

## STRICTURES ON QADIANI SECT

Judge's Remarks  
CriticisedSIR TEJ BAHADUR SAPRU'S  
ARGUMENTS

Sir Tej Bahadur Sapru resumed in the Lahore High Court, Tuesday the discussion of certain passages in a judgment of the Gurdaspur Sessions Judge to which exception has been taken by the Qadiani sect of Muslims and which it is being prayed, should be expunged from the records of the Gurdaspur court.

The court-room of Mr. Justice Coldstream who is hearing this prayer was again crowded with lawyers and members of the public.

Sir Tej Bahadur criticised one passage after another on the grounds that they contained comments which were not correct in fact, were not justified by the evidence, and were unnecessary and irrelevant for purposes of deciding the real issue of the case which was heard by the Sessions Judge.

The Qadiani, according to counsel, shared the principal tenets of their sect with Muslims—a belief in the unity of God and the Prophethood of Mahomed. While, however, other Muslims believed the Prophet of Arabia to have been the last one in a series of successive Prophets, the Qadianis believed that Mirza Ghulam Ahmad of Qadian, the founder of their sect, had brought the Prophet of Arabia the status of a Prophet as the promised Messiah.

## "NOT NECESSARY"

The way in which the Sessions Judge had explained the religious differences between the Qadianis and other Muslims was incorrect and misleading and in this connection it was not necessary for the Sessions Judge to make comments on the differences.

The founder of the Qadiani sect did not pass a "fatwa" of "kufur" against the "millions of Muslims" who did not believe in his mission, but only against those who had passed an "awla" of "kufur" against him. In this connection the use of the word "new-fangled" as a description of the Qadiani sect was offensive.

Mr. Justice Coldstream agreed that it was "unfortunate."

Counsel continued that the reference by the Sessions Judge to "pride almost amounting to arrogance on the part of Qadianis" was and could not be finding on the basis of any evidence. It was a sweeping and baseless remark, irrelevant and offensive.

The Sessions Judge's remark that a volunteer corps was organised "probably with the object of enforcing their decrees" was not supported by any evidence.

Mr. Justice Coldstream: "What is the evidence on your side regarding the objects of the volunteer corps?"

Sir Tej Bahadur submitted that his client could lead no evidence in a case to which he was not party. "This is my whole complaint."

Counsel, however, referred to the evidence of an office-bearer of the Qadiani organisation who was summoned as a defence witness in the case and who said that the volunteer corps was there to help in the arrangement of social gatherings.

## ARBITRATORS

It was, counsel continued, a gross abuse of the English language on the part of the Sessions Judge to say that judicial functions were assumed by the Qadiani sect. It was not only that courts parallel to British courts had been set up in Qadiani. The status of these so-called courts was merely that of private arbitrators who in civil and non-cognisable criminal disputes acted with the consent of the parties concerned.

There was no "enforcement of decrees" or "execution of punishment." Referring to the alleged cases of extortions by the Qadiani sect, he said, there was no evidence at all to support the Sessions Judge's remark about Ismail and whatever evidence—a letter written by the present head of the Qadiani community—there was about the alleged extortions of Habib-ur-Rehman only showed that the head of the community exercised a kind of parental jurisdiction on members of the community.

The so-called stamped paper which was used for certain purposes in Qadiani never purported to be a substitute for regular judicial stamp and its use, was, counsel contended, no offence.

Mr. Justice Coldstream: "It came very near being an imitation."

Referring to the murderous attack on Abdul Karim and the murder of Mahomed Hussain, counsel contended that the burial of the murdered could not be described as having taken place "in grand style." It was a decent burial because the man had repented and the head of the community had absolved him of the religious sin of murder. The "khutba"

(address) of the head of the community implied no praise of the murderer. Counsel read out a part of the translation of the address.

## NO BASIS

There was no basic counsel continued, for the contention that the death of Mahomed Hussain or Mahomed Karim or the murderous attack on Abdul Karim were brought about by the head of the Qadiani community.

Mr. Justice Coldstream observed that the entire tone of the judgment was unfortunate, but he wanted to know what could and what could not furnish a justification for expunging a passage from the judgment.

Then when His Lordship, said no application or revision petition before him, could he be asked to expunge a portion of the judgment merely because it involved an error of law or an error of fact or was unfortunate in tone?

As for relevancy the Judge put a question to Sir Tej Bahadur: "Does the head of the Qadiani community, when summing up as a defence witness, had supported the allegations of the accused about murders, arson and general lawlessness in Qadiani, would this evidence not be relevant to the accused's plea that provoking circumstances existed to extenuate his offence?"

Sir Tej Bahadur admitted that under Section 504 of the Criminal Procedure Code, the High Court has absolute, unfeigned and inherent powers to set right an abuse of judicial process. If His Lordship held any portion of the judgment to be such an abuse—even though the portion purported to be based on his express disapproval of the offending document in two ways—through extenuation or by an expression of opinion on it. That there was no revision petition or appeal before the High Court did not preclude the Court from setting right an abuse of judicial process.

"Otherwise, what is the legal remedy open to me when I am aggrieved by the remarks of a Sessions Judge, but, not being a party to the case, am unable to come to your Lordship with an appeal or a revision petition?"

## RULINGS QUOTED

Sir Tej Bahadur quoted rulings of the Lahore High Court in support of this view.

As for the relevancy of evidence for the purpose of proving the existence of provocation as an extenuating circumstance, counsel argued that the offence under Section 153-A of the Indian Penal Code (covering hitting and other classes) was an offence against the State. It was not open to a person accused of an offence of sedition to urge the existence of provocation as an extenuating circumstance. In any case, there ought to be reasonable proximity between the provocation and the offence to which it is said to have led. In the present case old history had been raked up in seeking a provocation that might serve as a mitigating circumstance. This was, according to counsel, perfectly irrelevant evidence.

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(Continued in Col. 3)

PUNJAB UNIVERSITY  
EXAMINATION

## M.B.B.S. Results

The following candidates have passed the Final Professional Examination for the Degree of M.B.B.S., held in October, 1935:

King Edward Medical College, Lahore: Evelyn Peters, Leila Dalmatia, A. H. Vatsayana, Riaz Abdul Jabbar, Baij Nath Singh, Balbir Krishna Kapur, Banarsi Das, Bishambher Nath Bhagwan, John Samuel, Chuni Lal, Ishaq Ali, Dev Parashar Mengi, Ghulam Haider Khan, Syed Ghulam Haqan, Naik A. H. Hamid Musa, Harbans Lal, Naik A. D. Singh, Madhoi Suresh Gupta, Mahmud Ali, Mir Saifiullah, Mohammad Abdul Qayyoom, Mulick Chaudhuri, Gauri Nazir Hussain, Rameshwar Dayal Mathur, Ram Labh Singh, Ram Prakash Malhotra, Shamsher Dayal Mahobia, Tajvir Singh Pathania, Uday Singh and Z. A. Zafar Ghauri.

Lady Hardinge Medical College, Delhi: Esther Dalmatia, Sheila Ghosh, Usha Khanna, Harjigar Kaur, Zahra Begum, Khushwant Singh, Begum Sulhia Khan, Florence Umar Khiteb, Shanta Kanitie, Janardan Sule, M. Shanta Bai, and Z. A. Zafar Ghauri.

The result of Roll No. 24 will be declared later.

The following candidates are eligible to re-appear in the subject noted against his name in the Final Professional Examination for the Degree of M.B.B.S. (Till April, 1937):

TO RE-APPEAR  
King Edward Medical College, Lahore: Arjan Dev Chahad, Midwifery and Gynaecology.

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The following candidate must appear in the whole examination next time:—

King Edward Medical College, Lahore: Ghafur Mohd. Shahid.

The following candidates are eligible to re-appear in Part (A), or in Part (B) noted against their names (Till October, 1936) in the Final Professional Examination for the Degree of M.B.B.S.:

King Edward Medical College, Lahore: Bhanupani Devi, (B); Jaswant Bai, (B); Avtar Singh Dugal, (B); Bashir Hussain Sayyed, (A); Beant Singh Keith, (B); Brij Lal Kapoor, (B); Chander Parkash Aggarwal, (B); Ghulam Sarwar Ahmad, (B); Gurbachan Singh, (B); Ijaz Ahmed Siddiqui, (B); Jagannath Dhar, (B); Kamal Singh Shourie, (B); Kharat Singh Chhitalwala, (B); Madhusudan Sharif, (B); Pearce Lal Verma, (A); Ranindra Lal, (B); Ranvir Singh Venkata, (B) and Sana Mohamad Khan, (A).

Lady Hardinge Medical College, Delhi: Vidyut Vati Dube, (A); Mabel Azhar Masih, (B); and (Miss) Sushilla Soule, (B).

## A DARK DIWALI

Sind's Sympathy With Quetta  
Victims

KARACHI, Oct. 22.

In striking contrast to the feelings of filial sympathy of the followers of the Qadiani sect, not only against non-Qadiani Muslims but also against followers of other religions. No doubt, he admitted, strained feelings were acute in the case of non-Qadianis. No intermarriages were allowed.

Taking the different passages which it is sought to expunge, he argued that it appeared from various articles in the official organ of Qadiani that the writer of the letter of the faith that he intended to extend the Qadiani religion throughout the world, including European countries and America. Various writings were referred to in Court to the above effect. The counsel pointed out that Qadianis considered the whole world as enemies, and least of all they could tolerate non-Qadianis in Qadiani itself.

## PARALLEL ADMINISTRATION

Referring to the propaganda work, boycott and excommunication, the volunteer corps and the judicial functions assumed by the Qadiani sect, he said, the head of the community was trying to set up a State within British India. Counsel considered the volunteer corps militant, as he pointed out that the use of spears and, in some cases, licence for arms were advocated. Social boycott and various threats were used to inflict punishments on defaulters.

The following candidates are eligible to re-appear in Part (A) or in Part (B) noted against their names (Till April, 1936) in the Final Professional Examination for the Degree of M.B.B.S. (Till April, 1937):

TO Meet on October 28

KARACHI, Oct. 22.

The Committee of Nine appointed by the Government of India to assist the local authorities in the conduct of the election in connection with the salvage of property in Quetta, will assemble there on October 28 and subsequently dates.

Haji Abdulla Haroon, M.L.A., who is one of the members, will leave Karachi on October 22 for Quetta. After deliberations Haji Abdulla Haroon will return to Karachi on October 30 and leave the following day for Peshawar to preside over the All-India November Conference commencing on November 2-4.A.P.

THE QUETTA COMMITTEE OF NINE

Mr. K. A. Marker, Honorary Magistrate and Vice-Chairman, Quetta Municipality, is a member of the Quetta Salvage Committee. The name was inadvertently printed as Mr. Kamarat in a previous issue of the "Civil and Military Gazette."

(Continued from Col. 2.)

Counsel took special notice of the judicial functions. He said that civil and criminal courts were established in parallel to Government courts. Even cognisable offences were being tried by those courts. Court fees and stamp duties were being charged. Decrees of Courts were being enforced and, in short, prerogatives of the Crown were being exercised.

Counsel had not concluded his arguments when the court rose.

Sir Tej Bahadur Sapru left Lahore on Tuesday evening.

## THE WEATHER IN INDIA

## Depression in the Arabian Sea

POONA, Oct. 22.

The following is a summary of meteorological observations up to 8 a.m. to-day:

Depression in the Arabian Sea persists off the Konkan and has caused local rain in Malabar, Madras, Hyderabad and a few falls in the Konkan and the Bombay Deccan. The depression in the Bay of Bengal is deep and is centred this morning within one degree of latitude 19 degrees north and longitude 89 degrees east. It caused widespread rain in Burma and Orissa and on the Bengal coast.

A few light showers are also reported from Assam, the east of the Central Provinces, the north Madras coast and the south-eastern Madras.

The chief rainfall of the day was: Akola and the Sandheads, four inches; Bangalore, three; Port Blair, Rangoon, Blangao and Cox's Bazar, two; Saugor, Mandvi and Dinasagar, one.

Forecast for the 24 hours ending at 8 a.m. to-morrow: Rainfall will increase in Arakan and the south of Bengal and Assam, continue to be fairly widespread in Upper Burma, especially in Pegu, Tenasserim, the Deccan and along the west coast of the Peninsula.

Locally heavy rain will occur along the Arakan and Chittagong coast during the next 24 hours.

The following table is compiled from observations made up to 8 a.m. on October 22:

Tem. in shade. Rainfall.

STATIONS.	Departure from Normal.		
	Max. of past 24 hours.	Min. of past 24 hours.	Since June 1.
Agra	92	57	21.5
Ahmedabad	92	63	22.3
Ahmednagar	84	71	21.8
Ajmer	89	57	22.5
Almora	99	69	37.4
Allahabad	99	62	39.5
Ambla	90	56	22.9
Amravati	87	71	34.5
Bahawalpur	96	58	1.5
Bangalore	89	65	36.4
Bareilly	89	63	32.6
Baroda	93	64	32.5
Balgoma	91	62	32.2
Bardoli	87	64	34.4
Bonhary	95	80	80.1
Calcutta	89	71	0.2
Calicut	87	75	1.7
Cawnpore	97	62	20.1
Chittagong	87	72	6.8
Colombo	85	79	4.6
Cooch Behar	75	62	30.6
Cuttack	11	0	7.3
Darjeeling	12	4	9.8
Deccan	100	61	17.8
Dehra Dun	81	54	66.1
Delhi	90	59	23.7
D. I. Khan	94	67	7.7
F. Sandeman	78	51	7.4
Gorakhpur	12	65	49.3
H. I. Bad (D.)	82	67	3.2
H. I. Bad (S.)	67	64	3.4
Indore	87	63	33.3
Jacobabad	98	57	2.4
Jaipur	91	59	24.3
Jhansi	91	61	39.5
Jubulpore	89	64	55.1
Karachi	88	72	0.5
Karol	94	75	0.2
Kashmir	101	61	30.9
Kodaikanal	64	51	36.0
LAHORE	92	78	6.7
Lucknow	96	59	19.6
Ludhiana	94	57	19.4
Lylalpur	93	60	0.1
Madras	89	75	0.2
Melghosh	67	62	19.3
Moga	89	72	1.8
Marmagao	87	75	0.1
Mount Abu	96	61	0.9
Mussoorie	64	67	62.6
Mukteswar	—	—	—
Murree	—	—	—
Mysoor	81	67	27.7
Nagpur	85	68	43.1
Narmathai	77	62	34.9
Patna	93	73	34.2
Peshawar	86	57	6.3
Poona	87	72	0.3
Quetta	—	—	—
Rajkot	93	71	31.4
Ranchi	81	67	34.7
Rangoon	90	75	2.3
Ratnagiri	93	79	8.9
Rawalpindi	87	73	27.7
Sialkot	72	59	57.0
Sholapur	82	71	23.1
Sialkot	90	62	25.9
Simala	62	49	36.7
Srinagar	70	36	1.5

T indicates rainfall from .01" to .04"

## LAHORE WEATHER TABLE

Recorded at Lahore on October 21 and 22, 1935:

Maximum temperature in shade 91.6° on Oct. 21.

Minimum temperature in shade 58.2° on Oct. 22.

Minimum temperature on grass 51.0° on Oct. 22.

Mean temperature of October 21 71.6° degrees.

Normal temperature of same day 74.4° degrees.

Rainfall during past 24 hours ending 8 a.m. of October 22 0.00 inch.

Normal total rainfall from October 1 to 22 0.19 inch.

Actual total rainfall from October 1 to 22 0.00 inch.

Hours of bright sunshine for the October 21 10.2 hours.

RECORD CROWDS AT  
MOTOR SHOWDealers Report Good  
BusinessMANY IMPROVEMENTS IN  
NEW MODELS

LONDON, Oct. 22.

Attendances at the Motor Show at Olympia, which will continue open until the end of this week, are making new records. Dealers report most encouraging inquiries from foreign and colonial buyers, as well as an increased demand from retailers at home.

The public, as well as dealers, are appreciative of recent developments, such as the provision of "crash-proof" gear-changing. Practically every maker has adopted either pre-selector automatic gearboxes or the synchromesh principle. Possibly as a result of the reintroduction of a speed limit in built-up areas, new models are designed to give greater acceleration, while considerations of safety have impelled improvements in braking systems and in steering.

Driving position is one more general improvement, and on models which include a permanent built-in jacking system, Independent front-wheel suspension is another feature growing in popularity. British Official Wireless.

## ALLEGED MURDER OF WIFE

Lahore Village Incident

A Muslim woman, Fatima, was fatally wounded with a "lathi" with which she is alleged to have struck by her husband.

It is stated that the married life of Fatima and Fateh Mahomed of a village in Lahore District was not happy. On Saturday night they fell to bicker as usual, and the husband, it is alleged, struck the woman with a "lathi" on the head and Fatima died shortly after.

Fateh Mahomed is the son of the village Lambardar, who himself lodged, the report with the police at Gandsinghawa police station, who arrested Fateh Mahomed.

AUSTRALIAN Flier in  
KARACHI

KARACHI, Oct. 21.

Another flier, Mr. Thomas, has arrived here from Australia. He is flying a Langley Puss-Moth plane, belonging to the Royal Aero Club of New South Wales. Mr. Thomas is on a pleasure flight from Hillston to London. He arrived here at 10.15 a.m. to-day and will continue his journey to-morrow.

## AIR MAIL PLANE HELD UP

CALCUTTA, Oct. 22.

Imperial Airways' "Aerithusa," which left this morning for Rangoon, had to return to Dum Dum, due to bad weather. The time of its departure is not certain.