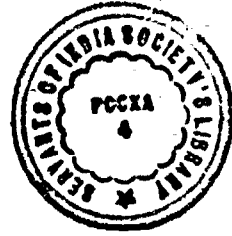


REPORT OF THE  
NORTH-WEST FRONTIER PROVINCE  
SUBJECTS COMMITTEE

# REPORT

OF THE



## NORTH-WEST FRONTIER PROVINCE SUBJECTS COMMITTEE



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CALCUTTA: GOVERNMENT OF INDIA  
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LIST OF MEMBERS.

*Chairman.*

Mr. H. G. HAIG, C.S.I., C.I.E., I.C.S.

*Members.*

Nawab Sir Sahibzada ABDUL QAIYUM KHAN, K.C.I.E., M.L.A.

Mr. C. LATIMER, C.S.I., C.I.E., I.C.S.

Khan Bahadur Nawab HAMIDULLAH KHAN of Toru.

M. R. Ry. Dewan Bahadur A. RAMASWAMI MUDALIAR, M.L.A.

Rai Bahadur Lala THAKUR DATTA.

Mr. MUHAMMAD YUNUS KHAN.

\*Mian AHMAD SHAH, Bar.-at-Law.

Mr. E. T. COATES, I.C.S.

Rai Bahadur LEENA SINGH (*Secretary*).

NOTE.—The total expenditure incurred by the Committee, including expenditure on printing is estimated at Rs. 32,000.

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\*Resigned before commencement of public sittings of the Committee.

## APPENDICES TO THE REPORT.

## APPENDIX I

No. F.12/IV/31-R,

GOVERNMENT OF INDIA,

REFORMS OFFICE,

*Simla, the 2nd May 1931.**Resolution.*

Sub-Committee No. V of the Indian Round Table Conference, which dealt with the problem of the North-West Frontier Province, recommended that the five administered districts should cease to be a centrally administered territory under the direct control of the Government of India, and that they should be given the status of a Governor's Province, subject to such adjustment of detail as local circumstances require and the extent of the All-India interests in the province necessitate.

2. In pursuance of this recommendation they proposed that, as in other Governors' provinces, there should be a classification of provincial subjects entrusted to the charge of the provincial Government, and suggested that the precise discrimination of subjects between the Centre and the North-West Frontier Province would require careful investigation, if necessary by a specially constituted Committee, following broadly the lines of the classification in other provinces. The ideas of the Sub-Committee as to this classification are explained in the following words in paragraph 5 of their report :—

“ Subject to the findings of such a Committee the Sub-Committee contemplates that the charge of the ordinary civil police in the five administered districts excluding the frontier constabulary will pass to the provincial government of these districts, but in view in particular of the close relation of the province with matters of defence and foreign policy the Sub-Committee considers it essential that all matters of All-India importance and all matters connected with the control of the tribal tracts, for instance, the frontier constabulary, frontier remissions and allowances, and strategic roads should be excluded from the purview of the provincial Government and classed as central subjects. The broad point is that in making the dividing line between central and provincial subjects, regard would be had to the need for classifying as central certain subjects of All-India importance peculiar to the present administration of the North-West Frontier Province, which could not properly be entrusted to the provincial legislature ”.

3. In paragraph 8 of their report the Sub-Committee expressed their views on the financial settlement as follows :—

“ The Sub-Committee is satisfied from figures placed before it that on subjects which may be expected to be classed as provincial the province will show a large financial deficit. It follows that the provincial government will require financial assistance from central (or federal) revenues. The Committee suggests that there should be preliminary expert investigation into the allocation of expenditure between central and provincial heads to supply the basis from which the financial subvention from central (or federal) revenues may be calculated. The Sub-Committee apprehends that if the subvention be open to debate annually in the central (or federal) legislature, the substance of provincial autonomy in the North-West Frontier Province may be impaired. It suggests that the difficulty might be met by an agreed convention that each financial assignment should run undisturbed for a period of years ”.

4. The Governor-General in Council, with the approval of the Secretary of State, has decided that the enquiry into the classification of subjects and into the consequent financial

settlement should be entrusted to a Committee, which he has been pleased to constitute as follows :—

*Chairman.*

1. Mr. H. G. Haig, C.S.I., C.I.E., I.C.S.

*Members.*

2. Nawab Sir Sahibzada Abdul Qaiyum Khan, K.C.I.E., M.L.A.
3. Mr. C. Latimer, C.S.I., C.I.E., I.C.S.
4. Khan Bahadur Nawab Hamidullah Khan of Toru.
5. M. R. Ry. Dewan Bahadur A. Ramaswami Mudaliar, M.L.A.
6. Rai Bahadur Lala Thakur Datta.
7. Mr. Mohammad Yunus Khan.
8. Mian Ahmad Shah.
9. Mr. E. T. Coates, I.C.S.

Rai Bahadur Lehna Singh will act as Secretary to the Committee. The Committee's headquarters will be at Peshawar.

5. The terms of reference to the Committee are as follows :—

“ With reference to the report of Sub-Committee No. V of the Round Table Conference to make recommendations as to the classification of subjects in the North-West Frontier Province as provincial or central; and, on the basis of the classification proposed, to examine the allocation of expenditure between central and provincial heads, and to report the extent to which it would be necessary to supplement the provincial revenues in order to meet the charges under the provincial heads.”

ORDER : Ordered that a copy of the above resolution be published in the *Gazette of India* and communicated to the Chief Commissioner, North-West Frontier Province, for information. Also that a copy be forwarded to the Secretary to the Committee for information. Further that a copy be forwarded to the Foreign and Political Department, the Home Department and the Finance Department for information.

W. H. LEWIS,

*Joint Secretary to the Government of India.*

## APPENDIX II.

NORTH-WEST FRONTIER PROVINCE SUBJECTS COMMITTEE'S OFFICE, PESHAWAR.

*Dated 5th May 1931.*

The North-West Frontier Province Subjects Committee which has been set up by the Government of India in connection with the working out of the new constitution proposed by the Round Table Conference for the five settled districts of the North-West Frontier Province has been given two tasks. The first is to make proposals as to the subjects which will be administered by the new Provincial Government or in other words to suggest a classification of subjects as either Provincial or Central. The second is to consider what financial assistance the provincial Government will require from the Centre in order to fulfil its responsibilities for the administration of the Provincial subjects.

It is evident that the Committee's enquiry must involve detailed examination of facts and figures with the assistance of the local Administration and its officers. But the Committee hope also to receive assistance from the public on the more general questions that are involved in their enquiry, some of which are indicated below :—

- (1) What are your general views as to the sphere of administration to be entrusted to the new provincial Government ?
- (2) Are there any matters of All-India importance peculiar to the present administration of the North-West Frontier Province which should be classed as central ?
- (3) What should be the future financial relations between the Centre and the North-West Frontier Province ?
- (4) Should the financial subvention from the Centre be for an unlimited or for a limited period ? If for a limited period, what should that period be and what authority should be empowered to revise the amount of the subvention ?
- (5) On what principles should the subvention be calculated ?

The Committee will be glad to receive written statements from associations or individuals dealing with these or similar points or any matters of detail relevant to the enquiry, of which any one may have special knowledge. The Committee will, whenever necessary invite those who have forwarded written statements to supplement them by oral evidence.

The Committee expects to commence sittings for the hearing of evidence in Peshawar on 11th May. It will move to Abbottabad about 20th May. As the Committee hope to complete their report approximately in a month it would be a great convenience if gentlemen intending to place their views before the Committee would do so as early as possible. Evidence will be heard in public. Admission, so far as accommodation permits, will be by ticket, for which application should be made to the Secretary.

LEHNA SINGH (R. B.), M.B.E.,

*Secretary.*

## APPENDIX III.

To

THE PRESIDENT,

NORTH-WEST FRONTIER PROVINCE SUBJECTS COMMITTEE,

PESHAWAR.

SIR,

I beg to resign from the North-West Frontier Subjects Committee for the following reasons :—

- (1) Letter No. 676-7/SS., dated Peshawar the 27th April 1931, sent to me by the local Government inviting me to work on the Committee, led me to believe that the only task before the Committee, as mentioned in the said letter, was to "consider the classification of Central and Provincial Expenditure and the financial settlement arising out of the proposed constitutional changes in the Province". Beyond this I had no knowledge as to whether there were any other terms of reference until on the day—5th May—when we were going to meet for the first time I came to learn about other terms of reference in the "Tribune", just a little while before the first sitting. The terms ran as follows :—With reference to the Report of Sub-Committee No. V of the Round Table Conference to make recommendations (a) as to the classification of subjects in the North-West Frontier Province as Provincial or Central and (b) on the basis of the classification proposed to examine the allocation of expenditure between the Central and Provincial heads and to report the extent to which it would be necessary to supplement the Provincial revenues in order to meet the charges under Provincial Heads". I fail, therefore, to understand why, when the invitation was first issued, I was not made acquainted with the real nature of the Committee, so that I might have been able rightly to decide whether I could possibly contribute, by my serving on the Committee, to the legitimate demand of the North-West Frontier Province for an equal status with other Provinces, in a future constitution.
- (2) It is obvious enough that the Joint Committee of Sub-Committees Nos. 1 and 11 of the Round Table Conference was appointed to consider in detail the present list of Central and Provincial subjects and to make recommendations for the future classification of subjects both Central and Provincial. The proposed classification will be found in the proceedings of the Indian Round Table Conference, on pages 211—222. Now, if it is really contemplated that the North-West Frontier Province shall enjoy in future an equal status with the rest of India, I am surprised to see why there should at all be appointed any other Committee to go beyond the proposed classification of the Joint Committee and make further classification of subjects in the North-West Frontier Province. It is, therefore, very easy to see that any further classification would seriously affect this Province and consequently reduce it to a far lower position than the rest of India. In such circumstances it would be idle, at least for me, to bring myself to believe that the recommendations of the present Subjects Committee would be other than those for which the Sub-Committee No. V itself has provided a basis, for instance, the Sub-Committee No. V, while suggesting that precise discrimination of subjects between the Centre and the North-West Frontier Province will, if necessary, be made by a specially constituted Committee such as the present one, contemplates that "subject to the findings of such a Committee the charge of the ordinary civil police in the five administered districts excluding the frontier constabulary will pass to the provincial Government of these districts and in view in particular of the close relation of the Province with matters of Defence and Foreign Policy the Sub-Committee considers it essential that all matters of All-India importance and all matters connected with the control of the tribal tracts, for instance the frontier constabulary, frontier remissions and allowances and strategic roads should be excluded from the purview of the provincial Government and classed as central Sub-

jects " to be administered by the Governor (now Chief Commissioner) with which the Provincial Council will have no concern. I think it is quite easy to infer from the restrictions intended to be imposed on the proposed constitution of the North-West Frontier Province what the future of this unfortunate province is going to be.

- (3) The draft scheme of issues discussed on 8th May abundantly proved to me that even in respect of subjects to be entrusted to the proposed Provincial Legislature of the North-West Frontier Province, no effort, as the trend of our discussion showed the other day, is being made to raise this province to the standard of reform obtaining at present in British India, nothing to say of that constitutional advance which other provinces will enjoy in future.
- (4) I am at a loss to understand how those people could possibly be included in the personnel of the Subjects Committee, who have out-and-out remained antagonistic to any measure of reform to be introduced in the Frontier Province.

In view of the above reasons, I cannot conscientiously associate myself with the proceedings of the Subjects Committee, in that it will be against the avowed demand of the people of the North-West Frontier Province for an equality of status with the rest of India a demand which stands unanimously supported by the Indian National Congress, Jamiatul Ulama, All-India National Muslims' Conference, All-India Muslims' Conference, All India Nawjawan Bharat Sabha and similar other big institutions. I, therefore, under protest, withdraw my name from the Subjects Committee.

I beg to remain,

SIR,

Yours faithfully,

MIAN AHMAD SHAH,

*Dated Peshawar, the 11th May 1931.*

*Bar-at-Law.*

DEAR MIAN SAHIB,

It was a matter of great regret to me when I received yesterday morning your letter resigning your membership of the North-West Frontier Subjects Committee. I felt that the difficulties expressed in that letter might be resolved by personal discussion, and you were good enough to come and see me yesterday afternoon at my invitation, and we explored the whole position in a full and friendly manner. After further careful consideration, however, you informed me that you felt a matter of principle was involved and that you could not vary your decision. I do not wish in this letter to go over again all the ground that we covered yesterday. I would like only to repeat two points which I endeavoured to make plain at the opening meeting of the Committee and which I stressed again in our conversation yesterday. The first is that the general scheme of the constitution proposed for the North-West Frontier Province has not been referred to us, and that the proper occasion to raise any question of modification of these proposals will be at the resumed meeting of the Round Table Conference. Those who are dissatisfied with these proposals will not in any way compromise their position by taking part in our enquiry. The second is that in the matter of classification of subjects which you apprehend has been prejudged, I stated that the Sub-Committee of the Round Table Conference had expressed no final views, though it had no doubt given certain indications of general principles. On the matters referred to us therefore we were free to come to our own conclusions, and you were free to advocate and to endeavour to secure the acceptance of whatever scheme of classification seemed to you to be in the best interests of the province. I wish to add that my colleagues and I much regret that we shall be deprived of your assistance in an enquiry which we regard as likely to be of great importance for the political future of the North-West Frontier Province.

Yours sincerely,

H. G. HAIG.

No. 145,

*Dated 12th May 1931.*



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APPENDIX IV.

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Statement showing the actuals for the years 1927-28 to 1930-31 and  
(vide paragraph 33

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Heads.	Actuals.				Budget Estimate, 1931-32.
	1927-28.	1928-29.	1929-30.	1930-31.	
PROVINCIAL HEADS.					
V—Land Revenue .. ..	21,83	18,84	21,07	17,21	21,01
VI—Excise .. ..	15,23	11,59	10,72	6,12	9,95
VII—Stamps .. ..	11,29	11,52	10,91	9,06	9,89
VIII—Forests .. ..	7,57	8,29	8,64	7,11	10,00
IX—Registration .. ..	77	78	76	64	69
XIII—Irrigation—					
Gross Receipts (Direct and Indirect).	17,54	15,71	19,97	14,78	21,71
Deduct Working Expenses ..	9,38	7,55	10,53	11,35	8,64
Net Receipts .. ..	8,16	8,16	9,43	3,43	13,07.
XVI—Interest .. ..	1,23	92	78	92	93
XVII—Administration of Justice	2,54	2,17	1,92	1,69	1,65
XVIII—Jails and Convict Settlements.	1,23	1,19	1,36	1,23	1,39
XIX—Police .. ..	46	55	66	15	68
XXI—Education .. ..	50	56	64	60	63
XXII—Medical .. ..	2	50	37	87	77
XXIII—Public Health .. ..	3	2	2	5	5
XXIV—Agriculture .. ..	14	30	32	35	35
XXVI—Miscellaneous Departments.	1	3	2	68	2
XXX—Civil Works .. ..	74	63	45	58	55
XXXIII—Receipts in aid of Superannuation.	34	24	28	28	28
XXIV—Stationery and Printing	15	26	62	52	29
XXXV—Miscellaneous ..	2,66	3,83	4,29	3,23	3,08
Total Provincial Heads ..	74,90	70,38	73,26	54,72	75,28

## DIX IV.

the Budget Estimate for 1931-32, under Central and Provincial whole major heads.  
of the Report.)

RPTS.

(In thousands of Rupees.)

Heads.	Actuals.				Budget Estimate, 1931-32.
	1927-28.	1928-29.	1929-30.	1930-31.	
	CENTRAL HEADS.				
I—Customs .. .. .	2	2	1	1	2
II—Taxes .. .. .	9,85	9,73	9,87	8,14	8,89
XXVII—Currency .. .. .	7	6	7	6	7
XXXIII—Receipts in aid of Superannuation.	12	12	11	5	7
XXV.—Miscellaneous .. .. .	2,62	2,04	2,08	1,88	2,51*
<b>Total Central Heads .. .. .</b>	<b>12,68</b>	<b>11,97</b>	<b>12,14</b>	<b>10,14</b>	<b>11,56</b>
<b>Total Provincial and Central Heads.</b>	<b>87,58</b>	<b>82,35</b>	<b>85,40</b>	<b>64,86</b>	<b>83,84</b>

\*Represent receipts in Agencies.

Heads.	Actuals.				Budget Estimate, 1931-32.
	1927-28.	1928-29.	1929-30.	1930-31.	
PROVINCIAL HEADS.					
5—Land Revenue .. .. .	6,23	5,83	4,60	3,74	3,45
6—Excise .. .. .	99	1,01	1,15	1,34	1,29
7—Stamps .. .. .	30	26	28	17	21
8—Forests .. .. .	6,91	7,72	8,04	7,82	8,87
8-A.—Forest Capital Expenditure	2,56	80	36	30	16
9—Registration .. .. .	13	15	14	14	15
14—Interest on Capital Irrigation Outlay.	9,72	9,86	9,94	10,16	10,21
15—Irrigation Works financed from ordinary revenue.	—17	2,31	3,21	3,01	2,55
15—Navigation Works .. .. .	2,51	3,87	1,38	1,06	95
16 and 55—Irrigation Capital Expenditure.	1,45	2,05	3,53	50	86
22—General Administration .. .. .	17,23	17,37	18,24	18,45	18,89
Pay and Accounts Office .. .. .	..	..	1,02	1,33	1,30
24—Administration of Justice .. .. .	7,42	7,55	7,71	7,85	7,90
25—Jails .. .. .	7,24	7,55	8,23	8,41	10,08
26—Police .. .. .	27,42	28,35	29,46	34,84	31,85
30—Scientific Departments .. .. .	5	5	5	5	5
31—Education .. .. .	17,73	18,59	19,77	20,55	22,11
32—Medical .. .. .	4,21	4,21	6,17	5,28	8,27
33—Public Health .. .. .	85	1,02	1,05	1,13	1,29
34—Agriculture .. .. .	1,56	1,53	1,93	2,14	2,84
35—Industries .. .. .	..	7	..	..	..
37—Miscellaneous Departments .. .. .	2	2	2	2	3
41—Civil Works .. .. .	24,64	30,82	38,05	48,85	39,24
43—Famine Relief .. .. .	..	..	..	7	..
45—Superannuation Allowances and Pensions.	4,90	4,59	4,80	4,79	4,89
45-A.—Commutation .. .. .	..	..	..	..	..
46—Stationery and Printing .. .. .	1,07	1,01	1,23	1,18	1,27
47—Miscellaneous .. .. .	59	71	80	69	79
Total Provincial Heads .. .. .	1,45,58	1,57,30	1,71,16	1,83,85	1,79,50

NOTE.—In these statements the central share of provincial heads has generally not been separated. This separation has been effected in detail in the statement appended to the financial statement on pages 73-74.

## DIETURE.

(In thousands of Rupees.)

Heads.	Actuals.				Budget Estimate, 1931-32.
	1927-28.	1928-29.	1929-30.	1930-31.	
CENTRAL HEADS.					
1—Customs .. .. .	14	14	14	15	15
2—Taxes .. .. .	71	70	73	76	79
6—Excise .. .. .	5,00	4,67	4,68	4,68	4,68
19—Interest on ordinary debt—					
Gross Interest Payments ..	1,44	1,55	1,67	1,69	1,62
Deduct—Interest transferred to Irrigation.	—9,72	—9,86	—9,94	—10,16	—10,21
Deduct.—Interest transferred to Forests.	—7	—17	—19	—22	—24
Net .. .. .	—8,35	—8,48	—8,46	—8,71	—8,83
20—Interest on other obligations ..	..	..	57	65	71
28—Ecclesiastical .. .. .	88	88	81	87	86
29—Political .. .. .	22,65	23,87	24,38	27,77	27,16
29-A.—Frontier Watch and Ward—					
Pay and other charges of Scouts, Militia and Frontier Constabulary.	94,96	93,84	95,11	1,00,29	95,85
Buildings and Communications	31,75	40,16	50,13	44,52	38,01
37—Census .. .. .	..	..	..	27	35
38—Currency .. .. .	3	4	3	4	5
44—Territorial and Political Pensions.	48	45	53	48	46
Total Central Heads ..	1,48,07	1,56,27	1,68,65	1,71,77	1,60,24
Total Provincial and Central Heads.	2,93,65	3,13,57	3,39,81	3,55,62	3,39,74