(*a*) Those belonging to All-India Services.

(*b*) Those belonging to Provincial Services.

(*c*) Those belonging to Subordinate Services.

(*d*) Officers holding special posts.

2. The system of recruitment to the All-India Services is governed by rules framed by the Secretary of State for India and needs no further reference here.

Methods of recruitment.

With the exception of a few services, appointments to which are governed by particular statutes, recruitment to services other than All-India services will in future be governed by statutory rules framed by local Governments under powers granted to them under the Civil Services (Governors Provinces) Delegation Rules. The statutory rules are now being drafted by the various departments, and it is anticipated that they will closely follow the existing practice.

Provincial Services.—The recruitment for the Provincial Services is mainly by direct nomination or by promotion from the Subordinate Services ; only in the case of the Provincial Civil Service is the method of open competition adopted, and there to a limited extent. The vacancies so filled have not for many years exceeded two annually, though they will now be increased to four. All first appointments to the Provincial Services must be made by the local Government, which under the Classification Rules has not been empowered to delegate its power to any other authority. Such appointments are, therefore, made by the Governor in Council in the case of Reserved subjects and by the Governor acting with his Minister in the case of Transferred subjects.

Specialist posts and subordinate services.—In the case of other services under the control of the local Government, the latter can delegate its powers of appointment to subordinate authorities and formal orders of delegation are now being drafted. In the meantime, the practice in force before the Classification Rules took effect is being followed. Specialist officers are usually appointed by selection with or without the assistance of an advisory committee or board, and ordinarily the sanction of the local Government is obtained to such appointments.

The subordinate services are recruited mainly by promotion or direct appointment ; competitive tests are very rare and selection boards, though sometimes employed, are unusual. The subordinate services include the great majority of Government servants, who range from officers holding responsible charges, such as Tahsildars, to clerks on low salaries, and consequently the authorities who make the appointments vary from the local Government in the case of Tahsildars to the Heads of Offices in the case of clerks. The working rule is that the authority that has the power to appoint has also the power to dismiss. Generally speaking, it may be said that, in practice, Members and Ministers acting independently rarely exercise the power of appointment, the great majority of appointments being made by Heads of Departments and subordinate authorities. It is only in the case of the more important subordinate services, that the practice varies and Heads of Departments submit for the approval of the Member or Minister their proposals regarding particular appointments.

3. The announced policy of the Punjab Government in regard to the representation of classes or communities in the public services under its control is governed by the following principles :—

Communal and class representation in the services.

(1) always to keep the supreme need for efficiency in view, that is, efficiency in the fullest sense ;

(2) as education progresses and spreads, to continue to raise, as far as may be practicable, the minimum educational requirements of various posts ;

(3) to employ the element of competition as the test wherever the best interests of a service render it possible ; and

(4) in all cases so to conduct recruitment as to avoid any undue preponderance of any one class in the public services to the exclusion of the reasonable claims of other classes of the community.

Government has on several recent occasions announced in the Legislative Council that it intends to adhere to this policy until there has been a widespread change in the composition of the educated classes throughout the Province.

4. With regard to the second of the four principles stated above, considerable progress has been made in recent years in the application of these standards. The minimum qualification for appointment to the Provincial Civil Service as well as the posts of Deputy Superintendent of Police and Tahsildar has been raised from the Matriculation to the B. A., for Forest Rangers the Intermediate Examination in Arts or Science is necessary ; for the posts of Naib-Tahsildar and Sub-Inspector of Police the standard has been raised from that of the Matriculation to the Intermediate, and the Intermediate must have been passed in Arts or Science to obtain entrance to the Agricultural College, Lyallpur, the Engineering College, Rasul, and the Veterinary College. The fourth has been, and is still, the subject of keen controversy. Previous to the Reforms, the question of communal representation in the services was raised from time to time in connection with the comparatively small number of Muhammadans who occupied the better paid posts ; and by its nominations and promotions to the Executive Branch of the Provincial Civil Service the local Government has succeeded, while refusing to bind itself to a definite rule of proportions, in effecting a representation not materially differing from the proportion borne by the three major communities in the population of the Province. In some other services, particularly those of a technical nature, the comparative backwardness of Muhammadans and Sikhs in comparison with Hindus prevented effective competition in some services and at the same time tended to moderate the demand. The struggle between the communities for Government service was overshadowed by the contest between the rural and urban interests, and in so far as Government intervened to regulate recruitment by rule, it was generally with a view to protect the zamindar, whether he were Muhammadan, Hindu or Sikh, against the non-zamindar, rather than to adjust the disparities between the communities. The indirect effect of intervention was mainly to protect the Muhammadan and Sikh against the urban Hindu, who, with his high educational standards, obtained an undue preponderance of the available posts. The response of the rural classes throughout the Province to the call for recruits during the war gave emphasis to their claims for greater representation in the civil services and at the same time drew attention to the inadequate share they held in the higher paid posts. In response to a popular demand, the local Government in 1918 appointed a committee of officials and non-officials to consider the question of the representation of zamindars in the public services of the Province, and, as a result of the report of that committee, the local Government laid down the proportion for recruitment for posts in certain services so as to secure an adequate allotment ultimately to zamindars. In the resolution announcing the decisions, His Honour the Lieutenant-Governor thus stated the grounds on which they were based —

> " On the question of the propriety and desirability of paying due regard to the interests of landowners and the rural population in respect of employment in the public services of the Province, His Honour does not think it necessary to say much in view of the broad and patent facts of the situation. Of the total population of the Punjab, according to the figures of the last census, 90 per cent. live in areas which are classed as rural while 54 per cent. are zamindars, or the dependents of such. Zamindars, in addition to paying other demands, contribute some 3,80 lakhs of land revenue and 2,70 lakhs in canal occupiers' rates to the fiscal receipts of the Province, or roughly 66 per cent. or two-thirds of the total Provincial and Imperial

income derived from it by the State. Considerations based on such broad figures as the above are reinforced by the not less important fact that education and enlightenment are spreading with considerable rapidity among the rural and agricultural classes, not only directly through the agency of educational institutions. but indirectly by such means as the opening of railways, the improvement of communications, the development of canal colonies, the notable spread of the co-operative movement, the activities of the Publicity organisation, and last but not the least by the experience of foreign countries which has been gained by many of the very large number of soldiers which the zamindars of the Province contribute to the ranks of the Indian Army. Facts such as the above indicate in the Lieutenant-Governor's opinion that the time has come for definitely securing to the landed classes an adequate representation in the public services of the Province. But any standard proportions which may be laid down for this purpose must of course be taken subject to the proviso that a sufficient number of candidates of adequate educational qualifications will be forthcoming as they may be required from time to time."

5. The term " zamindar " was defined as including all hereditary proprietors or tenure holders of agricultural land mainly dependent thereon and residing in rural areas, as well as actual cultivators of such land. The standards fixed in the various services for zamindari recruitment were as follows :—

1.	Provincial Civil Service (Executive and Judicial Branches).	50 per cent. ..	Exclusive of Europeans and Anglo-Indians.
2.	Tahsildars and Naib-Tahsildars ..	66 „ „	
3.	Munsifs	66 „ „	
4.	Excise Department	50 „ „	
5.	Agricultural Department		No percentage, but other things being equal, preference to be given to zamindars.
6.	Veterinary Department	66 „ „	
7.	Co-operative Department	80 „ „	
8.	Forest Department	66 „ „	
9.	Jail Department	No standard prescribed.	
10.	Police	At least one-half of the direct appointments.	
11.	Medical Department	No percentage	As for Agricultural Department.
12.	Sanitary Department	60 per cent.	
13.	Public Works Department (Buildings and Roads).	No percentage	Zamindars to be encouraged to enter the technical colleges for training.
14.	Public Works Department (Irrigation) (Technical posts).	Ditto ..	Ditto.
15.	Revenue Branch	66 per cent.	
	Clerical establishment in all departments	No percentage	Steps to be taken that when the proportion of zamindars in any office is unduly low, preference to be given to zamindar candidates who have the necessary qualifications.

6. While the Resolution fixed the ultimate percentages for the constitution of some services it did not prescribe the period or periods within which

they were to be reached. Nor indeed was this possible, since the attainment of the percentages was in all cases subject to the condition that a sufficient number of candidates of adequate educational qualifications were forthcoming. It is not possible to say with accuracy how far progress has been made towards the standards fixed in 1919, since many cases arise in which it cannot be said with certainty whether a particular Government servant does or does not satisfy the definition of " zamindar." In 1925 the local Government in view of the interest taken by the Legislative Council in this question and the very numerous interpellations regarding different branches of the services, instituted the compilation of an annual census of Government servants, showing both community and position in regard to " zamindar " status ; this census is made available to members of the Legislative Council. The latest census shows that there has been definite progress in all services, though the rate has been unequal. In some, the present percentage of zamindars is in excess of that laid down in 1919, while in others it is still considerably below, and this is particularly the case in those services in which high academic or technical qualifications are required. It is a frequent subject of complaint by members of the rural party in the Council that the advance has not been sufficiently rapid and they are particularly critical in regard to the judicial services. The general spread of education among the rural classes, associated with the keen interest taken by their representatives in the Council, will, however, ensure a steady advance towards the standards of 1919. At the same time, the levelling up of educational standards will encourage a tendency, which is already manifest, to advance the claims of particular tribes or districts to employment in the public services, and attempts will probably be made to secure from Government the sub-division of the shares of zamindars on a territorial and tribal basis.

7. In the rivalry between rural and urban interests religion plays only an indirect part. There is, however, a strong body of Muhammadan opinion, both inside and outside the Council, which considers that in recruitment to the services regard should be paid to the population of the different communities and that the " communal " should supplement, if not replace, the zamindari test. Government has so far not laid down definite percentages to regulate recruitment according to religion ; but it will be observed that the fourth principle of its policy as above stated does provide an attempt at protection against the undue predominance of any community and therefore involves some degree of communal discrimination. The only definite step taken in this direction is the passing of a rule intended to provide special educational facilities for the backward communities by regulating admissions to certain Government institutions. This was effected in the Ministry of Education soon after the inceptions of the Reforms, and the details are given here as the matter has been one of some controversy. Thus new admissions to the First and Third Year Classes in the Governemnt College, Lahore, are as follows :—

Muhammadans	40 per cent.
Hindus	40 „
Sikhs	15 „
Others	5 „

and the same proportions are roughly followed in the Central Training College, Lahore, which is the premier institution for the training of teachers. In the Medical College, Lahore, and the Medical School, Amritsar, the prescribed percentages are—

Muhammadans	40
Sikhs	20
Others	40

It may be noted that these instructions were passed after consideration of the facilities then available in the form of denominational colleges to students of the different classes ; and that in the case of the Government College the new method does not take the place of the system of recruitment by competition but of selection on grounds which were not entirely based on the previous educational career of the students. The effect of these orders is to secure, for the less advanced communities, places in the Colleges, and therefore

opportunities for Government service later, which they would not otherwise obtain. For instance, statistics for the Governemnt College, Lahore, for 1927-28 are as follows :—

(*a*) *First Year Classes.*

Total number of admissions	150
Percentages of admissions for various communities—	
Hindus	40
Muhammadans	37
Sikhs	20
Others	3

The rule, although not strictly observed in this case, operated, according to the report of the Principal, so as to exclude 26 Hindus, who, had competition been the only test, would have obtained admission, in favour of 17 Muhammadans, 7 Sikhs and 2 others.

(*b*) *Third Year Classes.*

Total number of admissions		159
Percentages—		
Hindus	46	
Muhammadans	35	
Sikhs	19	

The rule is reported to have operated so as to give Muhammadans 10 extra places, which they would not have obtained had competition been the only test at the expense of 8 Hindus and 2 Sikhs. It will be observed that, in spite of the concession to Muhammadans, the percentage of actual admissions obtained by them is still below the percentage they represent of the total population, and assuming that on general grounds of policy it is desirable to give fair opportunities of service in the higher posts to all communities, the statistics above cited show that this can be done only by some measure of discrimination. There are, however, very wide differences of opinion as to how far discrimination should be carried. The extreme view is that recruitment to all services under the control of the local Government should be strictly according to the percentages of population, and the adoption of this method was advocated by a Muhammadan member of Council in a discussion initiated by him on a motion for a nominal cut during the Budget session of March 1928. It was supported by several Muhammadan speakers and was strongly opposed by Hindu members representing urban interests. The mover and his supporters justified the proposal on the ground that the rivalry between the various communities, for Government employment was one of the chief causes of communal strife and would continue to remain a cause until definite percentages were prescribed. The Member for Finance in stating the Government case explained the general difficulties in the way of the acceptance of this proposal and, in particular, emphasised the anomalies that would occur in those services in which one means of entry was by promotion from the lower services. He again took the opportunity of enunciating the policy of Government as stated in paragraph 3 above. The motion was ultimately withdrawn, but not before considerable heat had been engendered. At the other end of the scale are the advocates of recruitment entirely by competition, and, as might be expected, these belong mainly to the urban Hindu and Sikh classes, who have reason to believe that they would gain if this system were generally accepted by Government. In the Council session of July 1927 the following resolution was moved by an urban Sikh member—

> "This Council recommends to the Government that in future all posts under Government in all departments should be filled by open competition as far as possible ; and where this cannot be done and selection has to be made the most highly qualified candidate should be selected without regard to caste, creed or colour."

The resolution was supported by the urban Hindu members and strongly opposed by Muhammadans and the rural members. The opposition was based mainly on the ground that in the present state of educational attainments, open competition would unduly favour a particular class and perpetuate the

predominant share it holds in the higher posts to the prejudice of other classes. It was urged that the resolution was premature, since it was first necessary to equalise the opportunities of the various communities and to remove the handicaps under which the Muhammadans and the rural classes now labour. Government opposed the resolution, and the mover, in view of the fact that it could not succeed, withdrew it.

8. The position may thus be briefly summarised as follows :—In the present state of educational attainments, recruitment by open competition would result, for some services, in an undue proportion of posts falling to one particular class to the prejudice of the reasonable claims of other classes. To prevent this it has been necessary, subject to the condition that efficiency shall be maintained, firstly, to give a limited degree of preference directly to the rural classes and thereby indirectly to Muhammadans and Sikhs, and, secondly, to grant special educational opportunities to the same communities. If and when the academical qualifications of the various communities are equal, the necessity for discrimination will disappear. But the indications are that, during the period of transition, increasing pressure will be brought to bear on Government, firstly, to regulate recruitment on a religious basis according to population, secondly, to increase the degree of preference in favour of the rural classes, thirdly, to extend the principle of preference by applying it to tribal units and, fourthly, to pay more regard to local claims. It would be unprofitable to enquire how far these demands are capable of reconciliation ; it is sufficient to observe that of recent years there has been a great increase in demands of a communal class, sectional and local character for Government employment, and that, so far as these demands have adversely affected or threaten to affect vested interests by substituting privilege for intellectual ability, they contribute to communal and class feeling.

The Reforms and the Services.

9. The immediate effect of the Reforms has been largely to increase the work and responsibility of officers of the superior services. At the same time, there has been a shortage, due to various causes, of experienced officers to bear the additional strain. During the War, the recruitment to the security services (the Indian Civil Service and the Police) was practically suspended and for several years after the War it was considerably below requirements. On the other hand, retirements on full pension were above normal ; retirements on proportionate pension under the scheme sanctioned at the inception of the Reforms have been 14 in the case of the Indian Civil Service, 20 in the Indian Police Service, 10 in the Indian Service of Engineers, and 4 in the Indian Educational Service, and though a number of the retirements were admittedly due to purely private reasons and not to any apprehension regarding the working of the Reforms Scheme, the result was to leave the services undermanned. It has been necessary to appoint to the charge of districts comparatively inexperienced officers of the Indian Civil Service or members of the Provincial Civil Services in a larger proportion than would have been considered justifiable some years ago, and the result has been felt by Government to involve a lowering of former standards. The Judiciary has suffered from similar causes, and for the last few years an unduly high proportion of District and Sessions Judgeships have been held by members of the Provincial Civil Service owing to the shortage in the cadre of the Indian Civil Service, a matter which has been the subject of frequent comment by the High Court. In order to secure a return to the old standard, it will be necessary steadily to recruit according to requirements and to secure recruits who are not inferior to the recruits obtainable before the War. The increase in work has been general, but it has been particularly heavy in the case of Secretariat and District officers and of officers serving in superior posts in the beneficent departments. The increase is due partly to the changes in practice and procedure, for which the Reforms are directly responsible, and partly to the great development which has occurred during the past few years in the activities of all departments for which the Reforms may claim part of the credit and which improved finances have rendered possible.

10. The services as a whole have been quick to adapt themselves to the changes in conditions. For many of them the change has involved the necessity of regarding their duties in a new aspect. The Secretariat officer finds the scope

and variety as well as the volume of his work greatly extended; he has to study constitutional issues and to pay more regard to public criticism; he is often a member of the Legislative Council and as such has to defend or explain the views of Government; and his contact with the Ministers and with the non-official members of Council discourages him from taking a purely departmental view. The technical or specialist officer serving in the beneficent departments has now opportunities for work of first rate importance for which financial and other circumstances previously gave only a limited scope. He has found that, while the Council may sometimes disagree with his theories or methods, it is open to conviction and that the members are as enthusiastic as he is on the objects which he has at heart. Indeed one of the most striking results of the Reforms has been the rapid growth of the popular demand for schemes of social welfare. While, in pre-reform days, Government had to proceed cautiously with schemes involving interference with the individual, the complaint now is that inadequate funds are allotted to rural sanitation, the prevention of plague, compulsory education, etc. The District Officer has also been directly affected. The creation of a Ministry of Local Self-Government has tended towards centralization and the establishment of provincial rather than local principles and standards. It is now very exceptional for the Deputy Commissioner to be the President of a Municipal Committee, and, since the Reforms, he has lost direct contact with municipal affairs. On the other hand, the interests of the District Board, of which he is usually the Chairman, are more varied, and with the increase in the number of municipal and small town committees and Panchayats, his duties of general supervision threaten to outstrip his capacity of performance. The establishment of new central boards, *e.g.*, the Rural and Urban Sanitary Boards, and the expansion of the beneficent departments have added largely to the number of local officers who are not under the control of the Deputy Commissioner and at times he has reason to complain that in matters vitally affecting the welfare of his district he is not consulted. But the departments are realizing more and more the value of close co-operation with the Deputy Commissioner and his staff, and as their activities extend, the head of a district has to devote an increasing part of his time to advising them. The diverse forms that development has assumed during recent years have given to the Deputy Commissioner varied opportunities for pursuing, in co-operation with the departments concerned, special lines of improvement in which he may be interested—it may be Co-operation, or Agriculture, or Education or Medical Relief—and the attention that rural uplift is now attracting among District Officers represents a new chapter in the history of Indian administration. Nor, it may be added, is the interest confined to members of the superior services. In the Gurgaon District, for instance, superior and subordinate officers of many departments are taking a part in the campaign for rural improvement. The creation of an organized system of administration out of oppressive irregularity was accomplished previous to the reforms, and the achievement made it possible to introduce on a ready made ground-work a number of benevolent designs; but the maintenance of the ground-work unimpaired is a condition precedent to the development and permanence of beneficent activities, and the condition can be satisfied only if no deterioration is allowed to occur in the standards of the security services. The danger is that the routine, but essential, branches of the administration, namely, the preservation of law and order and the maintenance of a high standard of revenue administration, may be neglected in favour of the more attractive measures of social reform. Generally, it may be said that the district administration now provides wider scope than formerly for interesting constructive work, and that while the Reforms, by stimulating public criticism inside and outside the Council, have directed greater attention to the individual acts and attitude of officers, they have, on the whole, increased, rather than lessened, the influence, of the Deputy Commissioner who uses his opportunities with wisdom.

11. The relations between the Ministers and the services have been excellent. The latter have shown a high sense of duty in assisting the Ministers to frame the measures of development for which the Transferred Departments are responsible, and they have been loyal in carrying out the policy of the Ministers, who, in turn, have been quick to recognise good work and have been generous in their appreciation of it. Similarly, with exceptions that may here be neglected, the personal relations between non-official members of the Council

and Government officers have been on the whole of a friendly nature. The sessions of the Council, the meetings of its committees and of the various Boards, on which the Council is represented, afford many opportunities for the interchange of opinions and both classes have tried to understand the point of view of the other and have generally succeeded. Co-operation, wherever possible, has been accepted as the working rule. The members of the Public Accounts Committee, one of whose functions it is to scrutinize cases of financial irregularity on the part of Government servants, have been moderate in their criticism and with rare exceptions have expressed themselves as satisfied with the disciplinary action which Government have taken in particular cases.

12. The question will inevitably be asked, how far the experience of the Reforms has affected what has been expressed as the feeling of security among members of the Services. The numbers of retirements on proportionate pension have been given in paragraph 9 of this Chapter ; but though the provision of retirement was primarily introduced in order to provide for those officers who felt that their position might be difficult under the Reforms Scheme, it is clear that so many officers have left for private reasons that the numbers do not afford a very satisfactory proof of a feeling of insecurity or even dissatisfaction with its conditions. Individual feelings are difficult to analyze or to schedule ; on the whole, it may be said that though there are officers who may at times feel embarrassed by the new conditions of working, and there are those who may feel that their capacity is being judged by somewhat different standards than in the past, there is no general feeling in the superior services that the conditions of service, in regard to essential points such as promotion and the like, have suffered for the worse. On the other hand, apprehensions are sometimes heard among members of the Provincial and Subordinate Services, that their position in the establishment may suffer on communal grounds.

13. There are directions in which the indirect effects of the Reforms on the services have been unfortunate. There is a tendency for some of the subordinate services to canvass non-official members of the Legislative Council in order to improve the conditions of service or to secure the redress of supposed grievances, and members are apt to encourage this tendency by the free exercise of the right of interpellation and occasionally by raising discussion on questions which should be left for decision to the Executive Government. On the other hand, the attitude of some members of the Council towards particular services, and especially the Police and Jail Departments, is one of criticism unrelieved by recognition of good work done. It is, however, only fair to add that the Council has recently voted without demur large demands presented by Government with the object of improving these departments and that, so far as Jail administration is concerned, the strength of opinion in the Council was responsible for far-reaching re-organization. While closer touch with the Executive Government has removed the criticism once common that Government servants were overpaid for the work they did, the attitude of some members of the Council towards the executive officers is on occasion characterised by distrust and even sometimes by hostility. Interpellations are frequent, in which dissatisfaction is implied with the conduct of an officer on some particular occasion, and it is not uncommon for such questions to be tainted with communalism. On two occasions the conduct of officers has been the subject of resolutions. In the October session of 1922 the resolution was moved in connection with the communal riots at Multan in the previous September, seeking a committee to enquire into the truth of the allegations made in the press or by organized public bodies against the conduct of police and civil officers concerned. The mover found very little support and the House refused leave to withdraw the resolution, which was defeated.

14. In the session of November 1927, a resolution was successful in the ballot, but was not moved owing to lack of time, recommending Government to appoint a committee of non-official members of the Council to enquire into the conduct of the Deputy Commissioner of Lahore, in his capacity as a executive and administrative officer. This related to the conduct of this officer during a time of intence communal tension extending over a period of six months. In both the cases above-mentioned, communal issues were involved, which divided non-official opinion ; but they illustrate the liability of attack to which

communal friction exposes executive officers for the discharge of duties in circumstances of great difficulty, which communal tension has itself created.

15. A motion for adjournment was moved and carried in March 1928 with the object of censuring a senior District Officer of the Indian Civil Service for discourteous language alleged to have been used by him to a member of the Legislative Council in the course of a visit made to him by the latter. The fact that such language used was denied ; and in the absence of other evidence than that of the Deputy Commissioner and the visitor, the adverse decision of the Council has caused a not unnatural apprehension among officers that similar action may be taken on other occasions to the injury of their reputations and careers.

16. In so far as the Reforms may have indirectly contributed to the growth of communal hostility from a struggle of the communities for political power, they have for the time at least added greatly to the work and responsibilities of the services. The security services have had to bear the greater part of the burden. In districts where there are large towns, *e.g.*, Lahore, Amritsar and Multan, the Deputy Commissioner has had to exercise for months at a time the utmost vigilance to guard against actual outbreaks, for at any time a trivial incident might occasion a riot, the after-effects of which would be felt for months. His magistrates have had to devote time required for the ordinary criminal administration to the trial of communal cases or to duties connected with the communal situation, and he himself has had to leave undone or to relegate to others important work which it is the function of the Deputy Commissioner to perform. The additional strain thrown on the police has been very heavy and has had a serious effect on the attention devoted to ordinary crime. The prevalent atmosphere of distrust and suspicion has made more difficult the selection of officers for particular posts, and in an increasing degree Government has to pay regard to considerations of religion in the postings of members of a district staff, so that no community may be unduly represented. For the trial of communal cases, whether due to actual riots or to incitement in the press or on the platform, it has been necessary wherever possible, to appoint a European, an Anglo-Indian or an Indian-Christian, and this necessity has been the cause of frequent transfers to the detriment of efficient administration. The apprehension lest a complainant or an accused of one religion will not obtain justice if the presiding magistrate belongs to another religion, illfounded as the apprehension may be, is the excuse for numerous applications for transfer and consequent delay in the administration of justice. While it may be said, to the credit of the services, that communal friction has not as yet had a serious effect on the partiality of individual officers, its existence has undermined the confidence of many. An officer who is charged with having taken sides in a communal matter, and the suspicion is often very lightly made, is liable to attack in the press and on the platform, by interpellation in the Council, by deputations to his superior officer or to Government, and by signed or anonymous petitions. Officers holding the highest posts are not free from partisan attacks. Even from Government servants themselves complaints are frequent that they are not getting fair treatment from a particular officer who belongs to another religion. In these circumstances it is difficult for an Indian officer either to do the best work of which he is capable, or to receive from the public due appreciation of work well done. It is indeed a matter for congratulation that in spite of handicaps imposed on them from without, the majority of Indian Officers strive to maintain a high standard of impartiality and to uphold the good traditions of service.

17. There is a further question relating to the Services which require some notice. In recent years there have been growing complaints of corruption ; and it has indeed been suggested in some quarters that corruption has increased since the Reforms Scheme has been in force. It need not be said that this is not a matter which yields itself easily to accurate analysis. Corruption has unfortunately been common enough in the past ; and those most intimately acquainted both with pre-Reform and post-Reform periods would probably be the last to hazard a judgment that the last stage has been worse than the first. It is always difficult to decide whether, as has been said, " the insistent complaints which we receive of the growth of corruption among our officers are proof that corruption has actually increased, or whether they reflect the fact

that the present generation, with an altered outlook on life and with greater facilities for the expression of its views, is refusing to accept standards in the public the services which were accepted with greater equanimity in the past." The matter has formed the subject of frequent notice in the Legislative Council. In 1922 as the result of a resolution tabled on the subject the local Government appointed a Committee consisting of an official chairman and four non-official members to examine the subject. The Committee as a whole lacked somewhat in administrative experience, and the evidence given to it was unfortunately of a more or less general nature, but the Government accepted its conclusion that there was " a general belief among all classes that there is corruption in a greater or less degree in practically all departments of Government, more especially among the lower paid ranks of Government servants". There was again a discussion of some length in the Council in 1926 (Volume IX-A., 1926, page 750) in which particular reference was made to the proposal to establish " district corruption committees". It is not necessary to explore here the whole subject, or to detail the steps which have been attempted to combat the evil. Of late years, Government has supplied the Legislative Council annually with a list of cases in which action has been taken against corrupt subordinates ; and recently it has constituted a panel of retired officers of reputation to investigate cases in which *primâ facie* there appear to be ground to suspect misconduct. As the records show, the departmental heads of the Police Service have shown greater activity than others in taking action against their subordinates, the prosecutions and dismissals in their case being numerous ; but it has also been found necessary to cashier four members of what is regarded as the Senior Provincial Service of the Province, the Provincial Civil Service, while two have been forced to retire. These facts must be placed on record, but it is necessary to add, that it would be impossible to prove from a study of the records, that corruption has actually increased during the Reforms period, or that it has become more difficult to bring offenders to book. It has certainly attracted more attention, and it may well be that increased facilities for expressing public interest in the matter will actually result in facilitating the conviction of offenders.

Indianisation of the services.

18. The statement below gives the constitution of the All-India Services, so far as officers serving in the Punjab are concerned, on the 1st of January 1921 and the 1st of January 1928, respectively:—

Statement showing the cadres of the All-India Services in the Punjab.

Name of Service.	1st January 1921.			1st January 1928.			Remarks.
	Total strength of cadre.	Number of Europeans.	Number of Statutory Indians.	Total strength of cadre.	Number of Europeans.	Number of Statutory Indians.	
Indian Civil Service*	138	133	5	106	83	23*	*Exclusive of listed posts.
Percentage ..	..	96	4	..	78	22	
Indian Police Service	105	97	8	109	88	21*	
Percentage ..	..	92	8	..	80	20	
Indian Service of Engineers (Irrigation Branch) ..	133	83	50	149	77	72	
Percentage ..	..	62	38	..	52	48	
Indian Forest Service	15	15	..	35†	22†	13	†Includes 2 Forest Engineers.
Percentage ..	..	100	..	..	63	37	
Indian Educational Service	23	18	5	27	15	12	
Percentage ..	..	78	22	.	56	44	
Indian Service of Engineers (Buildings and Roads Branch.)	42	26	16	35	20	15	
Percentage ..	..	62	38	..	57	43	
Indian Agricultural Service	8	5	3	11	4	7	
Percentage ..	..	63	37	..	36	64	
Indian Verterinary Service	10	9	1	6	5	1	
Percentage ..	..	90	10	..	83	17	

19. In accordance with the recommendations of the Lee Commission, no recruitment has been made subsequent to 1924 to the Indian Educational Service, the Indian Service of Engineers, Buildings and Roads Branch, the Indian Agricultural Service and the Indian Veterinary Service, and the intention is to create superior Provincial Services under the control of the local Government, which will exist side by side with the All-India Services until the latter disappear. For these Services, therefore, the figures given in the statement do not fully represent the extent of Indianization. In the Agricultural Department, for instance, four appointments have been made since 1924, which would have been included in the All-India Service had recruitment to this continued. In all cases Indians have been appointed. In four similar appointments in the Veterinary Department, three Indians have been appointed and one European. In the Educational Department three Europeans have been so appointed; but it is not possible to state the number of Indians which would have been so appointed, since instead of appointing them to special posts with the option of entering the superior Provincial Service, when this is formed, the appointments have in the first place been made to the existing Provincial Service; it may be assumed, however, that had recruitment to the All-India Service remained open, the number of Indian recruits would have exceeded the number of Europeans.

20. It will be observed that in all the Services the process of Indianization has made substantial progress and that in several a radical change in the constitution has already been effected. For the two security services, the Indian Civil Service and the Indian Police Service, the statistics given do not fully represent the extent of the Indian element in the administration, since, owing to the large number of retirements and consequent shortage in the number of superior officers, it has been necessary temporarily to fill an abnormal number of superior posts from the Provincial Service. This however, is a passing feature, which will disappear as recruitment to the All-India Services becomes normal, except in so far as the number of superior posts to be filled by promotion from the Provincial Services is permanently increased. In the latter connection it may be observed that the number of superior posts reserved for members of the Indian Civil Service to be filled by promotions from the Provincial Civil Service is to be steadily increased to 20 per cent. of the total, which is to be reached before the 1st of April 1930.

21. As mentioned in a previous paragraph the necessity of appointing to the charge of districts comparatively inexperienced officers of the Indian Civil Service or members of the Provincial Service in a larger proportion than would have been considered justifiable some years ago, has resulted in some lowering of former standards. But the immediate cause has been an excessive number of retirements among British senior officers rather than Indianization. It is indeed impracticable to give at this stage any definite opinion as to the effect of Indianization on the efficiency of the Services. In several services, and particularly in the Indian Civil Service, Indianization has been mainly confined to direct recruitment at the bottom, and the recruits have still to prove themselves in posts of higher responsibility. Again, the substitution of nomination for competition for several years after the War gave a certain number who were not up to previous recruits from India and since competition has been reintroduced, the standard has improved. The effects of Indianization will not be fully manifest until a large proportion of the higher administrative posts is held by Indians and their influence becomes more effective in all ranks of the services than it is at present.

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PART II.—OFFICIAL PROPOSALS FOR THE INTRODUCTION OF RESPONSIBLE GOVERNMENT WITHIN THE PROVINCIAL SPHERE.

INTRODUCTORY.

1. The first part of this Memorandum has given an account of the actual working of the Reforms, and has presented the views of the Punjab Government as a whole on the actual course of events since their initiation. On some points Members of Government have thought it necessary to express their views separately, but with these rare exceptions, which are distinctly indicated in the memorandum, both halves of Government have been able to present a common view. Proceeding upon this basis of agreement as to fact we now address ourselves to the more difficult task of appreciating the degree of success arrived at in the working of the Reforms Scheme and of making suggestions for the future Government of the Province.

2. The scope of our enquiry is necessarily defined by the circumstances in which we find ourselves. Our objective is prescribed by the Preamble of the Government of India Act, which aims at the progressive realisation of responsible Government in India as an integral part of the Empire, concurrently with the extension to the provinces in provincial matters of the largest measure of independence of the Government of India compatible with the due discharge by the latter of its responsibilities to Parliament. On the practical side, our enquiry is conditioned by the fact that for the last seven years our experiences have been of the working of an Executive Government in close association with a Legislative Council endowed with a very considerable measure of authority. At this stage, it would be of little more than academic interest to speculate whether government through representative institutions is most suitable to the conditions of India, or whether some new form of constitution, framed on lines less Western in character, would not be better fitted to meet her needs. It would now be equally useless to speculate whether the requirements of our own province could best have been secured by developments within the scope of the pre-Reform system of administration, rather than through the system of government of which a beginning was made in the scheme of 1919. We are bound by settled facts. It is, however, proper to say that if we permitted ourselves to venture on any profession of belief in this matter, our feeling would be in general terms, that whatever form of government may eventually be found to be most suitable to Indian conditions, it is unlikely to be evolved until she has passed through the stage of government by representative institutions. It is only after experience of the working of those institutions, and of the light thrown by them on the nature of the social conditions which eventually determine the form of government best suited to any national unit, that the final development can be achieved. That profession of faith conveys no attempt at a judgment whether the introduction of responsible institutions was, as some have held, overdue in 1919, or as others have claimed, was effected without sufficient preparation of the foundations necessary to support the system. We have definitely committed ourselves to a definite form of development and progressed some way on the path indicated to us.

3. The test provided by Parliament as its guide in further divesting itself of its responsibility for the good governance of India is to be the measure of co-operation received from those on whom new opportunities of service are conferred, and the extent to which it is found that confidence can be reposed in their sense of responsibility. It is, therefore, for the Punjab Government, before proceeding to formulate suggestions for the future, to endeavour to estimate to what extent the history of the past seven years gives evidence of the co-operation

and responsibility of those persons on whom administrative burdens have devolved, of the elected members of the Legislative Council and, finally, of the electorate.

In attempting a considered examination of the results attained under the Reforms scheme, it is necessary to distinguish with some care those features which must be attributed entirely to the working of the reformed constitution. Thus, our record shows much advance in many branches of work now entrusted to Ministers, as for instance, in education, in the provision of medical relief, in the spread of co-operation, and in endeavours to improve agricultural processes; it may indeed be said with truth that development in this direction is one of the outstanding characteristics of the Reforms period. The influence, and indeed the pressure exerted by the legislature, has contributed greatly to their achievement, yet it would not be strictly true to say that we could not have attained them without a change in the constitution, given the necessary improvement in general finances, and the necessary determination of the executive to expend its improved resources on these objects. Though the problems involved in this development may have been approached in a new atmosphere, it would not be easy to point to any such definite change in educational policy, or in the methods of promoting co-operative or agricultural improvements as would clearly differentiate the Reforms from the pre-Reforms period. Again, though the changes effected by the Reforms secured, through the admission of Ministers to the Executive Government, far greater authority for Indians in directing the policy of the administration, measures to secure for Indians a larger representation in the administrative services which are the agents of that policy had been introduced before the Act of 1919 was passed, and the present proportions might have been reached (though perhaps with less expedition) independently of the change in the constitution The increased measure of independence in the matter of finance, growing from the abolition of divided heads of revenue, with its corollary in the reduction of detailed control by the Central Government in matters of administration, was an immediate and a very important result of the introduction of Reforms; but it was the development of a process which commenced before the Reforms period, for the provincialisation of subjects and functions had been in the course of gradual development since the report of the Decentralisation Commission of 1909. Though, therefore, the consummation of the process might have been delayed, it is difficult to believe that it would not sooner or later have been brought about by the force of circumstances.

4. In more than one direction therefore it is necessary to exercise discrimination in estimating the results attained during this period, whether in the political or the administrative sphere It will, however, be admitted on all hands that the first and most obvious effect of the Reforms Scheme has been to bring within the orbit of political interests numerous classes which had hitherto shown little activity in politics. Thus, the rural element, which is of special importance in a province of peasant proprietors, has recognized that the strength of its representation in the Legislative Council gives it a definite power to influence the action of the Executive Government. It has as a result evinced what may justly be described as a class consciousness of its own, and found a means of emphasizing its claim for attention to rural as against what it holds to be purely urban interests. It has realized that it has an effective avenue for pressing for greater educational facilities in rural areas, for improvement in communications and expansion in the agricultural and co-operative departments, and for a larger representation of the land-owning class in the public services; it has gone some way to defining a definite policy for the modification of the system of land revenue assessment, and has shown that there exists an organized body of opinion against any invasion of the principles of the Punjab Land Alienation Act. Again, apart from the fact that new classes have been brought within the political orbit, there has undoubtedly been among all sections a general

awakening of interest in the political aspects of the administration. If there are those who are critical of the results likely to be obtained under a system of government by representative institutions, nevertheless the predominating feeling is a desire to explore its possibilities, and among the educated there is a strong conviction of the advantage of making further progress towards self-government. A third, and not less obvious result of the Reforms Scheme, is the quickening of communal consciousness. In so far as this has contributed to the organization of communal spirit directed towards the social and material development of a community, the result is one which can be reckoned to the credit of the scheme. Nor has this result been entirely absent; there has, at all events, been increased activity on the part of the communities in collecting funds for educational and similar purposes. It must, however, be admitted that activity of this nature has so far been less prominent than the tendency to exploit communal differences or to seek advantages for one community at the expense of others. While this has had regretable consequences on the peace of the Province, its reaction in the growing desire of each community for self-improvement may untimately bring some substantial advantage. A fourth result, equally obvious, is the greater accessibility of the Executive Government to the influence of public feeling. If popular organs are not always ready to acknowledge the extent of this change, those who are engaged in the actual work of administration are fully conscious of the strength of the influences brought to bear on them. They may doubt whether pressure has in every case been exercised in directions which tend to the best interests of the province, or has always been inspired by knowledge of the canons of good administration; but they are in no doubt regarding its strength. It must not be supposed that on the very numerous occasions on which Government has yielded to this pressure, it has done so merely to render its own position easier in the Legislative Council; there have been many instances in which policy may have dictated this course, but the desire to recognize public feeling has not been limited to matters which come under the notice of the Council. There has been, throughout the administration as a whole, a growing recognition of the necessity for taking public feeling into account, and this has had its effect in many directions of which the public itself has possibly been unaware. The official outlook, in short, has not been confined to the satisfaction of administrative ideals, but has found an increasing motive in the consideration of popular programmes. A fifth result is also one which is sufficiently obvious. The association of members of the Legislative Council with the actual work of administration has been widely educative in conveying knowledge of its problems and difficulties It was one of the defects of the pre-Reform system, that it created two opposing camps. the official and the non-official. That was one of the inevitable results of a bureaucratic system, intensified by the fact that the bureaucracy contained a predominant foreign element. If the Reforms scheme has brought the two camps closer it has not entirely united them; the division has been too deep-seated in the popular mind, and the fashion of opposition to the attitude of the Executive Government too firmly established in many quarters, to be fully removed by such changes as the Reforms Scheme introduced; and indeed it has been one of the difficulties of Ministers that the popular mind has been slow to discriminate clearly between their functions as Ministers and as members of the Executive Government. The 'transferred' side of the Government is no doubt more popular than the 'reserved', but it is still considered to be on the side of officialdom. But there is, at all events, this to the good, that work in the Councils and in Council Committees has increased largely the number of those who can appreciate the problems of the administration, and have some knowledge both of the policy and the standards which it endeavours to maintain. Finally, there must be included the concentration of public interest on certain beneficial activities of Government, such as education and public health. The claim for the expansion of these activities existed before; but the operation of the Reforms has had the effect of focussing attention on this aspect of Government work and intensifying the demand

that a greater share of the resources of the Province should be devoted to it.

5. These developments may all, in varying degrees, be quoted as evidence that the Province has been moving towards the realization of the objective of the Act of 1919. But there are other important points in which it is necessary to test the progress made, and on which the judgment recorded would not perhaps command an equal measure of common agreement. It is, in the first place, necessary to examine the degree to which the electorate can be said to have given proof of the growth of a sense of political responsibility. Though the electorate is only 3·4 per cent. of the total population (or 12·2 per cent. of the adult male population), it is probable that on the whole it reflects with some accuracy the feelings and opinions of the remainder. There are some classes, important at any rate in point of numbers, who are not at present directly represented, such as tenants-at-will, daily wage labourers in rural areas, or the menial classes ; but they are inarticulate, and it would be difficult to say at the moment how far these sections of the community feel themselves to have interests strikingly different from those which are represented in the electorate. As regards the electorate at large, it would hardly be reasonable to expect that at this stage it should show itself cognizant of general questions of policy or prepared to exercise its discrimination between candidates with reference to their advocacy of a definite political programme. The predominant line of cleavage in the Province is communal ; and the system of communal representation practically results in removing from consideration one important subject on which the candidate could make an appeal to the feelings or the interests of the elector. As between candidates of his own community, the elector's vote turns largely on personal or tribal considerations. That is, at all events the general rule in rural constituencies : it is not always true of the towns, for there voters have in more than one constituency been called upon to make their choice between candidates who have proposed different policies in regard to co-operation with Government. It is doubtful, again, whether in the majority of the constituencies there is any marked difference between the attitude of the literate and the illiterate voters ; the considerations which are in most cases the decisive factor with the electorate are equally well known to both and equally regarded by them. There is no tendency to abstain from the polls ; in spite of the fact that considerable distances have frequently to be travelled in order to record a vote, the proportion of electors polling in some constituencies was as high as 78 per cent., and the proportion throughout the province at the last election was 53·7 per cent. It would not be unfair to say that this result is, in many cases, due quite as much to the insistence of the candidate or his friends, as to a desire to exercise a political privilege. Nevertheless, the extent to which the vote is recorded does undoubtedly evince a genuine interest on the part of the elector in the result of the elections. Wherever representative institutions have been introduced, the elector has probably directed himself at first to a choice between personalities rather than between policies ; the advance to a further stage must depend not only on the progress of education, but on the development of political programmes and the organization of parties.

6. Generally speaking, the elected member himself is fully representative of the feelings and opinions of the classes which elect him. In the rural constituencies, at all events, he does not differ markedly from the better class of the electors either in manner of thought or of living. Once elected, however, he seldom maintains very close touch with them in the political sense. As shown elsewhere (Part I, Chapter III, paragraph 12), while he is accessible to their influence on any matter of local interest, he seldom seeks to canvass their views on any question of general policy which may arise in the Legislative Council. " He knows what their views are on the broad communal or sectional issues, or on projects of taxation; we have not yet arrived at the stage when he will seek to undertake the task of converting his constituency to an unpopular view, though this is being attempted now". Here again, there seems nothing that does

not accord with what we know of the development of representative institutions elsewhere. The elected candidate who is able to retain the support of his constituency without forfeiting his own independence of opinion, and who can on occasion form instead of following the views of those who have elected him, is a product of a more advanced stage than we have yet attained or indeed could justly have hoped to have attained in the Punjab. But more important than this consideration, is the view that can be formed of the extent to which the Council as a whole can be held to influence or to react to opinion generally in the province. There is no doubt that the Council is held to be a body of growing authority and its proceedings attract both interest and attention. It is certainly the case that those who desire to influence the administration in any matter in which they feel themselves interested or aggrieved now look to the Council as a potent instrument for assisting them to secure their object. That applies not only to matters of individual or local interest, but to larger questions, such for instance as claims for communal representation in the Services or changes in revenue law and procedure. That there is some " gap " between the Legislature and the population generally must be recognised ; not all the questions debated nor the views expressed in the Council command popular attention. But it would certainly not be correct to say that the Council appears to the people at large as being in any sense an institution dealing only with abstract questions of politics. It is composed in the main of middle class landowners and practising lawyers ; it has always concerned itself closely with the concrete questions which are of real concern to the people ; and it has certainly taken a place in the life of the province which it would now be difficult to supply in any other manner. The attendance of members, and the numbers of members taking part in debates, demonstrate the lively interest which the representatives take in the business of the Council and afford, it is believed, a striking contrast to experience in some other provinces.

7. There follows an even more important question, the degree to which the elected representatives in the Legislative Council have shown a sense of responsibility in the exercise of their votes. It is necessary to approach this topic with some care ; for much depends on the precise implications which exist in the mind of those who demand evidence of a sense of responsibility. The full test of responsibility would seem to require that members of a representative institution should be willing to face the consequences which would ensue if the executive gave effect to the votes recorded by the majority. It is no doubt desirable that the Legislative Council should guide itself by this canon ; to expect it to do so, would be to make too exacting a demand on human nature. The executive is largely influenced by the Legislature, but only in a limited class of cases is it, in the last resort, bound by its decision. The Legislature must always be conscious of this fact ; and to ask it to comport itself as though every decision would be immediately translated into action, is to suggest an exercise in pure altruism. The question cannot, therefore, be decided by taking a list of its decisions and seeking to estimate the consequences which would have ensued if it had been compelled to stand by the results. Those who take a dispassionate view of its record in the last seven years would perhaps sum it up as follows. If there have been many cases in which the Executive Government has not been able to accept its decisions, there have been some others in which subsequent events have shown its judgment to have been far more correct than official representatives were at the time prepared to admit. The Council has always co-operated with the Executive, in so far that it has sought to take full advantage of the opportunities offered by the constitution, and has never attempted to bring the administration to a standstill. The administration owes much to its support in all measures tending to social and educational improvements, and to the efforts of its members, whether in debate or in Committee, to shape these measures in a manner likely to secure general approval. That support has not been confined entirely to subjects classified as " transferred "; for there have been occasions on which it has also been given to subjects connected with security, law and order. At a critical

period and at some risk of unpopularity, it showed itself ready to support Government in the taxation necessary to re-establish the finances of the Province. It must be said, on the other hand, that the Council has not always shown itself able to keep an open mind in approaching those questions on which fashion has established a settled prejudice against the Executive Government. Again, it has often been prone to pay more attention to communal considerations than to the merits of the matter at issue: and on many occasions the vote appears to have been unduly swayed by personal alliances or prejudices. The somewhat even balance of different sections of the House has at times given undue importance to small bodies who have stood aloof from the main parties, and this has led on occasion to results which appear to convict the Council of inconsistency. But what really matters in attempting a judgment of this nature is not the extent to which difficulties have been experienced by the Executive Government in its relations with the Council. The real issue lies in the question whether the record of the Legislature in the past shows any such feature as would render it hazardous to bring the Executive more definitely under its control in the future. The features of the working of the Council which may legitimately give rise to apprehension, are first its attitude on points where communal interests are at stake, and secondly, the difficulty which Ministers have at times experienced in knowing whether they can depend on their party for the support on which they might legitimately have counted. As the descriptive matter has shown, we have in the last seven years seen some beginnings of organisation on party lines; but the predominant line of division is still communal, and other considerations are apt to be subordinated to those which rest on a communal basis. So long as the strength of this line of cleavage continues, large issues of general importance are likely to be decided less on a consideration of their effect on the province at large than on a calculation of their possible reaction on different communities. That, however, is a subject to which it will be necessary to return at a later stage. As regards the second point, namely, the support given to Ministers, the discipline of parties (so far as one can use that term) has still to be developed. Apart from what may be described as the regular opposition in the House, opposition has at times been forthcoming from sections of Ministers' parties and the Ministers have been forced to depend for support on the official *bloc*. As a result it cannot be regarded as proved that in the absence of an official *bloc* Ministers could always rely on being able to carry out the measures of which they themselves are sponsors. In the existing communal structure of political life, as will appear more clearly later on, the sanctions which in English political life tend to prevent the revolt of a member or group of a political party do not operate. Under existing conditions the party of the majority, or any member of it, may vote against its leaders without apprehension that either the seat of the recalcitrant member, or the return to power of the party as a whole, will be in any degree imperilled. It is possible that with the growth of a party system and of party feuds the position of the "Adullamite" may become less secure, but there is not in sight any prospect that a general election will result in any turn-over of votes which will imperil the position of the party. It would, therefore, be premature to say that there exist the conditions requisite for the support in office of a party Government in the Parliamentary sense.

8. There is one other point to be examined. However important it may be to obtain a correct view of the position attained by the Legislature, or the political capacity of its electorate, it is certainly not less important to estimate the effect of the Reforms Scheme as a whole on the general administration of the Province. It would not be profitable to attempt to balance the benefits of political advance against the needs of the Province for well ordered government; but there are certainly many who would feel that political progress, whatever satisfactions it might bring in itself, might well be achieved at too great a sacrifice if it did in fact lead to a deterioration in the standards of administration. The descriptive matter contains much material bearing on the reactions

of the Reforms Scheme on the administration, and only the more important aspects need be touched on here. Taking first the branches of work concerned with law and order, attention must inevitably be attracted to the prevalence of communal dissension during part of the seven year period and to its consequences in the outbreak of open disorder. Our discussions on the subject have revealed a difference of opinion as to the degree of importance to be attached to these events, and their possible bearing on the life of the province in the future. But it is not open to doubt that much of the intensity of feeling has been due, directly or indirectly, to the operation of the Reforms Scheme, and it is certainly a pertinent question, whether, on the one hand, a constitutional change placing the executive further under the control of popular representatives, would not accentuate the tendencies in the formation of which the Reforms Scheme has already assisted ; or whether, in the alternative the grant of greater authority to popular representatives, and the consequent growth among them of a greater sense of responsibility, would not result in giving them both a desire and a power to improve the relations between the communities. That will perhaps remain a point of controversy ; and it is only legitimate here to remark that at the moment there are many personages occupying positions of importance in communal affairs who have not shared in the work of the Legislative Council, and that the elected representatives have by no means a decisive influence in communal politics. Passing to another point, it has been shown that the figures of crime, and especially violent crime, show a marked increase in the last seven years, and are much in excess of those of the later War period ; but we have here the continuation of a process which began before the Reforms were introduced, and the state of crime in the province is not directly connected with their operation. It has been shown again that the security services have suffered from the retirement of a large number of experienced officers, which has inevitably been followed, for the time at least, in some falling off in standards of work ; but this statement must be qualified by the admission that a considerable proportion of these retirements were only indirectly connected with the introduction of the Reforms, and in any case, there would seem to be no reason why with fresh recruitment and the establishment of confidence in the soundness of the administrative machine the ground lost should not be recovered.

9. Taking other branches of work, it would be unreasonable to say that there has been a general deterioration of standards since the introduction of the Reforms Sheme. Officers in more than one branch have pointed to the growing burden of work imposed on their departments by Council interpellations and resolutions ; but that is a consideration of minor importance, and it is not contested that Government departments and officers have as a whole been put into a position of far closer touch with the public and have far better means of gauging its views on questions which affect their working. There is a feeling frequently expressed that the working of local bodies, particularly in regard to corruption, has greatly deteriorated during the Reforms period. If that is a fact—and the matter is somewhat difficult of definite judgment—it is not certain how far this can be attributed to the direct operation of the Reforms Scheme. Official chairmen have now been largely removed from Municipalities, but that step had been taken in other provinces independently of the introduction of the Reforms and would inevitably have ensued in the Punjab also. It is possible that the complaints of deterioration are in part a result of the fact that communal difficulties in the principal local bodies have of late years begun to attract increased attention: One definite result must, however, be attributed to the Reforms Scheme. There is undoubtedly a feeling in many of the provincial services that communal considerations are now allowed far more weight than before, not only in the matter of recruitment, but in departmental judgments affecting their conduct and capacity. They see, moreover, constant interpellations in the Council regarding appointments and promotions admittedly based on communal grounds ; they find themselves

occasionally called on to deal with a class of complications less likely to arise during the pre-Reform period; and they have apprehensions that at times of disorder or great tension, judgments on their conduct may be liable to be biased by communal considerations. This has produced a feeling of insecurity not experienced in the pre-Reforms period, and is calculated to impair the capacity of the Services for good work. As has been said elsewhere, it is greatly to their credit that as a whole they have shown no falling off in previous standards; but the position would not be without its obvious dangers in circumstances in which all departments might be under the charge of Ministers subject to 'popular' control.

10. So far, reference has been made to the working of Reforms as a whole; it remains to discuss the particular results flowing from the division of the field of administration into 'reserved' and 'transferred' subjects. How far, it may be asked, has this device succeeded in securing the primary object at which it aimed? The effect which it sought was psychological. The Morley-Minto Council had an air of unreality, because it had no actual authority; the Act of 1919 sought to train the Council in responsibility by conferring control. Though the Act held back full authority in certain branches of the administration, in others the responsibility of the Legislature was, save for the measure of intervention permitted to the Governor by section 52 (3) of the Act and defined by his Instructions, and the limited power of superintendence and control retained by the Secretary of State and the Governor-General in Council by statutory rule, intended to be practically complete. It cannot be said that this Scheme has entirely failed in achieving the result at which it aimed; some measure of responsibility has been achieved, but not the full measure which its friends anticipated. If the Council had dealt only with 'transferred' subjects, having their own separate sources of finance, and regulated by Ministers who owed nothing to the support of official members, its sense of responsibility might have been more complete. But it has dealt with the whole sphere of administration; finance has been common to both 'reserved' and 'transferred' subjects; and its consciousness of the limitations imposed on its powers in regard to the former range of subjects has impaired its ability to develop a full sense of responsibility in regard to the latter. It was set the difficult task of thinking compartmentally, at one moment seeking to influence the administration in regard to subjects on which the ultimate responsibility lay with officials responsible to the Secretary of State, at another exercising the power of control over Ministers in charge of subjects for which it was itself the constitutional authority. It is hardly to be blamed if its Protean effort fell short of achievement; and it would have been strange if it had succeeded in the attempt. That must be the criticism from the standpoint of the Legislature: the difficulties of working dyarchy have not been less noticeable from the side of the Executive. In form at least the distinction between 'reserved' and 'transferred' subjects has been maintained; but in everyday working the difficulty of observing the distinction has been so great, that it has led to a conscious effort to substitute a Cabinet working on a unitary basis. The causes which led to this result, and the methods followed in attempting a unitary system, have been given at length in Section B of Chapter VIII of the descriptive narrative, and it is not necessary to repeat them here. From a practical point of view, that system appears to offer some distinct advantages over the compartmental working which the authors of the Act would seem to have contemplated, though its successful operation depends on a series of compromises and adjustments which require the concurrence of many favourable circumstances for their attainment. The necessity for attaining unanimity and securing the votes of the official *bloc* must often have embarrassed Ministers both in regard to the pursuit of their own policy and in their relations with their party; it is equally true that the official side has found itself obliged to modify or abandon measures of policy to which it attached importance. From the constitutional aspect, the unitary

system pursued in the Province offers this further objection, that by appearing to give to Ministers some measure of responsibility for subjects which lie under the control of the Secretary of State, it tends, both in the eyes of the public and the Council, to cloak their true position as agents of the latter, responsible only for subjects in which they have statutory authority.

11. The preceding observations embody some of the more important experiences of the working of the Reforms constitution during the last seven years. Before proceeding further in considering the question of advance towards responsible government, it is necessary to attempt some estimate of the degree to which such advance is actively desired by public opinion at large. It need hardly be said that it is strongly demanded by political elements. They are keenly alive to the limitations and restrictions of the present scheme; they base their demand for increased popular control not merely on the ground that it is a necessary step towards fulfilling India's political ambition, but on their belief that it will secure government on lines more acceptable to the great body of the population. It is at the same time clear that even in the political section, there are some, particularly among those who represent minority communities, whose desire for advance towards a fuller measure of popular control is qualified by the important reservation that any progress in this direction must be accompanied by guarantees for protecting the interests of minority communities. There is a considerable class whose territorial and social influence has been built up on the support of the present administration; and it is natural that this class should view with apprehension the passing of authority from those with whom it has a nexus of traditional or historical obligation. They are doubtful whether in the new regime their class will find a niche commensurate with its past position. It is difficult to estimate the exact degree to which a desire for advance is felt by those sections of the population who do not directly interest themselves in political questions. It is probable that to large numbers of them the question presents itself in the form of a concrete issue—to what extent will further advance involve the complete Indianization of the administration in all its branches. Those to whom the question presents itself in this form, include a large number who would not view with equanimity the disappearance of the European official. The proclamation of Queen Victoria has held the field for so long as a guarantee of the equality of religious castes and creeds, before the law, that the gradual elimination of the active agent of that guarantee is to them akin to moving to a new and uncertain anchorage. If it were put to them that the presence of the European element creates an artificial condition which prevents the operation of natural forces in solving the communal difficulty, they would probably reply that a solution by the operation of natural forces implies the political subordination of the minority to the majority, and that the process of adjustment would be one of very considerable discomfort and involve the possible loss of present privileges and rights. And in any case, their view is affected less by the possibilities of adjustment among political leaders, than by their experience of the actions of officials in their own local area.

12 If, therefore, there is a strong demand in many quarters for a more complete form of responsible government, it is not always unqualified and is subject to important reservations It is, however, a demand which will continue to grow in strength with the progress of education and under the pressure of the press and of those intellectual elements which ultimately form and control public opinion. When any question of constitutional reform is at issue, it is necessary to consider and if possible to safeguard the interests of the class which is itself indifferent to the issue; but it will not in the long run be found possible to accept the existence of such a class as a decisive factor.

13. To sum up, the first stage has not given so decided a scope for the development of self-governing institutions as was hoped at its introduction, and in practice the opportunity has fallen short of the

provision which the scheme was expected to supply. Nevertheless as regards the electorate, the Council and the Ministry, the working of the Reforms during the last seven years, within limitations, has afforded considerable material to judge of the growth of responsibility, and the record, even in a restricted field while it has indicated points of danger and weakness, has at the same time shown that no factor so serious has emerged as to rule out further progression towards the gradual realization of self-governing institutions The strength of the demand for such progression is widespread, though clearly limited in defined quarters by a well founded desire to secure safeguards for vital sectional, communal and minority interests. Both Government experience and popular inclination point to progression taking the direction of evolution and development of the present system rather than of the creation of administrative and political arrangements of a new type. In such evolution, provision must in the first place be made for a more complete psychological realization of actual responsibility for which the scope in the past seven years has been limited; and the problems for solution is to combine this feature with provision for safeguards against those dangers and weaknesses, which the experience of the past seven years have brought to light and at the same time to make reasonable arrangements for the protection of those minority interests which entertain apprehensions of advance as jeopardizing their security. The scheme of provincial advance must therefore be devised to suit these local and internal conditions, while at the same time conforming to the necessities of the place of the province in British India as a whole and of the responsibilities of the Central Government for its general administration. It is from these aspects that the lines of advance may be considered.

The Lines of Advance.

14. The current demand among the more progressive politicians is for what is termed 'full provincial autonomy'. The term is one which sometimes conceals a certain confusion of thought. The expression 'autonomy' as applied to a state forming part of a larger whole, whether the constitution of that whole be federal or takes some other shape, may have two quite distinct implications. It may refer to the extent to which the state is controlled by the very fact of its being a component member of a larger whole. This involves, in India, the consideration of the respective spheres of the Central and Provincial Governments and of the extent to which a Provincial Government is necessarily subject to control with the object of maintaining inviolate the spheres both of the Central Government and of other Provincial Governments. It is not necessary here to labour the point that any constitution which could conceivably be granted to an Indian province in the present. or in any possible circumstances consistent with its existence within the greater whole of India, must inevitably be subject to the restrictions necessary for guarding the sphere of the Central Government and of other Provincial Governments. This fact is usually recognised in the schemes put forward, and there is no theoretical objection advanced to the limitation of provincial autonomy imposed by the existence in India of a Central authority which is responsible, for example, for external defence, and, in the last resort, for security within the province, which must regulate inter-provincial and inter-state relations, prescribe the general criminal and civil law, and continue to conduct the important departments now classified under the head of Central Services. There is, however, another and distinct sense in which the term provincial autonomy is commonly, if less accurately used, namely, the the internal political condition of full responsible government. In this sense, the problem which presents itself is whether, after the spheres of a Central and Provincial Government have been delimited, and after the Central Government has been provided with all powers sufficient to safeguard its own sphere and that of other provinces, the constitution should provide that the Central Government, or any superior authority, shall have the power

of interference in matters definitely within the provincial sphere. For this purpose the demand for provincial autonomy amounts to the claim that the provincial legislation should be recognised as in supreme control within the sphere of provincial subjects, and that that administration should be conducted by Ministers who are subject only to the authority of the Legislature. This, from the constitutional point of view, involves the demand that the Parliament of the United Kingdom should cease to regard any of its own servants as responsible to it for the exercise of those powers of superintendence, direction and control for which they are still responsible to an unlimited extent in 'reserved' subjects and to a defined and very limited degree for the subjects which have been 'transferred'. It will be convenient to consider how far this scheme, or any alternative of a similar nature is feasible in the present circumstances, and after arriving at a general conclusion, to examine in the administrative, legislative and financial fields the general lines on which Parliament might be asked to divest itself of its powers, leaving for subsequent examination the details arising out of any scheme which it is found possible to recommend. In so doing we will in the first instance approach the problem of the control to be exercised within the provincial sphere, reserving for subsequent treatment in Part III of this Memorandum the question of the delimitation of the central and provincial spheres and the control to be exercised in order to safeguard the central sphere.

15. It is advisable to examine in the first instance the implications of the scheme in regard to the executive working of government within whatever sphere may be assigned to the Province. All provincial subjects, without exception, would under she scheme be in the hands of Ministers working as a Cabinet jointly responsible to the Legislature. It may be assumed that the scheme connotes also such reduction in the number of official members of the Legislature as would deprive them of the important position which they now occupy as holding the balance between different sections in the Council, or possibly contemplates only the presence of official members in the Council without the power to vote. The scheme offers the very obvious advantage of doing away with the present embarrassing distinction between 'reserved' and 'transferred' subjects; the members of the Cabinet would look to a single authority instead of owning a divided allegiance; and the Legislative Council, no longer confused by dealing with 'reserved' subjects over which it had no final control, would be given the opportunity of making further progress in that lesson of responsibility which the Act of 1919 set out to inculcate. It may also be claimed that the creation of a united and responsible Cabinet is an essential step in the development of a party system, and that no such system can develop when each party is dependent for a working majority on the official *bloc.* The objections which may be found to such a scheme are of two classes, political and administrative. As to the first, it is by no means certain that all three of the major communities in the Province would be represented in such a Cabinet. The present system offers the possibility of including in the Executive Council a member of a community not represented in the Ministry; and the existence of the official *bloc* makes it possible to give support to a Minister belonging to a minority community who might not otherwise find it easy to maintain his position in the Cabinet. Whatever the theoretical attractions of advance towards a more responsible form of government, it is doubtful if such advance would commend itself to the minority communities if it were felt that there was no guarantee that they would have a representative in the administrative body. It must be realised that the Hindus and Sikhs if inferior in population, nevertheless constitute minorities so strong as to give justification to their claim that a government in which they are not represented would fail to satisfy the condition of government by general consent. We have not as yet reached that condition of confidence between the minority and the majority which is

essential if responsible government is to be left to its free and natural operation, and it may reasonably be felt that the position of the minority must be safeguarded if we are to secure the conditions essential for consistent progress towards the realization of full responsibility in the form of government. Apart from the fact that the minority would not necessarily be represented in the Cabinet, many of the present safeguards for the equal treatment of different communities would be removed, or radically altered in character. In matters relating to law and order, the minority would have to depend mainly on the influence which it could secure in the Legislative Council; it could not appeal to an executive authority directly responsible to the Central Government and the Secretary of State. It might be urged that if the minority happened to be represented in the Cabinet, the necessity for presenting a united front and for securing as wide a support as possible in the Legislature, would form an inducement to the majority to conciliate wherever possible the views of the minority. But, as just stated it is by no means certain that minority section would always be represented in the Cabinet, and if so, the circumstances would not exist which would make this consideration operative. At the best, the safeguard would be far less certain than that offered by the present constitution. Thirdly, the scheme as presented, which contemplates the complete authority of the Legislature and Ministers, fails in provision for guaranteeing that in certain essential matters, such as the preservation of law and order, which affect both the Central Government and other provinces, the interests of these authorities shall be properly safeguarded. Finally the scheme would deprive the Executive of the services of a representative with previous official experience. That objection is based on wider grounds than the undesirability of withdrawing from members of the Services a position to which they can now look forward. If the Ministers were in the course of their work likely to be dealing only with political issues, or with such administrative matters as from time to time attracted public attention, leaving ordinary administration in the hands of men having the status of the "permanent official" in England, then the absence of official experience in their body might be of less importance. This, however, will not be the case; the Cabinet will be constantly engaged in dealing with matters of everyday administration. Ministers in England, where they have not had, as commonly, previous close connection with administration as Under-Secretaries of State, have usually had a long connection and familiarity with public affairs as members of Parliament. In the circumstances of the Punjab it is quite within the bounds of probability that a Ministry might lack both these forms of experience; the advantage of the presence of an official to explain in Cabinet discussions the probable administrative reactions of a policy is very obvious in these conditions. It must further be realised that the presence of an official in the Cabinet does actually give to the minority communities some security that their case will be represented to the Executive Government as a whole, whereas, as shown above, the scheme now under consideration might well involve that the Cabinet may be composed entirely of members of one predominant community, or at least of two out of the three.

16. It is advisible, before passing to a final recommendation, to consider possible alternative solutions. It has of course been a matter of serious consideration whether it would not be sufficient for the present to transfer to Ministers certain of the subjects now reserved, while maintaining in other ways the main structure of the existing constitution. That would be the line of caution; but it is difficult to feel that much would be gained by adopting it. So long as the Security subjects and Finance are kept from the control of the Council, there is no real advance in responsibility. We shall still have a Council in which the consciousness of the restrictions on its authority in subjects still "reserved" is liable to influence unfavourably its attitude towards the administration. It has been suggested, as a possible alternative, that the whole range of provincial subjects should be transferred to Ministers, save that of law and order, which should be retained in the hands of the Governor. That would logically involve the entire exclusion of this

subject from the vote of the Legislative Council, since the Governor could not properly be responsible for it if the Council dealt with its finance, nor would it be consistent with the position occupied by the Governor in other respects if his personal action formed the subject of debate in the Council. The establishment engaged in dealing with law and order would have to be placed on a separate footing under his control, a measure which would in itself lead to a complete change in the present machinery and a great waste of personnel; for district officers, who now deal with law and order, discharge many other functions connected with the general administration. Finally, experience has shown that measures taken in other branches of the administration, as in the classic instance of Gurdwara legislation, have such important reactions on law and order, that it would be impossible for the Governor adequately to administer this subject unless he had some practical means of intervention in the work of other branches of the administration. The suggestion, in short, is not one which will bear close examination. It has again been suggested that the institution of a second Chamber would assist in supplying the necessary safeguards in regard to the Security subjects and in guaranteeing the protection of minorities. The function of a second Chamber, however, is mainly confined to a delaying or corrective action in legislation. So long as Ministers can be secure in the support of the first Chamber, especially in regard to their finance, the second Chamber could exercise little control over them in the field of administration, and it is in this respect that safeguards are most required. So far in particular as communal questions are concerned, there is no reason to suppose that the composition of the second Chamber would in the Punjab differ materially from that of the lower House, and a minority interest would not find that the former constituted a tribunal offering greater advantages to it than the latter. A more far reaching proposition, though one which has not to our knowledge yet been fully developed, is to duplicate the Legislative Council, one body, which would contain a large official element, dealing with Security subjects, while the other, purely non-official in composition, would take unrestricted control of other subjects. Apart from the objection that full training cannot be acquired unless the Legislature has some substantive measure of control over Security subjects, and that the adjustment of finance would create an almost insuperable difficulty, our own experience points to the inadvisability on practical grounds of perpetuating a system which attempts to divide the field of administration. One further alternative remains to be considered. There are those who advocate recourse to a unitary form of government resembling that proposed by some of the Heads of Provinces in the discussions which preceded the issue of the Montagu-Chelmsford Report of 1919. Under this scheme, the Executive body would consist of officials and non-officials nominated for a term of years; the Legislative Council would retain its existing powers of legislation and in voting the budget, subject to a power of certification by the Governor similar to that now given to him by the Act. Such control as the Legislature could exert over the Executive Government in this case would be indirect only; if the policies pursued by the non-official members of Government were not approved by the Legislature, this might affect their re-election or re-nomination as Ministers; as regards official members, the influence of the Legislature would lie in the fact that it would not always be possible for Government to be carried on by means of the veto or certification. This scheme would have the obvious advantage of avoiding the division of subjects; and it would make it possible to pursue a common and continuous policy in administration. It would be educative so far as concerned those non-officials who were brought into the administration; but it would not place the Executive Government under any definite necessity to show itself amenable to public feeling, nor would it be productive of a sense of responsibility in the Legislature. It is possible that this system, if introduced in connection with the Morley-Minto Councils, might have then constituted a useful line of development; but it would be difficult now to secure any support for it. It would certainly be contended that the record of the working of the Legislature and of the Ministries during the last seven years does not justify a return to a system of lower responsibility than that conceded by the present Act.

The Extension of Responsible Government.

17. The result of the consideration of these alternatives constrains us to return to a fuller examination of the scheme of "autonomy" outlined in paragraph 14, and in particular to explore the possibility of discovering such safeguards as might render it feasible of adoption in the present circumstances of the province. But as the basis of all responsible Government, is the electorate, it is necessary before considering the lines on which advance should be made to frame some idea of the machinery by which the representatives of the people will be elected. Our proposals on this subject are stated in detail separately in Part IV of this memorandum For the reasons explained therein we have not been able to frame final recommendations for a system of election. We have examined a number of alternatives : we have attempted to visualise how these might be regarded by different communities : we have hazarded estimates of possible results ; but we have found that certain factors are at present too uncertain to justify us in arriving at a conclusion or in advocating a specific course. It will be observed that in our examination of the method of election and the addition of constituencies the repercussions of changes on communities have had to be taken into account in the case of each alternative. This has been due to the necessity of recognizing an essential fact in the composition of the population which constitutes the electorate ; it may not, and we hope will not, constitute a permanent fact, but for the present it cannot be disregarded. The electorate at the moment thinks and acts communally, and whatever system of electoral machinery may be adopted. its communal composition will reproduce itself in its representatives, and will on most occasions be the guiding factor in deciding their votes in the Council. Until the communal factor ceases to be paramount, the most stable parties in the Council will be fundamentally communal. It is possible that they may from time to time attach to themselves members of another community, or may lose from time to time members of their own community, but gains and losses of this kind are not likely to be numerous and it is doubtful if they will stand the test of serious communal dissensions. Whenever such dissension arises, the tie of community will tend to predominate. The result is that the Parliamentary system under which one party gives place to another on account of a change of allegiance on the part of a portion of the electors or their representatives will have in the near future no counterpart in the Punjab. If a Minister fails to command the adherence of his own party and goes to the country there is no guarantee that he will be returned to effective power by his own party or that it will be replaced by another. At the same time a member of a minority party can have little grounds for hope, in present conditions, that in time to come this minority will be changed into a majority. This condition of affairs is no doubt recognised and, to some extent, stereotyped by the fixation of the proportion of seats on a communal basis. but it is not based on that system. The dominating factor is not the system by which members are returned to the Legislature, but the existence of actual communal cleavage in it. Being therefore, faced by a system of Government which differs materially from representative Government in the sense in which it is now understood in the United Kingdom, it is clear that checks must be imposed to prevent it becoming merely a mask behind which is enthroned a permanent majority of a communal colour.

18. In our examination we must at the risk of reiteration emphasize the distinction which exists between the power of control designed to safeguard Central subjects and that intended and directed to maintain the responsibility of Parliament exercised through its servants for matters within the provincial sphere, with the object not of guarding the Central sphere but of preserving good government within the Province. No doubt to a certain extent these two aspects of the problem tend to shade into each other. But the preservation of internal peace can in the last resort (and indeed frequently enough at an early stage of disorder) only be secured by the use of troops, which must remain under the charge of the Central Government. The authority which holds in its hands the ultimate sanction for the preservation of

order cannot be denied a power of supervision over matters which may render its intervention necessary. But apart from this consideration, a state of violent disorder in one province has speedy reactions elsewhere; the attitude taken by one local Government in face of communal dissensions or violent political agitation has effects far beyond its own territory. To take another illustration, it would not seem feasible to allow a local Government to be the final authority on questions relating to the possession of firearms, for the possession of certain types of firearm affects the position of the Military forces. Again, the Province could not occupy a position of independence in matters affecting its relations with Indian States; clearly there must rest with the Central Government some power of intervention in action affecting the joint interests of a Province and a neighbouring State. It is clear, again, that even if a Province is given full control of its own finances, some power of supervision must be maintained in order to secure that it does not borrow money at rates prejudicial to the Central finances or those of other provinces. The financial stability of a province must also be of obvious concern to outside authority which has in the past taken responsibility for loans utilised for the development of the province. It is not enough to lay down that their repayment shall be a first charge on the revenues of a province. There must be a discretion also to intervene when those revenues are so administered as to imperil or diminish the security of repayment. In regard to Land Revenue, though the power of intervention should obviously be carefully restricted, yet some such power is justified in order to prevent a province adopting a policy which might embarrass others having a similar revenue system. Incidentally it forms so large a portion of the provincial revenues that any drastic change in system may jeopardise the financial stability of the province and react on its solvency and power to meet its own debt obligations. In regard to irrigation, some power of control is required in order to secure the most advantageous use of water supplies common to two provinces. The list does not pretend to be exhaustive: in particular, it purposely omits for the moment a consideration of the question of the recruitment and control of Imperial Services, the necessity for the retention of which must be separately considered. But it is sufficient to show that, apart from the reservation to the Central Government of the power to safeguard its own defined range of subjects, practical considerations also dictate that in the purely Provincial field Parliament cannot entirely divest itself of its powers of supervision and control exercised through the Central Government.

The Implications of Ministerial Control.

19. Before proceeding to consider the precise extent of the external control to be exercised on purely provincial subjects and the manner of securing that control, it is further necessary to examine in greater detail the implications involved in the transfer of all provincial subjects to the control of Ministers. Parliament has at present reserved in 'transferred' subjects certain matters expressed in the Statutory Rules for which it holds the Secretary of State and the Governor-General in Council respectively responsible, and, further, it has given to the Governor the power and duty of over-riding his Ministers without any restrictions except those imposed on him in his Instrument of Instructions. The method which we propose to adopt is to examine the principal 'reserved' subject and to consider what, if any, are the difficulties which attend their transfer to the control of Ministers; and then to consider separately in the administrative, legislative and financial fields to what extent Parliament should continue to demand of its servants that they should be responsible to it for superintendence, direction and control.

20. The most important of the 'reserved' subjects as they at present exist are, the Revenue subjects of Land Revenue, Irrigation and Forests, and the Security subjects of Police, Justice and Jails. In dealing with the subject of Land Revenue we are faced by a difficulty which is inherent partly in the nature of the electorate and partly in the fact that in the Punjab Council one interest, namely, that of the landowners, is in normal circumstances likely to have a permanent pre-

dominance. The majority in the Council is returned to represent persons who pay land revenue or water rate or both, and the question arises how Government is to deal with the pressure which no doubt will be brought to bear upon it to lighten the burden of these charges. It is obvious that in the absence of some impelling cause to the contrary a Council composed of the payers of a particular form of taxation will constantly put pressure upon Government to reduce its demands. No doubt had the local Government power to levy income tax the country party could to a certain extent make its power felt in the direction of increasing urban at the expense of rural taxation ; but this power would have to be strictly limited if it were not to prove dangerous in its exercise. But on the other hand it is hardly possible to expect that a majority knowing itself to be irremovable and believing that it is paying more than its share of taxation will continue steadily to support burdens which it considers to be unjust. The normal result will be a progressive shrinkage of the Provincial income and ultimately a financial crisis.

21. Turning to the remaining fields of revenue administration, the Irrigation Department presents the same difficulties as have been mentioned in the preceding paragraph from the fiscal point of view. It also has difficulties of its own lying not in the fact that the engineering operations of the department are complicated and technical, but in the pressure likely to be brought by Council on a Minister in questions relating to the assessment and collection of water rates and the supply of water. The Forest Department has a problem of its own because there is a tendency in the Council to support the rights of local cultivators against the interests of the State, coupled with some inability to appreciate the value of the conservation of forests in its effects on the control of water supply in the rivers.

22. Turning to Security subjects, we have to face difficulties which are twofold ; they are connected first with the general administration of law and order, and second with the control of the Police. The local Government in its executive capacity has functions, not always well defined, but of great importance in regard to the prevention of disorder or the restoration of order. When occasions arise which seem to threaten disorder, whether of communal origin, or due to general agitation, the nature of the instructions issued to district officers are of the greatest moment and regulate the detailed action followed by them in dealing with the situation; typical illustrations may be found in the instructions issued as a guide to district officers as to the policy to be followed in the grant of licenses for religious processions or for regulating the sacrifice of cows on the occasion of the *Id.* When disorder actually occurs, the initial action for its suppression lies with the District Magistrate ; but experience shows that the period of greatest difficulty frequently arises at the stage which immediately follows the suppression of the outbreak. It is at this stage that the local Government finds it necessary to intervene, and detailed instructions are required regarding the use of special forces for preventing a recurrence of the outbreak, the employment of special agency for the investigation of the origin of the trouble, and the general policy to be followed in the prosecution of offenders, a policy which is largely dependent on the nature of the outbreak and the causes which are held to have occasioned it. It is the local Government which decides the question of charging the area with the cost of additional police placed therein to prevent recurrence of trouble, or of recovering from the inhabitants compensation for damage done in the course of rioting (Police Act 1861). In addition to these general functions of an executive nature, the local Government has certain powers under Statute, the detailed exercise of which is of the greatest importance in regulating law and order. Its sanction is required to prosecutions under Section 124-A of the Indian Penal Code which punishes attempts " to bring into contempt or hatred or excite disaffection against the Government established by law in British India," and also under the important Section 153-A which punishes attempts to promote enmity or hatred between different classes of His Majesty's subjects ; its sanction is equally necessary for the withdrawal of

prosecutions under these sections. It is on questions of this nature, that the position of a Minister, depending on the support of a party in the Legislature often mainly of communal colour, will present difficulties not necessarily felt by a Member of an Executive Council drawing his authority from the Central Government and the Secretary of State. Not only will the pressure put on him be more direct and have far greater force behind it, but the criticism on his actions will have different aspect. The present administration is often criticised as making a fetish of law and order, and is charged with excess of zeal or undue severity in its preservation; it seldom incurs the charge, which will be freely brought against Ministers, that action taken is inspired by partisan or communal motives. It has been almost invariably the case that the outbreak of communal trouble has been marked by charges of this kind, often couched in terms of great violence and usually without any kind of justification, against Indian officials of all classes engaged in dealing with disorder, and it is not possible that a Minister, would escape the same experience. Action and inaction alike will be attacked by one community or the other affected by the results of disorder. Unless the Minister responsible for the subject is a man of marked independence and strength of character, and can rely on the fullest support from his own colleagues, the knowledge of this fact is bound to influence his action in dealing with this difficult class of cases.

23. In dealing with the department of Police, we meet with another problem of great difficulty arising from somewhat similar causes. The question here is not primarily one of policy, for there is no difference of opinion on the abstract question that law and order should be preserved. The question is rather one of method by which order should be preserved in all the different circumstances that may present themselves. The reasons for the continuance of hostile criticism to which the force has been subjected in the past have been analysed in Part I, Chapter VIII, paragraphs 69 and 70; and for the present purpose, it is the function of the Police as the striking arm of the Executive Government that is chiefly important. In England, the fact that the existence of an organised force as the striking arm of Government has been tolerated where the use of military force would not have been borne, is largely due to a feeling that it is a protector and servant of the country as a whole, and not the instrument of the party which happens to be in power. But in the Punjab communal differences give us a situation in which the Police are constantly liable to suspicion as lending themselves to communal ends. Every communal disturbance is followed by an outcrop of complaints against the Police on the ground that they have exercised their power with partiality; and, if as we anticipate will be the case, the party in power will for many years be one in which one community will mainly predominate, the charge will certainly be preferred against it, that it is using the police for communal purposes. The difficulties of the Minister in charge of the Police Department will not be less and might indeed on occasion be even greater should trouble arise out of acute agitation directed against Government policy or action. Another problem lies even more intimately within the sphere of administration. A body such as the Police Force is not merely an assembly of individuals. It possesses a corporate spirit, a corporate *moral* and is bound together by the ties of discipline. The creation of corporate feeling of this kind is the work of years and depends on the general consciousness that the man who does his duty without fear or favour will be protected from all consequences. It may prove difficult to retain the tradition of discipline under the disintegrating influence of politics. The great difficulties which these problems present lie in the fact that the actual cases which arise are those of individuals. It is disciplinary action to be taken against a sub-inspector in charge of ten men which is the kind of problem that must engage Government, and the difficulty is to preserve the responsibility of a Minister in charge who is subject to constant pressure from a majority moved by communal feelings.

24. The administration of Justice presents a problem peculiar to itself. The actual dealing of justice, whether the conviction and

punishment of offenders or decision of civil suits, will remain the task of a body independent of the executive government. It is only in matters subsidiary to the dealing of justice that the executive government is concerned, such as the appointment of judicial officers, their transfer and, in the last resort, their removal or punishment, and in the provision of funds necessary for carrying out the administration of justice. Here the chief problem is that of keeping justice out of the field of politics, and it will be seen from the comments of the High Court in Chapter VIII of Part I, that it is chiefly in the sphere of patronage and the communal composition of the judiciary that the impact of politics has mainly been felt. Here again it is the communal question which presents the chief difficulty; it will for many years present a problem which it will be impossible to ignore, especially in a population with whom the question of the personnel of the Judicial Service is a matter of acute interest.

27. The transfer of Jails does not present difficulties as great as those of Police or Justice. What has been said of the necessity of maintaining the discipline of an organised force applies in the case of Jails to some extent, though not so gravely as when applied to the Police Force.

26. There remains for consideration the Department of Finance. This is at present a 'reserved' department in a peculiar sense. There is no subject of Finance scheduled as a provincial subject, and those provincial subjects which naturally fall in the portfolio of Finance, such as, "Local Fund Audit" or "sources of provincial revenue" are a very unimportant portion of the portfolio. The Finance Department is 'reserved' by virtue of Sections 36 to 45 of the Devolution Rules, which lay down that " there shall be in Governors' provinces a Finance Department which shall be controlled by a member of the Executive Council", and the effect of the transfer of the department as such will be to substitute for a member of the Executive Council a member of the Ministry.

27. In estimating the implications of such a transfer it must be borne in mind that the functions of the Finance Member are almost entirely advisory. In a provincial government where questions of resource and similar matters do not arise, there are practically no questions on which the orders of Government are expressed by the Member for Finance as such, except in the matter of framing financial rules and taking measures for raising loans. On the expenditure side the function of the Finance Department is to scrutinise proposals and to tender its advice. If that advice is not accepted by the Member or Minister in charge of a portfolio the question is decided under the Rules of Executive Business as one of difference between two members of Government, and in the matter of the preparation of the Budget the function of the Member for Finance is partly the collection of the material upon which Government as a whole is to give its decision, and partly advice as to the wisdom of commitments upon which it is proposed to enter. The importance of the position of the Member for Finance depends upon the convention accepted not merely by the other members of the Government but by the Council that his advice is not to be rejected without strong reasons, with the corollary that in practice it is not to be objected to in matters of minor importance. The difficulties in the transfer of the Finance Department to a Minister turn therefore upon the question of how far the tradition of what is known in England as Treasury Control has been established and may be expected to be maintained. It must be remembered that under the existing constitution, by which the Member for Finance is also in charge of the portfolio of spending departments, feelings have been expressed that both as a Member in charge of spending departments and as a Member of the 'reserved' side of Government he is pre-disposed to favour unduly his own departments and his own side of the Government. This ground for suspicion, which we may observe in passing was totally unfounded as far as the Punjab is concerned, will disappear, but there remains another danger. The Finance Member nearly always plays an unpopular role; it is his business to raise doubts and difficulties, to place obstacles in what at first sight seems an attractive

proposal for expenditure, and inevitably to delay schemes until they have been fully examined. In England his position is guarded by a long tradition of the sanctity of Treasury control; here the danger is that there will be in the Cabinet neither sufficient party solidarity nor a well enough established tradition of treasury control to enable the Finance Minister to hold his own without active and constant support from the Governor.

28. At this point we invite attention to the conclusions, arising out of our general examination of the working of the Reforms since their inception, expressed in paragraph 17. We concluded that in spite of certain difficulties existing in the conditions of public life of the Province, experience justified an advance, subject to the provision of certain definite safeguards, to a further stage in self-governing institutions. As a result of our foregoing review of the possible lines of advance and of the probable effect of the impact of those conditions upon the changes envisaged, our conclusions also on the point of principle are identical. We clearly see the difficulties and risks that attend the transfer of the remaining 'reserved' subjects to Ministers. Nevertheless, after careful consideration, we hold the view that, provided due provision is made for essential safeguards and limitations, the transfer of all subjects is within the range of practical policy. We believe that a stage has been reached in the political progress of the country at which it is neither safe nor possible to stop; there must be either a step back or a step forward. We do not consider a step back either necessary or feasible. We believe that the dangers and difficulties which have been mentioned are not insurmountable, and that it is within the compass of prudent statesmanship to proceed to a substantial step towards true responsible government in the Province subject to those safeguards which the political situation imposes. These safeguards we now proceed to examine in fuller detail.

The Administrative Field.

29. In the Administrative field the limitations on the exercise of responsible Government must consist in the exercise by Parliament through the Central Government of the functions of superintendence, direction and control in certain defined spheres. We have suggested the transfer of all subjects, and the question for examination is the extent to which the existing powers of control of 'transferred' subjects are necessary, insufficient or superfluous. Under the Government of India Act the control of the Secretary of State may, as regards 'transferred' subjects, be restricted by rules under Section 19-A, and the control of the Governor-General in Council by rules under Section 33. The effect of the rules that have been issued under these sections is that the power of control may be exercised only for the following purposes :—

(1) to safeguard the administration of Central Subjects,

(2) to decide questions arising between two provinces,

(3) to safeguard Imperial interests,

(4) to determine intra-Imperial questions,

(5) (*a*) to deal with questions relating to the High Commissioner for India,

(*b*) to control raising of loans by local governments,

(*c*) to control the civil services in India, and

(*d*) generally to secure the exercise and performance of powers and duties under statutory rules.

In addition to these powers of the Secretary of State and the Central Government the Governor under Section 52 (3) of the Act may require action to be taken otherwise than in accordance with the advice of his Ministers if he sees sufficient cause to dissent from their opinion, and in Clause 7 of his Instrument of Instructions he is particularly charged with certain duties the carrying out of which may involve acting against a Minister's advice.

30. The powers of control mentioned above as items 1 to 5 (5) are such as are inherent in the position of any subordinate member of a federal constitution and will be dealt with in a subsequent part of this memorandum. As regards the All India Services, so long as, and to the extent to which, they remain, we are clear that their existence carries with it the necessity of control of the conditions of their service by the authority which appoints them. But when we go further we see that two points emerge. One is that the purposes for which the Governor can exercise his administrative powers is not sufficiently defined by Statute, though it may be by the Instrument of Instructions, and the other that he is not in the exercise of that power shown to be under the instructions or control of the Central Government and the Secretary of State. Actually the provisions of Section 52 (3) appear to give the Governor wider powers than those which Parliament now possesses in regard to 'transferred' subjects, in which, as already shown, the Secretary of State has, under the section giving him permission to this end, strictly limited by rule his powers of intervention. It seems, therefore, clear that setting aside for the present matters inherent in the position of a subordinate member of a federal body, Parliament should clearly express by Statute the extent to which it declines to divest itself of responsibility in matters within the provincial sphere, and that the Act should clearly express the chain through which that responsibility is enforced on the Governor. The Governor's powers should be confined to the same subjects and purposes as those in which Statute will give authorty to the Secretary of State and the Government of India, and any action the Governor may take in pursuance of these powers will be subject to the control of those authorities. These matters should generally follow those laid down in Clause 7 of the Instrument of Instructions to all of which we attach importance. To these items we would add the maintenance of the financial stability of the Province and adherence to the canons of financial propriety as now defined in rules relating to the Auditor-General, thus stating with greater definition and particularity the general instruction already given in Clause (1) of insuring the probity of public finance and solvency of the Province. At the same time we consider that the scope of all these matters would require to be narrowed and made more precise, in order to make it clear that intervention would be limited to matters of primary importance, the security of the Province, the essential protection of minorities and the maintenance of financial stability.

It will be observed that the effect of these proposals is not expressly to extend the power of the Governor, but to define his powers and secure that it shall be within the power of the Government of India and the Secretary of State to ensure his due exercise of his authority.

The Legislative Field.

31. In the Legislative field the only distinction between "reserved" and "transferred" subjects lies in the power of certification of Bills relating to " reserved " subjects under Section 72-E. We recommend that these provisions be retained with the substitution in place of the words "essential for the discharge of his responsibility of the subjects " of the words "essential for maintaining safety, tranquillity, and financial stability in the Province". As regards all Bills the existing powers of the Governor are to refuse assent [Section 81 (2)] to return for consideration [Section 81-A (1)] to reserve [Section 81-A (1) and (2)] and to stop proceedings [Section 72-D (4)]. We would retain all these powers, but would embody in the Statute the cases in which reservation is at present obligatory under the Reservation of Bills Rules.

32 As rgards control of the legislature by the Governor-General, apart from control under the Reservation of Bills Rules, we observe that it is not enforced under Section 81-A with the object of controlling the legislature within the provincial sphere, but in order to protect the central sphere or the spheres of other Provinces. It will therefore be dealt with in its proper place in Part III.

The Financial Field.

33. In the Financial field we reserve for detailed discussion the exact nature of the financial control exercised by the Secretary of State over expenditure, but broadly speaking consider that there is no reason why it should not be for all subjects limited to that prescribed by Schedule III of the Devolution Rules. We reserve for special consideration the control over concessions, such as the disposal of land, and other kindred matters at present exercised by certain statutory rules of 1894. The control of the Central Government is limited in the provincial sphere to control over these concessions. Apart from this, its control is confined to that over provincial borrowing and the requirements of previous assent to legislation imposing a new tax unless scheduled or affecting a public debt or Central Taxation. These matters again are such as should be dealt with when considering the relations between the Provincial and Central Governments.

34. The financial control which remains and which directly affects the constitution of the Provincial Government takes three forms, (*a*) the distinction between votable and non-votable expenditure, (*b*) the power possessed by the Governor under Section 72-D (1) to certify expenditure and (*c*) the exclusive power possessed by the Governor of initiating expenditure – Sections 72-D (1) (*c*) and 80-C

35. The existing distinction between votable and non-votable expenditure is laid down as regards Provincial Legislatures in Section 72-D (3). We are of opinion that the principle involved should be embodied in legislation to the limited extent of creating certain permanent charges which should not be submitted to the vote of the Council, in the same manner as in the United Kingdom certain charges on the Consolidated Fund are secured by Statute and have to be defrayed by the Treasury. The fundamental difference between the two cases is that the Parliament of the United Kingdom is only restrained by precedent from repealing the Statute imposing charges on the Consolidated Fund, whereas in the case of a subordinate legislature the creation of the Fund must be part of the fundamental law by which its own existence is created, and therefore not subject to its own power. At the same time we think it necessary that the extent of the obligations thus imposed on the subordinate legislature should be strictly defined by the Statute, and that the power of an external body to add to this obligation without the consent of the local legislature should be similarly defined. The implications of this proviso will appear from the following list of the items of expenditure to be made a charge on the Fund.

(1) *Contributions to the Central Government.*—We agree that the Central Governmeut must in the last resort be empowered to levy cotributions on the Provinces for the need of the country as a whole. Therefore whatever contributions are leviable by the Act, or by whatever rule making power may be constituted under the Act, must be a charge on the Fund.

(2) *Interest and sinking fund charges.*—These are a proper charge on the Fund, but it should be clearly expressed that the loans referred to are either (*a*) the balances on the loan account referred to in Devolution Rule 23, (*b*) the pre-reform debt assigned to local Governments under Devolution Rule 24, (*c*) advances taken from the Central Government to cover annual deficits, (*d*) loans taken from the Central Government or (*e*) loans taken from the public with the consent of the local Legislature expressed in a resolution to that effect. That is, it should not be within the power of the Central Government or of any rule making authority to transfer charges on the debt of the Government of India to the Consolidated Fund of a local Government, nor within the power of the Executive Government to impose obligations on the Fund on account of loans taken from the public without the consent of the legislature. The assent required to a loan would be in general terms, and not to the particular form and conditions of a loan. To the charges to be imposed on the

Consolidated Fund under this head should be added interest on debentures guaranteed by the local Government with the consent of the Legislature; also sums similarly guaranteed to the Central Government on account of railways, telegraph lines, post offices, etc.

(3) *Expenditure of which the amount is prescribed by or under any law.*—The difficulties in the interpretation of this clause have been alluded to in Part I of this Memorandum, Chapter III, 44. We consider that the clause should be re-drafted, a scrutiny of all cases in which power is given to impose expenditure by rule under a law being undertaken for this purpose. Probably sums decreed against Government should be included.

(4) *Salaries pensions and allowances of certain persons.*—We agree as regards Judges of the High Court and the Advocate General. (The latter does no exist in this Province.) As regards persons appointed by or with the approval of His Majesty or the Secretary of State in Council, we suggest that the liability should be limited to the emoluments of officers borne on strengths of cadres sanctioned on the date of the introduction of the new Act ; that is to say that the imposition of further charges on the Fund by reason of an increase of cadre should be a matter of assent by the Provincial Legislature. But charges once voted by the latter should be a permanent charge on the fund not revocable by it. We would add to this list the expenditure on the establishment and office charges of the High Court, in view of the advisability of securing that, as far as possible, questions relating to the highest tribunal in the Province should not become the subject of debate in the Legislative Council.

36. In conclusion we desire to point out that under the system of responsible Government which we contemplate it is not sufficient to direct that the charges on the Consolidated Fund should not be submitted to the vote of the Legislature. There must be a method of enforcing the disbursement of these charges on the Executive Government. This is at present secured by the power of control exercised by the Secretary of State in the ' reserved ' subjects of finance. It will be necessary either to retain this power of control by specifically stating as one of the objects of control that of securing the payment of charges on the Consolidated Fund or by some other means which will depend on the decision as to the authority in whom Provincial funds are vested.

37. As regards the power of certification, if all subjects are transferred and no alteration is made in the existing power, expenditure will only be certifiable if it is in the opinion of the Governor necessary for the safety or tranquillity of the Province or for the carrying on of any department. This provision will be sufficient for the Governor to preserve responsibility for the Security Departments, but, in order to provide for the Revenue Departments we propose to add the authorization of expenditure necessary in the opinion of the Governor for the financial stability of the Province.

38. Finally, we are in favour of retaining with the Governor the exclusive initiative in proposing expenditure or measures involving a surrender of revenue. We understand that this is in conformity with the English practice contained in Standing Orders 66 to 71 of the House of Commons of which the most important, No. 66, runs as follows :—

> " 66. This House will receive no petition for any sum relating to public service, or proceed upon any motion for a grant or charge, upon the public revenue, whether payable out of the Consolidated Fund or out of money to be provided by Parliament, unless recommended from the Crown. "

No doubt this practice is based on the fundamental principle that the Sovereign being the executive power is charged with the management of the revenues of the State and with all payments for the public service. The Crown therefore makes known the requirements of the administration and the Commons grant supplies to satisfy them and provide by taxes

or the appropriation of other sources of public revenue the ways and means to meet the supplies. In India as long as the Secretary of State retains any responsibility however general for the financial stability of the Provinces, some statutory provision of this nature is necessary. In any case, apart from the fact that the restriction follows the Parliamentary practice in England, it is in itself desirable in India as likely to prevent proposals involving expenditure or the surrender of revenues which would be inconsistent with the policy of those responsible for the administration. This in effect would amount to retaining unaltered the provisions of sections 72-D (*c*) and 80-C of the present Government of India Act.

The Method of Control.

39. We have now indicated broadly the matters which in our opinion require or justify the exercise of control over a provincial government within the provincial sphere and we have also suggested that these matters should be clearly defined by Statute. It remains to indicate the method by which this control should be exercised. It is clear that it can only be effected through the Governor. For the exercise of these functions the Governor will be acting as the servant of Parliament carrying out the definite responsibilities laid upon him, in subordination to the Governor-General in Council and the Secretary of State. His position will differ to some extent from that which he now occupies, for he will have to take up in his own person the obligations towards the Central Government, which now fall on the Governor in Council. In pursuance of those obligations, it will rest with him to keep the Central Government informed of measures contemplated by Ministers which he anticipates may require its intervention. The advice or instructions of the Central Government will be conveyed to him personally. He will only be able to give effect to such instructions through the Ministers, and it is essential therefore that his own powers of intervention should be clearly defined in the Statute. Even with the powers which we have recommended, it is clear that he will not always be able to discharge his obligations in regard to instructions which he may receive from the Central Government, and he must, therefore, have the additional authority to prevent the deadlock which Ministers could, if they so desired, bring about. If he fails to achieve a solution by dissolving the Council and appointment of a new Ministry, he must in the last resort have the power of temporarily taking over the administration in a manner similar to that provided in the existing Transfered Subjects' Temporary Administration Rules.

40. The position which the Governor would thus occupy, as the agent in certain defined matters of the Central Government, would not only increase his responsibilities, but largely add to his duties. Apart therefore from the general arguments which have already been advanced in paragraph 15 in favour of official representation in the Executive Government, it would become imperative to give the Governor the assistance of an official colleague, and that necessity is enforced by the consideration that the Governor may at times have no previous knowledge of the conditions of the Province or may even be himself without official experience. In spite of the apparent anomaly of giving this colleague a place in the Cabinet, the necessity seems so clear that the anomaly must be faced. It would not be sufficient that he should be merely an adviser, entitled to a seat, but not to a vote in Cabinet proceedings. His support will be necessary to the Governor in the Cabinet, and it should be at the option of the Governor to assign him a definite portfolio; though it would not appear desirable to attempt a convention under which he should hold any definite portfolio, such as that of Home or Finance Minister. Though the official member would not be in the full sense a member of the Cabinet, yet the members of the Cabinet will necessarily exert considerable influence on his views and his policy, since it will be as necessary for him, as it is for them, to establish a convention of joint working.

The Composition of the Cabinet.

41. We contemplate that the Governor will continue to preside at meetings of the Government, and that all acts of Government will be expressed under the signature of a Secretary to Government as acts of the local Government. In choosing Ministers, the Governor would proceed on the assumption that the Ministers would accept joint responsibility and would stand or fall as a whole. As has already been shown, party formation at the moment proceeds mainly on communal lines, and hitherto the effort has been to secure representation of all three communities in the Executive Government, in the person either of Members of the Executive Council or of Ministers. It was a necessary recognition of facts, and does not merit the criticism that it was an attempt to stereotype communal division or to hinder the formation of parties on other than communal lines. Though the communal tie is still the strongest, a beginning has been made in the development of parties on another basis than that of community ; but until this process has given more definite results, it will still be desirable for the Governor to endeavour, so far as possible, to include members from all communities in the Cabinet, and his instructions should provide that he should make this endeavour. A united Cabinet, owning joint responsibility, is an essential feature of the present proposal. If we are to achieve the further advance in responsibility which the scheme is designed to promote, it would not be possible for the Governor, as now, to nominate a Minister who stands rather on the support of the official vote than on the backing of any predominant section in the House. Nor would it seem desirable to admit the convention of a vote of non-confidence against a single Minister; they should, as a body, be replaced by a new combination when the vote of the Council is definitely against them.

The Services.

42. The proposal to abolish the system under which certain subjects are ' reserved ' must inevitably raise the question of the position occupied by the Services under the new regime. At present, all establishments working in transferred departments may be regarded as provincialized ; the control of the Secretary of State only exists in regard to the remaining members of the All-India Services ; the rest, save for the operation of the rules in Schedule III to the Devolution Rules, and certain of the ' classification ' rules made by the Secretary of State under sub-section (2) of Section 91-B of the Act, are under the control of Ministers. How far this position will require modification under the scheme now proposed will need separate consideration ; for the present purpose, the question of chief importance is that relating to the retention of All-India Services, which now serve the ' reserved ' departments. From the constitutional point of view, there would be an anomaly in retaining an establishment of All-India officers to serve departments which will now come under the control of Ministers ; but the decisive consideration is perhaps practical rather than theoretical. In certain branches of work, an All-India Service would appear to be essential if we are to secure recruits of the type required, especially Europeans. We have as yet little experience of the recruitment to the Provincial Services under the conditions introduced as the result of the Lee Commission Report, for the rules regulating these Services have not yet been brought into force; but on present showing it does not appear likely that, if services of the type of the Indian Civil Service and the Police were provincialized we should obtain European recruits of the type desired, nor could we contemplate the recruitment of Indians on a basis different to that of their *confreres* in the same service. The retention of Europeans in the Security Services up to the proportions laid down as the result of the Lee Commission Report appears essential in the present circumstances of the Province, and if so, it would seem inevitable that we should continue to recruit on an All-India basis at all events for these branches of work. It is also for consideration whether some leavening of this type of servants should not continue in the Irrigation Branch which is one of the largest revenue earning departments in the province and on the efficiency of which financial stability so largely

depends. On the assumption that the retention of Europeans in the Security Services and the Irrigation Branch is necessary, it appears to us essential that their recruitment should be continued in the hands of the Secretary of State, and that the same authority should continue to exercise control over them. We are not unconscious of the political advantage of securing to the Central Government a more independent position in the control of these important establishments ; but we are definitely of opinion that this advantage must be waived in view of the paramount necessity of obtaining the best class of recruit, which we do not think will be secured unless recruitment and control are in the hands of the Secretary of State. As regards Indian recruits, we have already observed that we could not contemplate their being treated on a provincial basis while their European *confreres* were on an All-India basis, and the same argument applies to prevent their recruitment and control being in the hands of the Central Government while that of Europeans is under the Secretary of State. As regards conditions of service within the province, we have already suggested in dealing with the Financial Field that the salaries of the All-India Services should be placed on the Consolidated Fund, and, in dealing with the Administrative Field we have suggested that the Governor should be secured by Statute in the right and duty of safeguarding the members of these services in the manner at present laid down in the Instrument of Instructions. We have, however, to consider further how far it is necessary to meet apprehensions relating to the conditions of service in the future by the means of the grant of proportionate pensions. The situation, as it at present exists, is that members of the All-India services recruited previous to the 1st of January, 1920, enjoy the right of retiring on proportionate pensions until the action proposed to be taken on the report of the Parliamentary Commission is known ; those recruited subsequently have no such right unless the field of service for which they were recruited is transferred. In that case they must exercise the option within one year of the transfer. We are of opinion that it is essential that the right of retirement on proportionate pension should be maintained without limit of period in the case of the former class. Otherwise, there are serious grounds for fearing that the services will be depleted to an undesirable extent by resignations of men of training and experience. As regards those members of the All-India services who have been recruited after the 1st January, 1920, and have been given the right of retiring on proportionate pension on the transfer of the field of service for which they were recruited, we consider, in view of the scope and extent of the changes now proposed, that it would be equitable to give to them, and to others who enter the service up to the date of the inauguration of the new system, the right of retiring on proportionate pension, but we would require that right to be exercised within the period of five years from the passing of the new Act.

43. The appointment of permanent Judges of the High Court should, as at present, rest with the Crown, recommendations being made by the Governor and not by the local Government as such. At present, the appointment of Additional Judges rests in the Governor-General in Council [Section 101 (2) (*i*) of the Act], but modern facilities of communication would make it possible that they also should hold their warrant from the Crown, and this seems on general grounds desirable. The appointment of Acting Judges (Section 105 of the Act) should rest with the Governor.

44. Finally, we desire to record our opinion that the development of the provincial services into a body of civil servants of the position and standards obtaining in advanced countries necessitates their recruitment through the agency of a provincial public service commission which should be secured by Statute in a position of independence similar to that which the Indian Public Services Commission enjoys under Section 96 C of the pesent Government of India Act. In addition to its duty as an agency for recruitment for these services we consider that the Commission should be consulted in disciplinary and other matters affecting them, without, however, depriving members of the provincial civil services of the right

of appeal to the Governor which they at present enjoy. In this connection we desire to make it clear that we do not propose to include what are known as the subordinate services within the purview of the commission.

PART III.—Official proposals for regulating the Central and Provincial spheres of Government.

The Constitutional Question.

1. In Part II of this memorandum we have endeavoured to make clear the distinction between the measure of control which Parliament must still consider it necessary to exercise over provincial governments within the provincial sphere, and that control which inevitably arises out of the position of a subordinate government as a member of a larger body. We have made our recommendations regarding the extent of the control to be exercised in the purely provincial sphere, and the method of its exercise; we now turn to give our views on the definition of the provincial and Central spheres, and the means which should, in our opinion, be at the disposal of the Central Government for safeguarding its own sphere and regulating inter-provincial relations. We have assumed that in the case of the additional subjects now proposed to be transferred power would vest in the Provincial Government in the same manner as it does now in the case of transferred subjects, that is that powers would be derived by direct delegation from the British Parliament to the Provincial Governments. We consider that the relative positions and spheres of the Central and Provincial Governments respectively should clearly be defined by Statute.

The Central and Provincial Spheres.

2. We have examined the lists of the Central and Provincial subjects contained in the schedules attached to the Devolution Rules and the results of our examination are embodied in the appendices to this part of our memorandum. It will be seen that our suggestions for the modification of the existing distribution deal, for the most part, with matters of detail and of no great moment. We, however, repeat our suggestion arising out of item 47 of Central subjects, that within the limits of powers vesting in authority in India by delegation or otherwise residuary powers not defined as vesting in the Central Government should vest in the provincial and not in the Central Government. It is true that in practice these residual subjects have not given rise to any great difficulty, nevertheless, we think that an important point of principle is involved, namely that *vis-a-vis* the Central Government provincial authority should be absolute except where expressly limited by Statute.

3. Having thus defined the spheres of Provincial and Central Governments, we proceed to consider what means should be adopted whereby the Central Government shall be enabled to safeguard its own sphere and inter-provincial relations. This may be separately considered in the Administrative, Judicial aud Financial fields.

The Administrative Field.

4. In the Administrative field the powers of superintendence, direction and control now exercised by the Secretary of State are :—

(1) to safeguard the administration of Central Subjects,

(2) to decide questions arising between two provinces,

(3) to safguard Imperial interests,

(4) to determine intra-Imperial questions,

(5) (*a*) to deal with questions relating to the High Commissioner for India,

(*b*) to control provincial borrowing,

(*c*) to control the All-India Services,

(*d*) to safeguard the exercise and performance of other powers and duties imposed by rules made by or with the sanction of the Secretary of State in Council.

The Governor-General in Council exercises powers in all these respects except under (3) and (4).

We consider that no question arises as regards items Nos. (2), (3), (4) and (5) (*a*) and (*b*). Item (5) (*b*) will be dealt with under the Financial field and (5) (*c*) has been considered in dealing with the Provincial sphere in Part II of this memorandum. As regards No. (1) there is no question but that these powers should be exercised by the Secretary of State; but as regards their exercise by the Central Government we desire to point out that this frequently involves matters in which the interests of the Central and Provincial Governments conflict, thus making the former a judge in its own cause. Such matters will chiefly be financial in their nature and will be discussed further when we come to the Financial field; it is inherent in our suggestions that where a conflict of financial interests is involved the Province should have the right of claiming the final arbitration of the Secretary of State.

The Legislative Field.

5. In the Legislative field the requirement of previous sanction [Section 80-A (3)] and the power to refuse assent [Section 81 (3)] and to reserve for signification of His Majesty's pleasure [Section 81-A (3)] given to the Governor General relate to the safeguarding of the interests of the Central Government and of other Provincial Governments. The only exception is the provision relating to the reservation of certain Bills by the Governor, which we have discussed in dealing with control within the Provincial sphere. The question, therefore, resolves itself into that of the requirement of previous sanction under Section 80-A of the Act. The legislation referred to in sub-clauses (*a*) and (*b*) of Section 80-A (3) will be dealt with in considering the Financial field. The items mentioned in clauses (*c*) and (*d*) do not require any comment. But when we come to clauses (*e*) to (*h*) we find that considerable difficulty has arisen in respect to the necessity for previous sanction for Bills regulating a Central subject, chiefly on account of the fact that among Central subjects are to be found Civil Rights and Liabilities and Criminal Law. It is difficult to imagine any legislation that does not in some degree or the other touch upon these subjects and practically every Bill has to be submitted for sanction. The matter was dealt with in paragraph 83 of the Report of the Reforms Enquiry Committee, which proposed the enactment of a rule-making power to secure elasticity in the provisions as to sanction. We admit that the local legislature has in the past received considerable assistance from the views expressed by the experts of the Legislative Department of the Government of India in regard to the actual drafting of Bills, and that the delay caused in referring legislation for sanction is to some extent compensated for by this assistance. In any case there appears to be no substantial difference of view in the main objects to be secured, which are only to keep provincial legislation *intra vires* of the powers of the provinces, and the question of the re-drafting of the provisions of Section 80 A (3) (*e*) to (*h*) of the Act in order to secure the minimum of inconvenience is one for treatment by experts.

The Financial Field.

6. We consider that the revenues and property allocated by Parliament to a provincial government should be secured to it by Statute. We do not lose sight of the fact that in the last resort the financial stability of the Government of India is of greater importance than that of any province; and we do not seek to put forward the position that the Central Government should in all cases "live of its own". It must clearly, as stated elsewhere, have some control over the larger aspects of the stability of provincial finance so as to exercise its responsibility for the repayment of loans, raised in the past by the Province, but resting on

the security of the general revenues of India at the time of borrowing. It is clear that the Central Government should have power in certain eventualities to levy subventions from provincial governments, but these subventions should, we consider, be levied directly as such, and while securing to the Central Government the power to do this we would protect local Governments in the full use of the revenues and property vested in them by Statue.

7. *The Meston Settlement.*—The most important concrete question in the Financial Field is the allocation of revenues at present made by the Devolution Rules under what is known as the Meston Settlement. The authors of the Montagu Chelmsford Report found in the then existing financial arrangements between the Central and Provincial Governments a serious obstacle to provincial enfranchisement, because the system of divided heads made central control over those heads inevitable, and it consequently laid it down that " if the popular principle is to have fair play at all in Provincial Governments, it is imperative that some means be found of securing to the provinces entirely separate revenue resources " (paragraph 109). Further the encouragement of Provincial independence involved the abandonment of the principle on which previous settlements had been based, *viz.*, the allocation to the Provinces of sources of revenue sufficient to meet their estimated needs and the reservation of the surplus to the Government of India. The new arrangements were based on an estimate of the requirements of the Central Government and proceeded to give to it sufficient resources to meet them, and to leave all other revenues to Provincial Governments which would thenceforth be responsible for the development of all provincial services.

8. The concrete proposals of the Joint Report were subsequently examined by the Meston Committee who agreed that Income-tax should be a Central head, but recommended that the revenue from General as well as Judicial Stamps should go to the provinces, their main reason being that otherwise the poorer provinces, would start with hardly any surplus and the ' taint of a divided head ' would remain. The Committee devised a rather different method of assessing provincial contributions, which on the amended figures of the Government of India requirements were now calculated at a figure of 983 lakhs. Disregarding expenditure they confined attention to the increase in revenue which each province was to get, and after fixing specially low contributions for Burma, Bihar and Orissa, the Central Provinces and Assam, spread the remainder over the other provinces by a flat rate of about 60 per cent. on their new revenues. In the Punjab the assumed increase in revenues amounted to 289 lakhs, and the contribution was therefore fixed at 175 lakhs, or 18 per cent. of the total 983 lakhs. It was explained that " In the Punjab also the windfall is large and balances are full, while here the revenues move upward with marked ease ". Even allowing for the contribution, the net increase in spending power would be 114 lakhs. These recommendations were adopted with the modification contained in Devolution Rule 15 by which if the income assessed to income-tax exceeds the 1920-21 figure, local Governments receive 3 pies in the rupee of such excess.

9. It was recognised from the first that under this plan some provinces would bear a much heavier proportion of the cost of the Indian Government than others, and the fact that the Punjab was one of the sufferers from this point of view was admitted in the Committee's recommendation (subsequently rejected by the Joint Select Committee,) regarding standard contributions to be reached in 7 years time, when the Punjab contribution was to fall from 18 to 9 per cent. But this drawback was at the time inevitable being based on pre-existing inequalities which could not be suddenly removed, and it is difficult to see what better plan could at that time have been devised. To the Punjab, it did actually give an increased spending power in the first year of 102 lakhs. In spite of this the Province found itself immediately in financial difficulties, and before the end of the year 1921-22 addressed the Government of India with the request that the Province's contribution to central revenues should be halved.

The main argument was that the settlement took no account of the large increase in expenditure rendered inevitable by the increased cost of living, labour and materials, by the undeveloped state of the Province and by the rigorous economy practised during the War. But the financial position of the Central Government at the time made any reduction of contribution impossible, and at a meeting of financial representatives in April 1922 at which the matter was discussed, it became evident that all provinces were in very similar difficulties. Indeed the Bombay Government proposed a complete revision of the settlement and asked that the local Government should receive half the income-tax collected in the Presidency and surrender half the land revenue. The other provinces strongly opposed the reversion to a system of divided heads and were supported by the Government of India who argued that " A clear division of revenues between the central and local Governments was the basis of the whole scheme of reforms, and we consider it axiomatic that, unless such a division is made and entirely separate revenue resources are secured to each Government, there can be no provincial autonomy in any sense of the term." The Secretary of State took the same view. He remarked that in spite of the financial difficulties of the provinces it was still true that the Meston Settlement placed at their disposal considerable sums which would not have accrued to them under the pre-existing arrangements, and in the then state of the Central Government finances he could only say that remission of contributions was out of the question and that all that could be done was to aim at their reduction and ultimate extinction as soon as circumstances allowed. Contributions have in consequence been gradually reduced and in the Punjab the figures stand as follows :—

1921-22	... ...	1,75,00,000
1922-23	... ...	1,75,00,000
1923-24	... ...	1,75,00,000
1924-25	... ...	1,75,00,000
1925-26	... ...	1,13,84,000 (partial remission of contribution Rs. 61,16,000).
1926-27	... ...	85,73,000 (remission of 28 lakhs).
1927-28	... ...	(total remission).
1928-29	... ...	(total remission).

10. We are now in a better position than we were in 1922, to estimate the results of the Meston Settlement. It has no doubt succeeded in its main object of effecting a clear division of revenues and so making a considerable measure of provincial autonomy possible. Had revenues still been shared with the Government of India, it would not have been possible to have brought home to the Legislature the true financial position of the province or to have persuaded it to impose taxation to meet the deficit, still less to allow taxation to remain for the purpose of facilitating the development of the province. We would strongly deprecate any suggestion that is likely to prejudice this financial autonomy on either the revenue or expenditure side. In particular a reversion to a system of divided heads should be avoided by all possible means.

11. Nevertheless the Meston Settlement has had two great drawbacks :—

(*i*) Owing to the preponderance of land revenue and irrigation on the receipts side of the Punjab Budget, any substantial increase in taxation must fall on the rural classes. The only direct tax which falls on the industrial and urban population is income-tax which is a central head. In the Punjab to balance the increase in water rate,

court fees and stamp duties have been raised and special rates fixed for conveyances of urban lands, but the general difficulty that the Legislature cannot take adequate steps to distribute taxation over the urban and rural population still remains ;

(*ii*) The increased expenditure from Provincial revenues on the Beneficient Departments and the consequent moral and material development of the province may be expected to result in an increase in receipts from income-tax and from railways, both of which go to the Central Government.

12. After 1922 there appears to have been no correspondence on the subject of the Meston Settlement till the appointment of the Taxation Enquiry Committee. The Committee was told that it was no part of its function to revise the Meston Settlement but was asked to indicate the theoretically correct distribution of taxes between the Imperial and local Governments. Their final recommendations reduced themselves to :—

(*a*) the transfer of non-judicial stamps, excise duty on country-made 'foreign' liquor and possibly the revenue now derived from excise opium to the Imperial Government, and

(*b*) the establishment of equilibrium by the transfer to the provinces of a share of the income-tax.

The Government of India rejected the proposal that the revenue from excise opium and the excise duty on country made 'foreign' liquor should be transferred to the Central Government on the ground that it would be undesirable and contrary to the whole trend of policy since the introduction of the Reforms that provincial agencies should be employed to administer an important subject the revenue of which would be Central. They thought that the proposal to centralize non-judicial stamps was sound. They pointed out (*i*) that the Meston Committee diverted them to the provinces only because they "found no other means of securing a complete separation of the sources of revenue between Provincial and Central Governments which would give adequate revenue to certain provinces," (*ii*) that in order to obviate inconvenience arising out of different rates of duty being applied in different provinces the Government of India had already been compelled to reserve the right of fixing the duty in some of the more important items in the stamp schedule, and (*iii*) that the questions of stamp duty are closely bound up with problems of the extension and improvement of banking and money market facilities with which the Government of India deal. They proposed :—

(*i*) that non-judicial stamps should be transferred to the Central Government ;

(*ii*) that to compensate provinces for the loss of revenue and to give elasticity to Provincial revenues, they should be given the proceeds of a flat rate of income-tax on personal incomes of assessees resident within the province ;

(*iii*) that the resulting provincial deficits should be made good by fixed assignments from the Government of India.

The Punjab Government stated that there were three objections to these proposals :—

(*i*) they curtailed the flexibility of provincial finance by depriving provinces of the power of raising new taxation from non-judicial stamps ;

(*ii*) they involved the partial substitution of a fixed assignment for a source of revenue containing an element of natural increase ;

(*iii*) they would deprive the local Government of a portion of the power it now possesses of determining the taxation to be paid by industrial and commercial classes, and so make

it more than ever difficult to reconcile divergent interests in questions of taxation.

13. The question was discussed at the conference of Financial Representatives in November 1926, and as a result the Government of India made the following revised proposals :—

(*i*) Stamp duties on certain commercial and quasi-commercial documents should be centralised from 1st April 1928;

(*ii*) Provinces should receive a share of income-tax at the rate of 3 pies per rupee on personal assessable income ;

(*iii*) The present assignment under Devolution rule 15 and certain other revenue assignments to the provinces should be abolished ;

(*iv*) Any loss to provinces should be made good by an assignment from central revenues ; however, actually, the figures indicated that provinces would gain to the extent of 65 lakhs.

It was calculated that by including in the account 7 lakhs compensation on account of loss of still-head duty which would be abolished under (*iii*) above, the Punjab Government would practically neither gain nor lose by the proposals.

14. The Punjab Government in reply agreed to (*i*) on the understanding that adequate compensation was given, but expressed doubts as to the accuracy of the figures given regarding (*ii*) and protested against the inclusion of the abolition of the compensation for loss of still-head duty, when practically no similar assignments to other provinces were being abolished. Finally, the Punjab Government argued that the proposals went far beyond the immediate object to be attained and involved a modification of the Meston Settlement with very unequal results for different provinces. It was, therefore, suggested that any distribution of funds by the Central Government should leave the relative position of the provinces under the Meston Settlement unchanged and that pending the Statutory Commission's enquiry compensation for (*i*) should therefore be given in cash. The question was discussed at the meeting of Financial Representatives in November 1927. Only three Governments out of nine were in favour of proceeding with it, five were for postponement apparently for consideration by the Statutory Commission, and Bombay was in favour of the matter being proceeded with only on certain stipulations. No conclusions of the Government of India have yet been communicated to the local Government.

15. We must at the outset make it clear that we strongly adhere to the principles generally adopted in the settlement and do not desire its main lines to be changed. We have assumed for the purpose of these discussions that the sphere of activity and responsibility of the local Government will not materially differ from that now allotted to it. If any of the responsibilities now exercised by the Central Government were to be transferred to the local Government, the latter would naturally expect to have its revenues reinforced from sources of income now at the disposal of the former; but assuming that the functions remain in the main the same as at present, the local Government desire to adhere to the principles of the Meston Settlement in general as the basis of Provincial finances.

16. The development of the Province, however, must necessarily sooner or later entail raising additional funds by taxation ; and it is anticipated that the essential funds will not be secured to the extent desired in the field of taxation now at the disposal of the Provincial Government. We must, therefore, explore the expedients which can be adopted in this event for enlarging that field. The first proposal, which commends itself to us, is that of granting provincial governments the power to levy surcharges in Central taxes for provincial or local purposes. In France,

Belgium and Germany a large proportion of local taxation is obtained by means of additions to certain State taxes, which are apparently assessed and collected by the State. It is argued for these *centimes additionels* that they make the management of local finance simpler and less costly, and give the tax payers much greater security against peculation and exaction. On the other hand, they do definitely limit the field of local self-Government, and make the basis of taxation uniform where the objects of taxation are so different that a separate system has obvious advantages. These latter arguments apply chiefly to *centimes additionels* imposed by local authorities. They have less force in the case of a Provincial Government which is merely supplementing its other revenues and redressing the balance of taxation by a surcharge on an Imperial tax. In the Punjab a surcharge on the income-tax has the great advantage of enabling the Local Government to tax the industrial and commercial classes. This is a very important consideration. At present the Punjab Government finds itself embarrassed by having its sources of raising revenue limited mainly to the imposts which affect the rural classes. An additional argument in its favour is the fact that arrears of Imperial income-tax are already collected by the provincial revenue staff which could therefore collect the *centimes additionels* without difficulty or friction with the Central Government.

17. The Taxation Enquiry Committee considered this possibility in paragraph 532 of its Report, and rejected it on two grounds :—

> "(*i*) The proceeds of the tax would, as respects some incomes, go entirely to the province of origin. It is a system which can only be employed successfully where the income taxation machinery is directed to taxing either by reference to the source or by reference to the destination of the income, and not where a combination of both methods is adopted.
>
> (*ii*) If Provincial Governments were to be empowered to determine the rates of surcharge on the Imperial income tax, an inevitable result would be variations in the rates in different provinces, which are to be deprecated in the interests of commerce and industry."

18. Neither of these objections appear to be conclusive. (*i*) is equally applicable to the Government of India's proposals which base Provincial Governments' shares of income-tax on residence only. (*ii*) does not appear to have troubled other countries, and in India variations in the rate would not be excessive for it would be necessary to leave to the Central Government the power of prescribing a maximum surcharge lest the productivity of one of its main sources of revenue should be prejudicially affected. The system has the further advantage of being already well known and understood in the form of local rate.*

19. Another suggestion is that by which a portion or the whole of the yield of particular taxes collected by the Government of India would be assigned to the Provincial Governments. This is the system that has been in force in Germany since 1920. The Central Government there control the income, inheritance, land transfer and turnover taxes, and assign a portion of the taxes to the States. Two-thirds of the income-tax, one-fifth of the inheritance tax, half of the land transfer tax and three-twentieths of the turnover tax are apportioned to the Provincial Governments. This system will not be suitable for general adoption in India with its greater size and greater diversity of conditions. *Ex hypothesi* the tax will be administered by the Central Government and the local Government will have no say in the rates to be imposed or the method of assessment and collection. The local Government cannot raise the rate in order to balance its budget or vary it with the object of equalizing the burden of taxation. The benefit will, therefore, be little greater than it would be from a cash subsidy except that the revenue

* In the Punjab, District Boards are financed chiefly by a local rate of 2 per cent. on the Land Revenue.

will be more elastic and might in most cases be expected to expand with the growth of prosperity and the development of the Province. Nevertheless if a surcharge on income-tax cannot be accepted, we would be glad to accept a share of a central tax.

20. In certain special cases the interests of the Central Government might be well served by assigning some part of the yield of a central tax to the Provincial Governments for a specified purpose. For instance, though roads are a provincial subject, the assignment of part of the duty on petrol for expenditure on roads would benefit All-India communications and inter-provincial trade, while the assignment of a share of the import duty on foreign liquor would check tendencies of Provincial Governments to increase receipts under Excise at the expense of the duty on imports.

21. The local Government at present has no power of residuary taxation. The existing statutory provisions dealing with the delimitation of the Central and Provincial fields of taxation and the control of the Central Government over taxation by provinces and local bodies, allot certain specific taxes to the provinces and leave the residuary power in the hands of the Central Government. In view of the narrowness of the field allotted to the provinces, in which no important scope for increase except in the case of succession duty—a tax involving serious complexities in imposition—is included, we suggest that the residuary power of taxation should be transferred to the Provincial Government The fiscal sphere of the Central Government should be defined by Statute, leaving the range of taxation, not included in that sphere, open to the provinces. Sanction should be necessary for the introduction of any provincial legislation affecting taxes scheduled as Central; and on the administrative side the Central Government should retain control for the purpose of protecting its monopoly within that field. If the grant of residuary power to provinces is not found possible, we desire to see the existing list of scheduled taxes amended so as to include a discretion to the Province to impose taxes on incomes in a category below the minimum taxed by the Government of India. This discretion is required to give elasticity in seeking sources of provincial revenue other than land on which the main burden now falls.

22. Certain difficulties have arisen from the control at present exercised by the Central Government over taxation by local bodies in the provinces. These have already been dealt with in Part I of the Memoranda, Chapter VII, and it is only necessary now to draw attention once more to the criticisms already made.

23. Up to this point we have discussed the methods by which a provincial Government needing additional funds for development, could without deserting the main principles of the Meston Settlement secure additional revenue. We deprecate a return to the system of divided heads of revenue for the purpose, and we could prefer also to avoid subventions from Central funds, unless some special reason or a financial crisis made a recourse to the latter desirable. Either of the latter systems militate against the development of provincial responsibility, independence and initiative, while the system of subventions involves the difficulty of fixing an equitable basis for their calculation. The grant of a subvention to one province would inevitably also arouse criticism and resentment by other provinces. Such a subvention would, we assume, require the sanction of the Secretary of State.

24. We must now turn to the converse case where the Central Government finds itself in need of funds in excess of what can be derived from the spheres of taxation allotted to it. Beyond the transfer under certain conditions of the duty from commercial stamps, no transfer of the whole or part of any provincial tax to the Central Government seems desirable. We do not believe that reinforcement from provincial resources need be a normal or recurring feature of the finances of the Central Government; but we recognise that in exceptional circumstances, such as War or a

grave financial crisis, assistance may be needed. For such cases it should take the form of a subvention in cash in the shape of a percentage of the total ordinary revenues of the Provinces.

25. A minor question, but one of some practical importance, is whether the Central or Provincial Governments should be permitted to make contributions towards the administration of individual, provincial or central subjects respectively, apart from those which are in the nature of payments for services rendered. In 1926 the Government of India addressed the Secretary of State on this subject, and proposed an addition to the Devolution Rules permitting (*a*) expenditure from central revenues on a provincial subject with the object of conferring any benefit on British India generally or aiding the administration of a central subject, and (*b*) expenditure from provincial revenues on a central subject with the object of conferring any benefit on the province. The Secretary of State agreed that some elasticity was required but thought the proposed rule obliterated the dividing line, and was not sure that it was desirable to perpetuate all the payments that are now being made. The matter was left in an indeterminate condition for examination by the Statutory Commission. For practical reasons we think it is undesirable that contributions or expenditure of this nature should be prohibited. Rigidly interpreted such prohibition would debar payment for services rendered or for goods supplied. It would prevent a local Government from guaranteeing the Post and Telegraph Department from loss in building a new office or a railway in opening a new section of line. Payments of this sort should be admissible provided the Local or the Central Government, as the case may be, has a direct interest in them. For instance the Punjab Government now contributes to the cost of the Aitchison College, Bengal to the Victoria Memorial Hall and the Indian Museum, the United Provinces to the Aligarh University.

26. With regard to provincial properties, under the law, as it stands, the ownership of all land vests in the Crown, and the Central or local Government, as the case may be, has the right of a user for the effective discharge of its duties under the Government of India Act. Also, under Section 30 of the Act, a local Government may sell and dispose any such land in its possession subject to such provisions or restrictions as may be imposed by the Secretary of State. The subject of these restrictions belongs to the previous portion of this memorandum dealing with control to be exercised by the Secretary of State and the Governor-General in Council over the local Government acting within the provincial sphere and was there reserved for separate consideration. We are more immediately concerned with the delimitation of the sphere of the local Government in respect of such land. The practical issue which has arisen is in respect of transfers between Central and local Governments to which Section 30 of the Act has no application. The Secretary of State has prescribed rules to regulate such transfers subject to an appeal to himself if any question arises in regard to their application. We do not here desire to raise the question of how far the terms of payment laid down under these rules for land transferred between a local Government and a central Government are equitable, nor do we wish to dispute the reasonableness of the requirement that a local Government shall be bound to acquire and hand over to the Government of India any land in the province required by the Government of India for the effective discharge of its duties. We only desire that the present position be maintained by Statute that the ownership of land vests in the Crown and that land in the occupation of a local government is held by it from the Crown subject to the power of the Government of India to acquire it for the necessary discharge of its duties, and to the rules framed by the Secretary of State to govern the conditions of transfer.

27. An important matter for consideration is whether as a measure of provincial financial autonomy the relaxation of the control of the Secretary of State and the Governor General in Council over the borrowing powers of local Governments is desirable or practicable. The authors of

the Montagu-Chelmsford Report thought (paragraph 211) that in order to avoid harmful competition, Provincial Governments should continue to do their borrowing through the Government of India, but that if the Government of India could not raise the money required by a Province in a particular year, or a provincial object was likely to attract money which could not be elicited by a Government of India Loan, the Provincial Government should be allowed to borrow in the Indian market, the time and conditions being, however, subject to the approval of the Government of India so as not to conflict with their loans. These restrictions were incorporated in the Local Governments Borrowing Rules. The Punjab Government has not had any difficulty in obtaining loans required for productive capital expenditure. It is true that in the early years of the Reforms the Government of India declined to lend money for revenue purposes till the budget was balanced. But such action would in any case fall within the powers of control which in Part II of this memorandum we have recommended for the purpose of ensuring the financial stability of a province. While the raising of a provincial loan may have advantages of a sentimental character in promoting the financial repute of a province and attracting investments made from motives of provincial patriotism, difficulties occur about interest payments outside the province which detract from the value of the scrip and its ready sale in the larger markets, and with the credit of the Government of India behind it a province can generally count on getting money cheaper than it could in the open market. Our conclusion is that while we desire to retain the power of the provincial governments to float their own loans when circumstances make this desirable, we do not think it either necessary or possible that the control at present exercised over provincial borrowings should be relaxed.

28. When the Provincial Loans Fund was instituted it was recognised that it contained the germs of future development and might be transferred to the management of an independent body corresponding to the National Debt Commissioners, who might have the power to raise money in the open market on their own account. It is possible that if the demands of different provinces increase, and are likely to compete with each other and with the Government of India, the institution of an independent distributing body will be very desirable. On the analogy of the National Debt Commissioners it might also receive and apply the sinking funds both of the Government of India and Provincial Governments and invest the funds of the Post Office Savings Bank. It may be doubted, however, if the time is yet ripe for this development, and we will have no objection to offer if the Provincial Loans Account is allowed to continue under the Government of India's management for some time yet till further experience of its merits and defects has been acquired.

29. We have also considered the question whether as a measure of provincial financial autonomy, the separation of provincial balances from central balances is practicable or desirable, and if so, whether the provincial governments should be required to keep their balances with a central organization such as the reserve bank. The separation of provincial balances from central balances would no doubt, in theory at any rate, increase the local Government's sense of responsibility. Indeed its financial autonomy cannot be complete until it controls these balances, but the present arrangement is cheap, and a departure from it would involve a certain amount of duplication of staff and certainly a considerable increase in the strength and costliness of the Finance Department of the local Government. No doubt under the present arrangements funds which actually belong to the local Government can be utilised at will by the Central Government, but as long as the local Governments can at any time make fixed interest-bearing deposits with the Government of India of balances not immediately required, they would appear to have no serious grievance. We are not at present disposed to press for a change. Nor do we contemplate abandonment of the system by which remittance and resource are functions of the Central Government. We attach importance to audit being conducted by an authority, as at present, independent of the executive Government.

APPENDIX A.

CENTRAL SUBJECTS.

Devolution Rules, Schedule II, Part I.

1 (*b*), the position as regards cantonments is one of considerable difficulty. The local Government is empowered to confirm and cancel bye-laws under section 284 of the Cantonments Act 1924 thus becoming practically responsible for a large part of the detailed working of cantonment administration. Sections 51 and 54 of the Act also confer very wide responsibilities upon the local Government as regards control of Cantonment Boards, and sections 60 and 54 as regards taxation. Moreover, section 51 (2) of the Act recognises the local Government's general responsibility as regards the public health, safety and convenience of the civilian population, and the local Government which gives grants to schools in cantonments is particularly concerned with the provision and oversight of educational facilities for the civilian population. It seems clear that the question of the delimitation of the sphere of the Central and Provincial Governments in cantonments will have to be considered in detail, as it does not seem proper that in the discharge of its responsibilities to the civilian population the local Government should act merely as an agent of the Central Government.

5 (*a*). We recommend the omission of all words after railways with the necessary consequential changes in entry 6 (*d*) of Part II of the Schedule. We consider that extra municipal tramways whether or not in physical connection with, or built on the same gauge as, a main line should be a purely provincial subject.

5 (*c*). After the words "inland waterways" substitute "so far as they affect more than one Province." We think it unnecessary that purely internal waterways should be a Central Subject.

11. The question of income-tax and other all-India revenues is dealt with in the section of this Memorandum which deals with Finance.

13. This head will be subject to modification if there is a complete separation of finance, a subject dealt with in the appropriate section.

16. The vagueness of this entry has, as explained in detail in Chapter IX A of Part I of this Memorandum, been responsible for the necessity of referring almost every piece of legislation for previous sanction, as it is only rarely that legislation does not affect civil rights and liabilities. We fully admit that both civil procedure and the main body of Substantive Civil Law should be uniform throughout India, or where they are different (as in the Punjab certain classes of cases are triable by Revenue Courts, and custom applies instead of Hindu and Muhammadan Law) the difference should be under the control of Central legislation. But we also think that it should not be necessary to obtain the sanction of the Central Government for enactments which merely modify civil rights or liabilities in a particular and subordinate degree. Such proposals as we have been asked to frame for dealing with the difficulty have been made when considering the sphere of the Government of India in the lagislative field.

18. We agree that company law should be a Central subject, but do not understand what, if any, are the further implications of the entry as it stands.

30. Entry 30 may be read with entry 50 of Part II of the Schedule. The position is somewhat similar to that of Civil Law. While criminal procedure and the main body of substantive criminal law should be uniform throughout India it is undesirable that legislation should require the previous sanction of the Central Government merely because it contains a penal clause. The solution we propose is as in the case of Civil Law, discussed in the body of this part of our Memorandum.

32. We think that only fire arms, ammunition and explosives should be Central.

47. We suggest that residuary powers should vest in the Provincial and not the Central Government, and have elaborated this proposal in the body of this Part of our Memorandum.

APPENDIX B.

Provincial Subjects.

Devolution Rules, Schedule II, Part II.

1 (*a*). The present restrictions are laid down in the Local Authorities Loans Act IX of 1914 as amended by Act XXXVIII of 1920, providing *inter alia* that loans exceeding 25 lakhs, other than loans taken by the local Governments, shall not be floated until the terms have been approved by the Governor General in Council. The Punjab Government have no doubt that it should be within the power of the Central Government either by legislation or otherwise, to enforce such restrictions, otherwise the raising of a loan by a local body in one Province might embarrass not merely the Government of India but the Government of another province.

6 (*b*). Devolution Rule 12 (*a*) with regard to means of communications declared by the Governor General in Council to be of military importance. We think that it should be laid down that the Central Government should bear such part of the expenditure on such means of communication as represents the cost of construction or maintenance in excess of that required by the needs of the civil population.

6 (*d*). As already stated in dealing with item 5 (*a*) of Part I, we would omit the words "or tramway" in the second sentence.

8 (*f*). The question of restrictions prescribed under Section 30 of the Act will be dealt with separately.

14. We think it unnecessary that deforestation of reserved forests should be subject to legislation by the Indian Legislature.

17. We think that the whole of this item requires redrafting as being on the face of it inconsistent with items 16 and 30 of Part I. We accept the position that the local Government should not have the power to create special tribunals.

20. The question of non-judicial stamps is dealt with in the section of this Part dealing with Finance.

21. We think that the general reservation of legislation by the Indian Legislature is too wide.

27. We think it no longer necessary that rules should be prescribed by the Secretary of State in Council in the matter of imported stores and stationery.

31. We think that steam ferries should be excepted as not subject to legislation by the Indian Legislature.

PART IV.—OFFICIAL PROPOSALS FOR THE FRANCHISE AND ELECTORATE.

The Franchise.

The principle upon which the existing Franchise is based is broadly speaking one of convenience in administration. The authors of the Joint Report did indeed in paragraph 275 observe that it was necessary to measure the number of persons who could reasonably be entrusted with the duties of citizenship. But they went on to say (paragraph 276) that the limitations of the franchise, which it was obviously desirable to make as broad as possible, should be determined with reference to practical difficulties rather than to any *a priori* considerations as to the degree of education or amount of income which might be held to constitute a qualification. The Punjab Government in discussing the property qualification observed that two objects must be kept in mind: one that the electorate should be of manageable size, and secondly that it should be large enough to be representative. The Southborough Committee accepted the principle of the Joint Report; and the Government of India in paragraph 4 of their despatch 4 of 1919, while regreting that the Committee had given them no means of forming a picture of the standard elector whom they had in view, resigned themselves to judging of proposals broadly by the size of the resultant constituencies. A somewhat different point of view emerged in 1920 when the Punjab Government, in proposing Rs. 50 as the standard of land revenue and Rs. 120 as the rental standard in urban areas, considered it politic and advisable to pitch the franchise at a standard which to begin with would exclude those classes of persons who, according to the indications of reasonable probabilities, were likely to be least well informed and most irresponsible; and when in advising against the enfranchisement of tenants they were at any rate influenced by representations made by the landlords on the Punjab Advisory Committee as to the possible political or social consequences. It must be observed, however, that the views held by the Punjab Government in 1920 were throughout based on the experimental character of the early steps taken in the Reforms, and were guarded by the qualification that the limitations proposed were necessary merely until there had been some experience of the working of the system. In their evidence before the Reforms Enquiry Committee the Punjab Ministers recommended the reduction of the rural franchise to Rs. 5 land revenue and the enfranchisement of tenants. The Punjab Government, however, expressed the view that there was no problem of tenancy legislation in the Punjab, and that a large addition to the agricultural vote might compel an increase in the number of rural constituencies and add to the difficulties incidental to the existing system of Urban representation. The Committee, therefore, did not support the proposal.

2. It has been explained (Descriptive Matter Chapter II) that the percentage of voters to population is in rural areas 5·3 whereas it is 12·3 in urban areas. The larger representation of the towns in the present franchise was considered by the Franchise Committee (Report paragraph 12) to be justified "by their superior standard of wealth and intelligence, and by the larger interest evinced in political questions. The towns have, moreover, a more extended experience of the use of the franchise, since it has been more wildly exercised in municipal than in rural local self-government." We have no figures to show the general standard of literacy in urban areas. The last census merely gives literacy in certain cities and selected towns with a population of 282,000 out of a population of 997,000 in the areas classified as urban constituencies; but it is probable that in all towns with true urban characteristics the standard of literacy is much the same. If so, then following the census figures of 1921 there is no doubt that urban literacy was at that date 28% of adult males as against 9 in the province as a whole, but these figures are already obsolete: they represent the result of the educational effort of 1910 and previous years, and the situation must have been changed by the great advance in rural education which has taken place during the last 10 years. In any case

the percentage of voters to adult literate males varies so greatly from province to province—from 34 in Bihar and Orissa to 140 in the United Provinces—that we doubt if the degree of literacy necessarily affords a decisive test in making recommendations for the grant of the franchise. And the point of distinction that the townsman is more accustomed to voting has to a considerable extent disappeared.

3. As has been observed in Part I—Chapter II—paragraph 10, the chief reason for the difference in proportion of voters to population in urban and rural areas appears to be the absence in the latter of anything corresponding to Rs. 96 annual tenancy in towns. As far as mere numbers go, the disparity could at once be corrected by lowering the land revenue qualification for the rural proprietor; but the difference is not only one of mere numerical proportions to population but of inclusion of a class; and in consequence the question which first arises is whether the vote should be given to agricultural tenants. It has been shown that the Punjab Advisory Committee was divided as to the wisdom of this step, as they found that the grant of the vote to tenants might have consequences in arousing the agrarian question which is not at present a prominent feature in practical politics; and the Punjab Government in 1918 observed that there was no special class of tenants in the Punjab, that most tenants were the proprietors of small holdings who also cultivated part of their neighbours' land. and that in their case no special representation was required. We do not ourselves think that the vote should be withheld on account of an apprehension of this nature. Further, the tenant does actually, in our opinion, constitute a class with separate interests which entitle him to representation. While there may be much identity hetween the tenant and the small landowner both in civilization and in standard of living, yet there is actually in common belief a social gap between the man who owns land in however small a quantity and the man who does not. This gap is stereotyped by the Alienation of Land Act The landless cultivator may indeed be a member of an agricultural tribe whose fathers have in some way lost their land, but often he belongs to the menial classes, and cannot if he rises in the world qualify for a vote by buying land. To ignore this distinction would in our present view be a mistake, for the distinction is real, and we feel that an effort should be made to enfranchise the tenant, even though we may have to base our attempts on a somewhat arbitrary definition. On general grounds the class is important. In the census returns of 1921 60% of the population is recorded as deriving a livelihood from agriculture. 65% of the normal annual revenues of the Punjab accrue from land revenue, fixed or fluctuating, and water rates; while of the cultivated area of the province 46% is held by tenants-at-will including small owners who have taken land on cultivation. Tenants, therefore, occupy a position of considerable importance in the structure of society and directly and indirectly contribute in an important degree to the taxes, in particular being directly responsible for the payment of water rates.

4. We have had considerable difficulty in framing proposal for the enfranchisement of agricultural tenants, owing to the fact that the cultivation of land by tenants in the Punjab presents several peculiar features. Apart from occupancy tenants, who are not a numerous class, the long term tenant is not a common feature in the Punjab and the ordinary type is an annual tenant-at-will, the composition of whose tenancy tends to shift. For the tenure of the tenant-at-will is, if not precarious, then certainly variable. In some districts it is common for a landlord, with the object of preventing the creation of occupancy rights, to vary from year to year the fields which he lets to each tenant. Tenants on their part are a migratory class; and it is common to find tenants who are working in partnership one year to be separated the next. The continuous process in the Punjab of irrigating and colonising state lands' fosters migratory tendencies and change. The Punjab tenant class also freely migrates to countries outside India and adopts military and other non-agricultural vocations within India itself. If we take the records of the year preceding the preparation of the electoral roll as our guide—and

there is nothing else to be done—we shall in many cases be giving votes to men who when the election comes are in a different part of the province. A further difficulty arises from the absence of cash-rents, which are the chief basis of the tenant franchise in other provinces and the standard of criterion for eligibility. It is true that in those provinces where rents are paid in kind the equivalent value in cash is taken as a basis: but it is believed that such rents are comparatively rare. In the Punjab they are practically universal, and we could not contemplate a franchise based on a general assessment of the value of rents paid in kind. If in order to appraise the value of the tenancy we attempt to ascertain the land revenue paid on it, we find that there is no information on this point available. Land revenue is assessed on the village as a whole, and is distributed only over the landlords' holdings. To calculate the land revenue due on a tenant's holding would present a task which for many reasons of a technical nature as for instance the annual changes in size grouping and personnel of tenancies, would be almost impossible.

5. After considering all the possible methods for enfranchising tenants, we have fallen back on one which. if not ideal, will at any rate offer a workable solution of enfranchising a considerable body. This is to base the franchise on the area held in tenancy by an individual tenant This is ascertainable both from written leases which are in many parts of the Punjab customarily obtained from landlords, and from entries in the village crop records. It is not easy. however, to fix the area which is to qualify for a vote. We should attempt to make the area specified conform to the test that tenant qualifying should be in cultivating occupancy of an area of land which is assessed to pay land revenue roughly 25 per cent. in excess of that which confers the vote in the case of a proprietor. It is possible that it will be necessary to make out separately for each district the actual area of land, irrigated or unirrigated, which should be taken as the qualification. The number which which will as a result after attestation be so enfranchised cannot be calculated even approximately. If this step is adopted, a further question will inevitably assume importance. Together with this enfranchisement of the tenant class must be taken that of lowering the franchise of owners. We are not able to give any clearer picture of the standard elector nor to suggest any criterion of the franchise other than that imposed by practical considerations. Taking rural voters we do not think that the lowering of the land revenue standard to Rs. 15, 10 or 5 would make any appreciable difference in the class of voter. Whether a man owns land paying Rs. 25 land revenue or Rs. 5 he belongs to the same peasant class which though in many cases illiterate yet regards itself quite definitely as a village aristocracy—or at any rate as superior to the classes who do not own land. The difference is that while the man who owns and cultivates land paying Rs. 25 land revenue, may have no other means of livelihood, the man who pays Rs 5 almost certainly either takes other land on rent, or leaves his land to a relative to cultivate and seeks a living elsewhere. Judged by occupation he may more justly be classed in the tenant category. The Punjab Government, Ministry of Local Self-Government has recently lowered the franchise for District Board elections to the payment of Rs. 5 land revenue, but a similar extension of the Council electorate would, in our opinion, make an almost unmanageable addition to the roll; moreover, if tenants are enfranchised to some extent, any comprehensive enfranchisement of the smaller proprietor becomes *pro tanto* superfluous, for, as shown above, the latter have more in common as far as vocational interests are concerned with the tenant class than with the class in which they technically fall by their proprietorship. Further, we contemplate that an owner not qualified to vote as such should be permitted to count as a tenant qualification the area of his own land which he cultivates himself in addition to that which he holds as tenant to another. For this reason we consider, on the whole, that for the present lowering the land owning qualification to the payment of Rs. 20 land revenue will, with the proposed enfranchisement of tenants, add as large a number to the rural electorate as can at present be conveniently dealt with and may secure the representation of the more solid

elements of both interests. We, therefore, recommend that in the case of land owners, Crown tenants and occupancy tenants the qualification should be reduced to the payment of Rs. 20 land revenue. It is estimated that the effect of this will be to add some 120,000 voters to the register exclusive of an unknown number of tenants. On general grounds also there is room for extension of the franchise. There has been a great increase in general literacy, and the keenness in rural polling even in districts previously regarded as backward and remote, denotes an ambition which can hardly be disregarded.

6. The effect of these proposals, though not fully cognizable, will obviously be very considerably to increase the rural vote and, as has been observed above, the reduction of the difference between the urban and the rural franchise, which is in present circumstances anomalous, is one of the objects which we have in view. At the same time we think it impolitic to make a large extension of rural votes without some corresponding extension in towns, and we recommend that if the principle of increase above discussed is adopted in rural circles, the ownership or tenancy of immovable property not assessed to land revenue of the rental value of Rs. 72 per annum as against Rs. 96 should be the urban qualification for the vote. As a corollary the ownership of immovable property not assessed to land revenue should qualify if its value is 3,000, in place of the existing standard of 4,000. This will increase the urban register, but not it is expected in proportion to the increase in the number of the electorate which has been proposed above. These proposals for the extension of franchise though they chiefly serve the object of making rural and urban franchise more equal, will also lead to extend the field of political consciousness generally. In themselves they are not calculated to have any marked effect on the constitution of the legislature neither will the class of persons newly franchised differ in any noticeable degree from those who at present possess a vote, nor is it likely that the extension of the franchise will have any effect on the class of candidates elected though they may affect the volume of representation of various communities.

The Communal Question.

7. Having in the preceding paragraphs dealt with the question of the general extention of the Franchise we now approach a far more difficult problem ; one which has been, and will be, the subject of the keenest controversy, and one which has the most far reaching effect on the whole system of Government. That is the question of representation as between communities. The present system, under which the strength of communities in the Legislature is not left to the operation of natural forces, but is determinded by Statutory rule, is (as explained in paragraph 20, Chapter II) the outcome of the Lucknow Pact of 1916, as modified by representations subsequently made by the Sikh community. It is unnecessary for us here to canvass at any length the arguments used by the advocates or the opponents of the system of communal representation. On the question of principle, our conclusions must remain those of the Government of India in the Despatch dealing with the Report of the Franchise Committee ;

> " We feel the objections of principle to the communal system as strongly as the authors of the Reforms Report, but see no advantage at this state in reiterating them. India is not prepared to take the first step towards responsible government upon any other road. The road does not lead directly to that goal, and we can only echo the hope expressed by the Committee that it will be possible at no very distant date to merge all communities in one general electorate."

In one sense, we are now able to view the question with greater freedom than was possible in 1919, for the Lucknow Pact no longer holds

the same position as a binding agreement between the communities. The basis of existing communal safeguards are at present under public test; and various parties are laying bare the foundations and exposing their elements to scrutiny and suggesting changes in their composition. At the same time, we cannot proceed with complete freedom towards a reconstruction based on theoretically correct canons of representation. In the eyes of one of our great communities, at all events, the principle of communal representation has acquired a sanctity which we could not afford to disregard, whatever views we might hold on the correctness of the grounds on which the community stands for the maintenance of the system. A change to a more ideal form of representation might be dearly bought if it involved a degree of discontent or dissatisfaction which would imperil the working of such reforms as may be introduced in other features of the constitution. Again, a change in the system of representation which would reduce materially the strength of existing parties, even if based on principles which would normally be accepted as correct, might equally produce consequences which we might find reason to regret. The question is one which must be approached with every caution, and with a due recognition of existing facts.

8. It will be advisable to commence by a somewhat fuller analysis of the existing composition of the Legislative Council than has been given in paragraph 2 of Chapter III. As shown there, out of 64 elected seats in general constituencies, there are 32 Muhammadan seats, 20 Hindu seats and 12 Sikh seats.

Out of the 64 seats in general electorates half are, therefore, held by Muhammadans. But it is necessary to take also into account the seats representing special interests and to assign them to the various communities. We then add to the Muhammadan seats the representatives of Muhammadan Landowners and Baluch Tumandars, to Hindu seats that of General Landowners and to Sikh seats that of Sikh Landowners. In addition if, as the result of experience of the three sessions of Council, we count the University and Industry seats as Hindu and the Commerce seat as Christian, and reckon the three seats given by nomination to members of the European, Anglo-Indian and Christian Communities we arrive at the following communal distribution :—

Muhammadan	34	45·9
Hindu	23	31·1
Sikh	13	17·6
Christian	4	5·3
	74	99·9

The rest of the existing House is made up of 2 members of the Executive Council, 13 nominated officials and 5 nominated non-officials, total 94.

9. The first problem for disposal is that relating to the presence of the official *bloc* and of the nominated members not representing definite communities (*i. e.*, the Europeans, Anglo-Indians, and Indian Christians). The official *bloc* was a necessary feature of the first experimental stage of the reforms. There is no need again to dwell on the place it has occupied, or the extent to which it has contributed to diffusing the information necessary for considered criticism of administrative measures, or to giving stability to the Executive Government during a period of comparative inexperience of representative institutions. Its existence has also been of great importance as giving a sense of security to minorities. and any constitutional change which deprives minorities of this safeguard will seriously affect their future position. Nevertheless, while it has assisted stability and promoted the interests of sound and impartial administration, its presence has, as we have already shown, produced an element of

unreality in the responsibility of Ministers, who have been able thereby to supplement deficiencies in the votes of their followers. If real progress is to be made in trying out the principles of responsible Government, we feel that the official *bloc* should disappear as far as voting power is concerned. Owing to the lack of administrative experience in the Council, it will be necessary to retain a number of officials to explain the details of administrative measures and the grounds on which they are justified; but these officials while possessing the right to speak in the Legislature will not have the right to vote. The only official with a right to vote should be the official member of the Provincial Cabinet. We assume also for the present purpose, that it will be unnecessary to retain the five nominated non-officials not representing definite communities, though we shall have to return subsequently to the question of the advisability of finding means of giving a place to some of the interests which these nominations have in practice been utilized to represent.

10. With the disappearance of these official and nominated votes, the numbers of the House would be reduced from 94 to 75. Of these one would be official, three would be nominated to represent the European, Ango-Indian and Indian Christian communities (it being doubtful if we can find suitable electorates for these sections) and 71 elected. Before proceeding further, it will be well to consider whether there are any special interests other than those now provided, for which it is necessary to find a representation. We have already discussed the question of the depressed* classes. They will secure some representation in the agricultural tenant vote. They do not constitute a special problem in this Province; and it would be difficult to suggest any satisfactory electorate for them. As a result of these considerations, we would exclude them. Industrial labour, though not of first importance in the Province, has interests of its own—not directly or indirectly represented by any elected member at present in Council, though to some extent safeguarded by nomination. We would give them representation by one seat. The method of election of this representative will be a matter of some difficulty and will be separately explored. The military element is of primary importance in this Province. It has been represented in the past by the nomination from retired Punjab Indian Officers We would continue this tradition and include a member drawn from retired Indian Officers of the Indian Army domiciled in the Punjab. We can think of no other special interests which justify special representation. The total, with these additions, would now stand at 77.

11. As regards the total number at which we should aim, we consider that, from a practical aspect, considerations would tend to limit the numbers in the House to some figure between 100 and 125. In existing conditions the numbers could not well be increased beyond this figure without making too great a call on the Province for men with the requisite qualifications and time to devote to public business. We would prefer for consideration a figure nearer the lower than the higher limit, as this would represent a sufficiently substantial increase in existing elected figures—an increase between 23 and 33, depending on considerations of convenience and on the questions whether all the interests just referred to can or cannot be represented by election.

12. We now have to consider the system to be followed in obtaining these elected members. We again desire to emphasize the fact that the addition to the elected strength of the Council has been largely attained by eliminating the official nominated members. In view of the position which these members have occupied in the history of the Council, this in itself already constitutes an important break with the past, and makes for caution in considering the claims of those who advocate the further break which would be caused by the adoption of an elective system allowing free play to the votes of the electorate, and would not seek to assign

* Part I (Descriptive matters) Chapter I.

in advance any proportion of communal representation in the Council. Apart from this consideration, we may add that we are by no means convinced that there is in the province at present any strong body of opinion in favour of this development. The Muhammadans as a body are strongly opposed to any system of open electorates. Among the Hindus, though the great majority are strongly opposed to the existing system of separate electorates, there are large numbers whose declared preference is for the reservation of seats, though election would be by open voting. Such representations, as we have seen from the Sikhs, are against separate electorates, though they claim that if seats are reserved for communities a third of the total number should be reserved for their community. It must be realised that the views of the different communities are liable to be largely affected in this matter by recognition of the difference between population and voting strength. The result which would be attained by voting under manhood suffrage, controlled by organized parties, would be very different to those which would be given by the vote on a somewhat restricted franchise.

13. We have thought it right to explore whether a system can be adopted which, while it will make an advance towards the more normal system of representation to which the Government of India looked forward in 1919, will not, in attempting to satisfy that ideal, so far overlook existing facts and the feelings of the electorate as to lead to a political deadlock, or to an embitterment of communal feeling. We have, in the first place, considered whether it would not be possible to guarantee the adequate representation of communities, while avoiding the defects of the present system, by adopting the system of proportionate representation, which was recommended for consideration by the Joint Select Committee in clause (7) (*m*) of its Report. We have, however, found ourselves unable to support the adoption of this system. In order to provide for the needs of all three communities, unequally distributed in the different parts of the province, it would be necessary to have constituencies so large that canvassing would present great difficulty, and there would be little possibility of close touch between the elector and the candidate. Nor do we think that it would be easy for the Punjab elector, especially for those who are illiterate, to arrange a list of candidates in order of preference. The system has not gained general support in Western countries, for it is not easily intelligible to the ordinary voter, and its adoption for general use in India would for the same reason result in diminishing the interests now taken in elections. We have, in the second place, considered whether it would not be possible to arrange territorial constituencies in such a manner that a system of open voting would be likely in ordinary circumstances to give communities a representative corresponding to their population or voting strength. Here we have to face two difficulties. Not only are the Muhammadans so strongly opposed to open electorates that the adoption of this system would produce strong dissatisfaction in a community which comprises 55 per cent. of the population of the Province, but we apprehend that it would in present conditions actually tend to intensify communal feelings. In the existing prominence of religious rivalries, it can not be denied that the possibilities are that elections would be conducted on religious lines and under religious auspices, and probably with an accompaniment of religious controversy of a very undesirable nature. Within communal hedges the controversies may rest between personalities, or as we hope political programmes and policies, but once these dividing features are removed, the latter considerations will, in present conditions, it is feared, disappear and leave an open plain to religious cleavage as the sole rallying cry of the opposing forces. In the result, if we did not actually imperil the peace of the Province, we might undoubtedly arouse passions which would leave an after-effect of communal bitterness within the Council.

14. A third alternative has presented itself, namely, the reservation of seats for each community, combined with election by open voting. The proposal involves a very considerable departure from normal procedure,

in that it contemplates the previous fixation of communal representation ; though it may be tempered by the admission of the open electorate it is already a long step towards communal representation as now practised. As we have stated, there is a considerable section of Hindus in favour of this proposal ; the attitude of the Sikhs towards it is not altogether clear. Those of the Hindus who support it, claim that it avoids the evils of full communalism, in that it does not take away from the minority community its right to influence the selection of members of the Legislature ; they point out that if the minority does not desire exclusion from the exercise of this right, it is unfair to force that exclusion on it at the instance of the majority. It is unnecessary to repeat that the Muhammadans are, as a community, strongly opposed to any system of open voting. It would not, in their view, be sufficient to secure for their community adequate representation by reservation of seats; they claim that representation can only be regarded as full and satisfactory if it is secured through the separate votes of their own community. They disclaim, as a community, any desire to influence the choice of Hindus in selecting their own candidate; but a Muslim who might owe his selection largely to Hindu votes would not be regarded by them as capable of voicing the true feelings of their community.

15. While the system may offer some attractions, in that it recognizes open voting, it is not devoid of difficulties. It does not save us from the embarrassing necessity of fixing proportions in advance, with the inevitable difficulty of deciding whether proportions shall be fixed on population or voting strength, or whether the calculation needs in particular cases to be weighted in order to give effect to the special claims of a minority community A distribution on population basis would give Muslims 55 seats, Sikhs 11 and others 34 ; a distribution on present voting strength would give a proportion of 44 Muslims, 24 Sikhs, and 32 others. The difference is therefore considerable, and the basis to be adopted for fixing the proportion of reserved seats would in itself become a matter of acute controversy ; nor would a decision be rendered easier by the fact that the actual proportion of voters to communities, under our proposals for the extension of the franchise, is difficult to ascertain. If the system gives to the minority the power of influencing the choice of the majority, it also gives in many cases to the majority a preponderating influence on the choice of the candidate of the minority, a fact which, we think, is not yet sufficiently appreciated by the latter. We are also apprehensive that mixed voting for reserved seats will involve much of that canvassing on purely religious lines and consequent embitterment of communal feeling which we have thought to be the likely consequence of open voting for territorial constituencies. There, moreover, are certain practical difficulties connected with the system of reserved seats. If every member of the minority has to have a vote for a reserved seat the constituency can be no smaller than that which is entitled by numbers to a single seat. This would in the Punjab give several 8 and 10 member constituencies. The difficulty could be got over by assigning the reserved seats to selected constituencies, but this would disenfranchise members of the minority in other constituencies in respect of a reserved seat.

16. Obviously very great difficuties would attend the application of any one of the above three systems to the whole of the seats in the Legislature. It remains to be seen whether there are any other alternatives to be explored. One method that may merit examination is to take the existing elective element as fixed, and to explore by what methods additional elective seats sufficient to bring the total up to the figure, referred to in paragraph 11, could be divided up. It may be recognized that some of the communities regard their existing representation as an achieved right which they would not willingly see varied or diminished, and to start from this premise offers security against any too radical break with the past. Starting from this basis, let us assume for the moment that the 74 seats, whose communal composition is given in paragraph 8, are left intact, to be filled precisely by the same method as they are now filled but subject to one addition, that is the addition of one seat in the

landholders' constituency ; as the number of voters for the Muhammadan landholders' constituency is more than equal to the combined voters in the general and Sikh landholders' constituencies, and it would appear equitable that another seat should be added and that there should be 2 instead of 1 member returned by the Muhammadan landowners. We have also to take into account the substitution of election for nomination for the representatives of the European, Anglo-Indian and Indian Christian communities if further examination shows this to be possible. This is a matter in which we prefer not to commit ourselves without a clearer indication than we at present possess of the wishes of the several communities. We have also proposed to add 2 seats, though we cannot at present say whether it will be possible to fill them by election, in order to represent special interests (Industrial labour and Indian officers), and we have also to add one official seat. This would bring the number from which a start might be made to 78, in place of the figure of 77 given in paragraph 10.

17. We have explored the problem of how to fill additional elected seats so as to bring numbers up to the total envisaged in paragraph 11 on the following lines though, as will be seen later, we are unable to come to any conclusion. Our examination has been conducted from the point of view that approximately 28 seats should be added. One alternative is to add 28 seats open to general election—one for each of the 29 districts in the Province except Simla which should be joined with Ambala. The theoretical advantages claimed for open electorates need not again be explained. The *a priori* disadvantages have already been set forth in paragraph 13. Our exploration of this alternative leads to the conclusion that no rough estimate can at present be made of the communal results of such elections. Any estimate must be obscured by too many uncertain elements to command confidence. It is impossible to foretell the precise effect of the additions suggested in the electorate, but it is fairly certain that in some districts the changes will have a considerable effect on the present balance of the composition of the voters list. Obviously also results must vary considerably if the vote of a particular community is split up between two candidates, or if all three communities put forward separate candidates or, in the alternative, if two out of the 3 combine to support a joint candidate. Judged simply by the data of the present voters lists 7 districts would probably return Hindus ; 5 districts would probably though not certainly, return Sikhs ; and 12 districts would return Muslims. But the issue in the remaining 4 districts is open. In these conditions it is hardly to be expected that the prospect, which this system offers on account of its speculative nature, is likely to secure any general acceptance. The system is likely to give results substantially divergent from present expectations. It is doubtful if the communities concerned would be willing to commit themselves to the adoption of a plan which gives such a slight degree of assurance of realisation of their respective aspirations.

An alternative method, which has also been explored, is to add the same number of district contituencies with open electorates but reserved seats. If a start is made from existing and known data, one obvious method would be to reserve seats for that community which on the existing roll has the greatest number of votes. If this method were pursued the Hindus and Sikhs would retain 7 and 5 seats respectively and Muslims would secure 16 out of the 28 seats. In the Council as a whole (excluding the seats to be filled by labour and Indian officers and the official member), the addition of these 28 district seats and the second seat for Muhammadan landholders would produce a Council composed of 51 Muhammadans, 30 Hindus, 18 Sikhs and 4 Christians with a percentage of seats communally determined of 49½, 29, 17½, and 4 respectively. The *a priori* considerations attaching to the method have already been discussed in paragraph 14, and while in point of principle the method might gain some approval in some quarters from Sikhs and Hindus, it would not at present be acceptable to Muslims. In either of the two alternatives mentioned above, as regards the distribution of seats

between urban and rural interests it is no doubt the case that while the urban voters would exercise some influence in general district constituencies, these constituencies and the additional landholders' constituency would be preponderatingly rural in complexion, and therefore the proposal goes some way towards making the representation between rural and urban bear a somewhat more accurate relation to the figures of population.

19. The third method of distributing the additional seats would be on the basis of purely communal electorates. We have explained that at the present stage the latter method is one to which the Muslim community as a whole attach great importance. Their adherence to the system is not due to considerations confined to this Province Numerical results, which might be satisfactory to them in the Punjab, could possibly be obtained by the second alternative, but the principle involved is repugnant to them because of its possible repercussions on scattered Muslim communities in a minority position in other provinces.

20. At the moment between the various alternatives which we have explored, we find ourselves unable to make any definite choice. Too many doubtful factors exist which would seriously affect our conclusions on the subject. The final claims of different parties in respect of franchise have not yet been set forth with the reasons on which they take their stand. A far more precise indication is required of what the extension of franchise proposed in this Province involves in terms of communities The position of minorities in other Provinces materially affects the situation; and the problem cannot be considered and judged in compartments. Indeed, any premature declaration in favour of any alternative might prejudice the possibility of the most desirable consumation of all, that is of the reaching of an agreement as regards principle by the great communities themselves.

21. We have in the above suggestions contemplated a Council of 105 members. Whatever number of seats may be fixed, and whatever method may be adopted for filling them, we think it to be desirable for Government to have the power of nominating two members for the purpose of any technical Bills to be introduced in the Legislative Council as additional members of the Council. These members would be persons possessing special knowledge or experience of the subject matter of the Bill. It is not anticipated that the provision would be resorted to except on rare occasions.

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PART V.—JOINT MINUTE BY THE REVENUE MEMBER AND THE MINISTER FOR LOCAL SELF-GOVERNMENT, PUNJAB GOVERNMENT.

1. There is a great deal in Parts II and III with which we are in general agreement, and it is only here and there that we feel it necessary to offer a comment or venture to differ on points of importance. The wide and varied administrative experience of the official Members extending over 34 years in one case and 29 years in the other, including the experience of the reforms administration in a province extending over 4 years in one case and over 2 years in the other has enabled them to deal with this difficult subject with a thorough grasp of its details, and it is perhaps on account of their great and varied experience that they are not unnaturally inclined to be more cautious than they would have been otherwise. While appreciative of the great development which has taken place in almost all the 'transferred' departments, describing it as the "outstanding characteristic of the reforms period," while acknowledging the fullest co-operation of all those to whom opportunities of co-operating were given, while placing on record on the whole markedly responsible way in which the Punjab Legislative Council has co-operated with the Executive and influenced it to carry on the administration more economically and more efficiently, thus giving signal proof that confidence can be reposed in its sense of responsibility, the official Members of Government have considered it necessary to place far-reaching restrictions on their recommendations. This may possibly be due very largely to their very considerable administrative experience which, while an asset of the greatest possible value in matters of administration, cannot but ordinarily tend to make the efficient administrator err on the side of caution when formulating proposals of constitutional advance.

2. We agree with the official Members' comment in paragraph 3 of Part II, that Parliament has already divested itself of its responsibility for the good governance of India as regards the 'transferred' subjects; and with the official Members' enunciation of the test provided by Parliament, for determining the present advance regarding further divesting itself of its responsibility for the good governance of India, *viz.*, "the measure of co-operation received from those on whom new opportunities of service were conferred, and the extent to which it has been found that confidence can be reposed in their sense of responsibility." It has been said by His Majesty's representative in the province, His Excellency the Governor, in his addresses to the Legislature from 1921 onwards, that full measure of co-operation has been given to him by the Legislative Council and by the Ministers. It is also admitted on all hands that general development in the 'transferred' subjects has been phenomenal, and unprecedented during any period of pre-reforms Government. It is no doubt possible to argue that the same advance might have been achieved *if the administration had set itself to accomplish it.* But the fact remains that previous administrations did not set themselves to achieve it, and were not able to evoke that response from the public without which the great educational advance of the last 7 years would have been impossible. Avoiding thus the past time of conjecture in the domain of possibilities, and taking cognizance of facts, one cannot but come to the conclusion that the great success achieved by the 'transferred' departments has been due to the political awakening of the countryside and the Government being responsive to it and ready to meet the demands of the people—the two features of the reforms so well brought out in paragraph 4 of Part II.

3. During the course of their comments on the sense of responsibility shown by the elected representatives in the Legislative Council in the exercise of their vote, while acknowledging that at a critical period and at some risk too, they showed themselves ready to support Government in the taxation necessary to re-establish the finances of the province, the official Members point out (paragraph 7 of Part II that the Council has *not always* shown itself able to keep an open mind in approaching those questions on which fashion has established a prejudice against the Executive Government. The words "not always" were

undoubtedly intended to convey the meaning that in most cases the Council has been able to keep an open mind. This is indeed high praise when it is remembered that it has been earned during the non-co-operation period. It has been said that the Council has been prone to pay more attention to communal considerations than to the merits of the matter at issue That is a criticism which is quite in fashion. Can it not be said of the official proposals in Parts II, III and IV that they pay more attention to communal considerations than to the merits of the matter at issue. For a dispassionate consideration of the question—whether the reformed Council has paid more attention to communal considerations than to the merits of the matter at issue—it would be necessary to determine which matters were under consideration and what were their merits. Take the case of recruitment of services. How far is it fair to criticise the Legislative Council in this way, while the recruitment to the Indian Civil Service, as sanctioned by the Secretary of State himself, pays attention to communal considerations ? How far can it be said that racial considerations do not influence the decision the problem of Indianization ? As a matter of fact do not racial and communal considerations form part of the merits of the many problems when they come before a Legislature or any other authority ? Those affected by the decision of those problems are bound to concentrate on important considerations which form the merits of the matter at issue. Communal considerations have formed part of the merits of various problems which have been connected with the departments administered by the official Members themselves, including the recruitment of services in those departments; and this has been so in the reformed administration as it was in the pre-reforms administration. Again, the criticism that on many occasions the vote appears to have been unduly swayed by personal alliances or prejudices shows that their long administrative careers did not permit their working on large deliberative institutions in their own country or in Europe; but the members of the Commission will recall numerous instances where personal alliances or prejudices have swayed the Mother of Parliaments. Again, it is hardly fair, knowing that different sections of the House, balancing each other, enables the Executive Government to have its own way to a larger extent than would be possible otherwise, to complain that even balance of different sections of the House, with small bodies standing aloof, has made the Council at times appear inconsistent. The existence of such conditions may in no small measure be due to the constitution itself or to the action of the Executive. We have not been able to recall such incidents, but if there have been any, they are bound to be pretty few. Lastly, Ministers may at times have experienced some difficulty in knowing whether they can depend upon their party for the support on which they might legitimately have counted, but we are quite clear that such difficulties have not occurred more than once or twice during the last eight years.

4. Under the effect of the Reforms Scheme as a whole on the general administration of the province the official Members sum up as follows:—

(*i*) As regards law and order :—

(*a*) " Communal dissensions have led to open disorder and the Reforms Scheme is partly responsible for it." Communal dissensions did not come into prominence during the first three years of the reforms scheme, in fact they were the years of mutual goodwill during the non-co-operation period. Is it not more likely that as the non-co-operation movement *vis-a-vis* the Government weakened, it continued to function in communal dissensions ? Such mass movements do not as a rule terminate as spent forces, but turn into something else before they are actually spent. The fact that since the appointment of the Royal Commission, the communal question has receded into the background, and the non-co-operation has revived, lends support to the view we venture to take.

(*b*) " Security services have suffered from the retirement of a large number of experienced officers, though a *considerable* portion of these retirements were only indirectly connected with the introduction of the reforms". This point is hardly relied upon by the official Members as a grievance against the reforms, because, as has been rightly admitted, a *considerable* portion of these retirements were due to the financial advantages which retirement on proportionate pensions offered to officers who were young enough to make a new start in England. In many other cases it was due to private reasons. It is also worth mentioning that as regards the Services of the Transferred Departments, so far as we recollect, not a single retirement took place on account of reforms, and a case of retirement on proportionate pensions was accompanied by the assurance that it was not the reforms, but the advantages of getting settled in England at a suitable age with the help of financial assistance that proportionate pensions rules provided, that led to retirement. We do not recollect any other case of retirement of members of all-India services so far as the Transferred Departments are concerned. It is therefore not fair to hold that the members of all-India services functioning in 'reserved ' subjects had any reasonable occasion to retire on account of reforms, and were it not for the generous rules of retirement on proportionate pensions the difficulty complained of would not have been experienced.

(*ii*) The official Members admit that as regards other branches of work it would be unreasonable to say that there has been general deterioration of standards since the introduction of the Reforms Scheme. What the Reforms Scheme has brought out is public voice, voice of the electorate, voice of the representatives of the electorates, and their voice naturally gives expression to their complaints relating to not only the policy of various departments but also relating to the way in which officials of various departments work. It is therefore obvious that from the increased volume of complaints it should not be understood that the evils have come into being only with the reforms scheme. With an enlarged Council, with a more representative Council and with an elected Council it is but natural that the grievances of the public be ventilated and the shortcomings of officials of Government brought to light and made much of. In other words, the reforms scheme administration has called for higher standard of honesty and efficiency and better treatment of the public, and to that extent has exposed defects in the administration. The same remarks apply to local bodies. The standards of efficiency and honesty that prevailed before the introduction of the Reforms Scheme were not subjected to public criticism to the extent to which they are now being subjected, and so it is now being demonstrated that the public demand higher standards of administration, *i.e.*, higher standards of efficiency and honesty, and unless the Government is able to improve its standards the people will not be satisfied. In this connection official Members have observed that there is a feeling in many of the provincial services that communal considerations are *now* allowed far more weight than before, not only in the matter of recruitment but in departmental judgments affecting their conduct and capacity. Those of us who have had experience of the pre-reforms Legislative Council and of the public life in the first decade of the present century administration, have heard these very complaints

vigorously made before the Reforms Scheme. In fact they were present long before then. It is very likely that the official Members have been told, by some members of provincial services, their grievances against their officers of a different community. In Indian circles, especially in service circles, the belief prevails that European officers have submitted to the reforms rather than welcomed them, and therefore any disparagement of the same is not likely to displease them and may actually show how 'sensible and well-balanced mind' the complaining officer has. Several of us have had opportunities of controverting this belief, but it is so firmly rooted in their minds that it is no use arguing with them. We firmly believe that there has been no appreciable change in such matters, and that complaints in that line have existed as long as our memory goes back.

5. The official Members' estimate of the degree to which political advance is actually desired by public opinion at large is fairly accurate. Advanced political parties demand complete provincial autonomy with responsible and representative Government, and with a Governor who is a replica of a constitutional sovereign of modern days. Less advanced politicians want provincial autonomy, but with a Governor who has more powers than a constitutional king. It is to this class that politicians with minority interests belong. The official Members have shown not an unnatural solicitude for a considerable class "whose territorial and social influence has been built up on the support of the present administration." This is a class which the politicians dub as reactionaries. Our experience is that this class has already proved itself to be adaptable and no apprehensions as to their future need be entertained. The very qualifications which helped them under the bureaucratic Government were not likely to forsake them during the Government established by the reforms. With them—"the king is dead: long live the king" is a constitutional truth which must guide all their activities, and during the last eight years they have done well. As regards those not directly interested in political questions they do not as a matter of fact 'think'. They are not the people who call for European element in services. It is as a matter of fact the less advanced politician with community interests who considers a third party better than the opposite party.

It would be a mistake to assume that the demand for advance is not keen or considerable. The countryside demand extended franchise, agricultural labourer is dissatisfied, the right of village officials, *lambardars*, *zaildars* and *sufedposhes* to domineer over others is being questioned, peasant propaganda has had its effect, the right thing to do therefore is to assume that the countryside will not be satisfied unless there is extension of franchise, leading to the establishment of a responsible government which will institute a sympathetic investigation into all their real or supposed grievances.

To sum up the Punjab has worked the reforms extraordinarily well. The Punjab has done so well that the advance secured to it should not be less than that provided for any other province. That is we believe, the view from which official Members of Government do not dissent.

6. *Lines of Advance.*— We agree with the official view that the so-called lines of advance discussed in paragraph 16 of Part II are all out of question. In paragraphs 19—27 various 'reserved' departments have been brought under review and the perils of transferring them indicated. If the present Transferred Departments were similarly examined it would appear that the perils are not less serious. The apprehension that a rural majority will do away with land revenue and water rates is not well-founded, because it is the countryside which needs development to

reach the standard of development attained already in urban areas, and this cannot be done unless revenues are forthcoming to secure that development. It is therefore in the interests of the rural majority to increase the revenues, and, as recognised in paragraph 7 of Part II, the existing rural majority has already been tried and found worthy of confidence. The experience of 8 years of administration under the reforms enables us to give cordial support to the official proposal that all the departments be transferred.

7. In paragraph 15 of Part II four objections are urged against provincial autonomy :—

(*i*) Possibility of a community not being represented in Government.

(*ii*) Minority interests.

(*iii*) Absence of guarantees to Central Government and other provinces.

(*iv*) Undesirability of withdrawing from members of the service a position to which they can now look forward.

As regards the third, there is no such desire and the rules already made by the Secretary of State as regards ' transferred ' subjects provide for them.

As regards the fourth, in the Punjab there was no Executive Council and the service had no opportunity of looking forward to an Executive Councillorship. Therefore, the mere fact that during the last 7 or 8 years there has been a service Executive Councillor creates no vested interests of any sort, which should for a moment be allowed to stand in the way of grant of provincial autonomy.

As regards the first and the second, the possibility is there, but either on that ground provincial autonomy throughout India becomes impossible or has to be given in spite of these two objections. It is obvious that on these two grounds the Punjab could not be accorded a treatment different from that accorded to other provinces.

8. In the latter part of paragraph 14 of Part II the constitutional question is propounded, and the last sentence of paragraph 18 sums up the position :—

> " Practical considerations dictate that in the purely provincial field Parliament cannot entirely divest itself of powers of supervision and control exercised through the Central Government ".

The subject is further developed in paragraphs 29-30 of Part II. This important matter is differently put in different parts of the Memorandum, and it is essential that the matter be put clearly and frankly. At present so far as the Transferred Departments are concerned the Government of India has been excluded from their administration, while Parliament has divested itself of its powers of supervision and control exercised through the Central Government. We have not understood the official Members to say that this divesting itself of powers by Parliament and investing the local Legislature with it should be rescinded. We believe that they could not have intended to be understood to put forward that view, because this is the one thing which will be resented all over India by people of all shades of political opinion. We find some difficulty in understanding the official proposal. It is clear that the present Reserved Departments are all to be transferred. Is it intended that as regards these departments Parliament should *not* divest itself of its powers of supervision and control exercised through the Central Government at present, though Parliament has already done so in the case of subjects transferred under the Act of 1919 ? We are quite clear that the divesting in this case by Parliament of itself of these powers of supervision and control and investing the local Legislatures with the said powers should be carried out in the same way and to the same extent as already done

under the Act of 1919 and the rules framed under it. This the main point on which we find ourselves in direct disagreement with the official Members. This transfer will be no transfer if the Parliament does not divest itself of the responsibility of supervision and control, and there would be no investing local Legislatures with that authority to which ministerial responsibility could be attached. If there is no complete transfer from the British Parliament to the local Legislature how can the responsibility of the Cabinet to the Council be a reality ? Is it proposed that those Members of the Cabinet who are in charge of the *newly* transferred subjects should owe a double responsibility, partly to the local Legislature and partly to Parliament ? Or are the powers of the Cabinet to be split up into two, part of it to be in charge of the Cabinet formed of the elected members of the local Legislature, and the remaining part to vest in the proposed 'service' Member, who is to be a Member of the Cabinet ; the former being responsible to the local Legislature and the latter to Parliament. If so, then this transfer of subjects is of no value whatsoever, and it would be far better to have some of the subjects transferred, while others remain as reserved.

If by any chance it is intended that Parliament should go back on its divesting itself of powers of supervision and control as regards the subjects transferred under the Act of 1919 and that now all the subjects be under dual control, then this will result in a much worse dyarchy than the one which exists at present. In fact then dyarchy will run throughout the administration. Local Legislature will not be supreme in any department, and the powers of Parliament will be the same as in the pre-reforms period. We see no reason why the transfer of the Reserved Departments should not take place under the very conditions under which the present Transferred Departments were handed over to the reformed Government. It is not shown in what respects the Instrument of Instructions has been found to be insufficient. Local self-government and provincial autonomy cannot possibly prosper if the Secretary of State continues to exercise his " supervision and control " through the Central Government.

As regards " the method of control " discussed in paragraphs 39—40 of Part II, the following criticism appears to be cogent and relevant :—

(*i*) The provisions of the Act relating to the present transferred subjects and the Instrument of Instructions and the rules made under the rule-making power of the Act have been found to be adequate, and so far as we are aware during the last 7 or 8 years no cases have arisen where they were found to be insufficient.

(*ii*) Why should the same provision not do for the subjects which are going to be transferred now ?

(*iii*) Constitutionally it is common ground that as regards the transferred subjects power of control passed from the British Parliament to the local Legislatures. If so, then the exercise of control by Parliament is meaningless, and therefore the question of method of exercise of control does not arise.

(*iv*) In paragraphs 39-40 Central Government figures largely. This is contrary to the existing constitution. As regards ' transferred ' subjects, Central Government is not in the picture, except to the extent of bringing various provinces together for the purposes of mutual consultation.

(*v*) Once again, paragraphs 39-40 scrap the local Government and substitute the Governor in its place. Surely, if provincial autonomy means anything it means that the local Legislature is supreme and that the Cabinet responsible to that local Legislature constitutes the Government of the country subject to the position with which the law invests

the Governor. So it will be the Local Government that will be in communication with the Central Government or the Secretary of State and not the Governor in his personal capacity. Therefore, we are not in a position to appreciate conditions such as follows :—

(*a*) Certain *control* be exercised by Parliament and it be exercised through the Governor.

(*b*) Governor will be acting in a dual capacity—

(*i*) as agent of Parliament exercising control over the local Government ;

(*ii*) as President of the Cabinet and part of local Government.

(*c*) Governor in future will be performing *in his own person* the obligations towards the Central Government which now fall on the Governor in Council.

(*d*) The advice or instructions of the Central Government will be conveyed *to him personally*.

This sounds more like a Resident in an Indian State.

(*e*) The Governor will be invested with statutory powers to intervene. All this does not sound very well for the Cabinet which is to be responsible to the Legislature.

(*f*) On the grouud that the Governor of the scheme will have much more increased responsibility than he has at present, and will have larger duties, it is claimed that he will need an official colleague. We may be pardoned for saying so, but it amounts to having a Deputy Governor, and this Deputy Governor must be a Member of the Cabinet, whose support the Governor will need when presiding over the Cabinet ; and from what is said in paragraph 40 it would appear that he is likely to have the portfolios of 'peace and good order' and 'finance'. But this is not all. He will not only deal with the two subjects which may be entrusted to him, but he is to have his finger in the pie of every Minister, including the Chief Minister, since there is to be a convention of joint working and he is to have the power to influence their views and policy, and so presumably he is to have his own views and his own policy. We are not told whose policy is to prevail when the Deputy Governor's policy differs from that of the Cabinet and what will be the situation where the Ministers differ and his vote constitutes the majority. To sum up, it appears that this official Member of the Cabinet is to have much wider powers than the present 'service' Member of the Executive Council. It further appears that the Governor of the future is to have much wider powers than he has at present. So it does seem strange that on the inauguration of provincial autonomy the number of service Members should continue to be the same, and their powers enlarged and yet it should be compatible with larger powers having been conferred both on the Ministers and the Legislature to the extent that provincial autonomy demands.

In Part IV it is proposed that the official Member should also be an *ex-officio* member of the Legislature with a right to vote. It is not made clear whether he will vote as directed by the Cabinet or not. It is not stated whether he will have the right to remain non-voting on any subject on which the Cabinet is voting. It seems inconceivable that a 'service' Member be voting with the opposition and his remaining non-voting amounts very much to the same thing.

9. *The Position of the Cabinet.—Paragraph 41 of Part II.*—It is not made clear whether there is to be a Chief Minister or not, and if there is to be one whether he can hold meetings of his Cabinet whenever he likes, besides those over which the Governor presides. It is also not quite clear whether under the official proposals it is the Chief Minister who constitutes his Cabinet and submits the proposals as to the appointment of his colleagues for the Governor's approval or whether it is the Governor himself who appoints each individual Minister, and, lastly, it is not clear whether on the recommendation of his colleagues a Member of the Cabinet can be excluded from the Cabinet.

10. We do not think that as regards charges on the consolidated fund, there is any need for devising a method of enforcing the disbursement of these charges on the Executive Government. The sanction behind it is the very Act under which the constitution has been created.

The suggestion in paragraph 38 of Part II is already being acted upon now, but under altered conditions 'Governor' would presumably mean the Cabinet.

11. *The Services—Paragraph 42 of Part II.*—This is a point on which Indian political leaders hold very strong views, and there is considerable feeling in Indian circles on it.

(*i*) All services should be recruited by and kept under the Provincial Government. The only ones which might be considered for a different treatment are the Indian Civil Service and the Police Service. As regards these, their recruitment should continue to be in the hands of the Secretary of State ; but as regards exercise of control over them that should be finally in the Public Services Commission.

(*ii*) As regards the existing proportionate pensions rules, they should continue. They are generous enough as it is, but we cannot support the official proposal recommending the extension of these rules. Having made a rule in 1919 to cover the present stage of advance there seems no justification for extending it again. Remembering that the existing rules have been abused, *i.e.*, put to uses other than those for which they were devised, it seems unfair to extend them. We do not know how many further stages of advance there are to be discussed in the future, and at every time when a particle of power passes from the British Parliament to the Indian people it is highly derogatory to India to have to consider the question of giving such options. The question was settled in 1919 and should not be re-opened again.

As regards the proposal in paragraph 44 it would be as well to establish a Public Services Commission, but we are not in favour of the members of provincial services having two authorities dealing with their appeals—the Public Services Commission and the Governor. On the establishment of the Public Services Commission it would not be necessary to continue appeals to the Governor.

12. *The Constitutional Question—Paragraph 1, Part III.*—We are not quite clear as to the purport of the sentence: "We have assumed that in the case of the additional subjects now proposed to be transferred power would vest in the Provincial Government in the same manner as it does now in the case of transferred subjects, that is, that power would be derived by direct delegation from the British Parliament to the Provincial Government". There seems to be obviously some misapprehension on the subject. Constitutionally what has already taken place in 1919 is that Parliament divested itself of its powers of supervision and control in the case of certain specified subjects, then called transferred subjects. This seems to us a bit different from the

British Parliament delegating certain powers to Provincial Governments, Provincial Government under the proposed provincial autonomy does not come into being till after the creation of an electorate and an elected Legislature. So Parliament having divested itself of powers of supervision and control, and having invested the local Legislature with the said powers, it is then that Provincial Government comes into being and derives its powers from the Provincial Legislature and the Statute.

13. We agree with paragraphs 2, 3, 4 and 6 of Part III and emphasise the following :—

(*a*) " That *vis-a-vis* the Central Government Provincial authority should be absolute except where expressly limited by Statute ".

(*b*) " The revenues and property allocated by Parliament to a Provincial Government should be secured to it by Statute ".

As regards paragraph 5, the difficulties in the way of making rules seem to be so great that possibly doing away with previous sanction rules would be a better alternative.

14. We are in general agreement with the rest, but we are not quite in agreement with paragraph 29 of Part III. Surely, the control of provincial balances is essential.

15. *Franchise as discussed in Part IV.*—The conclusions of the official members are :—

(*a*) Franchise is governed by two considerations :—

Firstly, the manageable size of electorates ;

Secondly, electorates should be large enough to be representative.

(*b*) In rural areas the percentage of electorate to the population is 5·3, in urban areas 12·3, and this divergence is due to the existing franchise, *viz.*, admitting urban tenants to a vote, but not admitting rural agricultural tenants to a vote, and also to the franchise in urban areas for tenants being very low and the franchise for land-owners being high.

(*c*) *Paragraph 6, last portion part IV.*—" Extension of franchise will lead to extend the field of political consciousness generally, and the changes are not themselves calculated to have any marked effect on the constitution of the legislature. Neither will the class of persons newly enfranchised differ in any noticeable degree from those who at present possess a vote, nor is it likely that the extension of the franchise will have any effect on the class of candidates elected, though they may affect the volume of representation of various communities ".

(*d*) Agricultural tenants should obtain a vote.

In view of the above conclusions the official proposals as regards franchise seem to be inadequate and open to criticism. They are :—

" that franchise for urban tenants be reduced from 96 to 72, and that in the case of landowners it be reduced from 25 to 20, and in the case of agricultural tenants the qualification be occupation of agricultural land which roughly pays Rs. 25 land revenue ".

Further extension in these directions admittedly is not going to revolutionize the electorate nor the legislature, but is sure to extend the field of political consciousness generally and is going to give a right to those who value it, and who, according to the official Members, are as likely to exercise it well as others whom it is proposed to give. As to the manageable size of electorates what is needed is reduction in the territorial size of the constituencies. When a representative holds a meeting in a group of villages no harm is done if land-owners paying less than Rs. 20

land revenue are present. We therefore propose that the land-owning qualification be reduced from 25 to 10 ; and urban property qualification be reduced from Rs. 4,000 to Rs. 2,000. Our reasons are:

(*i*) as regards urban qualification, that a vote is allowed to an occupier of property of which the rent is Rs. 72. Surely you can't refuse the owner of that property a vote on the basis of that property, and the value of that property is not likely to be Rs. 4,000 or Rs. 3,000, but is more likely to be Rs. 2,000.

(*ii*) As regards rural franchise, taking the urban franchise as Rs. 72, the agricultural tenant who pays his landlord Rs. 72 a year for occupation the land revenue portion of Rs. 72 is seldom more than Rs. 12. We would therefore fix Rs. 12 as the agricultural tenant's qualification, and in the case of the agricultural landowner we would fix Rs. 10 land revenue as his franchise.

What we have suggested above is probably the least that would satisfy the province. Claims for adult franchise are being pressed by certain politicians, but our suggestions above, though not meeting that demand, would go a considerable way in working up to it.

16. The present constitution of the Legislative Council as given under Paragraph 8, Part IV, needs a word of explanation. There are but 71 elected seats, and it would have been as well to give their distribution separately and then to add nominated seats to them. Moreover, there seems no adequate reason for splitting up the nominated seats into two parts, 3 of the European, Anglo-Indian and Christian communities being given under the percentage, while the remaining five not being included in it. Distributed communally the elected 71 seats are divided as follows :—

Muslims	...	...	...	...	34
Hindus	...	..	...	...	23
Sikhs	...	...	...	...	13
Christians	...	...	...	...	1
		Total	...	...	71

So the position is this.

In general electorates Muslims have 50 per cent.

In general electorates *plus* " special interests " they have 34 out of 71, or 47·8 per cent.

Add nominated seats and they have 36 out of 79 or 45·56 per cent.

It will thus appear that as we move from general electorates to " special interests " and then to nominations their 50 per cent. is reduced to 45·56 per cent. This the Punjab Muslims have considered as a grievance and a very real grievance against Government. Under the Lucknow Pact they got 50 per cent., and Government has proceeded to reduce that 50 per cent. to 45·56 per cent.

17. Official proposals are that the official *bloc* should disappear so far as voting in the legislature is concerned. We are prepared to support this recommendation.

18. There is no definite recommendation as regards the institution of " nomination," but so far as we have been able to gather all communities and classes are very strongly against nominations. Nomination is at present resorted to in favour of depressed classes. Now the official proposal is that it is not necessary to have them separately represented and

we agree to it. Nomination is therefore restricted to representation of industrial labour, of military classes, Indian Christians, Europeans and Anglo-Indians. Now Indian Christians and Europeans and Anglo-Indians have definitely asked for discontinuing nominations. There is no reason why industrial labour should not have a seat by election, and as regards the military element our general electorates have been returning military men in every Council, and giving them an All-Punjab constituency will be doing them a disservice, while nomination is objected to on principle. Thus nomination as an institution should be done away with except that of experts in the matter of technical bills as mentioned in paragraph 21 of Part IV.

19. "Special interests" then consist in University, Chamber of Commerce, Industries and Baluch Tumandars, one each. There are at present three constituencies for large landowners allotted one to each community, Muslims, Hindus and Sikhs. It is now proposed to raise this number to 4 giving 2 to Muslims and 1 each to Hindus and Sikhs, in view of the large number of Muslim voters under this qualification. In other "special interests" constituencies communal considerations are excluded. Muslims have for a long time claimed to have a seat earmarked for Muslims in the University, but this has never found favour with the authorities. It is possible to open these 'large landowners' special interests constituencies to non-communal electorates splitting up the province into various territorial divisions more or less on the basis of the voting strength of that constituency. This would give 4 constituencies, Rawalpindi Division and Multan Division both having very large preponderance of Muslim voters and Lahore Division and Jullundur-cum-Ambala Division, both constituencies having very large preponderance of non-Muslim voters. This gives 8 "special interests" constituencies and a 9th one for industrial labour. The communal distribution of these 8 will be—

Hindus	...	...	...	...	3
Muslims	...	...	...	...	3
Sikhs	...	...	...	...	1
Christians	...	...	...	...	1
		Total	...	...	8

20. *What should be the strength of the Council.*—Seventy nine being the present strength of the non-official members of the Council a fifty per cent. advance would raise it to 120, and we do not think 125 would be too large. Having disposed of 72 seats, 64 of the existing general electorates and 8 of the revised "special interests," and a 73rd for industrial labour, we are left with 52 additional seats. According to the present system of separate electorates the question is how should these 52 seats be divided between different communities. We are prepared to support the official proposal that the Christians should continue to have their one seat and Europeans and Anglo-Indians their two. Out of 73, Muslims have 35 and non-Muslims have 37, with the labour seat being yet indeterminate. The Council of 125, whether under the Lucknow Pact or the minimum demand of the Indian Muslims keeping in view the larger representation given to Muslim minorities in other provinces could not have less than 63 Muslims, they have got 35, and therefore it is obvious that they should have 28 out of the 52 additional seats, and of the remaining 24, three will go to Christians, and the 21 distributed between Hindus and Sikhs. It may be noticed that the distribution of seats between communities closely follows the official proposals.

21. *Mode of representation.*—The official members reject proportionate representaion and we agree with them. We agree with their rejecting territorial constituencies in such a manner that a system of open voting would be likely in ordinary circumstances to give each community representation corresponding to its population. They have examined the proposal of reservation of seats for each community combined with election by open voting. This has not been dealt with at

full length, because the franchise is not yet determined and it is impossible to say how far the system can work till the figures of franchise have been prepared. In the existing franchise Muslims cannot possibly accept this method because their voting strength is 42 per cent., and there will be earmarked seats for Muslims in constituencies wherein non-Muslim voters preponderate. This is tantamount to giving a constituency, wherein conservatives preponderate, a direction that they should return a labour member.

22. *Constituencies—Rural and Urban.*—At present constituencies are of two kinds, rural and urban. Urban constituencies consist of towns with population of 10,000 or above. All other areas go to make rural constituencies. In the countryside, it is desired that small towns with population of 5,000 or above should be excluded from rural constituencies and included in urban constituencies and necessary adjustment of the relative strength of urban and rural constituencies be made. The view expressed in the last sentence of paragraph 18, Part IV, relating to district constituencies is not supported by facts. The franchise not having been determined it is impossible to assert that they would be preponderatingly rural in complexion. Facility of polling, organized political institutions, well financed, the struggle between the urban and rural may end in the swamping of the rural in the elections. Any proposal to amalgamate rural and urban constituencies will create feelings of resentment in the countryside. It will be considered an attempt to swamp rural constituencies and to bring the countryside into conflict with the better organized, better financed urban political organizations. The proposal may be attributed to the desire of the British Government not to give the countryside a majority in determining their future, so that the taxation which is pressing heavily on the rural population may, with the help of urban members, be retained and the difficulty of finding other resources not have to be faced. As regards additional seats it would be as well to give some seats to urban constituencies in excess of their due rather than virtually break down or tend to break down the distinction between rural and urban constituencies. Therefore, the alternative method of district constituencies with open electorates but reserved seats will be strongly objected to :—

Firstly, by Muslims because it will deprive them of separate electorates ; and

Secondly, by rural people because it introduces urban areas into rural constituencies.

23. There seems to be a great deal of confusion as to the term "majority community." In the Punjab, in official documents, Muslims are described as the majority community. In non-Muslim political pamphleteering a great deal of argument is based on Muslims, being a majority community in the Punjab and yet demanding protection. It would be as well here to state what this majority does consist in :—

(*a*) As regards numbers Muslims constitute roughly 55%, of the population.

(*b*) As regards voting strength under the existing franchise for the Legislative Council they constitute 42% of the total electorate and are thus distinctly in a minority so far as the machinery set up by the Reforms Scheme is concerned. If the method of election is to be by open voting in joint electorates then surely Muslims will be the minority community with 42% or 43% status. Is it intended that because of the franchise being what it is, because of the comparative economic or financial backwardness of Muslims, an administration be set up in which the Muslims, though in population a majority community, so far as administration goes should be under the non-Muslim majority in the legislature and in the administration ?

(*c*) In the non-official portion of the legislature they are already in a minority—45·56%. Is it intended that they should continue to be in a minority or are they to be in a majority in proportion to their population or at all events in a bare majority ?

(*d*) As regards administration there are departments in which their representation is extremely inadequate. There is now no department, except in the lowest sections of the Police and Jail Departments, as constables and watchmen, where they are in a majority because the pay fixed for these is too low to attract non-Muslims. In the administration as a whole their representation is below even 40% (a copy of the census of Government servants is attached herewith)*. In what way then can it be said that the Muslims constitute a majority community and therefore they have no right whatsoever to oppose joint electorates, while the franchise is so fixed as to make them a minority community and their economic condition and lack of political organisation places them at the mercy of the *sahukars* and the political propagandists ? Under the Reforms Scheme this backward community has awakened from its stupor. Is it intended that they should have a chance of developing and be in a position to discharge their responsibilities to themselves and to their country or to lapse into further economic disabilities and consequent political disability ? It is not in the interests of any State to let a large community like the Muslims in the Punjab become educationally and economically so backward as to be a menace to the State.

24. The representation of various communities on the legislatures is determined by the rules under the Government of India Act which were largely based on the Lucknow Pact which still holds the field inasmuch as the Unity Conference proposals have not secured the acceptance of the people concerned. It is well understood that a pact is a pact till the parties to that pact cancel it. It is also a fact that solemn pledges given by Viceroys and the British Government in the matter of separate electorates to Muslims cannot be departed from without serious consequences to the retention of confidence not only in the Muslim mind but in the Indian mind. It is much to be regretted that the conditions prevailing in the country have been such as to prevent various communities adjusting their differences amicably and again presenting a unanimous decision to the Commission, as was done in the case of the Reforms Enquiry. Under the circumstances it is but natural that the officials and even the Commission should hesitate to recommend *radically* altering the principles on which the representation of various communities and classes on legislatures is determined or introduce modes of election for a community to which the said community strongly objects.

25. In the controversy relating to separate electorates it is often urged that separate electorates create communal majorities whether given to a minority community or to a majority community. There is a great deal of force in this criticism, but it should be remembered that the representative of a separate electorate is not necessarily a communal minded person, otherwise several Indian leaders, elected members of the Legislative Assembly belonging to Hindu and Muslim communities, would be altogether shorn of their nationalistic robes. Is it not possible to disarm the critics by so revising the rules of election as to make members of other communities eligible for election in separate electorate constituencies. If a Muslim constituency prefers to be represented by a Hindu and if a Sikh constituency by a Muslim there should be no bar in the way of this being done. If a candidate belonging to one community has the confidence of a constituency of another community, *prima facie* he should not be prevented from being returned by that constituency. This modification *if*

* *Vide* Appendix.

acceptable to all the communities, will certainly remove the objection of creating communal majorities in the legislatures. This modification amounts to guaranteeing a certain number of separate constituencies to certain communities, but does not guarantee any seats on the legislature to any community. If the outlook of the people ceases to be communal this modification will make it possible for the change to be reflected in the representatives elected.

(Sd.) FAZL-I-HUSAIN,

Revenue Member, Punjab Government.

(Sd.) FIROZ KHAN NOON,

Minister for Local Self-Government, Punjab.

SIMLA :

The 22nd August 1928.

PART V.—MINUTE BY THE MINISTER FOR EDUCATION, PUNJAB GOVERNMENT.

This note is written with direct reference to Parts II, III and IV of the Memorandum prepared for the use of the Indian Statutory Commission by the Punjab Government, constituting volume II of the Government's Memoranda. The volume has been here for shortness called the Official Memorandum.

It need only be added that the proposals contained in the Official Memorandum were framed after discussion between the official and non-official Members of Government, and I have in my note called attention only to substantial points of difference.

Double quotation marks indicate words taken from the Official Memorandum.

(Sd.) MANOHAR LAL,

Minister for Education, Punjab Government.

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1. *Delimitation of the spheres of the Central and the Provincial Governments.*—Discussions of a theoretical nature as to where in working out schemes of provincial autonomy sovereignty should reside are not likely to be fruitful even if they had any formal validity in the constitutional position of India. Sovereignty in the legal sense vests in the Parliament, to use a condensed expression, and the powers of the Central Government as of the provincial governments must be matters of derivation from the Parliament. The future of the Government of India, *i.e*, such as may emerge as the result of the Royal Commission's inquiries and report, is to be determined by an Act of Parliament, and we need look no further to what the position might be if Parliament were to renounce all connection with India, and India were left to work out her own constitutional destiny by such primal and foundational processes by which such destinies are determined. But in attaining the ideal of responsible government within the provinces, use is constantly made of expressions such as 'autonomy', 'constituent governments in a federated union' that have implications other than legal which deserve consideration. The idea of provincial autonomy has attractions, it is undoubtedly true that in any properly limited provincial field the knowledge and interest available within the province must work for efficiency of administration, and, if sectional forces were not at work, lead to increased general welfare, but it will be a sad situation if as a consequence the already numerous schismatic tendencies in Indian life were to acquire an accession of strength by reducing the provinces into separate sealed units, and the growing national sentiment, of comparatively recent origin, should thereby suffer any check. In devising the provincial spheres of government, this fundamental consideration that bonds of nationhood should not weaken must be constantly borne in view as the most essential test The provinces are creatures of executive fiat for administrative reasons, and in trying to attain self-government through these somewhat artificial units our supreme loyalty to India as a whole must not in any form or degree be strained or violated. India does not represent a composite state based on a union of distinct political entities, there is no federation here formed of a union of component sovereign states as in the United States of America. Nor does the pursuit of such a federal ideal by deliberately clothing provincial governments with any marks of sovereignty lead to the realization of what the political conscious India desires.

2. The Official Memorandum has proceeded to examine the separate spheres of government Central and Provincial—from the practical point of view and without expressing any political theory. With much of what is said there I find myself in substantial agreement, and I accept the general principle that the relative positions and spheres of the Central and the provincial governments, respectively should be clearly defined by Statute,

but in view of the fundamental consideration to which reference has been made above, I feel considerable difficulty in accepting the recommendation that all "residuary powers not defined as vesting in the Central Government should vest in the provincial and not in the Central Government".

Vide Part III, paragraph 2.

3. As regards the recommendations relating to the Financial field, I am prepared to accept the position defined in paragraph 16 regarding the power to levy surcharges on Central taxes analogous to the *centimes additionels* on the Continent, but I cannot support the view at the end of paragraph 21 that the Province should be authorised "to impose taxes on incomes in a category below the minimum taxed by the Government of India." A disparity in the system of income-tax between the various provinces is obviously open to grave objections, such taxes are not only likely to be evaded, but calculated to injure trade and industry in a province. Nor are the political consequences of placing such a power in the hands of a legislature predominantly rural and non-income-tax-paying to be ignored. The system of income-tax, including as an essential factor an exemption minimum, must be uniform throughout the country—a departure from this well accepted principle will be economically without warrant and politically undesirable.

Part III, paragraph 6 *et seq.*

4. I find myself in general accord with the Official Memorandum, Part II, dealing with proposals for the introduction of Responsible Government within the provincial sphere and propose to express my views only briefly.

5. Now that the Statutory Commission is to examine afresh the whole constitutional position of India the Preamble to the Act of 1919 cannot be said finally to prescribe the objective: we can view matters from a more comprehensive point of view, and give full effect to the political aspirations of the people of India, so far as that does not in any way conflict with the primary and essential conditions of peace and tranquillity of the country.

6. In paragraph 3, I am disposed to give much greater credit to the Reforms with the 'new atmosphere' that they provided than the Official Memorandum has done.

7. *Paragraphs 7 and 17.*—I have tried to examine the position with the utmost care, but I have failed to discover in the last seven years any real beginnings of organization on party lines. "The predominent lines of cleavage are still communal," though an effort has been made to give it a political tinge; "there is not in sight any prospect that a general election will result in any turnover of votes" seriously affecting the position of the party of the majority. In other words, no 'swing of the pendulum' is possible. There is no possibility of a regular alternation of Government. The position of class divisions is rigidly fixed: each party remains an intransigent *bloc*. The main issue is and remains 'who shall govern the State' and not 'how shall it be governed" and this issue is resolved at once by an established majority along non-political lines. The condition of affairs on this vital matter is further described with lucid emphasis in paragraph 17. "The electorate at the moment thinks and acts communally—until the communal factor ceases to be paramount the most stable parties" (if so they be called) "will be fundamentally communal." "The result is that the Parliamentary system under which one party gives place to another on account of a change of allegiance on the part of a portion of the electors or their representatives will have in the near future no counterpart in the Punjab." The Official Memorandum while recognising that this position is "to some extent stereotyped by the fixation of the proportion of seats on a communal basis" says that it is not based on the system—the dominant factor that is responsible for this is the existence of actual communal cleavage. This last opinion I am not prepared to accept in its entirety. The present system enshrines a non-political principle in the bosom of the consti-

Paragraph 7, page 5.

tution itself, and the critics declare that the makings of parliamentary government do not exist in India. There may be justification for arranging representation on communal or other non-political lines, but as long as such provisions last it seems to me that lines of communal cleavage must retain their sharp character and even become deeper; and *pro tanto* genuine party system based on policy rather than class divisions, factions and interests cannot grow up; and if there is agreement on one matter among political philosophers and writers on forms of governments it is on this that for the proper working of the representative principle in a responsible form of government the party system is absolutely essential. Our Official Memorandum does not pay enough real regard to this basic factor and proceeding with the situation as it is lays down that "certain checks must be imposed to prevent it (the system of Government in the Punjab) becoming merely a mask behind which is enthroned a permanent majority of a communal colour." The real solution, if India is to be raised to a genuine democracy, with the principle of representation which is the very being of this form of government in real operation and having a proper party system based on principles and policies as determinants of government, is probably to be found along such general lines as the recent report of what is known as the Nehru Committee suggests (I do not wish to be understood as accepting the recommendations of this Committee in any detail, as I have not had an occasion to see the Report except in newspaper extracts, and there are several opinions there which I would anyhow find very difficult to accept). But if the present system is to continue in substance because fairly general acceptance cannot be obtained to any considerable approach to open elections or for any other reason, the question arises: are the checks suggested in the Official Memorandum proper and adequate? Here we have to consider (*i*) what is defined in paragraphs 18 to 27 in this Part of the Memorandum and (*ii*) the recommendations made for Franchise and Electorate in Part IV.

8. As to (*i*) the demand of the people is definitely expressed that the transference of the present reserved subjects to the Ministers should not form any occasion for increase, however indirectly, of the power of the Executive as represented by the Governor. The ultimate responsibility to the Parliament that "cannot entirely divest itself of its powers of supervision and control exercised through the Central Government" should not be the means of clothing the Governor with any further powers in the matter of subjects now transferred, and his powers in the subjects to be hereafter transferred should be placed on the same footing, otherwise ministerial responsibility will be unreal, and an element of irresponsibility indirectly introduced. I can foresee difficulties, which indeed are set forth in paragraph 22 which deals with safeguards under Law and Order and Police, but I think the general principle enunciated above should be respected. Paragraph 30 of the Memorandum is pertinent to this matter and restricts by Statute the Governor's powers. It does not give a constitutional governor—the demand of the advanced section of the political India—but I understand it is not intended in any manner to enlarge his existing powers.

9. In examining the implications of responsible Government in the Province on the executive working of Government among objections from the administrative point of view emphasis is laid on the scheme depriving the Executive of the services of a representative with official experience, and comparison is made with conditions in England where charge of ordinary administration is left in the hands of men of the status of "permanent officials." I consider this objection has less validity than the Memorandum attaches to it. There is no reason why we should not develop a more stable secretariat in our provinces than exists at present. We have no permanent officials for one reason or other, no one remains attached to a post or office for any considerable period, but that is a fault that can be in large degree set right, and with advancing Indianization of services becomes less and less irremediable. At any rate the position of such an

Part II, paragraph 15, page 11.

official colleague as sketched in paragraph 40 would constitute such a grave anomaly in an otherwise responsible Cabinet that with the utmost desire to sympathise with the official point of view I do not find it possible to support the suggestion. In substance I apprehend it tends to let in dyarchy indirectly, a result which is in contradiction with the general trend of the proposals accepted in the Official Memorandum.

10. In regard to (*ii*), *i.e.*, official proposals for the Franchise and the Electorate—I do not think they tend in any substantial measure to weaken the forces making for communal cleavage, or afford effective checks for preponderance of communal influence. The present system that stereotypes communal seats with separate electorates is justified and its continuance recommended. As I view the matter, and the Official Memorandum and the Descriptive part of the Government's Memorandum abundantly bear me out, the present system has failed to weaken the forces of communalism, if it has not actually intensified them, nor has it furnished any true alignment of political parties. The experience of the past seven years should be a warning against all perpetuation of an anti-political arrangement, and even if it appear true that the dominant factor of actual communal cleavage is likely to drive members of different communities into communal parties, a system that is erroneous in principle, if we have democratic government in view, and has not succeeded in practice, should be abandoned.

Part IV.

11. (*a*) But coming to particulars except in so far as adherence to the general principle of manhood suffrage regarded by some as essential to democratic government may compel in this direction, there is no sufficient case made out in the Official Memorandum and of course no appeal to such principle exists in the Memorandum for extending the franchise beyond the present qualifications. The considerations which led to the existing qualifications still continue in operation, and the small increase proposed in the number of seats does not justify making the constituencies any heavier or more unmanageable than they are now. The limits imposed by conditions of literacy, use of voting power, an intelligent attitude towards the value of the vote remain very much where they were. A close study of real political life furnishes no evidence in support of further extension of franchise. The electors' votes are said to be cast in rural constituencies largely on tribal or personal considerations, and it cannot be pretended that the proposed extension will have any different effect, the nature of representation will not be influenced.

12. This, however, does not probably apply strictly to the case of tenant franchise and apart from the political repercussions of such a right of which it is not possible, at any rate for me, to speak with any confidence or certainty, on general grounds the right must be conceded, and the practical difficulties in extending the franchise to agricultural tenants do not appear to be insurmountable.

13. If the rural vote is to be thus increased, and the constituencies to be made to that extent even more difficult to nurse and cultivate, the case for otherwise adding to the rural register becomes still weaker.

14. (*b*) On the communal question also I do not find the official proposals acceptable. In my opinion, if full effect cannot be given to natural forces or, to use the precise language of the Memorandum, if " we cannot proceed with complete freedom towards a reconstruction based on theoretically correct canons of representation " and we are in the present examination bound by that assumption, there is no adequate reason why the system of separate electorates should be maintained. In the Punjab the insistence on separate electorates is made by only one of the three principal communities, and that the community that is in the majority. It is hardly necessary to argue that such a claim on the part of a majority community can have no foundation in principle; and I am not impressed by considerations of expediency set forth in paragraph 7 at page 38 and elsewhere in the Memorandum.

Paragraph 7 *et seq.*

15. As regards the relative communal strength in general constituencies the present position is that of the 64 seats, 32 are held by Muhammadans, 20 by Hindus, and 12 by Sikhs. This proportion should in my view be maintained irrespective of seats representing special interests: of the elected seats representing these interests, two are necessarily Muhammadan, one Hindu and one Sikh. Here again the proportion in the general electorates so far as Muhammadans as against the Hindus and Sikhs is not disturbed. But in addition to these there are three special seats (*i*) University, (*ii*) Industry and (*iii*) Commerce. The third has during the last three elections gone to a European Christian but the first two to Hindu candidates. It is, however, erroneous to consider these as Hindu seats, for the seats are not reserved and non-Hindu candidates can stand and do compete and influence election, and the constituencies are non-communal and presumably affect representation. It is not consonant with the ideal towards which we must work and do claim to work to reduce the very few non-communal non-reserved seats that we have into terms of communal seats.

16. I have not referred to the three nominated seats to which allusion is made in paragraph 8 at bottom of page 41 which go to three Christians. They should be excluded from any useful reckoning of the kind made in this paragraph, because while these seats go to a community without any relation to its population strength they affect equally the relative positions of the three principal communities—in fact affect the Hindu and the Sikh ratios more seriously.

17. In my opinion the balance now obtaining between the seats held by the various communities should not be disturbed when new seats are added, and in determining this balance no account should be taken of the special seats referred to above. It must be noted that apart from other considerations one strong justification for this view is that it represents a rough compromise between the population strength and the present voting strength of the various communities. Nor can we forget that the abolition of the official *bloc*, recommended in the official proposals, takes away an important factor of protection from the minorities; simultaneously to increase the relative numerical strength of a homogenous majority community is to place the several minority communities in a grave position of weakness. The result would inevitably be the enthroning of a permanent majority of a communal colour in political power against which the checks were to be devised.

18. I am personally anxious to give the depressed classes, so often referred to in official documents as the objects of our special care and concern, some distinct representation, apart from the privilege of partial enfranchisement as to some extent falling in the category of tenants, but I feel the force of the difficulty of realizing this object pointed out in paragraph 10 at page 42. I fully support the inclusion of a seat for industrial labour. A further seat is recommended for Muhammadan Landholders for which I have failed to discover any adequate justification in the Memorandum. It is to be noted that at present there is in addition to a seat for Muhammadan land-holders an exceedingly small constituency of a special class of Muhammadan land-holders—the Tumandars consisting of ten electors. If it is held desirable to give the widespread Muhammadan land-holder any seat, the most appropriate course would be to utilise this special seat for the purpose. The Muhammadans of the Dera Ghazi Khan district, to which the Tumandars belong, have a seat in the Council at present.

19. It is not necessary for the purposes of this general note to enter into any further detail. These are matters on which individual communities will undoubtedly press their particular claims. I have only referred to certain general considerations which must be borne in mind if we are not to stereotype *anti*-political class and communal divisions, taking us away from the path of democracy and parliamentary government, a road which political India has made up its mind to tread, and an

experiment which Britain has of deliberation taken in hand. Our aim should be to help in creating that temperament and attitude without which a constitution frankly adapted from Britain must remain a misfit and without which the stresses and strains of party conflicts must inevitably spell disruption and failure. This is the supreme and one valid test that any proposals for franchise and electorates must satisfy.

SIMLA : } (Sd.) MANOHAR LAL,

The 22nd August 1928. } *Minister for Education, Punjab Government.*

PART V.—MINUTE BY THE MINISTER OF AGRICULTURE, PUNJAB.

Towards Democracy.—I may begin by mentioning that I am a plain man from countryside, and we the village folk are more concerned with the working of the constitutional machine, than the constitution making. It is therefore with some diffidence that I venture to make a few observations on the Memorandum which my official and non-official colleagues have prepared for the Commission.

The movement towards democracy is based on the recognition of the fact " that no long hereditary line, be it of kings, or be it of peasants, can maintain a steady level of excellence through many generations".

It is futile to think that Indian interests can be served by the revival of the old hereditary system of autocratic rulers or even by the bureaucratic rule which preceded the reforms. Their day is done. India and England have both changed.

India has seen the vision of self-Government and will accept nothing less, and England can no more send the type of men who served India and England with a devotion which has been rarely paralleled. A commercial age has little use for men of this rare stamp. It is my considered opinion that there is no alternative but to raise India to the position of a self-governing unit within the Empire.

The Task before the Commission.—The task before the Commission is to assess the success of our transitional constitution, to diagnose its defects and to remove them, without impairing efficiency of the administrative machine, and finally to lay down the lines of further advance. The descriptive note which we have jointly prepared amply proves that there is nothing in the temper and the character of the people which can make the working of representative institutions impossible.

The communities, no doubt, are still guided into denominational groups, and it must be admitted that the transitional constitution has emphasised these differences. The Commission must proceed with a deliberate determination to eliminate elements which have brought communal groups to the fore in the reformed constitution and work for the obliteration of communal cleavage.

The Commission, if it could read the heart of India, will find an immensity of goodwill, rare in an alien people, and this must bring home the grave responsibility that rests on the Commission. What is the Commission going to leave behind: treasured goodwill stored by generations of British administration freely flowing or stirred and transformed into torrents of ill-will? The Commission can leave peace or seething discontent behind.

The Franchise.—The foundation of every constitution is Electorate. I feel that if we lower the franchise further, we will run some risk of creating confusion, make it difficult for right kind of people to be elected to the Council. I am therefore against lowering the franchise any further: but if other considerations make the extension of franchise inevitable it should be lowered no further than the limit fixed by my official colleagues.

India is easily a hundred years behind England; and England only within the last few years has franchised its adult population. The result of this new experiment cannot be foreseen: it may even undermine solid foundations of British constitution. In our case, it would be altogether dangerous to enfranchise the entire adult population and thus allow free play to elements which have yet to realise the meaning of responsibility. In the earlier stages of our development it is desirable that the intelligent and stable elements of society should find representation, that vested interests should be safeguarded, and representation of all communities provided in such a way that no community or interest can predominate the other. I advocate a fairly high property franchise, providing representation according to the voting strength of each community; and giving reserved seats to any community that is likely to fail in finding its proper

representation. The Council should be so balanced that no community can dominate the other till the three communities merge into one.

Special consideration.—The Official Memorandum accepts the present communal cleavage and is content to leave representation through communal electorate as hitherto, in alloting seats to various communities in the Council. The principle is accepted by the Hon'ble Revenue Member and the Hon'ble Minister for Local Self-Government, who plead for lowering the franchise still further in conformity with the democratic principles, while defending the undemocratic communal representation. The franchise is not to embrace the entire adult population, but seats in the Council are to be provided on population basis ignoring the voting strength of other communities entirely. It is proposed to abolish the official *bloc* and to replace it by 28 new seats. The authors of the scheme are driven by the logic of the facts to recommend that these new seats should be from a common electorate. This is all to the good, but as they proceed they feel that a common electorate may disturb the balance of communal parties and immediately provide that even the majority community should have reserved seats. It would have been more logical if reserved seats were provided for minority communities. Indeed, the scheme provides what the authors apprehend the enthronement of a permanent majority of communal colour. If the franchise is based on property basis, then the only logical way which would lead to the mingling of the various communities would have been to provide representation according to the voting strength of each community, and if it was considered desirable that any community should have a few more seats in addition to those provided by its voting strength these could be specially provided. If these proposals are accepted by the Commission what would happen is that the people who contribute and produce the most will be in minority in the Council. Just imagine what would have happened in England if a hundred years ago, the House of Lords was abolished and an adult franchise introduced, the result in the Punjab cannot be less disturbing. I venture to say that any new scheme must provide—

(*i*) for the gradual growth of nationality.

(*ii*) the formation of parties in preference to communal groups.

(*iii*) the promotion of a larger understanding between various communities to serve the common weal.

The Electorates.—The object of the new constitution is the growth of nationality and the gradual realisation of a democratic system of Government. Need I point out that communities that insist on communal representation are inconsistent in their demand and that communal representation is anti-national. It would not be altogether wrong if further advance was made conditional on the disappearance of communal groups. Take the Punjab; the three communities—Muhammadan, Hindu and Sikh—can govern only by becoming politically one community, but as long as they persist in claiming communal suffrage, there is no alternative but to balance the three communities by artificial and temporary arrangements, so that the non-communal character of the Council may be preserved. As no agreement has been reached by the communities, I think the solution suggested, by my official colleagues, seems to be the best: that the present representation may remain on communal basis, but additional representation should be through a common electorate, so that while we maintain a separate electorate in conformity with the wishes of the communities at the same time we make a start with a common electorate and thus provide for the ultimate disappearance of communal groups. The two systems working side by side will prove which is the best suited to our conditions.

The credit for finding this working arrangement is due to my official colleagues, but they have not carried their proposals to their logical conclusions. The halting proposal to reserve seats on a communal basis has nothing to commend it and may without hesitation be condemned.

The line of advance for all additional seats is a common electorate. The majority community have no real misgivings, it cannot have it both ways, and is only bargaining for power, while it can find power only by winning confidence of other communities. To my mind no one who is truly communal is fit to occupy the seats of power.

The scheme prepared by His Excellency the Governor and the Finance Member will work well if communal representation is confined to the old elected seats, and all additional seats are given to a common electorate. If this is not done I may be permitted to say that the scheme is likely to accentuate communal differences and make the growth of a national Government distant and uncertain. I can definitely say that this arrangement will find acceptance by all communities and that the apprehensions of our official colleagues are not well-founded. It is very easy to lay out plans, and to allocate various communal spheres, but farsighted statesmanship requires that larger interests of the country should prevail over communal interests leading to greater harmony, goodwill and breaking of the barriers which help the formation of communal groups, and that the constitution should provide for the final triumph of nationality.

The Sikhs.—The position of the Sikhs is altogether peculiar in the Province. They make only 11 per cent of the population, but they ruled the Province before the British annexation. Their voting strength entitles them to about $\frac{1}{4}$th of the representation in the whole Province. They have fought for the Empire in its far-flung battlefields They may at any moment be called upon to serve as sword-arm of the Punjab, when other communities may remain dormant or uninterested. I have absolutely no hesitation in saying that the Sikhs will not be satisfied and will fight for their rights as they fought before, unless their position in the constitution is fully safeguarded. Indeed, in the descriptive note which the Punjab Government has submitted, it has been admitted that the Sikh troubles were due to the neglect of the Sikh claims. I hope the same mistake will not be repeated again.

Sikhs are prepared to make no claim whatsoever if communal representation is abolished, but if communal representation remains, they are not prepared to accept domination of any community established in authority by an outside influence reducing them to a subordinate position. Therefore if communal representation is going to remain all the three communities must be so balanced that no one community can dominate the others. The simplest thing would be to allow representation according to voting strength of all the three communities and wait for further growth of nationality, when all communities by mutual agreement are prepared to abolish communal representation and accept adult franchise. The danger at present is that powerful minority communities are to be placed in a position of subordination by an outside authority, and this is neither just, fair nor equitable. What the Sikhs' position is in the Punjab the Muhammadans' position is in the neighbouring province of the United Provinces.

The Cabinet.—There are two great objects which every constitution must endeavour to attain ; it must win confidence and loyalty of the people and through it gain authority and then use this authority without any discrimination of race and creed. If the Council is so constituted that it secures balanced union of the three communities and provides for the mingling of the aristocratic and democratic elements, leading to stability and good Government, there can be no question as to its success.

I have no hesitation in agreeing with my colleagues that all subjects should be transferred and that the Cabinet should be jointly responsible to the Legislature. The Official Memorandum has not made it clear whether there is to be a Chief Minister who will choose his colleagues or in early stages the Governor is to perform the dual function of a Governor and the Prime Minister. I see no great objection

at the present stage to allow the Governor to preside over the Cabinet and to act as Prime Minister and select his Cabinet: but I feel strongly that there should be a provision in the Act for the separation of the two functions and coming into power of a Prime Minister who enjoys confidence of the country. The position of the official Minister would certainly be anomalous, but it is difficult at the present stage to deny that he is not wanted. There is much in life which is not altogether logical and many refinements of pure theory find no place in rough practices of life. I feel that the Statute should provide for the representation of all the three communities as well as the fourth, the Europeans in the Cabinet of the Province. I am strongly of opinion that the Cabinet should have the power of dissolving the Council, so that need for co-operation between the Council and the Cabinet may be fully established. The salary, leave rules and privileges of the Ministers should also be fixed by Statute.

The power of the Governor.—The Governor, if official recommendations are accepted in early stages, will be acting in dual capacity.

(1) as Agent of Parliament,

(2) as President and part of local Government.

I feel that as long as he presides over the Cabinet all his actions should be, as now, as that of the local Government, which means the Governor in Council, and when the functions are separated, then alone he could be personally in correspondence with the Central Government; till then I am in entire agreement with the Hon'ble the Revenue Member that the present practice should continue.

Delegation of power.—I am definitely of opinion that there should be direct transfer of power from Parliament to the Province, as in the case of transferred subjects at present, and I am in complete agreement with the views expressed by the Hon'ble the Revenue Member and the Hon'ble Minister for Local Self-Government in paragraph 8 of their note, except in the matter of official Member, whose presence I do not object to. I am also in agreement with their paragraphs 12, 13 and 14 and I am in agreement with the views expressed by the Hon'ble Minister for Education in his note in paragraphs 17 and 18.

The Services.—I am of opinion that the Services should be protected, as on them rests the grave responsibility for the continuity of policies, and that the Public Services Commission should be appointed.

Conclusion.—Lastly, I feel I must emphasise the need of common electorates, based on property and educational qualifications, the need for the representation of all the four communities, Muhammadans, Hindus, Sikhs and Europeans in the Cabinet to help the growth of national self-Government. I feel a Council of 105 to 125 will meet the needs of the Province. The franchise can have no other object but that of creating a good and intelligent Council and an efficient Cabinet, representing all the special opinions and even special prejudices, giving an advocate for every particular sect and at the same time leaving the general body of the Council truly national, homogeneous and judicial in character like the laws it enacts. It is to this end we must jointly endeavour.

Subject to the above remarks I am in general agreement with the opinions expressed by my official colleagues, the Hon'ble the Revenue Member and the Hon'ble Minister for Local Self-Government in paragraphs 1, 2, 3 and 4 of their Minute.

JOGENDRA SINGH,

Minister for Agriculture, Punjab.

SIMLA, EAST:

The 28th August 1928.

Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January 1928.

Note.—The object of this census is to classify Government servants according to the different religious communities to which they belong, and to make a further sub-division according to whether they are or are not members of the tribes notified as agricultural tribes under the Punjab Alienation of Land Act (see Punjab Government letter No. 38067 (H.—General) of the 21st December 1926).

PART I.
Reserved Departments.

PART I.—Reserved Departments.

1	2	3	4	5								6					7	
				Indians.								Percentage to column 3.					Percentage on column 3.	
				Muslims.		*Hindus.*		*Sikhs.*		*Others.*								
Name of Office or Department.	Nature of appointment.	Total number of appointments.	Europeans and Anglo-Indians.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes	Others	Members of notified Agricultural Tribes.	Others.	Europeans and Anglo-Indians.	Muslims.	Hindus.	Sikhs.	Others.	Members of notified Agricultural Tribes.	Others.
	Executive Branch.																	
1. Punjab Civil Service	(*a*) Listed appointments	6	...	2	1	...	1	...	...	..	2	...	50	16·7	...	33 3	33 3	66 7
	(*b*) Ordinary appointments ...	237	15	87	15	17	61	20	19	..	3	6 3	43	32 9	16 5	1·3	52·3	47·7
	Grand Total ..	243	15	89	16	17	62	20	19	...	5	6 2	43 2	32 5	16 1	2	51·8	48·2
	Judicial Branch.																	
	(*a*) Listed appointments	7	2	2	...	...	3	...	...	...	...	28·6	28·6	42·8	...	..	28·6	71 4
	(*b*) Ordinary appointments ...	168	1	37	21	3	78	6	17	...	5	·6	34·5	48·2	13·7	3	27·4	72·6
	Grand Total ..	175	3	39	21	3	81	6	17	...	5	1·7	34 3	48	13·1	2 9	27·4	72·6
	Provincial Service.																	
2. Police Department ...	(*a*) Deputy Superintendents of Police	50	8	20	5	1	10	3	3	..	..	16	50	22	13	...	48	52
	Subordinate Service.																	
	(*a*) Inspectors	*136	25	33	15	8	31	12	9	..	1	18·6	35 8	29 1	15·7	·8	39 5	60·5
	(*b*) Sergeants	31	31	...	...	...	.	...	...	...	..	100	...	...	...	...	...	100
	(*c*) Sub-Inspectors	†866	...	365	99	84	174	91	41	2	5	...	53 9	30	15 3	·8	63	37
	(*d*) Head Constables	‡2,861	...	1,553	441	216	426	137	82	1	1	...	69 8	22·5	7·6	·1	66·7	33·3

	CLERICAL ESTABLISHMENT.																		
	(a) Superintendents	2	1	..	..	...	..	...	...	...	1	50	.	..	...	50	...	100	
	(b) Head Assistants	4	...	...	1	...	2	...	1	...	...	...	25	50	25	.	...	100	
	(c) Stenotypists	2	2	..	...	.	..	..	...	..	...	1 0	.	..	...	..	...	100	
	(d) Assistants	14	...	4	2	1	7	..	...	..	...	...	42·9	57 1	...	...	35 7	64·3	
	(e) Senior Clerks	25	...	6	2	1	13	.	2	...	1	...	32	56	8	4	28	72	
	(f) Junior Clerks	40	1	10	6	1	21	...	1	..	.	2·5	40	55	2·5	...	27 5	72·5	
	(g) Auditors ... -	3	.	..	1	1	1	...	...	..	.	..	33 3	66·7	...	...	33·3	66 7	
	(h) Munshis	3	...		3	..	...	...	...	...	...	...	100	..	...	...	...	100	
	GRAND TOTAL ...	4,037	68	1,991	575	313	685	243	139	3	9	1·7	63·7	24·8	4 5	·3	63 3	36 7	
	Constables	§17,202	...	13,077		3,140		922		11		...	72·3	18·3	5·4	·1	...	...	
3. Public Works Department, Irrigation Branch.	Special posts	9	7	2	...	...	...	...	...	...	.	77 8	22 2	..	...	...	22·2	77·8	
	PROVINCIAL SERVICE.																		
	(a) Punjab Engineering Service ...	102	16	2	7	4	60	7	6	...	..	15 7	8·8	62 8	12·7	..	12 7	87·3	
	(b) Deputy Collectors ...	33	...	13	5	1	8	1	4	...	1	...	54 5	27·3	15·2	3	45·5	54 5	
	(c) Sub-Engineers	1	...	.	...	...	1	...	...	...	...	...	...	100	...	..	...	100	
	(d) Temporary Engineers... ...	40	17	5	1	3	12	1	1	...	...	42 5	15	37·5	5	...	22 5	77·5	
	(e) Temporary Assistant Engineers .	7	1	1	1	1	2	1	...	..	.	14 3	28·6	42 8	14·3	...	42 9	57 1	
	SUBORDINATE SERVICE.																		
	(a) Upper Subordinates	48	...	3	3	1	35	2	4	...	...	...	12·5	75	12·5	...	12·5	87·5	
	(b) Subordinate Engineering Service..	294	1	37	32	10	131	29	34	...	..	·3	23·5	54·8	21·4	...	25 9	74 1	
	(c) Lower Subordinates	86	...	9	14	4	45	3	11	...	...	...	26·7	57	16·3	...	18·6	81·4	
	(d) Zilladars	216	...	70	30	14	49	32	19	...	2	...	46·3	29·2	23·6	·9	53 7	46·3	

*Includes 2 vacancies.

†Includes 5 vacancies.

‡Includes 4 vacancies.

§Includes 52 vacancies.

PART I.—Reserved Departments—continued.

1	2	3	4	5								6					7	
				Indians.								Percentage to column 3.					Percentage on column 3.	
				Muslims.		*Hindus.*		*Sikhs.*		*Others.*								
Name of Office or Department.	Nature of appointment.	Total number of appointments.	Europeans and Anglo-Indians.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Europeans and Anglo-Indians.	Muslims.	Hindus.	Sikhs.	Others.	Members of notified Agricultural Tribes.	Others.
	Clerical Establishment.																	
3, Public Works Department, Irrigation Branch—*contd*	(*a*) Superintendents and Head Clerks	95	7	17	13	1	51	1	5	..	...	7·4	31·6	54·7	6·3		20	80
	(*b*) Other clerks	523	13	100	85	21	268	5	25	..	6	2·5	35·4	55·3	5·7	1·1	24·1	75·9
	(*c*) Draftsmen (including tracers)	241	1	54	31	4	74	10	15	...	2	·4	53	32·4	10·4	·8	28·2	71·8
	(*d*) Acting clerks and draftsmen ...	393	1	66	79	20	195	7	24	.	1	·3	36·9	54·7	7·8	·3	23·7	76·3
	Petty Establishment.																	
	(*a*) Patwaris (including Mirasis) ..	2,326	...	594	257	91	1,078	147	157	...	2	..	36·6	50·2	13·1	1	35·8	64·2
	(*b*) Munshis	540	...	142	84	37	206	33	37	...	1	...	41·9	45	13	·1	39·3	60·7
	(*c*) Cashiers	6	...	...	1	...	5	...	-		...	...	16·7	83·3	...	...	...	100
	(*d*) Storekeepers	28	...	3		1	19	3	1	...	1	...	10·7	71·4	14·3	3·6	25	75
	(*e*) Artificers	191	...	19	58	4	41	2	66	...	1	...	40·3	23·6	35·6	5	13·1	86·9
	(*f*) Signallers	480	...	59	55	6	280	21	18	...	1	...	32·1	59·6	8·1	·2	17·9	82·1
	Grand Total ...	5,659	64	1,196	846	223	2,580	305	427	...	18	1·1	36·1	49·6	12·9	3	30·5	69·5

4. Forest Department.	PROVINCIAL SERVICE.																	
	(a) Extra Assistant Conservators ...	33	...	5	1	2	17	5	3	...	...	...	18·2	57·6	24·2	...	36·4	63·6
	SUBORDINATE SERVICE.																	
	(a) Forest Rangers	66	...	17	9	11	15	4	10	...	...	..	39·4	39·4	21·2	..	48·5	51·5
	(b) Deputy Rangers	45	..	12	6	17	5	3	2	...	...	...	40	48·9	11·1	...	71·1	28·9
	(c) Foresters	141	...	41	12	58	25	3	2	...	..	.	37·6	58·9	3·5	...	72·3	27·7
	(d) Forest Guards	909*	...	325	58	248	139	24	15	.	...	...	42·1	53·6	4·3	...	76·7	23·3
	CLERICAL ESTABLISHMENT.																	
	(a) Superintendents	3	...	1	...	...	2	...	...	...	.	.	33·3	66·7	...	...	33·3	66·7
	(b) Head Clerks	24	...	3	5	3	11	...	1	1	...	...	33·4	58·4	4·1	4·1	29·1	70·9
	(c) Clerks	121	...	33	14	19	45	1	4	1	4	...	38·9	52·9	4·1	4·1	44·6	55·4
	GRAND TOTAL ...	1,342	...	437	105	458	259	40	37	2	4	...	40·4	53·4	5·7	·5	69·8	30·2
5. Land Revenue Department.	(a) Tahsildars	*102	.	53	7	8	24	3	5	1	1	..	58·8	31·4	7·8	2	63·7	36·3
	(b) Naib-Tahsildars .. .	*174	...	65	13	19	50	17	19	...	1	...	44·8	39·6	14·9	·7	58	42
	(c) Kanungos	779	...	312	87	63	255	35	26	...	1	...	51	41	8	..	53	47
	(d) Patwaris	9,563	...	3,430	936	1,027	3,210	459	270	144	37	...	46	44	8	2	54	46
	GRAND TOTAL ...	10,618	...	3,910	1,043	1,117	3,539	514	310	145	40		46·6	43·8	8	1·6	53·6	46·4
6. Law Department ..	(a) Government Advocate ...	1	1	...	...	...	...	...	...	..	...	100	...	...	..	...	...	100
	(b) Assistant Legal Remembrancers ...	2	...	1	...	...	1	...	...	...	..	..	50	50	...	...	50	50
	(c) Public Prosecutors	28	...	6	4	1	14	...	2	..	1	...	35·7	53·6	7·1	3·6	25	75
	CLERICAL ESTABLISHMENT.																	
	(a) Superintendent	1		...	...	...	1	...	.	.	...	...	...	100	...	...	...	100
	(b) Head Clerk	1	...	...	...	...	1	...		..	...	...	...	100	...	..	...	100
	(c) Clerks ..	10	...	2	1	...	5	..	2	...	.	...	30	50	20	...	20	80
	GRAND TOTAL ..	43	1	9	5	1	22	...	4	.	1	2 3	32·5	53·5	9·3	2 3	23 3	56·7

* Vacant posts filled up temporarily are not included.

PART I.—Reserved Department—continued.

1	2	3	4	5								6					7	
				Indians.								Percentage to column 3.					Percentage on column 3.	
				Muslims.		*Hindus.*		*Sikhs.*		*Others.*								
Name of Office or Department.	Nature of appointment.	Total number of appointments.	Europeans and Anglo-Indians.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Europeans and Anglo-Indians.	Muslims.	Hindus.	Sikhs.	Others.	Members of notified Agricultural Tribes.	Others.
	PROVINCIAL SERVICE.																	
7. Jails Department ..	(*a*) Superintendents of Jails ...	17	1	5	2	...	7	1	1	...	..	5·8	41·2	41·2	11·8	...	35·3	64·7
	(*b*) Deputy Superintendents ..	3	1	1	...	...	1	...	..	..	...	33·4	33·3	33·3	...	..	33·3	66·7
	SUBORDINATE SERVICE.																	
	(*a*) Jailors ...	22	1	6	2	1	12	..	...	...	...	4·5	36·4	59·1	...	...	31·8	68·2
	(*b*) Deputy Jailors ...	7	...	2	...	..	3	1	1	...	...	..	28·5	42·8	28·6	...	42·9	57·1
	(*c*) Accounts Staff ...	20	1	2	2	..	14	...	1	..	...	5	20	70	5	...	10	90
	(*d*) Assistant Jailors ...	90	...	17	12	3	41	3	14	...	..	...	31·9	49·4	18·7	...	25·3	74·7
	(*e*) Head Warders and Warders ...	1,660	...	901	293	163	205	64	25	1	3	...	72·2	22·2	5·4	·2	68	32
	CLERICAL ESTABLISHMENT.																	
	(*a*) Superintendents ...	1	1	...	..	...	...	...	...	...	...	100	...	...	...	...	...	100
	(*b*) Head Assistants ..	3	1	1	...	...	1	...	..	...	...	33·4	33·3	33·3	...	...	33·3	66·7
	(*c*) Stenographers ...	1	...	..	..	...	1	...	...	...	...	...	...	100	...	...	..	100
	(*d*) Assistants ...	2	..	..	...	...	2	...	...	...	...	...	...	100	..	..	...	100
	(*e*) Head Book Inspector ...	1	...	...	...	...	1	...	...	...	...	...	...	100	...	...	...	100
	(*f*) Book Inspector ...	2	..	...	...	..	2	...	...	...	...	...	..	100	...	...	...	100
	(*g*) Senior clerks ...	6	...	...	1	..	4	..	1	...	..	...	16·7	66·7	16·6	...	..	100
	(*h*) Junior clerks ...	9	..	..	1	1	7	...	...	..	...		11·1	88·9	..	..	11·1	88·9
	GRAND TOTAL ...	1,844	6	935	318	168	301	69	43	1	3	·3	68	25·4	6·1	·2	63·6	36·4

8. Reclamation Department.	(a) Superintendents	2	2	...	...	...	...	...	...	...	...	100	...	...	...	...	...	100
	(b) Assistant Superintendents ...	2	..	1	...	...	1	...	...	..	...	...	50	50	...	...	50	50
	(c) Probation Officer	1	...	1	...	..	...	...	..	...	...	...	100	...	...	...	100	...
	(d) Manager	1	...	...	...	...	...	...	...	...	1	...	...	...	...	100	...	100
	(e) Agricultural Assistants ...	3	...	...	...	...	...	2	1	...	...	...	..	...	100	...	67	33
	(f) Sub-Assistant Surgeons ...	1	...	1	...	...	...	..	...	...	...	...	100	...	...	...	100	...
	(g) Store-keepers	3	..	...	...	1	2	...	...	...	...	...	...	100	...	...	33 3	66 7
	(h) Sub-overseers	1	...	1	...	...	...	...	...	.	...	...	100	...	..	...	100	..
	(i) Muqaddams	6	..	4	...	2	...	...	..	..	...	...	66·6	33·4	...	...	100	...
	(j) Teachers	4	.	1	...	2	1	..	..	...	...	...	25	75	..	..	75	25
	(k) Dispensers	1	...	...	...	...	1	...	...	...	...	...	...	100	...	...	...	100
	(l) Instructors	9	...	1	3	1	4	..	...	...	...	...	44·4	55·6	.	..	22·3	77·8
	(m) Warders	15	...	4	4	3	3	...	1	..	...	..	53·3	40	6·7	...	46 7	53 3
	(n) Blacksmiths	1	..	...	1	...	...	...	...	...	...	...	100	...	...	..	...	100
	(o) Carpenters	1	...	...	..	...	..	...	1	..	...	...	..	...	100	...	...	100
	CLERICAL ESTABLISHMENT.																	
	(a) Stenographers	1	..	1	...	...	...	...	...	...	...	...	100	..	...	...	100	...
	(b) Clerks	9	...	3	2	1	3	...	...	..	...	..	55·4	44 6	...	...	44·6	55·4
	GRAND TOTAL ...	61	2	13	10	10	15	2	3	...	1	33	45 9	41	8 2	1 6	49·2	50 8
9. Criminal Tribes Department.	(a) Divisional Criminal Tribes Officers	2	...	1	...	...	1	...	..	..	...	...	50	50	...	...	50	50
	(b) Overseers	1	...	..	...	...	1	...	...	...	...	..	..	100	..	...	...	100
	(c) Supervising staff	34	..	5	4	6	9	4	5	...	1	...	23·5	44·1	26 5	2·9	44·1	55 9
	(d) Teachers and Preachers ...	16	...	3	2	1	2	2	2	...	4	...	31·2	18·8	25	25	37·5	62·5
	CLERICAL ESTABLISHMENT.																	
	(a) Superintendents	1	...	...	...	...	1	...	...	...	...	...	...	100	...	...	...	100
	(b) Clerks	16	...	..	6	...	8	1	1	..	..	...	37·5	50	12·5	...	6·2	93·8
	GRAND TOTAL ...	70	...	9	12	7	22	7	8	...	5	...	30	41·4	21·4	7·2	32 8	67 2

PART I.—Reserved Departments—continued.

1	2	3	4	5								6					7	
				INDIANS.								PERCENTAGE TO COLUMN 3.					PERCENTAGE ON COLUMN 3.	
				Muslims		*Hindus.*		*Sikhs.*		*Others.*								
Name of Office or Department.	Nature of appointment.	Total number of appointments.	Europeans and Anglo-Indians.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Europeans and Anglo-Indians.	Muslims.	Hindus.	Sikhs.	Others.	Members of notified Agricultural Tribes.	Others.
10. High Court	(*a*) Gazetted Ministerial Officers ...	3	2	..	...	...	1	...	...	...	...	66·7	...	33·3	..	...	...	100
	(*b*) Superintendents	8	1	..	1	...	4	...	1	...	1	12·5	12·5	50	12·5	12·5	...	100
	(*c*) Clerks	181	4	34	39	3	84	8	7	..	2	2·2	40·3	48·1	8·3	1·1	24·9	75 1
	COURTS SUBORDINATE TO THE HIGH COURT.																	
	(*a*) Head Clerks	51	...	12	14	..	24	1	..	...	...	...	51	47	2	...	25·5	74·5
	(*b*) Other Clerks	1,158	6	274	230	83	498	13	49	1	4	·5	43 5	50·2	5 4	·4	·32	·68
	GRAND TOTAL ...	1,401	13	320	284	86	611	22	57	1	7	·9	43·1	49 8	5·6	·6	30·6	69·4
11. Punjab Civil Secretariat	Special posts	2	2	..	..	..	..	..	..	..	..	100	...	..	...	...	...	100
	CLERICAL ESTABLISHMENT.																	
	(*a*) Superintendents	10	4	1	...	...	4	...	...	...	1	40	10	40	..	10	10	90
	(*b*) Personal Assistants and Stenographers.	14	...	2	3	...	5	...	3	...	1	...	35·7	35 7	21·5	7·1	14·3	85·7
	(*c*) Assistants	39	9	1	5	1	17	2	2	..	2	23	15·4	46·2	10·3	5·1	10·3	89·7
	(*d*) Senior Clerks	34	1	7	4	2	19	...	1	...	...	3	32·3	61·7	3	...	26·5	73·5
	(*e*) Junior Clerks	18	...	8	3	...	5	...	1	...	1	...	61·1	27·7	5·6	5·6	44·4	55·6
	(*f*) Restorers	8	...	1	2	3	1	...	1	...	..	...	37·5	5·0	12·5	...	50	50

	PRESS BRANCH.																		
	(a) Superintendent	1	...	...	1	...	...	...	...	...	...	...	100	...	...	...	...	100
	(b) Senior Translators	7	...	2	1	...	3	...	1	...	...	...	42·8	42·8	14·4	...	38·6	71·4
	(c) Junior Translators	10	...	4	5	...	...	...	1	...	...	...	90	...	10	...	40	60
	GRAND TOTAL ...	143	16	26	24	6	54	2	10	...	5	112	85	41·9	8·4	3·5	23·8	76·2
	PROVINCIAL SERVICES.																		
12. Office of the Director of the Bureau of Information, Punjab.	(a) Director	1	...	1	...	...	...	...	...	...	...	...	100	...	...	...	100	...
	SUBORDINATE SERVICE.																		
	(a) Assistant Director	1	...	...	...	1	..	...	...	...	..	...	...	100	...	...	100	...
	CLERICAL ESTABLISHMENT.																		
	(a) Superintendent	1	...	1	...	...	...	...	...	...	...	..	100	...	...	...	100	...
	(b) Clerks.	7	...	4	1	...	1	...	1	...	...	...	71·4	14·3	14·3	...	57·1	42·9
	GRAND TOTAL ...	10	...	6	1	1	1	...	1	...	...	...	70	20	10	...	70	30
	GOVERNMENT PRESS.																		
13. Punjab Government Printing.	(a) Superintendent	1	1	...	...	...	...	...	...	...	...	100	...	...	..	...	...	100
	(b) Deputy Superintendent ..	1	1	...	...	...	...	...	...	...	...	100	...	...	...	...	...	100
	(c) Assistant Superintendent ...	1	1	...	...	...	...	...	...	...	...	100	...	...	...	...	...	100
	(d) Clearing Officer	1	...	...	...	...	1	...	..	...	...	...	...	100	...	..	...	100
	(e) Clerical Establishment ...	46	1	13	6	4	21	1	...	...	...	2	42	54	2	...	39	61
	(f) Technical Establishment ...	397	10	130	145	29	76	6	1	...	...	3	69	26	2	...	42	58
	CENTRAL JAIL AND BORSTAL INSTITUTION PRESSES.																		
	(a) Works Manager	1	1	...	...	..	...	...	...	...	...	100	...	...	...	...	...	100
	(b) Clerical Establishment ...	10	...	9	8	...	2	1	...	1	..	...	60	20	10	10	40	60
	(c) Technical Establishment ...	18	...	5	8	1	3	...	1	...	...	...	72	22	6	...	33	67
	GRAND TOTAL ...	476	15	151	162	34	103	8	2	1	...	8	66	29	2	...	41	59

PART I.—*Reserved Departments*—concluded.

1	2	3	4	5								6					7	
				Indians.								Percentage to column 3.					Percentage on column 3.	
				Muslims.		*Hindus.*		*Sikhs.*		*Others*								
Name of Office or Department.	Nature of appointment.	Total number of appointments.	Europeans and Anglo-Indians.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Europeans and Anglo-Indians.	Muslims.	Hindus.	Sikhs.	Others.	Members of notified Agricultural Tribes.	Others.
14. Office of the Financial Commissioners.	(*a*) Superintendents	5	2	..	1	.	2	...	...	...	...	40	20	40	...	...	...	100
	(*b*) Assistants	20	3	6	4	...	7	...	...	...	...	15	50	35	...	..	30	70
	(*c*) Stenographers	4	...	..	2	...	2	.	...	...	...	...	50	50	...	...	...	100
	(*d*) Senior Clerks	12	...	3	2	1	5	...	1	..	...	..	41·6	50	8·4	..	33·4	66·6
	(*e*) Junior Clerks	29	...	7	7	3	6	2	4	...	...	...	48 3	31	20·7	...	41·4	58·6
	Grand Total ..	70	5	16	16	4	22	2	5	...	..	7 2	45 7	37·1	10	...	31·4	68 6
15. Office of the Director of Land Records.	(*a*) Superintendent	1	...	1	...	...	...	...	...	...	...	...	100	...	...	...	100	...
	(*b*) Head Assistants	3	...	...	...	1	1	...	1	...	...	...	..	67	33	...	33	67
	(*c*) Stenographer	1	...	1	...	...	...	..	...	...	...	...	100	...	...	...	100	...
	(*d*) Clerks	13	...	7	...	...	5	1	...	...	...	...	53 8	38 5	7 7	...	61·5	38·5
	Grand Total ...	18	...	9	...	1	6	1	1	...	...	...	50	38·9	11·1	...	61 1	38 9
16. Ambala Division [Commissioner's Office and District offices in the Division].	(*a*) Superintendents and Head Clerks...	7	6	1	...	...	...	...	...	...	...	85·7	14·3	...	...	...	14·3	85·7
	(*b*) Clerks	468	1	108	71	68	189	7	13	...	·11	2	38 2	54 9	4 3	2 4	39·1	60 9
	Grand Total ...	475	7	109	71	68	189	7	13	...	11	1 5	37·9	54·1	4 2	2 3	38·7	61·3

17. Jullundur Division [Commissioner's office and District offices in the Division].	(a) Superintendents and Head Clerks	28	1	2	2	3	15	...	...	...	...	4·3	17·4	78·3	...	...	21·7	78·3
	(b) Clerks	459	...	108	71	67	171	25	14	...	3	...	39	51·9	8·5	·6	43·6	56·4
	GRAND TOTAL ..	*482	1	110	73	70	186	25	14	...	3	·2	38	53·1	8·1	·6	42·5	57·5
18. Lahore Division [Commissioner's office and District offices in the Division].	(a) Superintendents and Head Clerks	7	1	1	1	...	1	..	1	...	2	14·3	28·6	14·3	14·3	28·5	14·3	85·7
	(b) Clerks	619	2	163	141	19	222	28	40	2	2	·3	49·1	36·9	11	·7	34·3	65·7
	GRAND TOTAL ...	626	3	164	142	19	222	28	41	2	4	·5	48·5	38·7	11	1	34	66
19. Rawalpindi Division [Commissioner's office and District offices in the Division].	(a) Superintendents and Head Clerks	30	2	5	3	1	12	1	5	...	1	6·7	26·7	43·3	20	3·3	23·3	76·6
	(b) Clerks	462	1	213	75	18	120	2	31	...	2	·2	52·8	29·9	7·2	·4	50·4	49·6
	GRAND TOTAL ..	492	3	218	78	19	132	3	36	.	3	·6	60·2	30·7	7·9	·6	48·7	51·3
20. Multan Division [Commissioner's office and District offices in the Division].	(a) Superintendents and Head Clerks	20	2	10	...	...	7	...	1	...	...	10	10	35	5	...	50	50
	(b) Clerks	539	1	198	63	8	246	3	18	...	2	·2	48·3	47·2	3·9	·4	38·7	61·3
	GRAND TOTAL ...	559	3	208	63	8	253	3	19	..	2	·5	48·5	46·7	3·9	4	39·1	60·9
21. Nili Bar Colony Establishment.	(a) Clerks	20	...	8	...	2	6	...	3	1	...		40	40	15	5	55	45
	(b) Mappers	2	...	...	...	...	2	.	.	...	...	...	...	100	...	..	...	100
	GRAND TOTAL ..	22	...	8	...	2	8	...	3	1	...	...	36·4	45·5	13·6	4·5	50	50

* 2 posts vacant.

PART II—Transferred Departments.

A.—Ministry of Agriculture.

PART II—TRANSFERRED DEPARTMENTS.

A.—Ministry of Agriculture.

1	2	3	4	5								6					7	
				Indians.								Percentage to column 3.					Percentage on column 3.	
				Muslims.		*Hindus.*		*Sikhs.*		*Others.*								
Name of Office or Department.	Nature of appointment.	Total number of appointments.	Europeans and Anglo-Indians.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Europeans and Anglo-Indians.	Muslims.	Hindus.	Sikhs.	Others.	Members of notified Agricultural Tribes.	Others.
1. Department of Agriculture.	Special posts	5	4	...	1	...	2	...	1	...	...	50	12·5	25	12·5	...	...	100
	PROVINCIAL SERVICE.																	
	(*a*) Provincial Civil Service ...	1	...	...	...	...	1	...	..	...	...	...	...	100	...	.	...	100
	(*b*) Provincial Agricultural Service ...	36	..	13	1	4	7	10	1	...	...	...	38·8	30·6	30·6	...	75	25
	SUBORDINATE SERVICE.																	
	(*a*) Agricultural Assistants ...	193	1	63	1	19	37	63	11	1	...	·5	32·7	28·5	37·8	·5	74·4	25·6
	(*b*) Mukaddams	274	...	170	6	33	6	49	3	1	1	...	64·2	16·1	18·9	·8	94·1	5·9
	CLERICAL ESTABLISHMENT.																	
	(*a*) Superintendents	2	...	...	...	...	1	...	...	1	...	...	...	50	...	50	50	50
	(*b*) Head Assistants	3	...	..	1	...	2	...	...	...	...	...	33·3	66·7	...	...	...	100
	(*c*) Head Clerks	9	...	5	1	1	1	...	1	...	...	...	66·7	22·2	11·1	...	66·7	33·3
	(*d*) Clerks	108	...	23	20	6	40	3	10	...	3	...	42·6	42·6	13	2·8	33·4	67·6
	Technical establishment	69	...	18	28	4	11	2	5	1	..	...	66·7	21·7	10·1	1·5	36·2	63·8
	GRAND TOTAL ...	705	5	295	59	72	109	127	32	4	4	·7	51·2	25·5	22·5	1·1	70·5	29·5

2. Veterinary Department	(a) Provincial Veterinary Service ...	21	2	8	2	...	5	3	1	...	...	9·5	47·6	23·8	19·1	...	52·4	47·6
	SUBORDINATE SERVICE.																	
	(a) Veterinary Inspectors, Assistant Surgeons and Veterinary Assistants.	335	...	124	57	28	40	56	28	...	2	...	54·1	20·3	25	·6	62·1	37·9
	(b) Technical subordinate establishment	45	1	13	14	3	8	4	2	...	...	2·2	60	24·4	13·4	...	44·4	55·6
	CLERICAL ESTABLISHMENT.																	
	(a) Head Clerks	6	...	1	...	1	3	...	...	...	1	...	16·6	66·7	...	16·7	33·3	66·7
	(b) Clerks	29	...	7	4	3	13	...	2	...	...	...	37·8	55·2	7	...	34·5	65·5
	GRAND TOTAL ...	434	3	152	77	35	68	63	33	...	3	·6	52·7	23·8	23·2	·7	57·6	42·4
3. Department of Fisheries	(a) Warden of Fisheries	1	1	...	...	...	...	...	...	...		100	...	...	...	...	...	100
	(b) Superintendent of Fisheries ...	1	...	1	...	...	...	...	...	...	...	...	100	...	...	...	100	...
	(c) Inspector of Fisheries ...	1	...	...	...	...	1	...		...	...	...	...	100	...	...	...	100
	(d) Sub-Inspectors of Fisheries	8	...	4	...	2	2	...	...	...	...	...	50	50	...	...	75	25
	(e) Deputy Sub-Inspectors of Fisheries	6	...	3	2	1	...	...	...	...	...	...	83	17	...	...	67	33
	(f) Laboratory Assistants ...	1	...		...	...	1	...	...	...	...	...	...	100	...	...	...	100
	CLERICAL ESTABLISHMENT.																	
	(a) Head Clerk	1	...	...	...	...	1	...	...	...	...	...	...	100	...	...	...	100
	(b) Clerks	2	...	...	1	1	...	...	...	...	...	...	50	50	...	...	50	50
	GRAND TOTAL ...	21	1	8	3	4	5	...	...	...	...	5	52	43	...	...	57	43
	PROVINCIAL SERVICE.																	
4. Co-operative Societies Department.	(a) Deputy Registrars ...	2	...	1	...	...	...	1	...	...	...	...	50	...	50	...	100	...
	(b) Assistant Registrars ...	17	...	10	1	1	1	4	...	...	...	...	65	12	23	...	88	12

PART II—TRANSFERRED DEPARTMENTS—*continued.*

A—Ministry of Agriculture—continued.

1	2	3	4	5								6					7	
				INDIANS.								PERCENTAGE TO COLUMN 3.					PERCENTAGE ON COLUMN 3.	
				Muslims.		*Hindus.*		*Sikhs.*		*Others.*								
Name of Office or Department.	Nature of appointment.	Total number of appointments.	Europeans and Anglo-Indians.	Members of notified Agricultural Tribes	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Europeans and Anglo-Indians.	Muslims.	Hindus.	Sikhs.	Others.	Members of notified Agricultural Tribes.	Others.
	SUBORDINATE SERVICE.																	
4. Co-operatives Societies Department—*concld.*	(*a*) Inspectors	103	...	57	3	24	4	14	...	...	1	...	58	27	14	1	92	8
	CLERICAL ESTABLISHMENT.																	
	(*a*) Superintendent ...	1	...	..	...	...	...	...	...	..	1	...	...	..	...	100	.	100
	(*b*) Clerks	177	...	77	20	29	24	18	6	1	2	...	55	30	13	2	71	29
	GRAND TOTAL ...	303	...	145	24	54	29	37	6	1	4	..	56·3	27·7	14·3	1·7	79	21
5. Public Works Department, Buildings and Roads Branch.	Special posts	17	8	...	2	...	7	...	...	...	...	47·6	11·9	40·5	...	...		100
	PROVINCIAL SERVICE.																	
	(*a*) Punjab Service of Engineers ..	25	2	2	...	3	16	...	1	...	1	8	8	76	4	4	20	8
	(*b*) Sub-Engineers	11	2	1	1	...	4	1	2	...	...	18·2	18·2	36·4	27·2	...	18·2	81·8
	(*c*) Temporary and Assistant Engineers.	22	1	4	1	2	11	1	2	...	...	4·5	22·7	59	13·8	..	31·4	68·6
	SUBORDINATE SERVICE.																	
	(*i*) *Buildings and Roads Branch.*																	
	(*a*) Upper and Lower Subordinates and S. E. S.	83	...	14	14	1	40	4	10	...	...	...	33·7	49·4	16·9	...	34·9	65·1

5. Public Works Department, Buildings and Roads Branch—*contd.*	(b) Draftsmen (on the regular cadre).	40	1	8	13	...	10	...	8	...	...	2·5	52·5	25	20	...	20	80
	(c) Tracers (on the regular cadre).	10	...	2	3	...	4	...	1	...	...	...	50	40	10	...	20	80
	(d) Subordinate (not on the regular cadre).	29	1	...	1	...	21	3	3	...	...	3·4	3·4	71·4	21·8	...	10·3	89·7
	(e) Surveyors (not on the regular cadre).	2	...	1	1	...	...	...	...	...	...	...	100	...	...	...	50	50
	(f) Draftsmen (not on the regular cadre).	32	1	14	7	...	6	...	2	..	2	3·1	65·5	18·8	6·3	6·3	43·8	56·2
	(g) Tracers (not on the regular cadre).	11	...	3	1	...	6	1	...	...	...	...	36·3	54·5	9·2	...	36·3	63·7
	(ii) *Maclagan Engineering College.*																	
	(a) Lecturers	6	...	...	1	1	3	1	...	...	...	...	16·6	66·8	16·6	...	16·6	83·4
	(b) Assistant Demonstrators ...	5	...	1	...	...	3	..	...	...	1	...	20	60	...	20	20	80
	(c) Mechanics	4	...	1	3	...	...	...	...	...	...	...	100	...	...	...	25	75
	(d) Lecture Assistants	4	...	1	1	...	1	...	1	...	...	...	50	25	25	...	25	75
	(iii) *Engineering School, Rasul.*																	
	(a) Instructors	4	..	3	...	1	...	...	1	...	...	...	75	...	25	...	75	25
	(b) Workshop establishment ...	8	1	4	2	...	1	...	...	...	...	12·5	75	12·5	...	...	50	50
	(c) Testers	1	...	...	...	...	...	...	1	...	...	...	...	..	100	...	...	100
	(d) Compounder	1	...	...	1	...	...	...	...	...	...	...	100	...	...	...	...	100
	CLERICAL ESTABLISHMENT.																	
	(a) Superintendents and Head Clerks, permanent.	30	2	4	9	2	11	1	...	.	1	6·6	43·3	43 3	3·4	3·4	23·3	76·7
	(b) Clerks and Storekeepers, permanent.	294	6	45	64	19	126	3	26	...	5	2·2	36·7	49 3	9·8	2	22·8	77·2
	(c) Head Clerks (not on the regular cadre).	8	...	...	1	1	6	...	...	...	...	...	12·5	87·5	...	...	12·5	87·5
	(d) Clerks and Storekeepers (not on the regular cadre).	50	1	5	5	3	32	...	1	1	2	2	20	70	2	6	18	82
	GRAND TOTAL	697	26	118	131	32	308	15	59	1	12	3·7	35	48·8	10·6	1·9	23·1	76·9

PART II—TRANSFERRED DEPARTMENTS—*continued.*

A—Ministry of Agriculture—concluded.

1	2	3	4	5								6					7	
				INDIANS.								PERCENTAGE TO COLUMN 3.					PERCENTAGE ON COLUMN 3.	
				Muslims.		*Hindus.*		*Sikhs.*		*Others.*								
Name of Office or Department.	Nature of appointment.	Total number of appointments.	Europeans and Anglo-Indians.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Europeans and Anglo-Indians.	Muslims.	Hindus.	Sikhs.	Others.	Members of notified Agricultural Tribes.	Others.
	PROVINCIAL SERVICE.																	
8. Public Works Department, Hydro-Electric Branch.	(*a*) Tunnel Engineer, Store Officer, Transmission Line Engineer, Personal Assistant and Resident Engineer.	5	4	...	...	...	1	...	...	...	...	80	...	20	...	...	...	100
	(*b*) Apprentice Engineers ...	9	...	1	4	...	3	...	...	...	1	...	55·6	33·3	...	11·1	11	89
	SUBORDINATE SERVICE.																	
	(*a*) Overseers and Sub-Overseers ...	58	2	16	10	...	17	5	7	...	1	3·5	44·8	29 3	20·7	1 7	36	64
	(*b*) Foremen and Assistant Foremen...	1	...	...	...	...	1	...	...	...	...	...	...	100	...	...	...	100
	(*c*) Draftsmen	27	...	8	11	...	6	...	1	...	1	...	70 4	22·2	3·7	3·7	29	71
	(*d*) Tracers	11	...	1	6	...	4	...	...	..	...	.	63·6	36·4	...	...	9	91
	(*e*) Storekeepers and Assistant Storekeepers.	11	...	1	3	3	4	...	...	...	...	...	36 3	63·7	...	...	36	64
	(*f*) T. L. Superintendents and Linesmen.	1	...	...	...	...	1	...	...	...	...	...	...	100	...	...	...	100
	CLERICAL ESTABLISHMENT.																	
	(*a*) Superintendents	4	1	...	3	...	...	...	...		...	25	75	...	...	...	...	100

	(*b*) Head clerks and 2nd clerks ..	11	...	1	4	...	5	..	1	...	...	...	45·5	45·5	9	...	9	91
	(*c*) Clerks	75	...	17	13	2	33	2	6	...	2	...	40	46·7	10·7	2·6	28	72
	GRAND TOTAL ...	213	7	45	54	5	75	7	15	...	5	2·3	46·5	37·5	10·3	2·4	26 8	73·2
7. Excise Department ...	(*a*) Inspectors and Sub-Inspectors ...	159	...	46	14	10	56	12	17	1	3	...	37·7	41·5	18·3	2·5	43·4	56·6
	GRAND TOTAL ...	159	...	46	14	10	56	12	17	1	3	...	37·7	41·5	18·3	2·5	43 4	56 6

Part II—Transferred Departments—*continued.*

B—Ministry of Education.

PART II.—TRANSFERRED DEPARTMENTS—*concluded.*

B—Ministry of Education.

1	2	3	4	5								6					7	
				INDIANS.								PERCENTAGE TO COLUMN 3.					PERCENTAGE ON COLUMN 3.	
				Muslims.		*Hindus.*		*Sikhs.*		*Others.*								
Name of Office or Department.	Nature of appointment.	Total number of appointments.	Europeans and Anglo-Indians.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Europeans and Anglo-Indians.	Muslims.	Hindus.	Sikhs.	Others.	Members of notified Agriculturai Tribes.	Others.
1. Education Department.	Special posts	17	15	...	..	..	...	..	...	.	2	88	...	-	..	12	.	100
	PROVINCIAL SERVICE.																	
	(a) Punjab Educational service (Men's Branch).	99	1	22	16	2	39	3	12	...	4	1	38	42	15	4	27	73
	(b) Punjab Educational service (Women's Branch).	6	3	.	1	..	...	..	...	...	2	50	17	...	..	33	..	100
	SUBORDINATE SERVICE.																	
	(a) Subordinate Educational service (A.-V. Section).	969	..	248	116	63	412	49	71	2	8	...	38	49	12		37	63
	(b) Subordinate Educational service (Cl. and V. Section).	852	...	287	173	65	228	45	53	...	1	...	54	35	11	..	47	53
	(c) Subordinate Educational service (Women's Branch A.-V. Section).	72	4	1	1	...	...	...	...	6	62	3	3	..	...	94	10	90
	(d) Subordinate Educational service (Women's Branch—Cl. and V. Section).	123	1	14	38	6	43	2	6	...	13	1	42	40	6	11	17	83

	CLERICAL ESTABLISHMENT.																	
	(a) Superintendents and Head Clerks (D. P. I.'s Office).	7	2	1	...	...	2	...	...	1	1	29	14	29	...	28	28·5	71·5
	(b) Clerks (D.P.I.'s Office) ...	49	2	10	17	3	10	3	4	...	...	4	55	27	14	...	33	67
	(c) Superintendents and Head Clerks (Subordinate Offices).	37	...	12	6	1	16	...	2	...	...	...	49	46	5	...	35	65
	(d) Clerks (Subordinate Offices) ...	176	...	71	25	10	53	4	11	..	2	...	55	35	9	1	49	52
	TOTAL ...	2,471	51	672	399	151	816	107	164	9	102	2·1	43·3	39·1	11	4·5	38	62
2, Department of Industries.	Special pos's	9	2	..		..	4	1	1	...	1	22·2	...	44·5	22·2	11·1	11·1	88·9
	PROVINCIAL SERVICE.																	
	(a) Punjab Educational Service ...	2	..	...	...	...	2	...	..	.	...	...	...	100	..	...	...	100
	SUBORDINATE SERVICE.																	
	(a) Industrial Surveyors, Teachers, Experts, etc.	209	1	49	58	14	60	6	16	1	4	·5	51·2	35·3	10·5	2·5	33·5	66·5
	CLERICAL ESTABLISHMENT.																	
	(a) Superintendents and Head Clerks	8	..	.	...	...	7	1	...	...	..	...	...	87·5	12·5	..	12·5	87·5
	(b) Clerks	45	..	5	6	1	29	1	3	...		...	24·4	66·7	8·9	...	15·6	84·4
	GRAND TOTAL ...	273	3	54	64	15	102	9	20	1	5	1·1	43·2	42·9	10·6	2·2	28·9	71·1
	CLERICAL ESTABLISHMENT.																	
3, Central Museum ...	(a) Darogha Head Clerk ...	1	...	.	...	1	...	...	...	..	...	...	...	100	...	...	100	...
	(b) Clerks	3	...	1	...	1	1	...	..	...	...	...	33	67	...	...	67	33
	OTHER ESTABLISHMENT.																	
	(a) Label writer	2	...	...	1	...	1	...	...	...	...	...	50	50	...	...	-	100
	(b) Carpenter	1	...	...	...	...	...	.	1	.	...	..	...	...	100	...	...	100
	GRAND TOTAL ...	7	...	1	1	2	2	...	1	..	...	...	29	57	14	...	43	57

PART II—*concluded.*

Transferred Departments.

C—Ministry of Local Self-Government.

PART II—TRANSFERRED DEPARTMENTS—*contd.*

C.—Ministry of Local Self-Government.

1	2	3	4	5								6					7	
				Indians.								Percentage to column 3.					Percentage on column 3.	
				Muslims.		*Hindus.*		*Sikhs.*		*Others.*								
Name of Office or Department.	Nature of appointment.	Total number of appointments.	Europeans and Anglo-Indians.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Europeans and Anglo-Indians.	Muslims.	Hindus.	Sikhs.	Others.	Members of notified Agricultural Tribes.	Others.
1. Medical Department...	Special posts	6	...	1	1	...	4	...	...	...	..	...	33 3	66 7	...	...	16·6	83·4
	PROVINCIAL SERVICE.																	
	(*a*) Civil Surgeons	9	...	2	1	1	4	...	1	...	...	...	33·3	55·5	11·2	..	33·3	66 7
	(*b*) Civil Assistant Surgeons ...	143	...	18	13	6	78	8	13	...	7	...	21·7	58 7	14 7	4 9	23·4	77·6
	(*c*) Women Assistant Surgeons ..	2	...	...	..	...	...	...	1	..	1	...	..	...	50	50	...	100
	SUBORDINATE SERVICE.																	
	(*a*) Sub-Assistant Surgeons ...	667	...	103	53	29	386	46	67	...	3	...	22 7	60·4	16 4	·5	25 9	74·1
	(*b*) Women Assistant Surgeons ...	4	...	...	...	...	1	...	...	..	3	...	...	25	...	75	...	100
	(*c*) Nurses	67	67	...	...	...	...	...	...	...	...	100	...	...	...	..	...	100
	(*d*) Laboratory Assistants and Attendants.	49	...	12	10	8	17	...	1	..	1	...	44·8	51	2 1	2·1	40 8	59 2
	(*e*) Miscellaneous appointments ...	19	4	3	3	1	5	3	...	...	...	21	31·6	31·6	15	...	36 8	63·2
	(*f*) Dispensers	169	...	16	36	21	78	7	7	...	4	...	30·8	58·6	8 3	2·3	26·1	73·9
	CLERICAL ESTABLISHMENT.																	
	(*a*) Superintendents and Head Clerks	40	1	6	3	...	25	2	2	...	1	2·5	22·5	62 5	10	2 5	20	80
	(*b*) Clerks	107	...	15	14	11	58	4	6	...	1	...	27·1	62·7	8·3	·9	28	72
	GRAND TOTAL ...	1,302	72	175	134	77	655	70	98	...	21	5·5	23·3	56·2	12 9	1·6	24·7	75·3

2. Public Health Department.	PROVINCIAL SERVICE.																		
	(a) Assistant Directors of Public Health.	3	...	...	2	..	1	...	..	...	...	...	66·7	33·3	...	..	..	100	
	(b) District Medical Officers of Health.	31	...	1	4	2	16	2	6	...	...	..	16·1	18·1	25·8	...	16·1	83·9	
	SUBORDINATE SERVICE.																		
	(a) Vaccinators (District Staff) ..	65	..	19	10	4	28	3	1	...	..	...	44·6	49·2	6·2	...	40	60	
	(b) Vaccinators (Special Staff) ...	17	...	8	1	4	3	..	1	...	...	...	52·9	41·2	5·9	...	70·6	29·4	
	(c) Sub-Assistant Surgeons ...	24	...	7	1	3	8	4	1	...	...	...	33·4	45·8	20·8	...	58·3	41·7	
	(d) Sanitary Inspectors (Normal Staff).	28	...	5	2	3	15	...	3	...	...	..	25	64·3	10·7	...	28·6	71·4	
	(e) Dispensers ...	20	...	1	4	3	10	..	2	...	...	..	25	65	10	...	20	80	
	TECHNICAL APPOINTMENTS.																		
	(a) Chemist	1	...	...	...	..	1	...	...	...	...	...	...	100	...	..	...	100	
	(b) Auditor, Urban Sanitary Board.	1	...	...	...	...	1	...	...	...	...	...	...	100	...	...	...	100	
	(c) Photographer	2	...	1	1	..	..	...	...	...	..	...	100	..	...	..	50	50	
	(d) Draftsman	1	..	1	...	..	...	...	..	...	...	...	100	...	...	...	100	...	
	(e) Laboratory Assistants and attendants.	7	...	5	1	...	1	..	..	...	..	..	85·7	14·3	...	...	71·4	28·6	
	(f) Storekeeper	1	..	..	...	..	1	...	...	..	...	...	...	100	..	...	...	100	
	(g) Mistri	1	..	...	...	...	...	..	1	..	...	...	...	...	100	...	...	100	
	CLERICAL ESTABLISHMENT.																		
	(a) Superintendent	2	2	...	..	..	..		...	...	...	100	...	...	...	...	...	100	
	(b) Head Assistant and Head Clerk.	8	..	5	1	...	1	...	1	...	...	...	75	12·5	12·5	...	62·5	37·5	
	(c) Stenographers	1	1	..	...	..	...	..	...	..	...	100	...	...	...	...	...	100	
	(d) Clerks	28	...	6	5	1	14	...	2	...	...	...	39·3	53·6	7·1	...	25	75	
	GRAND TOTAL ...	241	3	59	32	20	100	9	18	...	...	1·2	37·8	49·8	11·2	...	36·5	63·5	

PART II—Transferred Departments—*concld.*

C—Ministry of Local Self-Government—concld.

1	2	3	4	5								6					7	
				Indians.								Percentage to column 3.					Percentage on column 3.	
				Muslims.		*Hindus.*		*Sikhs.*		*Others.*								
Name of Office or Department.	Nature of appointment.	Total number of appointments.	Europeans and Anglo-Indians.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Members of notified Agricultural Tribes.	Others.	Europeans and Anglo-Indians.	Muslims.	Hindus.	Sikhs	Others.	Members of notified Agricultural Tribes.	Others.
3. Registration Department.	(*a*) Departmental Sub-Registrars ...	61	...	31	...	9	3	16	2	...	...	...	50·8	19·7	29·5	..	91·8	8·2
	Grand Total ...	61	...	31	...	9	3	16	2	...	...	...	50·8	19·7	29·5	...	91·8	8·2
	Tahsildar on Special Duty ...	1	...	1	...	..	...	..	...	...	...	...	100	...	...	...	100	...
	Clerical Establishment.																	
4. Office of the Joint-Secretary to Government, Punjab, Transferred Departments.	(*a*) Personal Assistant	1	...	...	...	...	...	...	...	...	1	...	..	...	...	100	.	100
	(*b*) Head Assistant	1	...	...	1	..	...	...	...	...	...	...	100	...	...	...	...	100
	(*c*) Clerks	11	...	3	4	...	2	..	2	..	...	..	63·6	18·2	18·2	..	27·3	72·7
	Other Establishment.																	
	(*a*) Naib Tahsildar	1	...	...	...	..	1	...	...	...	...	..	...	100	...	...	...	100
	(*b*) Kanungos	3	..	...	1	...	...	1	1	...	...	...	33·3	...	66·7	...	33·0	66·7
	Grand Total ...	18	...	4	6	...	3	1	3	...	1	...	55·5	16·7	22·2	5·6	27·8	72·2

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