

**Proceedings of the Fourth Session of the First Assam Legislative Assembly assembled under the provisions of the Government of India Act, 1935**

THE ASSEMBLY met in the Assembly Chamber, Shillong, at 11 a.m., on Wednesday, the 2nd March 1938.

**QUESTIONS AND ANSWERS**

**STARRED QUESTIONS**

(to which oral answers were given)

**Names and addresses of persons receiving grants from the discretionary fund of the Ministers**

**Babu RABINDRA NATH ADITYA** asked :

\*126. Will Government be pleased to state—

- (a) The names and addresses of the persons receiving grants from the discretionary fund of the different Ministers ?
- (b) The amount allotted to each such recipients and the purpose for which it was granted ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

126. (a) and (b)—The hon. member is referred to the statement furnished in connection with the reply to question No.124 (c) and (d) put by Srijut Mahi Chandhra Bora in this Session of the Assembly.

**Babu RABINDRA NATH ADITYA** : Are there any rules regulating the exercise of that discretion ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** : Yes.

**Babu RABINDRA NATH ADITYA** : Are the rules printed in the Gazette or available anywhere ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** : I shall be pleased to supply a copy of the rules to the hon. member.

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY** : Was the amount granted to Mr. Sharfuddin Md. Chaudhury from the discretionary grant returned by him ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** : That question is coming as an unstarred question to-day.

**UNSTARRED QUESTIONS**

(to which answers were laid on the table)

**Procedure regarding granting of contracts for mining, etc.**

**Srijut LAKSHESVAR BOROOAH** asked :

352. (a) With reference to the reply to my question No.957 of the last Budget Session of the Assembly, will the Hon'ble the Revenue Minister be pleased to state if contracts entered into by the Government of Assam are not made in the name of the Secretary of State ?



(b) If so, does the Hon'ble Minister mean to say that the conditions of a particular contract made by the Government of Assam are not available for the purpose of obtaining information even to this Hon'ble House?

(c) With reference to the reply to question b (ii) of the same question do the Hon'ble Minister propose to advertise in the local as well as in the Calcutta Papers inviting applications for mining licenses referred to?

353. Will the Hon'ble Minister for Revenue be pleased to state on what basis the royalty on Crude Oil is payable to the Government of Assam, i.e., whether from the daily extraction of petroleum taken into the Refinery from the Fields or from the amount of petroleum taken out of the Storage Tanks for the purpose of refining?

354. Will the Hon'ble Minister be pleased to enquire and state the quantity of petroleum which was extracted every month in 1937?

355. Will the Hon'ble Minister be pleased to state—

(a) If the following percentages of products are available from the present methods of refining petroleum carried on by the Assam Oil Company, Digboi:—

Petrol or Benzine...	...	...	15 per cent.
Light Kerosene ...	...	...	14 per cent.
Medium Kerosene ...	...	...	13 per cent.
Heavy Kerosene ...	...	...	2 per cent.
Wax ...	...	...	37 per cent.
Coke ...	...	...	13 per cent.
Loss ...	...	...	6 per cent.

(b) If not, what are the correct proportions of the above?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

352. (a)—No. The position has changed under Provincial Autonomy and contracts are now made by the Governor.

(b)—Government is always ready to supply any particular information regarding a contract if such information is asked for, provided it is available and not confidential.

(c)—No.

353.—The hon. member is referred to the replies given to the question Nos. 120 and 121 asked by him in this Session of the Assembly.

354.—A statement showing the quantity of petroleum which was extracted every month in 1937 is laid on the table.

Statement showing the quantity of Crude Petroleum which was extracted every month in 1937

	Gallons
January 1937	...
February 1937	5,789,958
March 1937	5,141,976
April 1937...	5,502,240
May 1937 ...	5,362,004
June 1937 ...	5,393,800
July 1937 ...	5,422,149
August 1937	5,660,163
September 1937	5,653,840
October 1937	5,352,738
November 1937	5,545,987
December 1937	5,368,292
	5,525,290

355. (a) and (b)—Government have no information as this is purely a commercial matter outside their concern.

### Number of direct appointments of Sub-Inspectors and Assistant Sub-Inspectors of Police

Maulavi MUZARROF ALI LASKAR asked :

356. Will Government be pleased to state—

(a) The number of direct appointments of Sub-Inspectors and Assistant Sub-Inspectors of Police, made from the Surma Valley (Sylhet and Cachar) during the years 1936 and 1937?

(b) How many of these appointments were made from the district of Cachar? (Hindus and Muhammadans—separately).

(c) How many of those appointed from the district of Cachar (if any) were *bona fide* natives of the district and how many domiciled or otherwise? (Hindus and Muhammadans separately).

(d) The number of candidates from Cachar nominated for the posts of Assistant Sub-Inspectors of Police in 1937?

(e) Whether all of them were directed to produce Medical Certificates on payment of Medical Examination fees?

(f) The number of those who were ultimately appointed?

(g) The principles and the proportion of the total number of appointments, under which nominations are made from each district?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

356. (a)—

	Sub-Inspectors		Assistant Sub-Inspectors	
	Hindus	Moslems	Hindus	Moslems
1936 (selected for appointment in 1937)	3	2	5	...
1937 (selected for appointment in 1938)	3	2	2	...
(b)—				
1936 (selected for appointment in 1937)	2	1	...	...
1937 (selected for appointment in 1938)	1	1	2	...

(c)—All were *bona fide* natives of the Cachar district except 2 in 1937 (that is, one Sub-Inspector and one Assistant Sub-Inspector—both Hindus) who are natives of Sylhet but were nominated and appointed from Cachar.

(d)—Eleven.

(e)—Health certificates were received from all of them for which a fee of Rs.4 was paid by each to the Medical Officer. This was done owing to a wrong interpretation of the rules. Only candidates finally selected for Government employment require to be medically examined and under rule 26(a), Part III, Police Manual, no fee is charged for this.



(f)—Two.

(g)—Selections for direct appointment in the rank of Sub-Inspector and Assistant Sub-Inspector are made by a Selection Board consisting of the Deputy Inspector General as President and two Superintendents of Police as members. A larger number of candidates than the actual number to be appointed are nominated by the District Nomination Committee, to enable the final Selection Board to choose the best from amongst them, according to the communal percentage. When suitable recruits from a particular community are not available, the posts are offered to suitable candidates from other communities.

### Mining leases and prospecting licenses granted to the Assam Oil Company

**Srijut JOGESH CHANDRA GOHAIN** asked :

357. (a) With reference to reply to question No. 957 (a) of the last August-September session of the Assembly regarding Mining Leases and Prospecting Licenses granted to the Assam Oil Company, will Government please state whether any action has since been taken to get the necessary sanction of the Secretary of State ?

(b) If not, do Government propose to take immediate steps to get the sanction of the Secretary of State for India and place the said Leases and Licenses on the table of the House for inspection of the members ?

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI** replied :

357.(a)—No action was taken and the answer did not indicate that any action was called for.

(b)—No. Government do not see sufficient reason to refer the matter to the Secretary of State. The hon. member is free to put questions to elicit information regarding the terms, etc., of licenses or leases which will be supplied if the information is available and not confidential.

**Mr. FAKHRUDDIN ALI AHMED** : With reference to the answer to question 357(b), will the Hon'ble Minister be pleased to say what informations are regarded by him as confidential and as such cannot be supplied to the hon. members ?

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI** : The reply is there, Sir. If the information is not confidential it will be supplied to the hon. members.

**Mr. FAKHRUDDIN ALI AHMED** : What particular items forming the subject matter of the leases and licenses are treated as confidential ?

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI** : I am not in a position to say that now, Sir. If any particular information is asked for, we shall see if it is confidential and if it is not, the information will be supplied.

**Mr. FAKHRUDDIN ALI AHMED** : Am I to understand that the Hon'ble Minister is not prepared to give us all the information regarding the terms of conditions of the lease and licence.

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI** : I am not in a position to say either way, Sir. If a particular information is asked for, I can give that information, provided it is not confidential. More than that I cannot say.

### North Trunk Road between Chaoldhowa Ghat and Sonari Ghat of the Lakhimpur district

**Srijut JOGESH CHANDRA GOHAIN** asked :

358. (a) Is it a fact that the Road Board have sanctioned a sum of over 3 lacs of rupees for the North Trunk Road between Chaoldhoa Ghat and Sonari Ghat of the Lakhimpur district ?

(b) If so, when the works of the said road will be taken up positively ?

359. (a) Are Government aware that a part of the said road near the Kumatia river was washed away during the last rains and it is still under water and thereby all traffic between Bardaloni Mouza of North Lakhimpur and Dhemaji Mouza of Dibrugarh have practically been closed ?

(b) If so, do Government propose to repair immediately this portion, making communications between the above two Mouzas possible ?

(c) If the reply to question 359 (a) is in the negative, do Government propose to make an enquiry and to do the needful ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

358. (a)—No. The road has been included in the programme for road improvements proposed by the Assam Communications Board and submitted to the Government of India for sanction. The project has not yet been sanctioned by the Government of India.

(b)—When sanction is granted and funds from the Road Fund (Reserve) allotted.

359. (a)—Government have no information on the subject. The road is a Local Board road and enquiries should be made from the Local Board.

(b)—Government do not repair Local Board roads.

(c)—No.

### Amount spent by Hon'ble Ministers out of their discretionary grants

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY** asked :

360. Will Government please state how the amount allotted for the Ministers' discretionary grants were spent, item by item, during the year 1937-38 ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

360.—The hon. member is referred to the statement furnished in reply to question No.124(c) and (d) asked by Srijut Mahi Chandra Bora in this session of the Assembly.

### Erection of some bunds on the Ghashi river by the Gauripore State

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY** asked :

361. Will Government please state whether it is a fact that the Gauripore State has put some bunds on the Ghashi river under the Police Station Dharampassa in the subdivision of Sunamganj and closed all passages for boats creating a great disadvantage for the public ?



The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

361.—Government have no information but are enquiring into the matter.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: May I know when the Government will start this enquiry?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have already been in correspondence with the Executive Engineer. But there must be some local name for this river Ghashi which we cannot find on the map.

Amount spent individually by the Hon'ble Ministers from the discretionary grants

Khan Bahadur Maulavi MAHMUD ALI asked :

362. Will Government be pleased to state the amount spent individually by the Hon'ble Ministers from the discretionary funds towards helping the students prosecuting their studies in foreign lands, with their names and native place, during the course of last 3 years?

363. Is it a fact that Mr. Sharfuddin Md. Choudhury is the only Muhammadan M.Sc. with Physics in the whole of the Province?

364. Is it a fact that Mr. Sharfuddin Md. Choudhury was granted a sum from the discretionary grants and that it was returned after the last Budget Session?

365. Is it a fact that he is still continuing studies with temporary jobs?

366. Is it a fact that the Hon'ble Minister delayed the remittance of the amount?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

362.—The Hon'ble Ministers had no discretionary grants in the years 1935-36 and 1936-37. The information for the year 1937-38 can be obtained from the statement which has been laid on the Library table in reply to a question by Sriyut Mahi Chandra Bora asking for the list of grants made by the respective Hon'ble Ministers from the grants placed at their disposal.

363.—Government have no information.

364.—It is presumed that the hon. member refers to Mr. Sharfuddin Muhammad Choudhury. If so, the answer is in the affirmative, as the gentleman refused to draw the grant from the High Commissioner as he has ceased to be a regular student of the London University.

365.—From information received from Mr. Choudhury and the High Commissioner for India it appears that the former holds a temporary post in the office of the latter. Whether he is continuing his studies or not is not known, but he has definitely stated that he still hopes to continue his studies for the Ph. D. degree as soon as circumstances permit.

366.—No.

Khan Bahadur Maulavi MAHMUD ALI: May I know, Sir, when the money was remitted to him?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I do not remember the actual date, Sir, but it was about November last.

Construction of a bridge over the Dholai river at Chaitraghat

Babu DAKSHINARANJAN GUPTA CHAUDHURI asked :

367. Are Government aware that the people of Kamalganj thana suffer for want of a bridge over the Dholai river at Chaitraghat?

368. (a) Is it a fact that the Shamsernagar-Maulvibazar Road is the only road which connects the Kamalganj thana with the subdivisional headquarters?

(b) If so, do Government propose to take up the road under the Public Works Department and construct the said bridge over the Dholai river at Chaitraghat?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

367.—The hon. member is referred to the reply given to question No. 225 asked by him at the last Budget session of the Legislative Assembly, 1937.

368. (a)—If hon. member refers to the portion between Munshibazar and Maulvibazar—Yes.

(b)—The hon. member is referred to the replies given to question No. 224 (a) and (b) asked by him at the last Budget session of the Legislative Assembly, 1937.

Giving of contracts for 21 screw pile bridges on the North Trunk Road between Bihpuria and the Buroi river

Sriyut MAHADEV SARMA asked :

369. Will the Hon'ble Minister in charge of Public Works Department be pleased to state—

(a) If it is a fact that during the year 1936-37 Messrs. Braithwaite and Company got contracts for 22 screw pile bridges in the Gohpur-North Lakhimpur Road in the Public Works Department Central Assam Division and contracts for 6 bridges were given to local contractors?

(b) If it is a fact that the said Braithwaite and Company could not finish those bridges in time even they could not finish through concreting?

(c) Whether consequently gravel and sand had to be purchased for those bridges temporarily for thoroughfare?

(d) The amount that cost for gravel and sand for those bridges?

(e) Who will pay for these extra expenses?

(f) If it is a fact that the sub-way bridges had to be constructed again this year (1937-38) for completing those 22 bridges?

(g) The amount required for constructing those sub-way bridges?

(h) Who will bear the expenses of these bridges?

(i) Why more bridges were not given to the local contractors?

(j) The number of tenders submitted by the local contractors and the number sanctioned by the Department?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

369. (a)—Messrs. Braithwaite and Company (India), Limited, were given contracts for 21 screw pile bridges on the North Trunk Road between



Bihpuria and the Buroi river, and contracts for 8 more bridges on that portion of the road were given to 3 local Contractors.

(b)—The tender of Messrs. Braithwaite and Company was accepted on the 13th March 1937 and the contract time for completion of the work was the 31st May 1937 on the understanding that further extension of time would be granted should circumstances demand it. They were allowed an extension of time up to 15th June 1937 and their work was completed by that date. There was no item for concreting in Messrs. Braithwaite's tender so the reference in this connection is not understood.

(c)—(h)—Does not arise.

(i)—The Contractors in question had done little or no work of this description before and it was not considered advisable to entrust them with too large contracts in case they were unable to complete the work in time or in a satisfactory manner. As Messrs. Braithwaite and Company completed the work on the 15th June and not one of the local Contractors completed a single bridge until late in the present working season and have been given another extension of time up to 28th February 1938 the policy adopted was fully justified.

(j)—Eight submitted—Three accepted.

**Srijut MAHADEV SARMA:** With reference to answer (b), am I to understand that the concreting work was entrusted to another contractor?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** All the information that I have got is that there was no concreting work in the tenders that were accepted from Braithwaite Company.

**Srijut MAHADEV SARMA:** In the answer to question (b) it is said that the reference in this connection is not understood. Consequently questions (c) to (h) are said "as does not arise", and they have not been separately replied to. Question (f), Sir, is—"If it is a fact that the sub-way bridges had to be constructed again this year (1937-38) for completing those 22 bridges?" I think, Sir, this and the other questions up to (h) have nothing to do with question (b) and as such they should have been replied.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Question (b), Sir, is—"If it is a fact that the said Braithwaite and Company could not finish those bridges in time even they could not finish through concreting?" And the reply given is—"there was no item for concreting in Messrs. Braithwaite's tender, so the reference in this connection is not understood." And question (c) is—"Whether consequently gravel and sand had to be purchased for these bridges temporarily for thoroughfare?" I said, Sir, that question does not arise, because there was no item of concreting in Messrs. Braithwaite's tender which was accepted by the Public Works Department.

**Srijut MAHADEV SARMA:** But the concrete work must have been entrusted to some other contractors. In that case, why should not my question be answered?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Then my hon. friend should put a question whether the concreting work was entrusted to some other contractors.

**Srijut MAHADEV SARMA:** Because time had to be extended to this company and consequently Government must have had to incur extra expenditure for building sub-way bridges, I wanted to know who will bear the expenses.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** It may be that the sub-way bridges had to be maintained till the 15th June.

**Srijut MAHADEV SARMA:** Then what about the extra expenses incurred for constructing these sub-way bridges? Whose fault was it?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The same holds good with regard to the Assamese contractors. They also could not finish. The time for completion of the work by Messrs. Braithwaite was 15th May 1937 and the extension asked for by them was only 15 days. Whereas in the case of the Assamese contractors they had their time also extended, but they have not yet finished their work.

**Srijut MAHADEV SARMA:** I do not want to differentiate between the Assamese and other contractors, but what I want to know is whether Government had to incur loss in the construction of these sub-way bridges, when it was due to the fault of the contractors?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I require notice of that question.

### Grant of holidays to Compounders serving under Government and Local Board Dispensaries

**Srijut JOGENDRA CHANDRA NATH** asked:

370. (a) Are Government aware that the Compounders of the Government and Local Board Dispensaries in the Province of Assam are not allowed any holiday even during the national festivals?

(b) If so, do Government propose to consider the desirability of granting them at least two holidays, viz., one on the Bijoya Dashami day and the other on a day during the Holi festival?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** replied:

370. (a)—Yes. The dispensaries and hospitals have to open on public holidays to meet the needs of the sick.

(b)—Government will consult the medical authorities as to whether any relaxation is possible on the days named, but it must be understood that the claims of illness on the attention of the medical staff are paramount.

### Payment of land revenue demand by the Mauzadars

**Srijut RAJENDRA NATH BARUA** asked:

371. Is Government aware that hardship is felt by the Mauzadars for paying land revenue demand for those lands which are advertised for sale for arrears of land revenue or annulled?

372. If so, do Government propose to exonerate the Mauzadars from paying in advance the land revenue demand for those lands?

373. If the answer to question 372 is in the affirmative will Government please state when Government propose to bring the measure into practice?

374. If not, why not?

375. Is it a fact that when the fallow lands (*Takala baris*) are converted into *Basti baris* or land grown with fruit trees or bamboos the land revenue on that particular land is increased?

376. (a) If the answer to question 375 is in the affirmative, will Government please state whether the same principle is followed when *busti* land or land grown with fruit trees and bamboos is divested of the trees in question, so far as land revenue is concerned?

(b) If not, why not?



The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

371-374.—The hon. member is referred to the replies given to starred questions 77 and 78 asked by Srijut Jogeshchandra Gohain at the Budget Session of the Assembly, 1937.

375-376.—Provisions and principles regarding the revision of assessment will be found in Sections 10, 13 and 21 of the Assam Land Revenue Reassessment Act (Assam Act VIII of 1936). The hon. member is also referred to Settlement Rules 78-82 and Executive Rules 99-100 in the Assam Land Revenue Manual.

So far as the particular nature of the conversion of land stated in the question is concerned, the answer is in the negative.

Srijut RAJENDRA NATH BARUA: Is the same principle followed when these *baris* have been devastated of their fruit trees?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The hon. member has been referred to the relevant rules on this subject and I have nothing to add to that.

#### Area of the Kazirunga Game Reserve

Srijut RAJENDRA NATH BARUA asked :

377. Will Government be pleased to state—

(a) The area of the Kazirunga Game Reserve?

CORRECTION SLIP TO THE ASSAM LEGISLATIVE ASSEMBLY  
DEBATES, VOLUME I, No.8 of 1938

CORRECTION SLIP No.2

At page 670, in the reply to question 377(a), read "166 sq. miles?"  
"65 sq. miles".

A. K. BARUA,

Secretary, Legislative Assembly, Assam.

Srijut RAJENDRA NATH BARUA asked :

379. Will Government be pleased to state—

(a) The total area of annulled lands of the Kazirunga Mauza?

(b) The total loss of revenue to Government for annulment of *Pattas*?

380. Do Government propose to revert to the policy of issuing passes to the villagers for grazing their cattle in the Game Reserve or to relinquish a plot of land contiguous to the villages from the Game Reserve?

381. Will Government be pleased to state the total cost year by year of this Game Reserve from 1933 to 1936?

382. Will Government be pleased to state—

(a) Whether there is any professional or village grazing ground in the Kazirunga Mouza?

(b) The area of the same and the names of the grazing reserves?

(c) Whether there is any grazing ground for villagers of the villages named Kandulimari, Agratali, Ahomgaon, Difloopathar, Borjuri, Silguri, Gosanibar, 1st Domjan, 2nd Domjan, Lakhurakhania, Mohpora, 2nd Kohora, Sildubi, Haldibari, in the Kazirunga Mouza?

(d) Whether these villages are contiguous to the Kazirunga Game Reserve?

(e) Whether there was a system of issuing passes by the Forest Department to the villagers of these villages for grazing their cattle in the Game Reserve?

(f) If so, when it was abolished and why?

383. Is Government aware that great hardship is felt by the people of these villages for abolishing the system of issuing passes?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

379. (a)—Total area the settlement of which has been annulled during the last ten years is 1,021 *bighas*. The annulment was heaviest after the flood of 1930-31 in consequence of which many people of the villages Kohora II, Mohpara, Kandulimari and Haldibari left their lands.

(b)—The total revenue lost by Government owing to the annulment of settlement referred to in the reply to question 379(a) is Rs.723-9-0.

380.—No.

381.—The total cost including pay of permanent staff was roughly—

	Rs.
1933-34	3,200
1934-35	8,500
1935-36	14,000
1936-37	12,500

382 —(a) Yes.

(b)—The names of the grazing reserves and the area are given below:—

#### (1)—Village Grazing reserves

Name	Area		
	B.	k.	l.
(i) Kailakhwa	159	3	12
(ii) Bangaligaon	328	0	10
(iii) Baligaon	173	4	0
(iv) Kalakhwa	358	1	0
(v) Karaiati	345	1	9
(vi) Chepenakubua	76	1	5
(vii) Geleki Mikir	133	2	5
(viii) Gosanibar	145	0	0
(ix) Sildubi No. 1	146	2	6

#### (2) Professional Grazing reserve

Dagaon or Bahikha va 3,745 2 9

(c)—Yes. Statement below gives the names of villages and the place where the cattle are grazed.

Villages concerned	Places of grazing
Kandulimari and Egeratali	Kelakhwa and Karaiati reserves.
Ahomgaon, Borjuri and Difalooathar.	Bangaligaon reserve.
Silluri	Gelekimikir reserve.



## Villages concerned

## Places of grazing

Gosanibar.	Gosanibar reserve.
Domjan I & II, Mahpara and Lukhurakhania.	Chepenakubua reserve.
Kohora I & II.	Kahara I Unclassed State Forest.
Sildubi.	Sildubi reserve.
Haldibari.	Unclassed State Forest.

(d)—Haldibari, Sildubi, Kohora II, Lukhurakhania, Mohpara, Domjan and Kandulimari are contiguous to the Game Reserve and the other villages are also near it.

(e)—Yes.

(f)—In 1934, due to the increase in poaching on the part of the villagers.

383.—The Deputy Commissioner reports that he is not aware of any hardship.

**Srijut RAJENDRA NATH BARUA:** The reply is that "the Deputy Commissioner reports that he is not aware of any hardship". Will the Hon'ble Minister take it from me that many people made certain representations to the Subdivisional Officer in this respect?

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI:** Government has received no such representations.

**Srijut RAJENDRA NATH BARUA:** Will the Hon'ble Minister take into consideration if such representations come from those quarters?

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI:** Government will give due consideration to any representation which is received from public.

**Srijut RAJENDRA NATH BARUA** asked :

384. Is it a fact that there is no professional or village grazing ground except one near Bokakhat Mouza called Bohikhowa for the people of the villages named in question No. 382(c) above on the northern side of the Assam Trunk Road?

385. Will Government be pleased to state the distance of the Reserve Bohikhowa from these villages?

386. Is it a fact that the people of these villages can have no advantage of this grazing reserve owing to the great distance from these villages?

387. Is it a fact that grazing tax is realised by the authorities from the people of the villages named in question No. 382(c) who have no grazing reserves to graze their cattle?

388. Do Government propose to stop the realisation of grazing tax from these people before opening out grazing grounds in the Game Reserve as suggested?

389. Is Government aware that the issuing of passes is still in vogue in Arimora, Diftloomukh, and Charighoria of the same Mouza?

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI** replied :

384, 385 & 386.—The distance of the Dagaon or Bahikhowa reserve is one furlong, 1/2 furlong, 1 1/4 miles, 2 1/4 miles, 2 miles, 5 miles, 6 1/2 miles, 8 miles, 7 1/2 miles, 9 miles, 10 miles, 11 miles, 14 miles and 15 miles, respectively, from Kandulimari, Egeratali, Ahomgaon, Difalooopathar, Borjuri, Silguri, Gosanibar, 1st and 2nd Domjan, Lukhurakhania, Mohpara, 2nd Kohora, Sildubi and Haldibari. The professional grazing reserve proposed

at Sildubi, will be more convenient and nearer to the villages of Sildubi, Haldibari, 2nd Kahara, Mohpara, Lukhurakhania, 1st and 2nd Domjan, Gosanibar, Silifuri, Borjuri and Difalooopathar.

387.—No. The grazing tax is realised from the graziers who keep their *khulis* in the professional grazing reserves.

388.—Does not arise.

389.—Only at Arimora and Charigharia as there are not many Rhinos on that side of the sanctuary to attract poachers.

## Demands for Grants

GRANT No.5  
(II.—REGISTRATION)

**The Hon'ble Babu AKSHAY KUMAR DAS:** On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs 1,41,400 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the "Registration Department".

**The Hon'ble the SPEAKER:** The motion moved is that a sum not exceeding Rs 1,41,400 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the "Registration Department".

There are as many as 11 cut motions. The first one stands in the name of Babu Balaram Sircar and the second one stands in the name of Babu Rabindra Nath Aditya. The second motion is wider in scope than each of the other motions and I think other hon. members who want to impress upon the Government the desirability of opening and re-opening Sub-Registry offices in different places will have opportunities to speak, as for instance, Babu Balaram Sircar, Srijut Mahi Chandra Bora, Babu Hirendra Chandra Chakravarty, Babu Kala Chand Roy, Maulavi Abdul Bari Chaudhuri and Maulavi Mabarak Ali each of whom has tabled separate cut motions. Now I call upon Babu Rabindra Nath Aditya to move his motion.

**Babu RABINDRA NATH ADITYA:** Mr. Speaker, Sir, I beg to move that the provision of Rs.72,448 under Grant No.5, Major head—11.—Registration, Minor head—A.—District charges, Sub-head—1.—Pay of officers, Detailed head—Special Sub-Registrars, at page 50 of the Budget, be reduced by Rs. 100, i.e., the amount of the whole grant of Rs.1,41,400 do stand reduced by Rs.100.

Sir, the law has put the people under certain obligations which they must fulfil, and as these obligations are thrust upon the people by Government, it is, I think, the duty of the State to provide facilities for the fulfilment of those obligations. One of those obligations is referred to registration matter. Now, under the new Sylhet Tenancy Act, all the documents relating to the transfer of holdings are required to be registered. So over and above the ordinary documents which require registration under the existing Act, some additional documents are to be registered in the district of Sylhet and perhaps in other districts, such as Goalpara where there is enhanced by those enactments. But, Sir, our Sub-Registry offices are located so thinly and in such out-of-the-way places that for the old people and for ladies and for the busy people during the cultivation time, it is almost impossible to get their documents registered unless they waste two or three days on that score. This is why we brought this matter to the notice of the Government last year and pointed out that it was not a commercial



department of the Government where they can expect revenue. It is not only for revenue but it is in the public interest that these offices should be opened and re-opened. The Government were kind enough to give us some assurance during the last budget session that the grievances of the people would be satisfied and on that assurance we understood that some of the offices which were closed as a retrenchment measure would be re-opened in course of this year. But, Sir, we find that our position has not changed although the next budget session has come. If this be the effect of the assurance given by the Hon'ble Minister, we do not know where to stand. I enquired of the Inspector-General of Registration about that question and I was surprised to see that he did not know anything about that assurance given by the Hon'ble Minister on the floor of this House. I do not know what is the process of communication between the Hon'ble Minister and the Inspector-General of Registration. I was a bit taken aback by the remark made by the Inspector-General of Registration. We think, Government should not consider the question of revenue only as the guiding factor in establishing Sub-Registry offices where they are badly needed. I suggest that as a measure of economy Government may try to open more offices to be worked on commission system. I therefore hope that the Hon'ble Minister will try to fulfil the assurance given by his predecessor and re-open all the offices for which we were given a definite assurance. With these words I commend my motion to the acceptance of the House.

**The Hon'ble the SPEAKER:** The motion moved is that the provision of Rs.72,448 under Grant No.5, Major head—11.—Registration, Minor head—A.—District charges, Sub-head—1.—Pay of officers, Detailed head—Special Sub-Registrars, at page 50 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.1,41,400 do stand reduced by Rs.100.

Srijut Mahi Chandra Bora may speak.

**Srijut MAHI CHANDRA BORA:** Sir, I have got a motion the object of which is to bring to the notice of Government the grievances of the people of Hojai, Namati, Lonka and Jomunamukh mauzas in the district of Nowgong, for not opening up a Sub-Registry office at Hojai.

There is only one Sub-Registry office in the district of Nowgong and this office is located at the headquarters station of the district. The inhabitants of these mauzas live at a great distance from the town and they have to incur heavy expenditure in going there to have their documents registered. Some inhabitants of these mauzas have got no traffic facilities and they have to walk 50 or 60 miles to reach the town. The grievances of these people may be mitigated if a Sub-Registry office at Hojai which is growing in importance as a trade centre is established and I am confident that it will be a very paying proposition in the long run.

**Babu KALA CHAND ROY:** Mr. Speaker, Sir, I have got a similar motion and I rise to move it.

**The Hon'ble the SPEAKER:** The hon. member need not move his motion; he may simply press his case.

**Babu KALA CHAND ROY:** The question of the loss of a petty sum in running the Katigora Sub-Registry office cannot reasonably stand in the way of re-establishment in view of the fact that the annual income derived from Cachar exceeds by far the most the total expenditure required to be incurred for the entire administration of the said district.

The Katigora Sub-Registry office came into existence almost from the time of the Registration Act—40 or 50 years ago—to the district of Cachar and was in existence till the day of its removal to Bhanga Bazar.

The area included in the jurisdiction of Katigora Sub-Registry office extended to 15 to 20 miles to the north-east from the said office up to the

boundary of Silchar Sub-Registry office and about 35 miles to the north-west up to the boundary of the Jaintia Parganas.

Katigora Sub-Registry office was situated in its own building on Government Khas land which is still in existence and repaired every year.

Before 1908 it was on a commission system and in the year 1908 it having been found to be a profitable concern was raised to the status of a regular office.

There are only four Sub-Registry offices including the defunct one of Katigora in the district of Cachar. Three of these offices are yielding a profit of some thousands, and as such the loss of a few hundred in running the defunct office at Katigora cannot reasonably stand in the way of re-opening the same. In consideration of the immense troubles and huge expenses incurred by the people living under its jurisdiction I hope that Government will please arrange for this office as soon as possible.

**Babu BALARAM SIRCAR:** Mr. Speaker, Sir, I rise to speak a few words about the re-establishment of a Sub-Registry office at Barlekha as early as possible, because at the abolition of the Sub-Registry office from Barlekha for about a period of more than 2 years, the people of about 100 villages near Barlekha have fallen into very great difficulty and they feel too much inconvenience to go to Beanibazar for registration owing to the non-existence of any proper and good communication from these villages to that place. The villages situated on the eastern and northern sides of the Hakaluki Haor are far away, about 20 or 25 miles from Beanibazar, and the people from these villages are to go to Beanibazar for registration. But as there is no communication whatsoever either by train or motor or any foot-path even, they feel much inconvenience to reach the place; especially for women it is beyond imagination to express the trouble that they are to undergo in going there on foot when occasion arises in the dry season. Why only in the dry season Sir, in the first and last part of the rainy season, that is, in the months of April, May, October and November when there is any communication of neither boat nor foot-path, they fail to go for registration even in urgent cases and thereby document holders become losers in many cases.

Sir, in the last budget session when my hon. friend Babu Rabindra Nath Aditya asked the previous Minister-in-charge for the same purpose, he gave him an assurance to consider the case; but I am sorry to say that I could not understand why Government is still quite indifferent in this matter. So I request the Hon'ble present Minister-in-charge to favourably consider the question of re-establishing the Sub-Registry office at Barlekha at an early date on a commission basis and remove the inconvenience of the public.

With these few words, I take my seat.

**Maulavi ABDUL BARI CHAUDHURY:** Mr. Speaker, Sir, during the last budget session Government gave me an assurance that a Sub-Registry office would be opened at Derai, Sunamganj Division, as early as possible. But up till now no efforts have been made for establishing the said office. The difficulties of the people of Derai are very real. They have to go either to Sunamganj—a distance of over 50 miles, or to Jagannathpur a distance of 30 miles to get their documents registered. During the rainy season, their condition becomes still worse. I appeal to Government to take immediate action in opening a permanent Sub-Registry office at Derai.

**Babu DAKSHINARANJAN GUPTA CHAUDHURI:** Sir, during the last budget session the Hon'ble Minister for Registration gave an assurance that he would provide for a permanent Sub-Registry office at Kamalganj. I do not attach much value to these assurances. Whatever that may



be, Kamalganj had a Sub-Registry office a few years ago, it was only abolished recently against the wishes of the people. The people of the locality have to go in a round about way to get their documents registered by crossing the Dhalai. I therefore press upon the Hon'ble Minister to give due consideration to this matter. With these words, I support the motion and take my seat.

**Maulavi MABARAK ALI:** Mr. Speaker, Sir, my motion is almost the same as that of Babu Balaram Sircar and of Babu Rabindra Nath Aditya. I have nothing to add to what has already been said by my hon. friend Babu Rabindra Nath Aditya, but I want only to say that in future the Hon'ble Ministers must put some value at least to their assurances.

**Khan Bahadur Maulavi MUFIZUR RAHMAN:** Sir, as to the question of the Balaganj Registration office, Government gave an assurance that they would consider the feasibility of opening an office there on commission system. May I know from the Hon'ble Minister for Registration whether any action was taken thereon?

**Maulavi Md. ABDUS SALAM:** Mr. Speaker, Sir, I rise to support the motion moved by my hon. friend Babu Rabindra Nath Aditya. This House is aware that during the discussion of the last Budget, the Government gave an assurance that they would open a Sub-Registry office at Barlekha, Balaganj, Kamalganj and Hojai and at some other places of the province; but up till now nothing has been done inspite of the assurance given. The only argument the Government can advance is that they have no money for the purpose. If it was a fact why did Government then hold out hopes and make promises to this Hon'ble House? This year, Sir, we find that Government have come up to the House with a supplementary demand and they could provide money for meeting the supplementary expenditures. This shows that whenever this Government make any promise they do not fulfil it. By making such promises they rather try to deceive this Hon'ble House. Under the circumstances, I do not know how this Government can command the confidence of this House and the public. With these few words, Sir, I support the motion.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURI:** Mr. Speaker, Sir, I have a few words to say about the Chhatak Sub-Registrar's office. There is no waiting room there.....

**The Hon'ble the SPEAKER:** The question does not come in at all. It would come in under motion No.3.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURI:** I shall not speak then, Sir.

**The Hon'ble the SPEAKER:** The Hon'ble Minister may reply now.

**The Hon'ble Babu AKSHAY KUMAR DAS:** Mr. Speaker, Sir, as regards the opening and re-opening of the Sub-Registrars' offices, recently there have been so many demands that it is difficult to choose between them. However, I can assure this Hon'ble House that Government are trying to open some offices. As regards the Barleka Sub-Registrar's office, I can assure my hon. friend Babu Balaram Sircar that we shall try to open it on commission basis as early as possible.

**Srijut MAHI CHANDRA BORA:** What about Hojai?

**The Hon'ble Babu AKSHAY KUMAR DAS:** We have no funds, Sir, at present.

**Srijut MAHI CHANDRA BORA:** The Hon'ble Minister has given assurance to one hon. member but no assurance to us about Hojai.

**The Hon'ble Babu AKSHAY KUMAR DAS:** This Government is out to meet the wishes of the House as far as possible. (Loud laughter).

**The Hon'ble the SPEAKER:** The Hon'ble Minister should be allowed to go on.

**The Hon'ble Babu AKSHAY KUMAR DAS:** As regards the Kamalganj Sub-Registry office, it was amalgamated with the Srimangal office. At Kamalganj there was no regular building for the office. The office was rather situated in a wretched shed but at Srimangal there is a Public Works Department building and there is also accommodation for records. The number of cases at Srimangal is higher than that of Kamalganj. Due to all these, the Kamalganj Sub-Registry office was amalgamated with Srimangal office, because we must see to the convenience to greater number of people. Of course my Hon'ble Colleague the then Minister in charge of Registration gave an assurance to reopen the Sub-Registry office at Kamalganj but I say that Government will again examine this question carefully and then come to a decision. As regards the Sub-Registry offices at Katigora and Derai I can assure my hon. friends that we shall try to open and reopen these offices on commission basis at the beginning of the financial year. As regards the Balaganj Sub-Registry office, I can assure the hon. members that Government will also examine the case of this office and then come to a decision. There are so many demands that it is not possible for the Government to meet them. However, they have decided to start three offices at Nalbari, Derai and Katigora and other cases will be considered carefully by Government in due course.

**Srijut PURNA CHANDRA SARMAH:** Nothing about Hojai?

**The Hon'ble Babu AKSHAY KUMAR DAS:** We shall see to it, Sir. (Laughter.)

**Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** May we know, Sir, whether the Hon'ble Minister has got the money for meeting the wishes of the House?

**The Hon'ble Babu AKSHAY KUMAR DAS:** Therefore, Sir, we are saying that we shall try to meet the wishes of the House; otherwise we would pass the order. (Hear! hear!) We shall also consider the case of Hojai. I hope the hon. member would see his way to withdraw the motion.

**Babu RABINDRA NATH ADITYA:** We have no alternative than to rely upon the assurance given by the Hon'ble Minister. (Laughter.) However, let us see our chance once more and on the assurance given, I beg leave of the House to withdraw the motion.

**The Hon'ble the SPEAKER:** I hope the hon. member has got leave of the House to withdraw his motion.

The motion was, with the leave of the House, withdrawn.

**Maulavi ABDUR RAHMAN:** I beg, Sir, to move that the provision of Rs.1,41,158 under Grant No.5, Major head—11.—Registration, Minor head—A.—District charges (total), at page 50 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.1,41,400 do stand reduced by Rs 100.

Mr. Speaker, Sir, the object of moving the motion is to draw the particular attention of the Government to the dilapidated condition of the Chunarughat Sub-Registry office. This office was started about fourteen years back and since then is self-supporting. Last time I got the figure of that Sub-Registry office and I was satisfied that the number of deeds registered there is increasing day by day. In the last year's report of the Inspector-General of Registration it is mentioned that after meeting the necessary expenses of the establishment charges, it yield some revenue to Government. If anybody goes there he will be taken by surprise that such a nice Sub-Registry office which is self-supporting and yielding some income to the Government is situated in a shop, measuring about 8 cubits x 12 cubits. Formerly this house was a regular shop but the owner have now let it out on a monthly rent of Rs.8 to the Government. The front part of this house is used as office and in the back side, the poor Sub-Registrar has to accommodate himself. He can only provide one *chawki* there for sleeping purpose



Then, Sir, as regards the females who happen to go there for registration purposes, they have to take shelter under the trees. There are shops on both sides of the Sub-Registry office and people undergo extreme difficulties and calamities. Sir, the Inspector General of Registration Mr. D. Sarma had been there and he made an assurance that the building construction scheme of that particular Sub-Registry office would be taken up as early as possible. As far as I remember he gave this assurance about 16 months ago. I had the occasion to see the Inspector-General of Registration but he said that Government was not in a position to provide money for the construction of the building. During the last Budget session I put several questions on this subject and I was assured by the Hon'ble Minister in charge that Government would consider this matter very seriously.

**Khan Bahadur Maulavi MAHMUD ALI:** Certainly not by this Ministry

**Maulavi ABDUR RAHMAN:** But that Ministry gave me assurances on behalf of Government. But to my wonder, in the present Budget also no provision for the construction of the Sub-Registry office and the quarters of Sub-Registrar has been made. I may tell this House that the amount that will be necessary for the construction of the quarters of the Sub-Registrar and the office building will not exceed Rs.5,000 or Rs.6,000. If the Government cannot provide such a petty sum for the convenience of the public and for the office which is yielding sufficient revenue to Government, I think it is really shameful. I hope the present Ministry will very seriously look into the matter. With these words I commend my motion to the acceptance of the House.

**The Hon'ble the SPEAKER:** The motion before the House is that the provision of Rs.1,41,158 under Grant No.5, Major head—11.—Registration, Minor head—A.—District charges (total), at page 50 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.1,41,400 do stand reduced by Rs.100.

**Rai Bahadur PROMODE CHANDRA DUTT:** Sir, I wish to say just a few words. I remember having visited that place as a member of Government. I found that the Sub-Registry office was accommodated in a shop house in the midst of the Bazar. The Sub-Registrar divided the house into two parts—the front part was occupied by the office and the back part by himself. I found it was not safe for the records and the poor Sub-Registrar told me his tale of woes. I promised to help him and asked the Inspector-General of Registration to look into the matter. I find that nothing has been done. Now, Sir, this Sub-Registry office has been in existence for the last 14 years and it ought to have been provided with a better house. This office is self-supporting and, in fact, from Rs. 30,000 as the receipts amount to Rs. 1,74,000 and the expenditure justified in borrowing money to open new offices and improving existing ones. I think if the Chunarughat Sub-Registry office is provided with a good building, the income of the office will be better. With these words I support the motion of my hon. friend—Maulavi Abdur Rahman.

**Maulavi JAHANUDDIN AHMED:** Mr. Speaker, Sir, I like to say a few words in connection with this cut motion about the Dhubri Sub-Registry office. Sir, this office was started a long ago and the building is in such a deplorable condition that if any one goes there, he will find that the building was never thatched in its life time. Sir, in the rainy season the condition of the office becomes horrible. The rain water that falls outside the building comes inside it afterwards. The floor is also a *kutchi* one. You may easily realise the difficulties of the officer there working in the rainy season and in keeping the valuable records. So, I draw the

attention of the Hon'ble Minister in charge to the condition of the building and request him to give some grant for the improvement of it. The records of the Zemindars of our district which are more valuable than the ordinary records are kept in such a miserable building.

**The Hon'ble Babu AKSHAY KUMAR DAS:** Sir, a temporary office was established at Chunarughat in 1924 and it was made permanent in 1925. Since that time the office is being held in a rented house in the Bazar. It has not been possible as yet to provide for buildings as some more important offices, e.g., Dhubri, are awaiting provision for a pretty long time. But I assure the hon. member that this matter will be considered when the finances will improve. Perhaps, the hon. members are aware that there are various demands for opening Sub-Registry offices at different places. The hon. member is lucky to have a full-fledged Sub-Registry office in his place. There are many other projects which are being deferred for want of funds. But I shall try to meet the wishes of the hon. members when funds permit.

**Maulavi ABDUR RAHMAN:** I hope the Hon'ble Minister will take up this question as early as possible as he looked at me when speaking on the subject. Among the assurances held out by him to other hon. members, he will give preference to my question. On this assurance I beg leave of the House to withdraw my motion.

**The Hon'ble the SPEAKER:** I think the hon. member has got the leave of the House to withdraw his motion.

The motion was, with the leave of the House, withdrawn.

The original motion that a sum not exceeding Rs. 1,41,400 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the "Registration Department" was then put and agreed to.

## GRANT NO. 12

(29.—POLICE)

**The Hon'ble the SPEAKER:** Now, the Hon'ble Minister may move his motion under Grant No. 12.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 22,38,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the "Police Department."

**The Hon'ble the SPEAKER:** The motion before the House is: "that a sum not exceeding Rs. 22,38,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the "Police Department."

There are four cut motions under "Minor head—A.—Superintendence". Will any hon. member of any one of the motions move his motion? The first one stands in the name of Babu Rabindra Nath Aditya.

**Babu RABINDRA NATH ADITYA:** I beg, Sir, to move that the provision of Rs.36,281 under Grant No.12, Major head—29.—Police, Minor head—A.—Superintendence, Sub-head—2.—Pay of Establishment, Detailed head—Clerks, at page 89 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.22,38,200 do stand reduced by Rs.100.

(To criticise the method of recording diaries by the Police with special reference to sections 162 and 172 of Criminal Procedure Code and submission of charge sheets specially in rioting cases.)

Sir, if there is any salutary provision in the Criminal Procedure Code it is contained in section 162 where it is said that the statement of prosecution witnesses recorded by the police can be used by the accused. Sir, this gives the accused an opportunity to test the veracity of the prosecution



witnesses. But since after the case reported in 36—Calcutta Weekly Law Notes, *Emperor versus Karimuddi*—where it is stated that when the statement of several witnesses are boiled down together they should not be used by the defence. This has encouraged police officers to record their statements in a boiled form, and as the diaries are kept in a boiled form no use can be made of these by the defence in testing the veracity of the prosecution witnesses. This has put the defence to very great inconvenience and disadvantage and has deprived them of the facilities for testing the veracity of prosecution witnesses. There is another disadvantage; superior officers also cannot test from the charge sheet and the number of accused sent up for trial because they are to rely on vague statements recorded in a hap-hazard manner. We all know the number of accused sent up in a dacoity case or a rioting case depends on considerations which are not quite fair; it depends upon the amount of illegal gratification which can be offered by either side. This is how charge sheets in section 147 cases are often engineered. I will just refer to one case of which mention was made in the Police Administration Report last year. There was a sensational rioting case called the Kaliganj rioting case in which 108 accuseds were sent up for trial, and the Hon'ble Speaker had occasion to conduct the defence of that case for some days. Some respectable persons of the locality and many people were arrested and they rotted in jail for 99 days. Because the hair of a police officer came to some trouble and so the whole police force was requisitioned and 108 persons were arrested and sent up for trial. But ultimately we find that only 24 persons were convicted and the rest were acquitted, and the Judge who tried the case in appeal made some uncharitable remarks against the police and said that they had given false evidence. The police officer who investigated the case came to the rescue of his brother officers and sent up 108 persons many of whom rotted in jail for more than three months. Sir, this state of things can be checked to a considerable extent if the police officers are directed to write their diaries separately for each witness, so that it can be made use of by the defence under section 162, Criminal Procedure Code. As diaries under section 172 cannot be used by the accused, I think statement under section 161, Criminal Procedure Code should be made available for use by the defence. Sir, I think Government should give facilities to the accused by asking the police to record the evidence separately for each witness and thereby give the accused a chance of conducting their defence properly, and at the same time give the superior officers a chance to examine the diaries and to see whether the charge sheets are submitted in a proper manner.

With these few words I invite the support of the House to my motion.

**The Hon'ble the SPEAKER:** The motion moved is, "that the provision of Rs.36,281 under Grant No.12, Major head—29.—Police, Minor head—A.—Superintendence, Sub-head—2.—Pay of Establishment, Detailed head—Clerks at page 89 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.22,38,200 do stand reduced by Rs.100."

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** Mr. Speaker, Sir, though section 161, Criminal Procedure Code imposes no duty upon the police officers to record any written statement of the witnesses, section 162, Criminal Procedure Code imposes a duty on the police officers to do so, and at the same time gives ample scope for the Courts and those who are concerned in the case to test the veracity of the witnesses. When a police officer goes to a locality in order to make an investigation and takes down the statements of the witnesses the defence should be given a chance of testing the veracity of these witnesses. I think there is a circular issued by the Inspector-General of Police to record this evidence in a proper way, but unfortunately there is also an order from the Calcutta High Court that when the statements are jumbled up together and recorded in a boiled form

in that case, the accused will not be allowed to use them. I do not know whether the Police administration is there only to secure convictions or to see that justice is done. It is a notorious fact that in rioting cases a large number of people are accused and sent up. Now, the first information is there, but the police officers will not take down the evidence of each witness separately. But when these people come to Court you do not get any chance of cross examining these witnesses as there is no separate record in the diary of these witnesses. If there is an investigation the superior police officer should be there, it may be the Deputy Superintendent or the Superintendent, will also be there but you will be surprised to find that the very object of investigation is defeated by the manner, in which the diary is recorded. So I would impress upon the Hon'ble Minister in charge to see that for the ends of justice at least the police officers should be given a direction that diaries must be written in such a way that the statements of witnesses may not be jumbled or boiled down. Secondly, they should be written in such a way as to make it clear whether the names of one or more than one accused had been implicated be taken down as stated by individual witnesses, so that when these witnesses go to the witness box their evidence is not shaken. If this is done the ends of justice will not be defeated. So I appeal to the Hon'ble Minister for the ends of justice and for the good administration of the country, and also that there may not be scope for putting innocent people into difficulty, that the diaries should be written in such a straight forward manner that innocent people may not have to suffer.

So far as the mofussil Magistrates are concerned, I had occasion to go to some of the mofussil Courts and I found to my amazement that there is a distinction between sections 162 and 172. Those people are still under the impression probably that the statement of the witness recorded by the police under section 162 can just be shut out from the use of the defence lawyer simply if they have the certificate "No, I have recorded my diaries under section 172". Those who have elementary knowledge of section 172 of the Criminal Procedure Code, know the full implication of that section and it never gives any scope for the officers to keep away the evidence of the witness for the use of the defence lawyers.

**The Hon'ble the SPEAKER:** The hon. member has exceeded his time.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** With these words, I would again appeal to the Hon'ble Minister in charge to see that justice is done. After all Police exists to do justice to the people, otherwise you can well do away with the police officers and police investigation. With these words, I resume my seat.

**Maulavi MUHAMMAD AMJAD ALI:** I quite agree with my hon. friend Mr. Aditya regarding what he said in moving his cut motion. But the scope of the motion is a little limited. He stated that under section 162 of the Criminal Procedure Code, Police diary is recorded in a particular manner. He referred to both sections 162 and 172. During our practice in the criminal courts we find that the police officers record the statement in a boiled form, that is true. Sometime that gives not only misleading statements but on occasions the statement so recorded give contrary ideas to the court and the higher authorities also do not get any facility of going into the real state of affairs. So they simply pass on, and order submission of charge sheets without being able to judge the truth of the case. In this way it so happens that a lot of injustice creeps in. I would like to



mention another thing which perhaps is not strictly within the scope of this cut motion. The thing is that a lot of unfortunate clients of ours suffer incarceration before the trial is taken up because the police immediately after the case goes to their cognisance puts them in *Hijet* and a lot of objections are put forward whenever bail is asked for and the ground is taken that the police have not completed their investigation. The manner of recording their diaries and the manner of their protracted investigations should be changed because there are a lot of people who merely on suspicion are put into custody by the police and sometime it so happens that after three or four months they are bailed out. And it is found often that they are absolutely unconnected with the case. So, Sir, from the point of view, I would urge upon the Hon'ble Minister in charge of Police to see that this sort of things disappear. Under section 162 the accused gets an opportunity of testing the veracity of the witness when they come to the dock. The particular manner in which the diaries are kept gives absolutely no indication of what the witness deposed before the police. If that state of things is to continue, I do not know how long this injustice will continue. Particularly in rioting cases and in cases of a serious nature like murder or dacoity, the police officers have been found times without number to be showing an extra amount of zeal in getting the evidences corroborated simply by recording in a summary way what they propose to see deposed before them. But subsequently during the trial it is found that certain witnesses are not conversant with certain facts of the case at all. Sometimes either these witnesses prove to be without knowing anything or they become liars before the court. So, Sir, with these words I should urge upon the Hon'ble Minister in charge of Police that these state of affairs must discontinue under his regime.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, to all lawyers who practise in the Criminal Courts, this matter of recording the statement of witnesses by police under section 162 of the Criminal Procedure Code has a major importance. I myself had practised in the Criminal Courts and I had occasions to go through many a police diary and I have found that these police diaries contain the statement of witnesses in a narrative form and it is never kept, except in particular questions of extra importance, in a verbatim form. It has really taken me aback to hear from my hon. friend opposite that since the case reported in Calcutta Weekly Notes mentioned by him, the police officers have taken to writing their police diaries in such a form that neither the defence lawyers nor the court and superior police officers can make out whether a particular witness implicated any particular accused person. My hon. friend Mr. Ashrafuddin Chaudhury who enjoys quite a considerable amount of practice in Criminal Courts has stated from his personal experience that he found that many police officers when recording statements under section 162 have simply written "corroborated the first information report." What I propose to do is this: I shall send for the police diaries of the particular case, the Kaliganj case which my hon. friend mentioned and I will satisfy myself whether they have been written in the way alleged. If it is so, I shall have a general circular issued to give effect to the main intention of section 162 so that this boiling down of statements of witnesses under that section may not happen again. My hon. friend Mr. Amjad Ali has introduced another matter that is not quite germane to the discussion that has been raised by the hon. mover. He says that in almost all cases the police, as soon as they take cognisance of a case arrest the accused and do not let them on bail. I am inclined to think that there is no justification for his sweeping statement. There are cases in which bail must be allowed. But if it is a non-bailable case and bail has been refused, it is open to the accused to go to the Court and apply and

get for bail. But I can assure him that I will look into that matter as well, and if necessary a comprehensive circular will be issued by the department.

**Babu RABINDRA NATH ADITYA:** Sir, on the statement made by the Hon'ble Minister I beg leave of the House to withdraw my motion.

The motion was, with the leave of the House, withdrawn.

**Srijut DEBESWAR SARMAH:** Sir, I beg to move that the provision of Rs.42,483 under Grant No. 12, Major head 29.—Police, Minor head A—Superintendence (total), at page 89 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.22,38,200 do stand reduced by Rs. 100.

This motion has been tabled, Sir, to raise a discussion on police treatment towards the public regarding right of way over public roads during the visits of His Excellency the Governor of Assam to various towns in the province.

Sir, as we are all aware.....

**The Hon'ble the SPEAKER:** Is not the hon. member moving motion No.3?

**Srijut DEBESWAR SARMAH:** No, Sir, I am moving No.2. If it is permissible, I shall move No.3 also together.

**The Hon'ble the SPEAKER:** No. The hon. member may move motion No.2.

**Srijut DEBESWAR SARMAH:** Sir, as we are all aware, in this session of the Assembly my hon. friend, Mr. Chanda, Deputy Leader of our Party, had tabled an adjournment motion on this subject. Your ruling deprived the House of the opportunity of discussing that motion. Now, Sir, this motion stands in my name and there is another in the name of the same hon. member. So, I intend to confine myself only to a few words and some of my personal experience also which I cannot resist the temptation of detailing here. But I desire that the residue of my time may kindly be allotted to Mr. Chanda as my residual legatee.

**The Hon'ble the SPEAKER:** No, the hon. member is quite alive and vigorous

**Srijut DEBESWAR SARMAH:** After I speak, Sir, for the matter of this motion I may be taken as not alive (*laughter*).

Now, Sir, when His Excellency the Governor visits the various towns it is our common experience that traffic is held up for hours together. I make no exaggeration when I say that within my experience I have found on one occasion on the Assam Trunk Road in the Jorhat subdivision, starting from within the municipal area to five or six miles away to the east or the west, the traffic being held up for five hours. (*A voice:* About five years ago?) Yes about 4 or 5 years back. The traffic was held up for five hours.

**Khan Bahadur Maulavi KERAMAT ALI:** Was it during the Viceroy's visit?

**Srijut DEBESWAR SARMAH:** Was he absent or is the hon. member's memory so short? It was a Governor's visit. It might so happen that the Governor was late and the scheduled time might not have been kept on that occasion. But my memory is clear that the traffic was held up for nearly five hours or so. And what is worse, women in bullock carts—in our country-side there are not many motor cars and respectable ladies travel in bullock carts—were being held up there, and often pushed back to the *nulla* and fixed down there. Only a year or eighteen months back the Governor had to pass through the Assam Trunk Road which runs through the Court premises and the Bar Library. The traffic was held up and one of my Muhammadan colleagues, a fellow pleader, I mean in the Jorhat Bar, had an urgent necessity to leave the Library and go to his home which was inside the municipality. As fate would have it, we could



not get out of the Bar Library without passing through that Trunk Road which was closely guarded by the police. There was a Muhammadan Havildar in charge standing there with his moustaches and belt in all his majesty and dignity. My colleague quietly went to him and said "Salam Alekum, Havildar Sahab" and the salutation was returned. Then my colleague asked him "আপক টৰিত পাজি হাৰ?" The Havildar smiled on him. And my colleague then put in his request that he wanted to go home on some urgent business. The said Havildar nodded assent and then said "You can go by the *nardama*." The *nardama* or drain on the south-side of the Trunk Road was very deep and one could not pass by it, but the northern one was shallow, only knee deep and dry at that moment. So treading on the dry leaves in the northern drain for about a hundred yards he passed by that by-way. We heard that story from the lips of the same member of our Bar. This is the experience that we are having. Is it honourable or complimentary to anybody concerned? Sir, I will end with these words.

**The Hon'ble the SPEAKER:** The motion moved is that the provision of Rs.42,483 under Grant No.12, Major head—29.—Police, Minor head—A.—Superintendence (total), at page 89 of the Budget, be reduced by Rs.100, *i.e.*, the amount of the whole grant of No.22,38,200 do stand reduced by Rs.100.

**Mr. ARUN KUMAR CHANDA:** Mr. Speaker, Sir, it is not without considerable trepidation that I rise to lend my humble support to this motion. Because I am conscious of the fact that the name of His Excellency is intimately connected with this motion. His Excellency is as sacrosanct in this Hon'ble House as is a Hindu idol in its temple. Realising this, I want to disabuse the mind of the Hon'ble House at once and say that I am not one of those persons who object to the periodical visits which are made by His Excellency to our towns. On the other hand I deplore that they are, like angels' visits so few and far between. Because it is in our experience, Sir, that when His Excellency visits our towns, officers out there are suddenly whipped into delirious activity. Ugly spots in our towns are converted over night into spots of beauty. Officers who do not command any particular reputation for generosity gush with generosity and through parties, confectioners make a roaring trade and tailors too, requisitioned to cut morning suits for gentlemen and lovely dresses for ladies (*laughter*). And, thus money circulates. I realise, Sir, that such visits of His Excellency are not an unmixed evil. We all desire that His Excellency should occasionally look us up. But the pity also is that whenever he does, he does leave such unhappy recollections behind. During the last visit of His Excellency to my town of Silchar, it was our unfortunate experience to notice to what extent the police in that town harassed poor pedestrians by their peculiar method of regulating traffic. It is a fact, and I have it on the testimony of friends, whose testimony I am prepared to accept anywhere any day, that their engagements were all dislocated, because restrictions were put upon their movements and they could not use the roads they had the need to use; police had blocked certain roads, hours in advance of His Excellency's intended use of those roads.

Now, Sir, this is not a new grievance. I notice that as far back as 1934 my Hon'ble friend Mr. Rohini Chaudhuri (I wish he were here) had also tabled a similar motion. In tabling that motion he said:—"My intention in tabling this motion is to raise a discussion on ill-treatment by police to passers-by during control of traffic at the time of His Excellency the Governor's visits to towns in plains districts." My hon. whip, Mr. Debeswar Sarmah, is still alive and kicking and I do not care for being

his residual legatee, but I do love being the residual legatee on the Hon'ble Mr. Rohini Kumar Chaudhuri! (*laughter*). I cannot find better words than those used by my Hon'ble friend Mr. Chaudhuri in his unregenerate days. He said:—"If the object is to protect His Excellency from any sort of apprehended danger, that object is not sound. By holding up traffic for a long time they will have the place crowded and more mischief may be apprehended from that crowd when His Excellency passes through Gauhati. If its intention is to show some pomp, and in order to enable the passengers and the crowd to see the Governor, then the police officers ought to be more cautious and more careful to see that the public are given sufficient opportunities of seeing His Excellency. It should be either of the two objects. But none of these objects are achieved on account of the oppressive manner in which the crowd and the public are dealt with at that time. The Police officers welcome an occasion like this in order to show the authority over the people and harass the public with impunity.....These officers should be strictly warned to be polite during His Excellency's visit, otherwise His Excellency's visit becomes associated with a very bad and regrettable recollection to the public. They always curse His Excellency; although His Excellency may be absolutely innocent, although His Excellency does not know anything about the over-zealous Police officers, the public take it that they are subject to the oppressive treatment due to His Excellency's visit. I would like to have an undertaking to effect that Police officers should be asked not to interfere with the traffic during His Excellency's visit."

No truer words were ever uttered upon this subject, Sir. It is really very painful on my part, as I once submitted before, to use very hard language about His Excellency's visit to Silchar but it did turn into a public nuisance. Public could not follow their natural avocations and there was dislocation of business and engagements during the hours that His Excellency would be on the road in the town. I am quite conscious of the fact that His Excellency is blissfully ignorant of the methods which are employed by Police officers during his visits to our town in the performance of their duties. Sir, disaffection towards Government is an offence and one is liable to be punished for that. But there is no gainsaying the fact that people are now generally full of disaffection towards Government. And who is responsible for this? It is the trusted Government servants themselves who are responsible for creating this disaffection in the minds of the public. Government officers unnecessarily harass the people and by their conduct create disaffection in the public towards the Government, and official methods of performance of duties in connection with visits of His Excellency to our towns are such a fruitful source of such disaffection. It is regretted that people do not have the same respect now for Government as they used to have in the past. Sir, it is time for Government to turn round and consider why it is so.

**The Hon'ble the SPEAKER:** The hon. member has exceeded his time.

**Mr. ARUN KUMAR CHANDA:** One minute, Sir. Why is it that people now do not feel so kindly disposed towards the Government as they used to feel in the past? And when high officials visit our towns, why is it that people are left with very painful memories when they are gone? It is time, Sir, that Government looked into the ætiology of this disaffection.

**Mr. JOBANG D. MARAK:** I have also the experience of such visits made by Governors and Commissioners. The late Sir Beatson Bell when he was Chief Commissioner of Assam visited Tura and he walked the whole way from Rowmari Ghat to Tura and did not allow any Police man to



follow him. He said he was not a culprit to be guarded by Police. He had full confidence in the people and he stayed in Tura for some three or four days. From Tura he went to Bagmara through the interior portion of the district. He was entrusted to me by Mr. F. E. Jackson, the then Deputy Commissioner of Garo Hills and I accompanied him clear to the Mymensingh borders. He had full confidence in the people in the villages and we did not experience anything of the kind as complained of to-day. But when the Hon'ble Finance Minister was visiting Tura there was some sort of restrictions. Of course there was reason for that. He had to go by the Tura-Mankachar Road which is a *kutcha* zigzag road full of dangers, and there were three timings on the road in a day. Both the motor traffic and cart traffic were close for the whole day on that day because there was no knowing when he would arrive at Mankachar and that is why that restriction was enforced on that particular day. The late Sir Michael Keane also visited Tura via Tura-Fulbari Road and that road was permanently closed to motor traffic up till January 1st, 1938.

**The Hon'ble the SPEAKER:** The hon. member is giving very good facts, but I want to know whether he is supporting or opposing the motion (laughter).

**Mr. JOBANG D. MARAK:** I cannot say either way. Under certain circumstances some time it may be necessary to put restrictions in some places. But such restrictions should not be enforced in places as mentioned by the hon. mover. With these words, I resume my seat.

**Col. A. B. BEDDOW:** I am afraid that I must join issue with my hon. friend Mr. Chanda, not with regard to the inconvenience which arose from policing the roads during His Excellency's visit to Silchar but as regards its effect on the public.

I experienced the very same inconvenience as my hon. friend, having myself been one of the public during the two days in question and twice held up (laughter) and, having a motor car with me had to make a detour which delayed me at least two minutes. As I said before, Sir, I join issue as regards the result of the inconvenience which I do not find has in any way affected my admiration and affection for His Excellency, nor do I think have the feelings of the public been changed to any greater extent.

**Mr. ARUN KUMAR CHANDA:** Was the hon. member dining with His Excellency that night?

**Col. A. B. BEDDOW:** The practice of guarding routes has been in vogue for many thousands of years and Cæsar employed his lictors who, I imagine, were less careful of the feelings of the public than the Silchar Police.

I myself met but one public nuisance on those two days and that was a very big man with a badge on his hat who was behaving in a very aggressive manner towards a mild and insignificant Policeman.

With these words I beg to oppose the motion.

**Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** In England when the king is out, is the traffic held up?

**Col. A. B. BEDDOW:** Yes.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, the political atmosphere in the country of the last 10 or 12 years, if properly scrutinised, will reveal the fact that unfortunately in our country certain misguided youths of either sex had taken upon themselves the role of being terrorists and attacked the person of Governors. (Srijut Debeswar Sarmah:—Not in our country). I am very glad to hear that we have been spared of that slur. But we had read in the papers the dastardly attacks upon His Excellency the Governor of Bengal, of Bombay

and other places. It has therefore become necessary to guard the roads through which the Governor passes and that ensure slight dislocation of traffic as my friend over there refers to. I myself have suffered in Shillong during His Excellency the Viceroy's visit to Upper Shillong; but as good citizen we must not grudge this little dislocation of traffic. If hon. members who are educated citizens do not show the way there will be no stopping back of the ordinary mass. I also know of a number of police officers, who, clothed in little authority, take it upon themselves to harass the public and cause much resentment thereby. During the last visit of His Excellency in Silchar one such constable went beyond his authority in trying to stop a cyclist who was using the road. There was an altercation and probably an assault and a case was also filed in Court against the Constable. At the intervention of the Deputy Commissioner, the case was however amicably settled and the Deputy Commissioner apologised on behalf of Government. Such unfortunate occurrence took place only on account of the misguided zeal of a Constable who was unfortunately supported by his Head Constable. Such an occurrence took place at Gahati in 1934—an occurrence in which my Hon'ble Colleague the Revenue Minister was concerned. He brought a cut motion in the then Council and his speech has been read over by my friend Mr. Chanda. I find from old records that my hon. former colleague and successor, Rai Bahadur Promode Chandra Dutt, who was then member in charge of Police passing this order:

"I think the matter might have been allowed to drop for the Deputy Commissioner had expressed his regret."

There was an expression of regret and the hon. member and my successor in office, in 1934, thought that it was sufficient; but in this case I have gone a step further. As soon as this unfortunate case came to our notice, we have circularised the Superintendent of each district and have expressed our disapproval of the conduct of the Head Constable and the Constable. The Circular was issued by the Inspector-General of Police. I will just read only two paragraphs:

"The Inspector-General of Police considers that the Head Constable and the Constable concerned exceeded their duties and have brought a reflection on the whole Department, and further remarks that many subordinate police officers had been over jealous and unnecessarily harassed people and we find that trouble unnecessarily increases."

I am therefore to request you to instruct your officers to use due discretion in carrying out the same duties and to see that there is no cause of trouble and to reduce to a minimum dislocation of public traffic when there is road lining during tours of His Excellency."

Beyond this Circular, we have not been able to do anything more. The gentleman with whom the altercation took place was satisfied with the regret expressed by the Deputy Commissioner and he has withdrawn the criminal case. I think that in future there will be no recurrence of such incidents. I will take special care to emphasize upon the Superintendent of Police of the district through which His Excellency passes to see that inconvenience to the public is reduced to a minimum and dislocation of traffic may not extend to more than 5 or 10 minutes.

I am surprised to hear from Srijut Debeswar Sarmah that on a particular occasion 4 or 5 years ago the traffic on the roads was stopped for 5 hours. It may be during the visit of His Excellency the Viceroy to Jorhat. My friend Mr. Jobang D. Marak has given an instance of Sir Nicholas Beatson Bell. That was previous to 1921. Since then times have changed. Now that there has been a change in the policy brought about by the leaders of the Congress and that the former misguided youths are abjuring the path of



violence, most probably we shall not have to issue more strict orders for the safety of His Excellency.

I think hon. members will be satisfied with what I have already stated and see their way not to censure the Government

**Srijut DEBESWAR SARMAH:** What about Debapal Das?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** During His Excellency's visit to Gauhati?

**Srijut DEBESWAR SARMAH:** Yes, during His Excellency's visit to Gauhati.

**Srijut OMEO KUMAR DAS:** Sir, I put in a few questions during the last August session of the Assembly regarding this, but they were left unanswered.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Most probably they reached too late for answer.

**Srijut OMEO KUMAR DAS:** They were admitted by the Hon'ble Speaker.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Even if they were admitted by the Hon'ble Speaker, most probably they were received so late that we could not correspond with local Officers for details and report.

**Srijut DEBESWAR SARMAH:** I hope this matter will receive attention.

In view of the statement made, I beg leave of the House, to withdraw the motion.

**The Hon'ble the SPEAKER:** I hope the hon. member has got leave of the House to withdraw the motion.

The motion was, with the leave of the House, withdrawn.  
**Srijut DEBESWAR SARMAH:** I beg, Sir, to move that the provision of Rs 42,483 under Grant No.12, Major head 29.—Police Minor head A.—Superintendence (total), at page 89 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.22,38,200 do stand reduced by Rs.100.

This motion was tabled with a view to criticise police administration particularly in respect of their treatment with villagers. Mr. Speaker, Sir, I need not take up the valuable time of this Hon. House by detailing what treatment the people particularly common villagers of our country, are met with by the police. Whenever any crime is suspected or the matter is reported, the police generally go up to the locality and visit a certain set of people there who have either some sort of black spot behind them or who appear to be well-to-do people to meet the incidental charges of the matter. What the police then do? They put handcuffs to the alleged suspect and sometimes it so happens that the investigating officer offer some such terms that unless so much is paid he would be sent up and to implement his threat the alleged suspect is put under arrest. We find from the court records also that sometimes a suspect is asked to accompany them wherever they go. They do not say whether the man is properly under arrest or not. All the same he cannot have free movement according to his desire. Then on mere suspicion or allegation people are put under handcuffs and are asked to march to the town, refusing bail. Sir, in many a case of bailable offence the police deprive the people of the right by taking recourse to another trick saying that the people who want to stand as security are not the fit persons to be taken as such and this way the salutary provisions of law are defeated. Sir, my feeble protest may not carry conviction to the present Government. Let us see what disinterested observers of highest standing say about it: Mr. Leonard Matters writes on Kiroo case in the "New Statesman and Nation."

Of course, I need hardly introduce that Mr. Leonard Matters is a Journalist of International repute of very high position and the "New Statesman and Nation" is a leading Journal of England representing the intelligentsia. He writes in the paper as follows:—

"The case to which you referred last week is only exceptional in Indian Police records in that the man Kiroo killed one of the policemen engaged in torturing him. Thanks to the intervention of the Lahore High Court, Kiroo escaped free. There are few cases in the records of the police killing their victims and either going free or getting very light sentences. In one instance last year the sentence for beating a woman to death in the process of extracting a confession was for a few years.

While all India is well aware of the conditions in the police service as exposed by Chief Justice Young in his judgment in the Kiroo case, there is not a British official who will ever admit the accuracy of any strictures on the general character of the Service. That of course, is not surprising, for British officials are responsible for the conduct of the force under their control and one could hardly expect them to agree that bullying the people, the regular beating of prisoners and the torture of suspects to secure confessions are the common methods of the police."

"The police in India are part of the political machine whereby British control over the country is maintained. Their functions are 95 per cent. political and repressive and punitive and only five per cent. protective and defensive of the people. In fact all over India the cry is 'God save us from the police.' They are undisciplined in their attitude to the ordinary citizen and in the villages they are often *licensed tyrants*." I quote this from "Hindustan Standard" of last week.

Sir, I need hardly dilate on this point. It is rather the common experience that police methods amongst the ignorant villagers particularly, are most outrageous.

Now Sir, looking to another side of the picture, I cannot but recall a recent incident which occurred at my unfortunate place Jorhat. The Superintendent of Police happened to travel from Jorhat towards east in a rather costly, big, fast car on the Assam Trunk Road. From east to west another Government Officer a Sub-Deputy Collector happened to come in another car. He had his wife and two or three small children with him in the car. Both the cars must have moved at a very considerable speed, and they collided, the impact must have been terrific and the car which was occupied by the Sub-Deputy Collector and his party was completely smashed so much so that it was rendered a mass of scrap iron and it could be dragged away to a few yards even without difficulty. The occupants of that car, I mean the lady and the children were very seriously injured. Three or four occupants lay unconscious for several hours. The whole skull of the child aged about 10 or 12 years was scaled out and removed inside outward and outside inward and as a result he was in a state of unconsciousness. Another boy servant occupant was most seriously injured and was removed to hospital, where after 3 or four days I happened to meet the Doctor from whom I learnt that the condition of that boy (aged 11 or 12 years) was still precarious. The Doctor said that for 3 or 4 days he had absolutely no chance of recovery but afterwards he recovered gradually I learnt. The Superintendent of Police also had some injury on his nose. When after a few minutes the news reached Jorhat the police force and certain Doctor went there in cars, and what they did? They removed the Superintendent of Police first in a comfortable car. They did not take much care to look after the injured woman and the children though they were lying on the Trunk road side unconscious and in a ghastly looking state some neighbouring villagers removed them to the road side and lay them on some bamboo mat. Of course after an hour or two an open lorry was sent and the injured woman



and the children were removed to Jorhat and other to Kakajan. Sir, could this be possible anywhere except in an unfortunate dependency like ours, the police and the doctor not caring for seriously injured woman and the children, and looking after and catering for a less injured male adult because he happens to be the Superintendent of Police. What morale does it indicate, Sir?

**The Hon'ble the SPEAKER:** The hon. member has almost exceeded his time.

**Srijut DEBESWAR SARMAH:** I am coming to a close, Sir. In this connection, another aspect which I cannot but bring to the notice of Government is this: the Police take illegal gratification from the villagers during the investigations of cases. When the suspects are sent up to the court and the Magistrate grants them bail, it is notorious that these people cannot get bail unless they pay some incidental charges to police authorities in the court. Of course, in all fairness I must say that partly due to the intervention of some of our lawyers and partly due to the uprightness of the present Court Inspector Mr. Bhuyan this is becoming less at Jorhat at present. But that is a different matter as we do not know what comes with change of the Court Inspector. Generally people cannot get bail if they do not pay some incidental charges in the court offices all over our valley. Now, Sir, the Hon'ble Chief Minister or somebody else on his behalf may stand up and say that there are no specific instances of such cases and so they cannot take necessary steps in this connection. Sir, I beg to be excused for a minute if I cannot resist the temptation of reading only a few sentences from an article appearing in "The Oriental Watchman" of March 1938. The caption reads "Don't be a Monkey." "There is more than one difference between a man and a monkey; but the noted Spanish philosopher, Ortega Gasset, calls attention to one in these words: Man is different because he is possessed of the faculty of remembering and storing the facts of his own and that of his fore-fathers, and of drawing from his treasure. Man is never a first man, and when he begins to live, he lives in a certain level of the accumulated past." If according to the learned philosopher we forget the whole past and even the past of our fore-fathers and ourselves, we degenerate ourselves to ape. Therefore, I would request the Hon'ble Minister as well as the hon. members who asked us for particular instances, not to forget their own past.

**The Hon'ble the SPEAKER:** The motion before the House is that the provision of Rs.42,483 under Grant No. 12, Major head 29.—Police, Minor head A.—Superintendence (total), at page 89 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.22,38,200 do stand reduced by Rs.100.

The Hon'ble Chief Minister may now reply.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, there are black legs in every society and the police force is also not devoid of black sheep. It was for this reason that when I was first entrusted with the charge of police in the year 1929, an Enquiry Committee presided over by me toured over the country and impressed upon the police force that they are servants of the public and that they should behave properly with the public and that *zooluns* should not occur. Any one who likes to read my remarks or rather the report of the Committee will find the volume in the Library of this Assembly.

**Srijut DEBESWAR SARMAH:** But the police do not honour them.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I know that. Since 1929, nine or very nearly ten years have elapsed but last year when Government heard some complaints of mis-behaviour

upon the public by police officers they had to take up the subject and issued a circular in this respect. I will read for the information of the hon. members the circular which was issued on the 26th November 1937 to all the District Police Officers under the signature of the Inspector General of Police. "I wish to bring to the notice of all officers and men serving in the Assam Police the paramount importance of their improving their relations with the public which have recently been somewhat impaired by cases of unprovoked assault on individuals by police officers and men and of unnecessary roughness on the part of the police in the performance of ordinary duties.

Civility and courtesy in his dealings with all members of the public are qualities which are essential to a modern police officer, and in the majority of cases, by the exercise of these qualities, policemen will succeed in overcoming the latent suspicion of the man in the street which at present does so much to hamper police enquiries.

I have noticed with regret the occurrence of late of a crop of complaints brought against the police for assault either in the execution of their duties or otherwise. The complaints have often not been substantiated in Court but the feeling nevertheless remains that police officers and men of a certain type are apt to use excessive force in effecting arrests and moreover do assault, without just provocation, members of the public. It will be found that officers of this type are almost invariably bullies who, when dealing with some weak and inoffensive individual, adopt a hectoring manner which often develops into physical violence. Such police officers and men are the first to show cowardice when confronted with a dangerous situation.

I desire therefore to impress on all Superintendents of Police the necessity of insisting that their subordinates on every occasion display proper civility and courtesy in all their dealings with the public, and I trust that whenever any of their subordinates is found to have assaulted unnecessarily members of the public, he will immediately be dealt with most severely. If I, as Inspector-General, am to defend the conduct of officers and men who have been compelled by stress of circumstances to use force in the execution of their duty, I must at the same time be in a position to state categorically that the Assam Police only use force when compelled to do so, and have abandoned completely the old traditional attitude of hectoring and bullying."

This is the result of the attitude which the Department under my charge has been adopting to deal with the complaints.

I am shocked to hear of the callous attitude of the police in not attending to the other wounded which they should have done in the motor crash mentioned by Srijut Deveswar Sarmah.

A few weeks after the occurrence I met the Superintendent of Police at Shillong and even then he was suffering from nose injury. As he himself was severely wounded, he could not have looked into the condition of the occupants of the other car. But now that all the details have been given by the hon. member, I will take no time in asking for a report from the police officer concerned—I mean the Superintendent of Police. I hope the hon. member will give me the details of the party who have been severely injured in the motor accident.

**Srijut DEBESWAR SARMAH:** Yes, Sir, I will give the details.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I hope the action that I propose to take will satisfy the hon. member.



As regards the general complaint about illegal gratification, I am sorry to say that this is universal throughout India and I can assure the hon. member that I am quite alive to this slur on the police force and whenever any case of illegal gratification is proved, it will be severely dealt with. I need only refer to paragraph 16 of the last Police Administration Report which will show what drastic action has been taken by Government in dealing with the delinquents I hope the punishment that has been meted out in the few cases will be a deterrent to other members of the police force. So, it will be seen that I have already taken action as recommended by the hon. member.

**Srijut DEBESWAR SARMAH:** Sir, in view of the statement made by the Hon'ble Chief Minister and also hoping that whenever a case is brought against the Police officer, he will be suspended, I beg leave of the House to withdraw my motion.

The motion was, with the leave of the House, withdrawn.

The original motion that a sum not exceeding Rs.22,38,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939 for the administration of the Police Department was then put and agreed to.

### Adjournment

The Assembly then adjourned for lunch till 2 p.m.

### After adjournment

The Assembly re-assembled after lunch at 2 p.m.

### GRANT No.16

#### (37.—EDUCATION—OTHER THAN EUROPEAN)

**The Hon'ble Maulavi MUNAWWAR ALI:** Mr. Speaker, Sir. On the recommendation of His Excellency the Governor of Assam, I beg, to move that a sum not exceeding Rs.33,65,300 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the head "37.—Education (other than European)."

**The Hon'ble the SPEAKER:** The motion moved is that a sum not exceeding Rs.33,65,300 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1939, for the administration of the head "37.—Education (other than European)."

There are as many as 97 cut motions. The Congress party wish to move motion No.45 first, but I find that there are other motions which come from members belonging to parties other than the Congress party. If these hon. members would like to move their motions I cannot allow this motion to be taken up first. If the Congress party do not wish to move their other motions then I may call on those hon. members who belong to the other parties to move their motions.

**Srijut OMEO KUMAR DAS:** We want to move motion No.45 first in our item, and then motion No.2 is the second item.

**The Hon'ble the SPEAKER:** Then motion No.2 may be moved first. I take it that Srijut Paramananda Das is not going to move his motion\*?

**Srijut OMEO KUMAR DAS:** No, Sir.

**Srijut MAHI CHANDRA BORA:** Mr. Speaker, Sir, I beg to move that the provision of Rs.3,92,991 under Grant No.16, Major head—37.—Education, Minor head—University Education—A—Government Arts Colleges (total), at page 112 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.33,65,300 do stand reduced by Rs.100.

✓ **Mr. Speaker, Sir.** The object of this motion is to criticise and discuss the proposal for the establishment of an Examining University in Assam. Sir, in these days of Provincial Autonomy, in these days of educational advancement, the claim of Assam for a separate University of its own has become all the more irresistible. While even some of the newly-created provinces of India are going to have separate Universities to work out their own educational destinies, the province of Assam cannot afford to remain any longer without a University of its own. We are glad that this Government, four Hon'ble Ministers of which have been vehement in their demand for a separate University for Assam, has no longer been able to resist the justice and withstand the justness of the cause and an indication has been given towards the solution of this problem by the Hon'ble Finance Minister in his budget speech.

But the subject of the great importance for our consideration is the site and the nature of the University that is best suited to the needs of the province to her peculiar problems, culture, traditions and requirements. The proposed Examining University is sure to provoke a chorus of condemnation and indignation and resentment from the public—at least of my own Valley. The type of University envisaged will hardly meet the demands of the people who have been crying so long for a University Sir, the *Assamiya*—a premier bi-weekly of our province—has very rightly condemned in its issue of the 22nd February—the establishment of the proposed Examining University in Assam. It has observed thus—

“ভূয়া বিশ্ববিদ্যালয় পতাৰ ইচ্ছা—

অসমৰ ভাষা, ৰূপ, সাহিত্য, সমাজ, ব্যৱসায়, অৰ্থনীতি, ভূসম্পদ, জ্ঞান বিজ্ঞান সকলোৰে উৎকৰ্ষ সাধন কৰিবলৈ অসমক এটা স্বকীয় বিশ্ববিদ্যালয় লাগে। ইয়াকে আমি জানো। আৰু এই বাবেই অসমীয়া বাইজে আজি স্মৰ্থ কাল দাবী কৰি আছে। কিন্তু নিৰ্বাচনৰ সময়ত অসমক হাইকোর্ট, বিশ্ববিদ্যালয়, ইঞ্জিনিয়িং কলেজ, মেডিকেল কলেজ ইত্যাদি সকলো লাগতিয়াল অৱস্থানেৰে নতুন বন্দন কৰি তুলিব বুলি প্ৰতিশ্ৰুতি দি যোৱা, নতুন প্ৰাদেশিক স্বায়ত্তশাসনৰ আমোলৰ সৰ্বশক্তিমান অসমীয়া মন্ত্ৰীসকলৰ আজি প্ৰায় এবছৰেও সেই বিলাক কাম কৰাৰ বিষয়ে একো উল্লেখ নাই। মাত্ৰ নিজ নিজ

\*That the provision of Rs.3,14,349 under Grant No.16, Major head—37.—Education, Minor head—A—Government Arts Colleges, Sub-head—1.—Pay of Officers (total), at page 112 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.33,65,300 do stand reduced by Rs.100.

(To raise a discussion on the necessity of making provision for opening B.Sc. class in Botany in the Cotton College.)



পদ বহাল বখাত ব্যস্ত। এতিয়া অবস্থা শোচনীয় দেখি সম্প্রতি বেঙলকে নিজৰ কৰ্মক্ষেত্ৰ ডোখৰ অলপ বহলাই থবৰ নেনেবেই শিলঙৰ দ্বিতীয় পৰিষদৰ দ্বৰত এটা হাইকোর্ট পতাৰ পৰিকল্পনা কৰিছে। কিন্তু হাইকোর্টতকৈও বেছি প্ৰয়োজনীয় বিশ্ববিদ্যালয়ৰ সম্পৰ্কে একেবাৰে নিমাত থকাটো বেয়া হ'ব বুলি কৈছে যে বেছি থবচ নোহোৱা পৰীক্ষা লোৱা বিশ্ববিদ্যালয়ৰ (Examining University) এটা লাগিলে অৱশ্যে তেওঁলোকে কেইবছৰ মানৰ ভিতৰতে পাতি দিব পাৰে। অৰ্থাৎ এতিয়াৰ কলিকতা বিশ্ববিদ্যালয়ৰ পৰীক্ষক কেইজনৰ পৰিৱৰ্ত্তে ছাত্ৰসকলৰ পৰীক্ষা লবলৈ আন এদল "পণ্ডিত"ৰে এটা পৰীক্ষা লোৱা বোৰ্ড পাতি দিব পাৰে! বোধ হয় তাকো হাইকোর্ট পাতিব খোজাৰ দৰে শিলঙতে পাতিবৰ অভিপ্ৰায়!! অসমীয়া ব'হিছে এনে ভূৱা বিশ্ববিদ্যালয়ৰ প্ৰস্তাব ঘূৰাবৈ দিগ্ৰাই পেলাব বুলি আমাৰ দৃঢ় বিশ্বাস।"

Sir, what Assam wants is a full-fledged regional University of a unitary and teaching type. The possibility of such a University was foreseen long ago by the Sadler Committee, and such a University can be established successfully and economically with the Cotton College at Gauhati as a nucleus. And the question, to quote the words of Sir Muhammad Saadulla, whether Assam will be able to pay for a well-developed University, would not deter us now. A beginning should be made towards the establishment of a unitary and teaching type of University. It may not be possible for us to have a well-developed University just now but a pigmy one of our own, I say, is preferable to foreign giants. (Hear! hear!) With these words, Sir, I commend this motion for the acceptance of the House.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** It is rather with a heavy heart that I rise to oppose this motion. I am conscious of the fact that as an autonomous province we must have a University and a High Court of our own. But I am afraid that those people whose representatives we are have got more pressing needs that must be attended to by the Government immediately. University and a High Court, whatever that might be, I have already said, these are glorious institutions with which very few and far between, are really concerned. But the general masses have much more important problems which the Government should look after first. We all know that for want of funds Government is unable even to open out forest land for the pasturage and valuable fields are subject to frequent visits of floods. Whenever we come up to Government and demand money for such essential needs, the cry is raised that there is no fund. I do not know what the Government would do for all these. The University and the High Court are concerns of only a few big people who may be benefited by these. I say that those who have thirst for education would not mind to go to Calcutta or Aligarh or anywhere for higher studies. We have been told that we may be satisfied with a toy University to start with. If there is real feeling for the spread of education, we will always aspire to have the best type of University education.

**Maulavi JAHANUDDIN AHMED:** Rome was not built in a day.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** My hon. friend must be given thanks because he says that Rome was not built in a day. I am conscious of that. But I would at the same time ask him not to forget the people who have sent you here as their representative. You know what are the present needs of the people. You know what are the difficulties with which our people are suffering now. Whenever I come up with requests to ameliorate the position of the masses the question of

finance is at once raised. Do you mean to say that a University can be started without money? The Medical School at Sylhet would not require so much money as you want for the University and yet it could not be started although thousands and thousands have already been spent on it. You still want a High Court and a University. But if you come up and say that there is a drainage requiring immediate re-excavation, here the question of funds comes in. Even a prayer that some lands may be thrown open for tending cattle, receive no sympathetic reply. I think I shall not be far wrong if I say that my friends over there who are enthusiastic for a University are only betraying the very cause of those who have sent them here. Because very few are interested in a University. For matters with which the public are concerned have been neglected and if you come up with those problems and put pressure on the Government that will be real service to the people. The Government must redress those grievances at first.

**The Hon'ble the SPEAKER:** The hon. member has exceeded his time.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** With these few words I resume my seat.

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY:** On a point of information, Sir, may I know from the hon. mover what will be the name of the University and the place where the University will be located?

(No reply).

**Mr. NABA KUMAR DUTTA:** There has been a great demand in recent years from the enlightened public of Assam to have a University in this province. The main reason for this demand is the desire to make this province educationally autonomous and to afford opportunities of learning and research to cater for our various special needs. Therefore, the University which is needed in this province should not be an examining University but must be a teaching University and if possible a residential University. But if our funds do not permit I do not see any reason why we should not have an examining University as a nucleus to develop it into a full-fledged University afterwards. Most of the Universities of the world have had very modest origin and if we have an examining University we can develop it year after year into a full-fledged University keeping a pace with the time and the circumstances. After all, Sir, an examining University will not be a straight jacket and there will be no bar against its further development. I should however welcome the University at Gauhati. The immense unpopularity of the Cuninghame Report was due to the fact that the venue suggested was Shillong. If we have an examining University the foundation stone will be laid down and we must carefully build up its structure to suit the demands of time and the nation.

**Srijut PURNA CHANDRA SARMA:** Mr. Speaker, Sir, I have also tabled a motion in this regard that a full-fledged University should be established in Assam, that it should not be merely an examining one. Now, Sir, one of the several problems that are confronting this Government as well as the public mind in Assam is the problem of Education and how it can best be solved. Much of it can be done by a University of our own suited to the needs of the people of this province.

**Mr. BAIDYANATH MOOKERJEE:** It is mass education and not university education.

**Srijut PURNA CHANDRA SARMA:** I fully appreciate the argument that it is mass education that concerns the people most. The mass education as well as secondary education can be properly controlled only by a University of our own. In the last session of the Assembly we passed a resolution that we should revise the curriculum and for that purpose a Committee was formed. It is impossible to have its work done in the way



we want unless we have a University of our own. And for this purpose, Sir, if we want education just according to the needs of the province, we must have the highest educational institution of the province within the province and not beyond it. Therefore, Sir, I support this motion of my hon. friend Srijut Mahi Chandra Bora, and I hope the House will also support it.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:**

Mr. Speaker, Sir, as my name has cropped up in the speech of the hon. mover of this motion and as I find that there is some confusion of ideas, not only in the mind of the hon. mover himself, but also in other quarters, I deem it necessary to take my stand and address a few words.

The hon. mover of this cut motion has really no grudge against the proposal which I have made outside. For towards the end of his peroration he mentioned that he wants a 'pigmy' University. He used the word 'pigmy.' In reply to a deputation of the Assamese Students' Literary Club at Calcutta in December last or the beginning of January I mentioned that, if Assam is satisfied with a University teaching up to the degree standard, then there was absolutely no difficulty in starting one. It is only in case the public of Assam demand from the start post graduate training in Science or other departments of study which requires a large capital outlay, Assam will find considerable difficulty. My hon. friend Maulavi Ashrafuddin Chaudhury thinks that Assam has not got the money to start a University. Again, Sir, I have got a rough and ready calculation to place before the House. On a rough computation about three thousand boys and girls appear in the matriculation examination from Assam. The University charges a sum of Rs. 15 I am speaking subject to correction if I am wrong—per examinee and it needs no great mathematician to calculate that on an average the University spends only Rs. 5 of that. There are about eight papers for which fee at six annas per paper has got to be paid to the examiners, and also some fee has to be paid to the question setters. I have calculated, Sir, roughly that, all told, including stationery, postage, payment to the question setters and examiners, a sum of not more than Rs. 5 per head is spent by the University. Therefore there is a clear profit of Rs. 10 per head. If we had a University of our own and a matriculation examination of this University, we would get Rs. 30,000 from this head alone. Similarly the examinees have got to pay fees on a higher scale for the I.A., I.Sc., B.A. and B.Sc. examinations. Therefore there can be no gainsaying the fact that from fee source alone Assam will get an income of about half a lakh of rupees. If over this, the University prepares its own selection of books for the matriculation and other examinations, they will get another sum. So I will not be far wide of the mark if I say that, if a University is established in Assam, we can start it on the above calculated basis of nearly Rs. 75,000 on the credit side. If we do not start any costly post-graduate training on some subjects to start with, we can have the few colleges affiliated to the proposed University, and then this sum will be more than sufficient to have our own Senate and Syndicate.

At present we are under a double difficulty. On the Senate of the Calcutta University we have a small representation. Including official and non-officials it is about one-tenth of the total strength. In the Syndicate we have no representation whatsoever. Therefore, our voice is seldom heard by the University in most vital matters. We suffer on that score, because our view points are always in a minority and sometimes we get no opportunity of being heard.

My hon. friend Srijut Purna Chandra Sarma has just mentioned one instance. This House in the last December session passed a resolution almost unanimously to start an enquiry by means of a committee to bring

the curriculum up to our present needs. But, Sir, as we are bound by the subjects that have been settled by the University for the matriculation class, we will have to modify our curriculum in such a way as to conform to their standard. Therefore we are suffering under certain limitations. In this way I can multiply instances whereby I can prove that we are really suffering and that we cannot start any creative work unless we have a University of our own. If we decide on the main point, then the question of location need not deter us. We have ample opportunity to discuss that later on.

I hope I have been able to give sufficient indication to hon. members that a University for this province as an examining body to start with and teaching up to the degree standard can, without any drain upon our limited resources, be started. That is the sum and substance of what I spoke outside the House and it is my contribution to this House to guide them in the deliberation of this matter.

**Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, our demand for a University is an old one, and we have all persistently been asking for it. We are glad that we have reached a stage when there is every chance of its materialisation. The attitude that has been taken by my hon. friend Maulavi Ashrafuddin Chaudhury I think represents the attitude of most of the Surma Valley members, except one or two honourable exceptions. I am aware that the Hon'ble Education Minister has always been advocating the cause of a University and I am glad that the Educational Portfolio is in his hands now. (Hear! hear!). So I think, instead of criticising Government for holding out hopes of an examining University, we should have commended the Hon'ble Chief Minister for the hopes held out by him; because, as has been said by Mr. Dutta, this examining University will be only a nucleus for the ideal, namely, a residential university. So I think, that is only a stepping stone to the final aim we all have in view. And in this view of the matter, instead of criticising Government we should commend them. With these few words I oppose the motion.

**Maulavi MUHAMMAD AMJAD ALI:** Mr. Speaker, Sir, the cut motion tabled by my hon. friend Srijut Mahi Chandra Bora has been qualified by the words 'examining university'. Possibly he has in his mind the establishment of a residential university instead of an examining university. To that point, Sir, of course suggestions have been made that this is only a small beginning. We have yet to see that this idea of a university materialises in near future and after that we can take the next step of establishing a residential university.

We have been referred to the report of the Saddler Commission. May I refer to him that Dr. Ashutosh Mukherji was a prominent member or was possibly the Secretary of that Commission? May I tell him that after the Saddler Commission Report was out several residential universities have been established in India, still whatever Dr. Mukherji might have in his mind, he threw that report to the winds and nobody could interfere with the Calcutta University, and it is still the same good examining university as before?

May I tell him that much water has flowed down the Ganges after the Saddler Commission submitted its recommendations, and several universities of the residential type were established at Lucknow, Aligarh, Agra, Dacca, Benares and Hyderabad? But the Calcutta University is now going on as before. Sir, a question was asked and it was humorously remarked that in Assam to have a university of residential type the best course open is to put a tin plate in the Cotton College and make it "the Gauhati University" and to put another tin plate in the Murarichand



College and make it "the Sylhet University". To make a university of the type is not at all difficult. But, Sir, for a seat of real culture, it is a question of finance, it is a question of means. I am sure my hon. friend the mover of the cut motion is inspired with the noble ideal of creating a cultural atmosphere. The chief aim of a university, the philosophy of a university is no doubt satisfied by establishing a residential university as it obtains in England at Oxford and Cambridge. I think he has in mind that a residential university satisfies all the yearnings for knowledge because the students have always an opportunity of breathing in an educational atmosphere. That is an ideal thing indeed, Sir. But the Government of Assam is just now making the beginning of having a university of examining type with an idea behind to establish a University of residential type in the near future. In this connection may I mention, Sir, that when the University of Allahabad was established there was no other University in the whole of United Provinces. But there are as many as five Universities now in United Provinces and this University of Allahabad has now been turned into a residential University and the University of Agra is an examining University at this time. The University of Hyderabad came into existence only recently. It was under the Bombay University before and only the other day His Exalted Highness the Nizam of Hyderabad has turned Hyderabad College into a University of residential type called "the Osmania University of Hyderabad".

So, Sir, this small beginning should satisfy us for the present and we should not censure the Government because they are trying to have a University in Assam. For maintaining the dignity of the province as an autonomous unit, as the hon. mover of the cut motion started by saying, we must have a University of our own, and to achieve that ideal we need only make a modest beginning by an Examining University. I hope the hon. mover will agree with that. With these words, Sir, I beg to resume my seat.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** Mr. Speaker, Sir. It is said that the idea of establishing a University in Assam was resented by the Surma Valley people. I can assure my friends that there are some members who supported the proposal of establishing a University in Assam. I can tell the hon. mover that the only Muhammadan *Journal* of the Surma Valley conducted by my humble self-published article after article supporting the establishment of a University. My hon. friend Mr. Ahab Chaudhuri wrote volumes of articles about the establishment of a University in Assam. But the question was where that University should be located—at Shillong, at Sylhet or at Gauhati? I think I need not dilate upon that question now as that question is not under discussion. Over and above this the present Minister of Education, Hon'ble Maulavi Munawwar Ali himself tabled a Bill seeking to establish a University in this province. So when my friend, the mover of the motion, says that the idea of establishing a University in Assam was resented by the people of Surma Valley then he is not correct and it is nothing but regrettable.

Now the question is whether it would be possible for Government to establish the University at this stage. We have heard from the Hon'ble Finance Minister that the question of finance does not arise. Sir, if a University is to be established at all, I think, the beginning should be made now. But at the same time we should see that other constructive programmes are not neglected. Our people are poor, unlettered and disorganised. So according to me it should be our primary duty to organise our people, to spread education amongst them and to see that their financial condition is improved.

As for the establishment of the University I may frankly tell my hon. friend the mover that we do not dispute the question at all. The only question is whether the finances of the province would permit it or not.

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY:** Mr. Speaker, Sir, I will readily welcome the proposal of establishing a University in Assam and I am glad to support the motion of my hon. friend. But the main question is where it would be located. This is the only point. Mr. J. R. Cunningham the learned author of Assam University enquiry report also suggested that Shillong should be the headquarters of the University and its name should be "the Shillong University". But when I asked my hon. friend he was silent on this point and did not give any reply.

Sir, as my hon. friend, Md. Maqbul Hussain Chaudhury said, this point was thoroughly discussed and as a representative of the educated people of Sylhet and of Surma Valley I may assure the House that we at least want a University in Assam. What should be the type of the University is another point. I do not agree that it should be uniteral but it should be of the federal type. As I said already its headquarters should be at Shillong. The two Colleges, one at Gauhati and the other at Sylhet, should be two seats, two cultures I mean, Bengali and Assamese culture. If the hon. mover agrees to the point I shall be glad to support the motion.

**Maulavi ABDUL AZIZ:** Sir, the question of a University is a great problem and I fear I cannot do justice to it. Yet what I want to say is that University education is a matter in which the teeming millions of our people have no interest. Only a small fraction of the people who are educated are taking University into consideration. In view of the present needs of the masses, I do not think it is fit and proper for ourselves to have a University at this stage. Having a University, I think, will be something like a luxury. I think the resources of this province have been such that it would not be sufficient to have an institution like this and to have a University, i.e., a pigmy University as suggested would be bungling with the question. I think it would be expedient for us to wait for some time more and in the meantime to improve our resources and we should then take up the question of a University. In the meantime we should look to the interest of the teeming population whose representatives we are here. These people have so long been ignored. They have neither elementary education nor can they procure two meals a day. Throughout the whole province the number of such people will not be small. They have no idea of sanitation, and very few of them are well housed. When we approach Government for the improvement of sanitation and other things, Government say in their reply that funds are not available. But now we see that for a luxurious thing like a University money is available, whereas in the matter of primary education, and in the matter of sanitation Government are lacking in funds. With these words, Sir, I oppose this motion.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** Sir, I want to disabuse the mind of my hon. friend Khan Bahadur. I am not opposed to a University. What I want to say is this that we can safely wait for a period and devote our attention to other pressing needs.

**Mr. JOBANG D. MARAK:** Sir, we have heard the Hon'ble the Finance Minister assuring us that without a separate drain on our poor financial fund he can establish a University in Assam. Sir, the capital of Assam is in Shillong and as an effect of this, the general atmosphere in Shillong is quite different from other places such as Garo Hills and Kamrup. So, if there be a University at all in Assam, it will be good for us. The atmosphere would be quite different then.



Sir, the location of the University is not the present consideration. The consideration is whether we want a University or not. We know what these Universities are doing in civilised countries like America and other countries. There they have the Chicago University, the Harvard University and many other Universities.

These Universities are meant for exchange of ideas, general environments, etc. If a University is established in Assam, then it will be very beneficial to the people of Assam, nay, the whole of India as well. Many students from other provinces will be coming here to read and for change. We, the Assamese people, should go to the Madras University and other Universities (*laughter*) for the same. It is for exchange of ideas. There is no denying the fact. (*Hear! hear!*). I advocate very strongly the establishment of a University for Assam.

**The Hon'ble Maulavi MUNAWWAR ALI:** Mr. Speaker, Sir, I must at the very outset express my heart-felt gratitude to the hon. mover of the motion for his giving me an opportunity to express my ideas on this important subject. Sir, to put the whole thing in a nut-shell I might say that my advocacy for the establishment of a University in Assam is as old as my public life. It is 17 years now that I have been trying in season and out of season to see the ambition of my life come to fruition. Sir, it was in the year 1928 that I could get the Bureaucratic Government of that time committed to the principle.....

**Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** On a point of order. Did not the Hon'ble Minister of Education.....

**The Hon'ble the SPEAKER:** It is not a point of order.

**Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** On a point of information, Sir. Did not the Hon'ble Minister of Education vote against the resolution last time for the establishment of a University in Assam?

**The Hon'ble Maulavi MUNAWWAR ALI:** Certainly not, Sir. In 1934, after five years of incessant labour in sitting at my table I drafted a Bill for the establishment of a University and although that Bill did not receive the assent of His Excellency the Governor, served its preliminary purpose in as much as it immediately focussed public opinion on the subject. Sir, at that time the whole atmosphere was gloomy but as time rolled on support began to gather round me and not to speak of Brahmaputra Valley which unanimously supported me, my Valley also began to give their support. I must take this opportunity to record my gratitude to the Editor of the *Jugaveri*, our hon. friend Maulavi Maqbul Hussain Chaudhuri, who took the subject in right earnest and also to my respected hon. friend the Dewan Saheb of Duhalia I mean the hon. Maulavi Dewan Md. Ahbab Chaudhuri, who at that time were the silver linings in the black politics clouds in my Valley. Sir, what is the position to-day in my Valley? I can state on the floor of the House without any fear of contradiction that the bulk of opinion of both the Muslims and Hindus is now in my favour. (*Hear! hear!*)

Sir, it was as a result of my endeavours which brought back Mr. Cunningham who examined the question for several months and his valuable report was published in 1936. Mr. Cunningham having examined the case found that a University in Assam was an indispensable necessity. When Sir Otto Niemeyer came to India the problems of Assam were also presented before him and he admitted the necessity of a University in this province. Although the hon. mover has stated in so many words, what appears to me to be at the back of his mind is that he wants a residential University. We are now not concerned with what sort of a University there should be

in Assam. What we are to decide to-day is whether we should have a University or not.

**Babu DAKSHINARANJAN GUPTA CHAUDHURI:** This is not meant by the motion.

**Mr. BAIDYANATH MOOKERJEE:** This is not meant by the motion.

**The Hon'ble Maulavi MUNAWWAR ALI:** Sir, he questioned the propriety of an Examining University.

**Mr. BAIDYANATH MOOKERJEE:** Yes.

**The Hon'ble Maulavi MUNAWWAR ALI:** The idea of a Residential University is perhaps in his mind but, Sir, I will tell my hon. friend about Cambridge and Oxford. I do not know if he has gone through the constitution of those two great universities in England. Even the Cambridge and Oxford universities are not residential universities. They are affiliating and examining universities but how does the question of residential type arise in their cases? It arises in that the colleges that are affiliated under them have to be residential. If not a residential college, they will not give affiliation to it. Therefore, Sir, I think my hon. friend should not mind if I tell him that even Oxford and Cambridge are not residential universities.

As regards the financial implication of the question, the Premier has dealt with the subject and has shewn perhaps beyond the shadow of a doubt that it is not an impracticable proposition. I hope, Sir, the Hon'ble Chief Minister who is also the Finance Minister will be able to point out many other items from which an income may be derived with which we may be actually able to establish our own university. My hon. friend Maulavi Ashrafuddin Md. Chaudhuri has raised certain questions but I hope he will not mind me pointing out to him that the need of our Indian masses, the masses of Assam, are not merely primary education, but higher education as well.

**Mr. BAIDYANATH MOOKERJEE:** Which one is the foremost?

**The Hon'ble Maulavi MUNAWWAR ALI:** Both are equally important. Who are to solve the various intricate problems that face the masses? Would it be possible, Sir, without higher education for the down trodden masses of Assam to provide a representative on the Cabinet of Assam? Here is a glaring and glowing example of how much higher education is needed in Assam. I am glad, Sir, to be able to say that on a personal explanation my hon. friend has admitted that he is not opposed to the establishment of a university in Assam. The question of location of the seat of the university is a matter of detail but for the information of the hon. House, I may say that in the Bill that I drafted—of course I anticipated a tug of war between the two premier towns of the province—Sylhet and Gauhati and as I wanted that my endeavours must not end in a mere tug of war, I provided that the seat of the university should be located at the capital of the province for the time being. (*Hear! hear!*) The question will however remain open and its merits discussed. What should be the type of the university has not yet been decided. What the Hon'ble Chief Minister indicated in his budget speech was a mere suggestion. Government have been considering this question very seriously, and we propose to hold a Conference of the representatives of the different groups of this House and also the people outside who could throw light on the whole subject. I hope, Sir, that I have convinced hon. members about the necessity of a university in Assam, and I hope, Sir, that the hon. mover of this motion may now see his way to withdraw the motion on the assurance that I have given.



**Srijut MAHI CHANDRA BORA:** In view of the statement that the Hon'ble Minister has made to the effect that the matter of establishing a university in Assam has not been finally decided, I beg leave of the House to withdraw my motion.

**The Hon'ble the SPEAKER:** I hope the hon. mover has got the leave of the House to withdraw his motion. The motion moved is that the provision of Rs.3,92,991 under Grant No. 16, Major head—37.—Education, Minor head—University Education—A.—Government Arts Colleges (total), at page 112 of the Budget, be reduced by Rs. 100, i.e., the amount of the whole grant of Rs.33,65,300 do stand reduced by Rs.100.

The motion was, with the leave of the House, withdrawn.

**The Hon'ble the SPEAKER:** I think it would be better if Srijut Kameswar Das moves his motion because his motion is to criticise the Government for not taking steps to start B. Com. and Botany Classes for the degree Course in both the Government Colleges, whereas that of Maulavi Muhammad Maqbul Hussain Chaudhury is only to criticise the Government for not opening Botany and Biology classes in the Sylhet Murarichand College. The former motion is wider than the latter. Will Srijut Kameswar Das move his motion?

**Srijut KAMESWAR DAS:** I beg, Sir, to move that the provision of Rs.3,92,991 under Grant No. 16, Major head—37.—Education, Minor head—University Education, Sub-head—A.—Government Arts Colleges (total), at page 112 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs. 33,65,300 do stand reduced by Rs.100.

Sir, the object of tabling this motion is to criticise Government for not taking steps to start the B. Com. and Botany Classes up to the degree Course in the Government Colleges. Sir, arguments are unnecessary in this case. I don't want to ask the Government to start any Science Class, which has not yet taught these, as the Science Class is no doubt expensive. But the Botany class is already in the course of study in the Cotton College up to the I.A. standard and what I want to say is that the course should be raised in that College up to the degree class also. It will not involve the Government to a large extra expenditure. As to the inclusion of Botany in the Murarichand College, I should like to say that there is a strong feeling in the Surma Valley for its inclusion in the college. I remind the Government that they gave an assurance during the last Budget Session that they would start Botany Classes in both the Government colleges as suggested by me now. I also urge upon the Government to start the B. Com. courses in both the Government colleges. Sir, with the gradual development of commerce and industry in the country it is now time to introduce this subject in the Government colleges of the province. B. Com. courses are already there in most of the other Provinces of India, but in the Government colleges of Assam there are no such courses.

**The Hon'ble the SPEAKER:** The motion moved is that the provision of Rs.3,92,991 under Grant No. 16, Major head—37.—Education, Minor head—University Education, Sub-head—A.—Government Arts Colleges (total), at page 112 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.33,65,300 do stand reduced by Rs.100.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** Mr. Speaker, Sir, it is not unknown to the hon. members of this House that there is a persistent demand in Sylhet for opening Botany and Biology classes in the Murarichand College. Government gave an assurance last year that they would open the classes but that hope has not yet been materialised. Sir, the Murarichand College is an important college. It is in the rank of the first class colleges under the University of Calcutta

Almost every year this college occupies higher places and sometimes the highest place in the University in different examinations. Sir, such a college is certainly incomplete without Botany and Biology classes. After the recent circular issued by the Director of Public Instruction, I think, it has become incumbent on the Government to open such classes in the Sylhet college. I have got a letter in this regard from the students of the plains which I like to read out to the House with your permission.

"Dear Sir,

We the Matric examinees of Karimganj beg to draw your attention to the important circular issued by the Director of Public Instruction that on and from 1940 marks for the additional science subjects will be included in awarding scholarships although provision for opening the Botany classes from next July have not been made in Murarichand College. Unless Botany classes are opened from July next we will be placed into great difficulty as we cannot afford to join college where there is Botany. We shall consider it a special favour if you kindly see that Botany classes are opened in Murarichand College from July next and we may not be placed into difficulty of competing College scholarships from 1940.

We remain,

Faithfully yours,

*Matric Students of Karimganj."*

I believe, I have sufficiently convinced the Hon'ble Minister, Education in this matter. Now I would urge upon him to open Botany and Biology classes in the Murarichand College and I hope the Hon'ble Minister will not come forward with an assurance only, but will give us such hope that he will translate his assurance into action so that we may have scope to congratulate him in the month of July, next.

**The Hon'ble Maulavi MUNAWWAR ALI:** Mr. Speaker, Sir, I agree with the two hon. members—the hon. mover and his supporter—in every word that has fallen from their lips. I agree that the necessity for Botany and Biology classes in these two colleges cannot be too much emphasised.

(A voice.—What about B. Com. class?)

I may be technically blamed for the broken pledge of my predecessor because I have merely stepped into his shoes. But I shall ask hon. members if they should really censure me for the matter of that I would request the hon. members to give me an opportunity to put into action the assurance given. I give to the two hon. members this assurance that I shall try my best to see what I can do in the matter. Sir, schemes were prepared previously and they were found to be too costly. But I propose to visit both the colleges and shall try to see if with a moderate cost what we all desire can be achieved. I hope my hon. friend might see his way to withdraw the motion in view of what I have just now said.

**Srijut KAMESWAR DAS:** What about the B. Com. Class?

**The Hon'ble Maulavi MUNAWWAR ALI:** I have given my reply in a lump. The reply that I have given in regard to Botany and Biology classes applies with regard to the B. Com. Class also.

**Srijut KAMESWAR DAS:** In view of what has been said by the Hon'ble Education Minister I beg leave of the House to withdraw my motion.

**The Hon'ble the SPEAKER:** The motion moved is that the provision of Rs.3,92,991 under Grant No. 16, Major head—37.—Education, Minor head—University Education, Sub-head—A.—Government Arts Colleges (total), at page 112 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.33,65,300 do stand reduced by Rs.100.

The motion was, with the leave of the House, withdrawn.



**The Hon'ble the SPEAKER:** As I told the House at the very beginning the Congress Party wish to move Motion No 45 first to criticise the action of Government in not taking proper action for the encouragement of education among the scheduled caste and tribal people.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** Sir, I think Motion No. 94 should be taken first.

**The Hon'ble the SPEAKER:** To criticise the educational policy of Government?

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** Yes, Sir.

**The Hon'ble the SPEAKER:** Of course that will give all the members an opportunity for criticising the whole educational policy, and other points also may come in for discussion when discussing the policy. I think Maulavi Maqbul Hussain is right that that motion should have preference.

**Babu RABINDRA NATH ADITYA:** Sir, after this motion has been discussed we can go on to the other.

**The Hon'ble the SPEAKER:** If hon. members not belonging to the Congress Party will say that they will not move their motions as for instance Motion Nos. 6, 7, 10, 13, 14, 16, 19, 24, 25, 27, 33, 36, and 43. The Congress Party may move their motion No. 45. If the hon. members in whose names these motions stand will say that they do not wish to move them then I can allow Babu Rabindra Nath Aditya to move his motion. As for Motion No. 94 the Congress Party also agree that Motion No. 94 should also be discussed, but they want that Motion No. 45 should be taken up first, and they will not take much time over motion No. 45. (After a pause) Babu Rabindra Nath Aditya may move his motion No. 45.

**Babu RABINDRA NATH ADITYA:** Mr. Speaker, Sir, I beg to move that the provision of Rs.59,027 under Grant No. 16, Major head—37.—Education, Minor head—I.—Government Primary Schools, Sub-head—(a)—Primary School for boys—I.—Pay of Establishment, Detailed head—Teaching Staff, at page 117 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.33,65,300 do stand reduced by Rs. 100.

(To criticise the action of Government, in not taking proper action for the encouragement of education among the scheduled caste and the tribal people and for raising the pay of Primary School teachers to a decent level.)

Sir, at the outset I would like to tell the hon. House that with the advent of Provincial Autonomy our friends in the backward areas and of Scheduled Castes thought that a new era had dawned on them, and that is why they all expected that our responsible Ministers would be fully alive to the demands and wailings of the backward and scheduled classes. Sir, we all know that there are venture schools in the backward areas which have been dragging on their miserable and pitiable existence for the last 20 or 30 years, where the teachers have been working gratis for years in the expectation that in time their labour will be crowned with success. But we find that nothing has been provided in the budget to give these people a message of hope. Sir, our Chief Minister is always prone to cite examples of Congress provinces, as some other people are fond of citing the Scriptures, but, Sir, we have seen in the budget of Bombay that a provision of Rs.33 lakhs has been made for a new scheme for primary education. Sir, their income is 12 lakhs.....

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** 12 crores.

**Babu RABINDRA NATH ADITYA:** Yes, 12 crores and the income of Assam is slightly less than 3 crores. In Bombay the provision on new schemes is 16 lakhs, but what about Assam? The provision for new schemes is only Rs.50,000 and out of this Rs.12,000 is for Primary Schools. Then, in non-Congress Provinces, we find that they are also having new schemes. Rupees 1,50,000 has been provided in Sindh for new schemes although it is a smaller province than Assam. So either in Congress or non-Congress Provinces provision has been made for the education and betterment of the backward and scheduled class people. Much is being done in all other provinces, and it is to our shame that only Rs.50,000 has been allotted for new schemes this year and out of this Rs.12,000 only has been allotted for backward areas. I would ask the hon. members who represent the backward and scheduled class people, when they go to their constituencies what message of hope they will convey to their constituency? Our Hon'ble Education Minister spoke just now about a silver lining. I would ask him what silver lining is there in cloudy horizon of these backward and scheduled class people? What has he done to provide better educational facilities for these people? Unless hon. members of the backward and scheduled areas, have pledged their conscience and everything to the Government, I would ask them to consider what niggardly treatment has been and is being accorded to their people, and when they go back to their constituencies what prospects of hope will they carry to their people?

**Srijut GOPINATH BARDOLOI:** Facilities for drinking.

**Babu RABINDRA NATH ADITYA:** The entire problem of the betterment of the backward and scheduled class people is staring us in the face, and these people want a reply from us and from the Government. Our Government will raise that eternal plea of paucity of funds, but I say that in a matter like this there should not be put off for scarcity of funds. More money should be provided for the betterment of the venture schools. Sir, for every boy going to a Government school, the Government spends Rs.50 per year, whereas in aided school the expenditure is only Rs.11 per head per year. So if the policy of deprovincialisation of Government schools could be carried into effect much money could be saved which could be utilised for the betterment of the scheduled and backward class people. So, Sir, I say our dark age is not over; it is still there.

As for the pay of the primary school teachers, it is only Rs.12 per month, which is less than the pay of a chaprasi, so when they have not enough money to maintain their families how can they do their duty to the satisfaction of their own conscience. They have to look for other vocations of life in order to eke out an income for maintaining their families. Thus they cannot pay due attention to the students and they themselves carry on a miserable existence. Their case has been represented to the Hon'ble Ministers times without number but nothing has been done to improve their lot. I do not like to detain the House over this matter any more. It is too well known and it needs no repetition. With these few words, I commend my motion to the acceptance of the House.

**The Hon'ble the SPEAKER:** The motion move is that the provision of Rs.59,027 under Grant No 16, Major head—37—Education, Minor head—I.—Government Primary Schools, sub-head (a)—Primary School for boys—I.—Pay of establishment, Detailed head—Teaching staff, at page 117 of the Budget be reduced by Rs.100, i.e., the amount of the whole grant of Rs.33,65,300 do stand reduced by Rs.100.

**Srijut RUPNATH BRAHMA:** Sir, I appreciate the sympathetic attitude of the hon. mover of this motion before the House. I am really thankful to the hon. mover and we the tribal people would be more thankful to him if he and his other Congress friends come to the tribal areas and take up the cause of spreading education amongst them. (Voices: Certainly.)



Now, Sir, the meagre sum that has been provided this year for primary education is only Rs. 5,000 and that is the general provision for all the backward people including the tribal and scheduled castes.

**Mr. JOBANG D. MARAK:** May I ask of the Congress people if they have fund for education?

**The Hon'ble the SPEAKER:** The hon. member should be allowed to go on.

**Srijut RUPNATH BRAHMA:** This sum is no doubt too inadequate for the purpose and we hope the Government will find out more money in the budget for the tribal people and will prepare a definite scheme for spreading education amongst these people.

**Srijut BELIRAM DAS:** I also have given a cut motion like this. Sir, the backwardness of this province in the matter of education can be best illustrated by referring to the Census Report of the province alone. I should like to refer here as to what is being done for the education of the depressed communities by the other provinces of India. According to the Poona Pact the Hindus are committed to give special facilities to the depressed communities. (*Hear! hear!*) In the poor province of Bihar where they have only four Ministers they have budgeted Rs.90,000 only for the purpose of education of depressed communities. In the United Provinces, the Government of United Provinces have budgeted two lakhs for the education of the depressed communities, (*Hear, hear.*) And in other provinces of India similarly large provision has been made for this purpose. Even the Government presided over by Sir Sikandar Hyat Khan, I mean the province of the Punjab have budgeted a similar sum for the education of these communities. We here in Assam fervently hoped and desired that this year at least our Government will follow those examples of the other provinces of India. I am, therefore, utterly disappointed that this Government has budgeted only a paltry sum of Rs.5,000. May I ask this Government whether they will be able to tackle the problem of illiteracy with this small sum of Rs.5,000 of these depressed and backward communities? I am sorry Sir, of the Rs.50,000 that were granted for the spread of primary education in last year's budget, only ten per cent. will be spent for the education of the depressed communities. I consider this to be an insult added to the injuries of these people and the Government should have looked into that. Instead of giving us better facilities for education they have given us facilities for opium pills and some doses of liquor only. In my opinion it was fit and proper on the part of this Government to spend the sum that was raised by this Government from liquor and opium in giving education to these communities. But to our utter disappointment our Government has remained callous to all these things. Our depressed communities people are far more backward in the matter of education and this will be best evidenced if we refer to the last Census Report of Assam. The Census Report at page 158 says: "The Namasudras—an exterior caste of the Surma Valley have only 10 male literates in every hundred males over the age of 7 and only 5 literate females in every thousand. The backward tribes of the Assam Valley have been well designated backward. Among the Kacharies (tribal) the percentage of male literates is only 6.2 and the proportion of female literacy is only 3 in every thousand. But some of the castes and tribes sink even to lower depths than this and the Mikirs—for whose education Government have practically done nothing—have only 13 literate males in every thousand males over the age of 7 and as for female literacy there are only 5 Mikir women out of the 26,000 Mikir women in the Sibsagar and Nowgong Mikir Hills who can read and write. Even typical tea garden caste like Tanties can show a better figure than this though the proportion of literacy is only 38 per mille for males and 2 for females."

It is therefore appalling that this Government have not yet done anything for them and it was fit and proper that they should have provided more money for the education of these people.

As far as I remember, Sir, the late lamented Srijut Nabin Chandra Bardaloi, our revered leader who was the Chairman of the Gauhati local board, allotted 9 out of 15 primary schools for the depressed classes and backward people. I had hoped that this policy would have been followed by the Government of Assam also. But to our utter disappointment this Government have not properly tackled the problem of these communities. I may here refer to the number of scheduled and backward communities and also the tea garden labourers. The number is more than thirty lakhs. I have got here the figures how that is made up of; Scheduled castes 6,57,000, Backward tribes 5,47,532, Tea Labour 14,00,000 and ex-tea garden labour 4,45,000. The total is 30,49,532. And this makes one-third of the total population of Assam and I had hoped that one-third of the education grant ought to have been set apart for the education of these communities.

**Srijut KARKA DALAY MIRI:** Mr. Speaker, Sir, Assam has a population of 92 lakhs out of which 23 lakhs, that is one-third of the whole population of Assam, is educationally most backward people. At present, education is the most vital problem for the tribal, backward and scheduled castes people. They now feel this want of education. They now feel what is education and they are now realising that without education they are nobody and nowhere in the civilised world. Sir, for want of lower primary schools in their villages they cannot send their boys and girls to such schools. The Local Boards do not give any money to these people, because they have got no representatives in the boards to speak out or explain their grievances. Sir, the present budget has made an insufficient provision. Only Rs.5,000 has been allotted to the tribal and scheduled castes people for lower primary schools. In comparison with their educational backwardness this little amount is not justified. May I say that this is simply an insult to the tribal and scheduled castes people who are educationally backward (*Hear! hear!*)? Some people may say it is due to want of funds, but I say it is not a question of money but of will. So long they have been giving money to the Government and others have been enjoying it. Now they want their due share and the redress of their actual grievances. These people were neglected by the previous Government in every respect. But now I would like to draw the special attention of Government and the Hon'ble Minister of Education to the subject of the proper education of these people. With these few words I take my seat.

**Srijut BINODE KUMAR J. SARWAN:** Sir, instead of moving my cut motion, may I speak on this motion, as it serves the purpose of my motion, and as the tea garden children come among the scheduled castes and backward tribes of the province?

**The Hon'ble the SPEAKER:** Yes, but the hon. member should finish within five minutes.

**Srijut BINODE KUMAR J. SARWAN:** Sir, the Hon'ble the Chief Minister of Bengal is called friend of the poor people for his charity towards them. In my great anxiety to help the poor and illiterate tea-garden children in Assam I have tabled a cut motion for drawing the attention of the Government to be more favourable to these poor tea garden children, who deserve more sympathy than the children of Bengal. The last report of the year 1935 states that the tea labour population is 12 lakhs, including more than 5 lakhs of children. The report further shows that of this total only 1,581 were school pupils, that is to say only 3 per thousand attend school. How far the school attendance has improved can be gauged from the fact



that in 1934-35 Rs. 5,800 was spent on the education of tea-garden children, while in the 1937-38 budget Rs. 6,600 was spent. The last Census Report of 1931 definitely states that the coolies in Assam tea-gardens are educationally terribly backward. Is this not a reflection on the gross indifference of the Government regarding the social and economic condition of the people who have been emigrated by the Government? Does the responsibility of Government cease after the emigration has taken place? Are the tea-garden emigrants cattle and is the Government a mere instrument for the transfer of these people from one province to another? I place before this House the case of these poor illiterate tea garden children for special consideration and sympathy. They surely deserve better and fuller attention than is shown in the present budget.

**Mr. C. GOLDSMITH:** Sir, I join with my friend Mr. Brahma who has just spoken. I am not exaggerating when I say that education is the key for the advancement of the province of Assam. It is everywhere so. Assam is a big country with various elements in its population, namely, tribal, hill and all sorts of backward people, and it is time that Government which is now a popular Government, see that these backward people are really advanced. To raise the level of the country is not to raise the education of the intelligentsia and the privileged ones, but to raise the backward people to a higher level so that all may enjoy the fruits of civilization. Some hon. members have pressed for the establishment of a university in the province. But at the present time if a question is asked whether money should be spent in establishing a university or in the spread of education among the masses and the backward people, I think every one of us would prefer the latter. Those that are advocating the spread of education among the masses and the backward and scheduled and tribal people would, I am sure, prefer that any money coming into the hands of the Government should be devoted to that purpose. I would like to suggest to the Hon'ble Finance Member that this demand should have the first claim, i.e., the demand for the education of these illiterate people if any money is released by retrenchment. If that is agreed to and an assurance is given by the Hon'ble Finance Minister, I think our grievances will be satisfied.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:**

Sir, I am entirely at one with the hon. mover of this motion. I want that all the people of the province of Assam, not to speak of tribal or scheduled castes people only, should be educated. But the point which I take objection to is the unnecessary heat and excitement that found expression in the speeches of some of my hon. friends over there. This may create disaffection among some of other communities. My friend Mr. Rupnath Brahma and some other friends mentioned that only Rs. 5,000 has been provided for the education of the tribal people. But none of them mentioned out of what amount this sum was earmarked. It was clear in the budget speech of the Hon'ble Finance Minister that Rs. 12,000 has been budgeted for the spread of education and out of this Rs. 5,000 has been set apart for the spread of education among the tribal and scheduled castes people. If, as my friend Srijut Beliram Das says, this Rs. 5,000 is an insult to the tribal people, then it can also be said that the balance is an insult to the other people of the province. This is unnecessary excitement and may create disaffection among the different groups of members here. In the budget previously presented by the Hon'ble Finance Minister there is provision of Rs. 50,000 for the spread of primary education. And out of this Rs. 50,000, Rs. 5,000 is reserved for spread of education among the tribal people. This means 10 per cent. is reserved for them. I think, Sir, the percentage of money allotted for my friends who belong to these communities, if we compare it with the percentage of the others, is more than

what they deserved. So I do not find any reason why such exciting remarks should be made. I therefore do not support the arguments of my friends.

**Mr. NABA KUMAR DUTTA:** Sir, the problem of primary education in all its aspects has been drawing our attention for generations and is found neglected in this province. This primary education which has been found for generations as neglected should receive the consideration of the Government immediately.

The primary school teachers are very lowly paid and it is absolutely hopeless to expect that these teachers can discharge their duties efficiently—living practically on starvation basis. Even in the most enlightened provinces of India they have not been able to make any solution of this problem and it is the duty of every legislator to make suggestions with regard to this matter and to give the Government an opportunity to carry out those suggestions.

As regards the allotment for the education among the scheduled castes and tribal people, I must admit, Sir, that the amount is very very inadequate and Government must provide more money for this purpose (Hear! hear!)

**Srijut RABI CHANDRA KACHARI:** Sir, I rise to support this motion. Some of my hon. friends have spoken much on this subject and I therefore do not like to repeat the same arguments again. Only I rise to deal with the point raised by my hon. friend Mr. Maqbul Hussain Chaudhuri, who is taking a narrow view of the thing. I would like to point out that for the education of Muhammadans every facility has been given. They have got special officers, they have got special scholarships and so forth even they have got special free studentships reserved. From the Education Manual we find that out of 80 per cent., 30 per cent. grant has been reserved for Muhammadans and the rest for other communities, but nothing for the tribal and scheduled castes students. Although some scholarships have been earmarked as backward scholarships, all those scholarships go to those who are educationally advanced and nothing is given to the backward tribal and scheduled castes students. As we have not got any advantage in the past years we demand at the time of this provincial autonomy that we must have some special favour from our fortunate brethren and my hon. friend should not be jealous for demanding so. With these words, I beg to support the motion.

**Mr. W. FLEMING:** Mr. Speaker, Sir: I rise to interject a few remarks and bring some straight forward commonsense into this debate which has become so heated. At any rate some of the speakers have been carried away by their enthusiasm.

So far as tea industry is concerned, I may inform the House that 37 per cent. of the tea gardens have primary schools. The popularity of primary education on tea gardens on the part of those who need that education has so far not been very great. In these days however times are changing and it is reasonable to expect that the people will take better advantage of it. But apart from that, the tea industry has its own scheme, which has already been mentioned on the floor of this House, for extending primary education; and the industry is not asking Government for money for it.

So far as the oil industry is concerned, it has both primary and middle English Schools, and extension classes, and evening classes, and High School scholarships and University scholarships.

All of us in this group therefore are clearly enough in favour of this



call for education. But what is this hue and cry we have heard here this afternoon? Its political value is quite clear. (*Laughter.*)

Sir, educational and economic well-being should go hand in hand. But education will not create economic well-being. What do we all want? We want a sturdy peasantry, *not* living on remissions, but capable and independent in its outlook. We want to see constructive work for agricultural improvement in this province and a better scheme for education go hand in hand. We want to see a better yield from the land itself and the peasantry able to pay their revenue. We are not really terribly impressed by this outcry coming on the top of crippling remissions which make it practically impossible for any Government to go ahead. We are not at all impressed; but we *would be* impressed, and we hope we shall have an opportunity of being impressed by hearing from the Government side that they are ready to take the two things together and to go ahead on constructive lines and not to be *ke-browed* by a hue and cry for education coupled with remission which makes the position impossible for Government. We want to see two things go hand in hand. We want to see a capable and independent nation of husbandmen who are not only desirous of education but capable, from the increased produce of their land, of paying for it and making use of it.

**Srijut PURNA CHANDRA SARMA:** Mr. Fleming has enumerated a number of problems confronting this province. He also admits that there should be proper education and the agricultural problem can only be solved by proper education. Now, Sir, as regards tea gardens as he has mentioned we find from the Census Report of 1931 that there are only 9 A class Schools, 60 B class schools and 34 C class schools, *i. e.*, 103 primary schools in all in the more than one thousand tea gardens of Assam.

**Mr. F. W. HOCKENHULL:** We are now in 1938.

**Srijut PURNA CHANDRA SARMA:** We do not know how far the number has increased by now.

As regards tribal people we find from the Census Report of 1931 that in my district in the Assam Valley alone out of a total population of 53,000 of tribal people there are only 368 literates. This will show to what extent Government have tried to meet the demand of the tribal people. They have provided Rs.5,000 for the scheduled and tribal people of the province. This would only meet the demand of only about 30 schools in the whole province and I fail to understand how some of our friends opposite can reconcile this niggardly treatment of the Government for the education of their communities with the support they are giving to the Ministry. Their protests, if any, can be most effective only when it is expressed in the most suitable manner, *i. e.*, the manner in which the present motion has been made.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURI:** On a point of personal explanation, Sir. My friend Mr. Rabi Chandra Kachari has said that I had stated that Government had provided money more than they deserve according to percentage. He said that I should not grudge this. Really I do not grudge this, but, rather, I should be very glad if Government could provide more money for them and leave not a single child unlettered. I simply objected to the sentiment expressed.....

**The Hon'ble the SPEAKER:** The hon. member is making a speech.

**Maulavi ABDUR RAHMAN:** Sir, I think hon. members from all sides of the House want to take part in this motion. I also tabled another motion as regards the introduction of compulsory primary education in the province, but probably I shall not get time to speak afterwards. So I am going to speak on this motion.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:**

The hon. member may speak on the next motion, Sir.

**Maulavi ABDUR RAHMAN:** Probably time will not permit, Sir.

**The Hon'ble the SPEAKER:** The hon. member may speak on the next motion.

**Khan Bahadur Maulavi MAHMUD ALI:** Sir there is a motion in my name and I also like to take part in it. I say that whatever may be said for and against the provision that has been made in the Budget for primary education and for the scheduled castes, the tribal class and the labour class, I am sorry to say that nothing has been done for Mymensingh immigrants and backward localities in the plains.

**The Hon'ble the SPEAKER:** Immigrant people are not scheduled caste people.

**Khan Bahadur Maulavi MAHMUD ALI:** Backward as they are there are no schools in their locality. If you look to the list of schools under the Local Boards you will find that within a radius of 5 miles, 3 miles or 2 miles or more there are no schools, because they are poor. And if there are any venture schools they do not get recognition from the Board unless they complete building, etc., according to their plan and poor people have no means to do so.

**The Hon'ble Maulavi MUNAWWAR ALI:** To which of the localities is the hon. member referring?

**Khan Bahadur Maulavi MAHMUD ALI:** In every locality. Those who are rich people, I mean, big people, only are represented in the Local Boards. They take money for their locality and they have schools there Backward places, such as—Panchakhanda, Ratabari, Karimganj, Patharkandi, Badarpur, etc., may be taken into consideration.

Sir, I am not going to discuss the policy as to how the money is being distributed. I restrain myself. Only I refer to the pay of these primary school teachers. They are getting, only Rs. 12 which I think is below the salaries of the Chaprasis of big people. Sir, I remember in 1928, Khan Bahadur Maulavi Keramat Ali moved a resolution in the former House for the increase of the salaries of these people and the resolution was unanimously adopted, but to my utter disappointment nothing has been done towards this. In the Budget we find a cipher against this item.

As to primary education in general, we do not consider that Rs.12,000 to be sufficient. Surely, Sir, it is insufficient.

**The Hon'ble the SPEAKER:** I hope the hon. member will finish soon.

**Khan Bahadur Maulavi MAHMUD ALI:** Yes, Sir. I am coming to my own locality. There are 73 venture schools waiting for grant from the Local Board since 1928 or 1927. One teacher is teaching 90 boys. We find Government spending lots of money over other projects, but for primary education we do not get sufficient money. I would request Government to look to this.

With these few words I support the motion.

**Maulavi JAHANUDDIN AHMED:** Sir, I only want to speak on one point mentioned by my hon. friend over there regarding the appointment of a Special Officer for Muhammadan education. At the outset, I should like to explain to him why this Special Officer is necessary for the Muhammadan education. A Special Officer is necessary because special kind of education is given to Muhammadans. They cannot go on with their special education unless there is a Special Officer to look after the special subjects of Arabic, Persian, etc., and to see that these subjects are properly taught in the schools. For all these reasons a Special Officer is



required. I do not grudge if the hon. member wants to have a Special Officer for their tribal people but, I think, Sir, the Officers controlling the general education will be competent enough to supervise efficiently the education of the tribal people. With these few words I take my seat.

**Khan Bahadur Maulavi KERAMAT ALI:** Mr. Speaker, Sir, I rise to say something because I feel that I cannot but agree with every word that has been said by my hon. friends Srijut Karka Dalay Miri and Srijut Rabi Chandra Kachari (*Hear! hear!*). As far as the education among the Scheduled Castes people and the tribal people are concerned, there is absolutely no doubt that they have a real grievance. In the past the Scheduled Castes people and the tribal people were neglected in the matter of education but must remind them of the common saying that more you cry the more you get. Unfortunately in the past the Scheduled Castes people and the tribal people had no representative of their own in this House and so there was nobody to cry for them but now when there are representatives here to advance their cause, I am sure, Government will be bound to listen to their grievances and redress them. I hope the Hon'ble Minister of Education will kindly take into consideration all the grievances that have been laid before him and he will try to redress their grievances.

**Mr. F. W. HOCKENHULL:** Mr. Speaker, Sir, I have little to add to what my colleague has already contributed to this debate beyond meeting the challenge which has come from the opposite bench. It is not to be expected that after what we have already said on the floor of the House any one would insult the intelligence of the members here by quoting the figures of seven years ago. Let me, Sir, correct that. These are the exact figures of to-day. In Assam Valley tea-garden areas there are four A class schools, 20 B class schools and 71 C class schools. These, I repeat, are the figures of to-day. Let me also give you the figure of Surma Valley.

**Srijut PURNA CHANDRA SARMA:** Are the figures only for the Assam Valley?

**Mr. F. W. HOCKENHULL:** Yes the figures are only for the Assam Valley. I am sorry, I cannot give you the exact figure for the Surma Valley, but what I can do is to give you the accurate percentage of schools. 37 per cent. of the gardens in Surma Valley have now schools of some kind, that is to say A or B or C class schools. 4 out of every 5 are C class schools. I would inform the House that C class schools are entirely supported by the gardens, B class schools have some contribution from Government and A class schools are entirely supported by Government. Apart from that, Sir, I can assure my hon. friend opposite and the whole House, in fact the whole province, that we have moved and are moving to spread education. We should say that as far as the tea industry is concerned there is no evidence of any desire for education.

**Mr. ARUN KUMAR CHANDA:** You must create that desire.

**Mr. F. W. HOCKENHULL:** We are actively considering that subject. I find my hon. friend opposite is disposed to make capital out of the situation. May I point out that the party opposite has pressed for and obtained a reduction of fees in secondary education which means less provision for primary education.

**Srijut GOPINATH BARDOLOI:** Mr. Speaker, Sir, I consider it my duty to say something in this connection. I understood from the speech of hon. Mr. Fleming that he was thinking of doing some nation-building work for us. I do not question his sincerity but we have had an experiment of the nation-building works by the Britishers during the last 150 years. However sincere he may be I do not trust him with that responsibility. (*Hear! hear!*). On the other hand, Sir, that is regarding the point that is now before

the House—I should say that those of us who feel that there should be real nation-building works must realise that a country cannot progress if in the body politic of it there is weakness, deformity and disease. We feel, Sir, there is gross ignorance among certain sections of our community and there is abject illiteracy among many others. So, Sir, this Congress party is out not merely to protect the interest of these minority communities in this matter but also to further their interest adequately in order that they may come forward and stand side by side with the major communities (*Hear! hear!*). It is exactly for this reason that we have found fault with the present Government in allotting small amount of money for the cause of the education of the backward and the tribal people, of the labour children and of the immigrants also. We feel, Sir, that unless these limbs of ours which are weak can be properly developed, our body politic cannot grow. So the object of this censure motion must be understood in the light of this criticism. Sir, I have seen my hon. friend Khan Bahadur Maulavi Keramat Ali standing up just at the far end of the debate and asking the Hon'ble Minister of Education to help the cause of the tribal and the Scheduled Castes people. Sir, a certain section of the House particularly the European group was talking of politics of our party. If there is politics any where it is there in statements like his. The cause of these backward people has been taken up by the Congress not on the ground of policy, but on principle (*Hear! hear!*).

After having allotted a paltry sum for the cause of the education of the backward people, he now comes and says that the Hon'ble Minister of Education should now come to their rescue.

**Khan Bahadur Maulavi KERAMAT ALI:** That remark applies to yourself.

**Srijut GOPINATH BARDOLOI:** I do not know how the Hon'ble Minister can help them unless the whole budget is changed, but if the Ministry stand by the Budget, which explains their position, they surely deserve the censure, this motion proposes to put on them. I now turn to the question of the pay of the poor primary school teachers. Towards these poor teachers, as to all poorly paid servants of Government or Board, the Congress position is very well known. While we are out to curtail the expenditure at the top, we are always willing to see that the poor teachers or the poor public servants at the bottom are given at least a living wage. The idea that the school teachers can live on Rs.12 a month appears to me to be impossible. It has been found that the funds of the Boards are quite inadequate to meet the expenditure. It is, therefore, the duty of the Government to come forward with help for the poor teachers and give earmarked grant for increasing their pay. With these words, Sir, I support the motion.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, this cut motion raises two different and distinct issues.

**Mr. FAKHRUDDIN ALI AHMED:** Is that the Government reply, Sir?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, I am replying on behalf of Government.

**Mr. FAKHRUDDIN ALI AHMED:** May I be permitted to say a few words, Sir?

**The Hon'ble the SPEAKER:** Is that on a point of information?

**Mr. FAKHRUDDIN ALI AHMED:** Yes, Sir.

**The Hon'ble the SPEAKER:** The hon. member may say what he has got to say.



**Mr. FAKHRUDDIN ALI AHMED:** My point is that hon. Mr. Hockenhull has placed some figures before the House and has challenged the statement made by some hon. members of this party. I want the Government to bear out the figures placed by hon. Mr. Hockenhull or to contradict the figures which I want to place before the hon. House with regard to the number of schools.

**Mr. F. W. HOCKENHULL:** We have already stated the figures on the floor of this House and those figures are up to date.

**Mr. FAKHRUDDIN ALI AHMED:** We are challenging those figures and want the Government to contradict our figures. The figures of schools in both valleys for 1935-36 are A—9, B—60 and C—34. For 1936-37 A—9, B—59, C—37 and there were no schools in Nowgong and Kamrup districts.

**The Hon'ble the SPEAKER:** Order, order, the Hon'ble Chief Minister may reply now.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, as I was saying that this cut motion raises two different and distinct issues. Firstly, it is to criticise Government for not taking proper action for the encouragement of education among the scheduled castes and the tribal people and, secondly, to criticise Government for not raising the pay of the Primary School teachers to a decent level. I will take the second issue first. In his speech the hon. mover did not mention what is meant by a decent level. Among the hon. members who have participated in this debate—barring a passing reference by my hon. friends—Mr. Naba Kumar Dutta and Khan Bahadur Maulavi Mahmud Ali—nobody except the learned Leader of the opposition party has touched on that issue. I take it, therefore, that the House have been compelled to take up this attitude knowing the magnitude of the task about increasing the pay of the Primary School teachers. There are over 8,000 teachers in the schools which are recognised by Government or which are helped by Government and an addition of even Rs. 2 to their initial pay will cost the administration a sum which will amount very nearly to two lakhs of rupees annually. Whether the present financial condition of the province will enable us or any other Government to extend this help is a matter for the House to decide.

I come, therefore, to the first issue. There is a common proverb well-known to almost all Indians that if a female shows more love for a child, than the mother herself, then she is presumed to be of evil intention, or to use the common term—a *Daini* (witch). In this matter I find that the hon. mover of this cut motion is showing more love for the cause of the backward and the tribal people than the representatives of the backward and the tribal people themselves.

(A voice:—It is the creed of the Congress.)

I am glad to hear that. As my hon. friends are not in possession of facts, they have taken the attitude of putting interjections. I am amused to find that some of the hon. members levelled their criticisms only on the figures that were placed by me during the last Budget Session. Have they cared to go a little deeper into the matter? They think that the total expenditure on primary education by Government is no more than Rs. 60,000. If the hon. members will turn to page 118, they will find that Government give a grant to the Local Bodies a sum of Rs. 8,75,000 annually for the spread of primary education. (Hear! hear!) That is recurring—old grant. Sir, if my hon. friends who represent the creed of the Congress organisation want that every child in the backward area and every child of the tribal people ought to be educated so that they may be educationally and

nationally fit to take up their position in the fight for freedom and independence, it was their bounden duty to see that most of the 8 lakhs of rupees are spent in the backward areas and for the tribal people (Hear! hear!). But the fact remains that it was left to the Government to earmark special sums to be spent in the backward areas and for the tribal people. Only the other day I have heard a deputation of the representatives of those people in this House saying that the Government officers—referring to the caste Hindus—have construed the earmarking by Government as the maximum sum that could be spent for these backward people. I promised them that I will correct that mis-interpretation of Government intention. What we have laid down is the minimum that must be spent. But the hon. members on the opposition group say that the Local Boards that are spending a far greater amount than the Local Government have provided.

**Srijut GOPINATH BARDOLOI:** We have done it.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Sir, I know that the facts and figures which I am submitting may be unpalatable to my hon. friends and, therefore, they are making so much interruptions. I would place only one figure before the House, and I will request hon. members representing the tribal people and the people of the scheduled castes to say to what extent they were benefited in the year previous to our assumption of charge. Sir, in the year 1935-36 Government made a recurring grant of Rs. 40,000 to the Local Boards with a definite instruction that with that sum as many as 271 venture schools in backward localities should be taken over. Mark the figures, Rs. 40,000 to take over 271 venture schools! This was in February 1936. How much of this money has gone to the lot of the people mentioned in this motion I would like to ask the accredited representative of those people and the party who have brought this cut motion. I pause for a reply either from the benches opposite or from the representatives of the people for whose benefit this money was given. Sir, probably they did not get any share out of it. We had to take into consideration that this Rs. 40,000 was meant for the tribal area and the area peopled by the scheduled castes, and we had no reason to suppose at the time when the budget of 1937-38 was framed that the Local Boards which are generally representative of members of the cult and creed of my hon. friends on the opposite, have not utilised that sum for purposes which the Government indicated.

(A voice:—Did the Hon'ble Minister for Local Self-Government take any steps for failure to utilise this money in the tribal areas?)

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Sir, I wish I was then in office. I would then have compelled every Local Board to utilise that sum for the spread of primary education amongst the people of the tribal classes and scheduled castes.

**Srijut KARKA DALAY MIRI:** That was not done.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** We have now got the evidence that it was not so utilised specially by the Jorhat Local Board.....

**Srijut DEBESWAR SARMAH:** Your nominees and the Planters are responsible for this.

**Babu KAMINI KUMAR SEN:** Is it not a fact that the Deputy Inspectors of Schools were asked to recommend the schools to which the grant should be given, and not the Boards?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I need not say anything on the subject, for everyone knows who are the majority party in our Local Boards.



When we found that the Government had already earmarked Rs.40,000 in February 1936 for the people of the scheduled castes and the tribal people, we thought that a lesser sum would suffice in 1937-38 and therefore in the current year's budget I earmarked a sum of Rs.5,000 only for them out of Rs.50,000 meant for the spread of Primary education. For next year also, another 5,000 is specially meant for the same party. Thus in one year of our Government, we have earmarked a sum of Rs.10,000 for spread of primary education for the people advocated by my hon. friend the mover of the cut motion. This brings me to the subject of percentages of the total population and the percentage of money which has been earmarked. My hon. friend Sriji Beli Ram Das said that including the tea garden people, the tribal people and the people of the backward and scheduled castes the population is about one-third. Now, if we take into consideration the sums that have been spent by Government—I am not speaking of the sums that have been spent by the great tea industry—and all "C" class schools are maintained by them—what do we find? We find that for tea garden schools, the Government has provided Rs.7,080 in the next year's budget. If we add this to the Rs.62,000 we get a total sum of Rs.69,000 of which Rs.17,000 is reserved for the people of the scheduled castes, backward areas, the tea garden labourers and the tribal people,—for the people for which this cut motion has been propounded, or in other words, about one-fourth of the money available for the spread of primary education is being earmarked for spread of education amongst the people of the tribal areas and the backward areas and the tea garden people. Instead of getting any condemnation, I challenge anyone to point out whether any other Government has reserved one-fourth of their expenditure on new schemes for this purpose. Sir, our resources are limited; our budget is a deficit one.....

**Sriji DEBESWAR SARMAH:** It is only so in the case of education, but in the case of the Ministers' salaries it is not so.

**Khan Bahadur Maulavi MAHMUD ALI:** Sir, I would like to point out that nothing has been spent during the last five years, and that the Government should now spend all that accumulated money for this purpose.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I am surprised to find my hon. friend the Khan Bahadur making that statement because he was the Chairman of Karimganj Local Board, and I am quoting from a Government document that in the year 1935-36 a sum of Rs.40,000 was given to the Local Boards to spend specially amongst those people.

Sir, my time is up, but I think I have said enough to show that the charge that has been brought against the Government is hopelessly unsubstantiated.

My hon. friend Sriji Rabi Chandra Kachari said that although there are certain provisions made by Government for spread of education amongst backward people this is being enjoyed by the caste people themselves. Sir, in this connection I may be pardoned if I say that during the Minto Morley Reforms Council the venerable and revered father of our Deputy Leader of the Congress party in collaboration with me had as many as 20 scholarships for college education reserved for backward people. Not a single of those scholarships is being enjoyed by the real backward people but they are all being enjoyed by the socially low amongst the caste Hindus. This matter has been brought to my notice by the representatives of the really backward people and I am going to redress their grievances in that respect (*Hear! hear! and applause*). Sir, I assure all, that I yield to none in saying that the Congress and the Moslem League both stand for the same principle of improving the lot of the backward people

and our finances permitting I shall see that each hamlet of these backward people is provided with a school (*loud cheers and applause*). After all where is backwardness? My hon. friend Sriji Beliram Das has quoted figures and said that amongst the Mikir people where Government had done very little to help them educationally, there were only 30 literate males in a thousand according to the Census Report of 1931. I ask, Sir, what is the percentage for literacy of the whole of India? (After a pause) My hon. friend could not or would not reply. It is about 6. Therefore, compared with the whole of India this Assam Government—I do not take credit for myself but I say Assam Government, the past ones and the present—have done a lot to improve the condition of these backward people. I again assure the House that funds permitting, I will be the first person to provide as much money as my friends on the other side would allow.

**Mr. FAKHRUDDIN ALI AHMED:** Does the Hon'ble Minister accept that the figures quoted by me are correct?

**The Hon'ble the SPEAKER:** The Hon'ble Minister has not replied about the figures.

Then the motion of Babu Rabindra Nath Aditya that the provision of Rs. 59,027 under Grant No. 16, Major head—37.—Education, Minor head—I—Government Primary Schools, Sub-head—(a)—Primary School for boys—1.—Pay of Establishment, Detailed head—Teaching Staff, at page 117 of the Budget, be reduced by Rs. 100, i.e., the amount of the whole grant of Rs. 33,65,300 do stand reduced by Rs. 100, was put and a division taken.

AYES—48

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| 1. Kumar Ajit Narayan Dev.              | 27. Sriji Mahi Chandra Bora.                       |
| 2. Mr. Arun Kumar Chanda.               | 28. Sriji Omeo Kumar Das.                          |
| 3. Mr. Baidyanath Mookerjee.            | 29. Sriji Paramananda Das.                         |
| 4. Sriji Beliram Das.                   | 30. Rai Bahadur Promode Chandra Dutt.              |
| 5. Sriji Bhuban Chandra Gogoi.          | 31. Sriji Purna Chandra Sarma.                     |
| 6. Babu Bipin Behari Das.               | 32. Sriji Rajani Kanta Barooah.                    |
| 7. Sriji Bipin Chandra Medhi.           | 33. Sriji Rajendra Nath Barua.                     |
| 8. Babu D kshinaranjan Gupta Chaudhuri. | 34. Sriji Ram Nath Das.                            |
| 9. Sriji Debeswar Sarmah.               | 35. Sriji Sankar Chandra Barua.                    |
| 10. Sriji Ghanashyam Das.               | 36. Sriji Sarveswar Barua.                         |
| 11. Sriji Gaurikanta Talukdar.          | 37. Babu Shibendra Chandra Biswas.                 |
| 12. Sriji Gopinath Bardoloi.            | 38. Sriji Siddhi Nath Sarma.                       |
| 13. Sriji Haladhar Bhuyan.              | 39. Maulavi Md. Ali Haidar Khan.                   |
| 14. Babu Harendra Narayan Chaudhuri.    | 40. Maulavi Abdur Rahman.                          |
| 15. Babu Hirendra Chandra Chakravarty.  | 41. Maulavi Md. Abdus Salam.                       |
| 16. Sriji Jadav Prosad Chaliha.         | 42. Mr. Fakhruddin Ali Ahmed.                      |
| 17. Sriji Jogendra Chandra Nath.        | 43. Khan Bahadur Maulavi Mahmud Ali.               |
| 18. Sriji Jogeschandra Gohain.          | 44. Maulavi Mabarak Ali.                           |
| 19. Sriji Kameswar Das.                 | 45. Khan Sahib Maulavi Mudabbir Hussain Chaudhuri. |
| 20. Babu Kamini Kumar Sen.              | 46. Shams-ul-Ulama Maulana Abu Nasr Md. Wahced.    |
| 21. Babu Karuna Sindhu Roy.             | 47. Sriji Bideshi Pan Tanti.                       |
| 22. Sriji Krishna Nath Sarmah.          | 48. Sriji Binode Kumar J. Sarwan.                  |
| 23. Babu Rabindra Nath Aditya.          |  |
| 24. Sriji Laksheswar Borooah.           |  |
| 25. Babu Lalit Mohan Kar.               |  |
| 26. Sriji Mahadev Sarma.                |  |



## NOES—52

1. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla.
2. The Hon'ble Maulavi Munawwar Ali.
3. The Hon'ble Rev. J. J. M. Nichols-Roy.
4. The Hon'ble Srijut Rohini Kumar Chaudhuri.
5. The Hon'ble Maulavi Abdul Matin Chaudhuri.
6. The Hon'ble Babu Akshay Kumar Das.
7. Babu Bilaram Sircar.
8. Srijut Jogendra Narayan Mandal.
9. Babu Kalachand Roy.
10. Mr. Kedarmal Brahmin.
11. Dr. Mahendra Nath Saikia.
12. Mr. Naba Kumar Dutta.
13. Srijut San'osh Kumar Barua.
14. Maulavi Abdul Aziz.
15. Maulavi Abdul Bari Chaudhuri.
16. Maulavi Syed Abdur Rouf.
17. Maulavi Dewan Muhammad Ahbab Chaudhuri.
18. Maulavi Dewan Ali Raja.
19. Maulavi Muhammad Amjad Ali.
20. Maulavi Ashrafuddin Md. Chaudhuri.
21. Maulavi Badaruddin Ahmed.
22. Maulavi Ghyasuddin Ahmed.
23. Maulavi Jahanuddin Ahmed.
24. Khan Bahadur Maulavi Keramat Ali.
25. Maulavi Md. Maqbul Husain Chaudhuri.
26. Maulavi Matior Rahman Mia.
27. Khan Bahadur Maulavi Mufizur Rahman.
28. Maulavi Mazarroff Ali Laskar.
29. Maulavi Namwar Ali Barbhuiya.
30. Maulavi Naziruddin Ahmed.
31. Maulavi Sheik Osman Ali Sadagar.
32. Khan Bahadur Maulavi Sayilur Rahman.
33. Col. A. B. Beddow.
34. Mr. A. F. Bendall.
35. Mr. J. R. Clayton.
36. Mr. W. R. Faull.
37. Mr. W. Fleming.
38. Mr. B. I. Barry.
39. Mr. F. W. Hockenhull.
40. Mr. D. B. H. Moore.
41. Mr. R. A. Palmer.
42. Miss Mavis Dunn.
43. Mr. Benjamin Ch. Momin.
44. Srijut Bhairab Chandra Das.
45. Srijut Dhirsingh Deuri.
46. Rev. L. Gatphoh.
47. Mr. C. Goldsmith.
48. Mr. Jobang D. Marak.
49. Srijut Karka Dalay Miri.
50. Srijut Khorsing Terang.
51. Srijut Rabi Chandra Kachari.
52. Srijut Rupnath Brahma.

The Hon'ble the SPEAKER: Order, order. The result of the Division is: Ayes 48, Noes 52. The motion is lost.

Now the question is that a sum not exceeding Rs. 33,65,300 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the head "37.—Education (other than European)."

The motion was agreed to.

## Adjournment

The Assembly then adjourned for 15 minutes.

## After adjournment

## GRANT No. 18

## (39.—PUBLIC HEALTH)

The Hon'ble Rev. J. J. M. NICHOLS-ROY: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 7,67,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the head "39.—Public Health".

The Hon'ble the SPEAKER: The motion moved is that a sum not exceeding Rs. 7,67,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the head "39.—Public Health".

There are about 12 cut motions and the first one stands in the name of Babu Karuna Sindhu Roy.

Babu KARUNA SINDHU ROY: Sir, I do not propose to move my motion.\*

The Hon'ble the SPEAKER: Then comes the motion standing in the name of Maulavi Abdur Rahman.

Maulavi ABDUR RAHMAN: Sir, I beg to move that the provision of Rs. 15,514 under Grant No. 18, Major head—39.—Public Health, Minor head—A.—Public Health Establishment, Sub-head—(a)—Superintendence and other establishment, Detailed head—1.—Pay of Officer—Assistant Director of Public Health, at page 137 of the Budget be refused, i.e., the amount of the whole grant of Rs. 7,67,500 do stand reduced by Rs. 15,514.

Sir, as has been noticed in other occasions also, I am labouring under one mission. My mission is to reduce the top heaviness of the administration. During the last August session I tabled a resolution for the abolition of certain posts and some of those were the establishment of the Commissioners the post of Deputy Superintendent of Police, the Assistant Director of Public Health, the Deputy Director of Agriculture and so on. But unfortunately, Sir, I had not the opportunity to move my resolution as it found a place at the bottom of the list.

As regards the Assistant Director of Public Health, I can only say that retention of this post is an unnecessary burden on this poor province. Sir, I am told that some 10 years back there was no such post and it was created only since 10 or 9 years back. There is the Director of Public Health and the duties that are performed by the Assistant Director of Public Health can be very well managed by the former. The money that is allotted for the Department of Public Health is not at all adequate to meet the necessities of the public. Sir, we are to pay our attention and see that more money must be forthcoming for the real benefit of our poor people and the public in general. But if by creation of certain high-salaried posts the revenue that is meant for certain departments is spent then, I think, the real spirit of the popular Government is frustrated. Sir, while we cannot get adequate amount of money for supplying medicines and other requirements even in times of epidemic, I do not think there is any necessity for

\* That the provision of Rs. 2,95,154 under Grant No. 18, Major head—39.—Public Health, Minor head—A.—Public Health Establishment, Sub-head—(a)—Superintendence and other establishment (total), at page 137 of the Budget be refused, i.e., the amount of the whole grant of Rs. 7,67,500 do stand reduced by Rs. 2,95,154.



maintaining such luxurious posts like these. It was admitted that in the Maulvibazar subdivision there was a serious outbreak of cholera last year and medical officers requisitioned for that purpose were not sufficient. Even this year I found in the Gazette that certain area of Habiganj subdivision has been declared to be infected by small-pox. The question of outbreak of small-pox in Habiganj subdivision is a most annual occurrence and cholera is also not unknown there. So we require more doctors to meet such natural outbreak of diseases.

I have already said that these are luxurious posts only for keeping supervision over the lower grade doctors. These are not at all necessary. For this work the Director of Public Health can be sufficiently utilised. I was also told that this question would be thoroughly gone into by the Retrenchment Committee and I have no doubt that they will give their due consideration to this matter. But at the same time it is necessary to give some facilities to the members of the Committee by having a general discussion on the subject in this House and by expression of the clear wishes of the House. I for myself am fully convinced that the post of the Assistant Director of Public Health can be easily amalgamated with the post of the Director of Public Health. With these words I submit before the House that the House will kindly accept my motion.

**The Hon'ble the SPEAKER:** The question is that the provision of Rs. 15,514 under Grant No. 18, Major head—39.—Public Health, Minor head—A.—Public Health Establishment, Sub-head—(a).—Superintendence and other establishment, Detailed head—1.—Pay of Officer—Assistant Director of Public Health, at page 137 of the Budget be refused, i.e., the amount of the whole grant of Rs. 7,67,500 do stand reduced by Rs. 15,514.

**Mr. NABA KUMAR DUTTA:** Sir, a motion which is directed to a total refusal of a grant or to a huge cut will naturally upset the whole administration. We know, Sir, that a system of administration which was established several generations ago is defective and it requires thorough over-hauling. We have very little power to carry out the proper orientation of the whole system; but if anything can be done, it must be done systematically and not by closing down certain departments one fine morning. A motion of this kind will only bring the whole administration to a stand still. If the whole grant is refused this department will tumble down. As there is a Retrenchment Committee going on, it is up to that Committee to examine all the departments. There will be enough time to discuss their report here and see how many posts are to be retrenched and how many are to be retained.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** Mr. Speaker, Sir, I take this opportunity—rather with a view to impress upon the hon. members of this House who are in the Retrenchment Committee—to express our view about the top-heavy administration of this province. I wish to support what have fallen from the lips of my friend Mr. Dutta that by the abolition of one or two posts, the whole administration will be at a deadlock. We shall welcome the day when so far as this province is concerned, we shall have to see that the Retrenchment Committee is good enough to dispense with some of the high posts. I rather make an appeal to the hon. members who form the Retrenchment Committee and place my views with them for their consideration. Apart from the Public Health Department, I should say from all departments, they should allow only those officers to continue in service who are needed for the people in the villages. They should require the services of those only whose activity is directed towards the amelioration of the condition of the teeming masses. It is not the solitary case of the Public Health Department that they are

to examine; they are to examine the Education and other departments. We find that much money is spent in feeding the high officials, but those for whom they are in service, those that require immediate help, their cases have been lost sight of. My appeal is directed to the members of the Retrenchment Committee. With these words I take my seat.

**Maulavi MUHAMMAD AMJAD ALI:** Mr. Speaker, Sir, while I rise to speak on this motion, I feel that Maulavi Abdur Rahman, in his anxiety to move the cut motion, has sought to abolish an important link in the Public Health Department. I find this applies not only to the Assistant Director of Public Health, but also to the Commissioner of Excise and the Deputy Director of Agriculture. And by this process he has forestalled the decision of the Retrenchment Committee. I believe the Retrenchment Committee has not finished its labour and will sit again very soon. It is up to the House to see that if any economy has got to be obtained, it is not through this sort of cuts, but by agreeing, if possible, with the entire suggestion of the Retrenchment and Resources Committee, for that Committee will sit for longer hours and will have more time to go into the thing fully. Possibly we shall have again an opportunity of discussing the matter in full. So, I believe, Sir, that this motion is inopportune and with these few words I want to oppose this motion.

**Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, I am very glad that the hon. member has come up with a motion for retrenchment. I commend his zeal for retrenching the expenditure and I think we are all at one with him in this matter. But I think, where ignorance is bliss it is folly to be wise. It is a notorious fact that we the members of the legislature are not perfectly well aware of the inner working of any Department. Public Health is a Department which has come into existence several years back. We all recognise the importance of the Public Health Department. I think it has been placed on a permanent basis only last year. So it is very difficult to say on our part whether the post of the Assistant Director necessary or it is only a luxury. It may be that with the development of the Department we will require more officers for supervision and direction. We have got only one post. It may be that the posts will have to be increased. There were two posts formerly and one post is held in abeyance. In future we may have to increase the number of officers. The Retrenchment Committee is going into this matter in all its details. So I think, it will be wise to leave the matter to it instead of pressing for the abolition of the post here. In this view of the matter, while admiring the zeal of the hon. member for retrenchment, for which we are all at one with him, I think we should oppose this motion at this stage.

**Mr. C. GOLDSMITH:** Sir, I agree with two of my predecessors who have spoken on this subject. The cut motion is directed against the Assistant Director of Public Health, and it is public health which is one of the most needed things of the day. I think it is a matter for the Retrenchment Committee to look into. When there will be no epidemic, I think, the doctors may be employed for rural development work. They may look to the sanitation of the country and they will have enough work. Therefore I think somehow or other work will be found for them.

**The Hon'ble the SPEAKER:** The Hon'ble Minister may reply now.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, I have heard the hon. mover of this cut motion Maulavi Abdur Rahman and I believe he has made it perfectly clear that he has raised this discussion only to give advice to the members of the Retrenchment Committee to whom he has delegated the power either of retrenching the post or keeping it. I am sure, he has taken a very right



attitude. As regards the work that is done by the different Heads of Departments, it will be clearly laid down before them and then the members of the Retrenchment Committee will be in a better position to judge whether any particular officer should be retrenched or not. I can assure my hon. friend that in the Retrenchment Committee we have got very jealous and indefatigable workers to judge, by past experience. I therefore request my hon. friend that if there is no objection then he should kindly withdraw his motion.

**Maulavi ABDUR RAHMAN:** Sir, in view of the statement made by the Hon'ble Chief Minister I beg leave of the House to withdraw the motion.

**The Hon'ble the SPEAKER:** I hope the hon. member has got leave of the House to withdraw the motion.

The motion was, with the leave of the House, withdrawn.

**The Hon'ble the SPEAKER:** The next motion stands in the name of Babu Rabindra Nath Aditya. We have got only ten minutes more.

**Babu RABINDRA NATH ADITYA:** I beg, Sir, to move that the provision of Rs.15,514 under grant No.18, Major head.—39.—Public Health, Minor head.—A.—Public Health Establishment, Sub-head.—(a)—Superintendence and other establishment.—1.—Pay of Officers, Detailed head.—Assistant Director of Public Health, at page 137 of the budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs. ,67,500 do stand reduced by Rs.100.

Sir, it is well known that malaria is creating havoc for the last several decades in this province. I understand very recently the Central Government are making distribution of quinine through our dispensaries. Quinine thus available from the Central Government are being distributed to the needy people, but I would at once say that this is no solution of the problem. This haphazard way of distributing the quinine cannot touch even the fringe of the problem. There should be a planned system of attacking that great enemy of mankind. Sir, in my subdivision, many villages have been rendered desolate and many houses have been deserted, because of the ravages of malaria. Up till now little has been done in the way of anti-malarial measures. Sir, in this connection I am referring to the scheme of Dr. Bantley which has been adopted by the Bengal Government and suggest that the Vaccination Sub-Inspectors who now work only for six months in a year should be given training in rural sanitation and they should be deputed in every rural health centre and employed in the anti-malarial work. I understand this scheme was submitted to Government by the Director of Public Health but the Government have done nothing to educate these Vaccination Sub-Inspectors for the public health work. This is one of the way in which the services of some of the officer can be utilised for the public health work. There are other ways in which, if Government so desires can utilise their services to combat the ravages of malaria, kala azar, and other epidemic diseases. So, I think, instead of wasting the public money in a haphazard way, Government should tackle the problem in right earnest and devise some means by which they should work in a planned system. The problem of malaria is rather very acute. During the last four or five years it has been most acute in our district and save and except distribution of quinine here and there no systematic work has been done to eradicate this scourge of malaria. I would, therefore, suggest that Government should take a bold stand in the matter and come forward in a systematic way so that epidemic diseases particularly malaria and kala-azar may be eradicated in no time. With these few words I commend my motion to the acceptance of the House.

**The Hon'ble the SPEAKER:** The motion moved is that the provision of Rs.15,514 under grant No. 18, Major head—39.—Public Health, Minor head.—A.—Public Health Establishment, Sub-head (a).—Superintendence and other establishment—1.—Pay of officers, Detailed head.—Assistant Director of Public Health, at page 137 of the budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.7,67,500 do stand reduced by Rs.100.

The Hon'ble Minister may reply now.

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** Sir, until last year malaria was not in the list of diseases to be dealt with by the Public Health Department. Malaria was in the category of other diseases to be dealt with by the Medical Department in the regular dispensaries. Since I took charge, when I saw a record of the large number of patients suffering from malaria, we have added malaria as one of the diseases to be tackled with by the Public Health Department, and that has been only a few months ago. From now malaria will be dealt with by the Public Health Department also and not as in the former years. Sir, I realise that malaria is one of the scourges in the whole province of Assam. I have no doubt that the hon. member knows that there is a Malaria Research Department and this department has been doing its work very successfully in several centres in Assam. They have a programme before them which includes many districts for the next year. The Public Health Department is also going to tackle this problem. Our Public Health Sub-Assistant Surgeons and Assistant Surgeons will also make a survey. The patients will also be treated in the regular dispensaries. We have also a scheme before us in the process of formation to reorganise the whole Public Health Department and to train the Vaccination Inspectors, as the hon. mover has suggested, in public health work. They will not only do vaccination work but they will also do some Public Health work. This scheme is now under formation. This scheme would have been working at the present time had it not been for the fact that we had to change the Director of Public Health. A new Director of Public Health has just come and we will have to discuss and formulate the scheme. We are also considering a scheme that all the Sub-Assistant Surgeons who are employed in the Public Health Department should also be trained by an Assistant Director of Public Health or by the Director of Public Health. Thus we are going to have a regular scheme for the proper reorganisation of the whole Public Health Department. It may be realised that Public Health Department is going to be a very important department for keeping the health of the Province. It has been recognised in all provinces that the Public Health Department is a very important Department. We cannot do away with it now. With a proper reorganisation of the Department, I believe, we shall be able to deal with many of the fell diseases and control them. In view of this fact we believe that the hon. member will withdraw his motion. In regard to the treatment of malaria by distribution of quinine, I may tell the hon. member that we are not depending on that alone. But there are other means which the Department is using for the control of malaria. Our officers will be trained in those respects. I hope the hon. member will withdraw this motion and give us a chance to show the work that we are going to do.

**Babu RABINDRA NATH ADITYA:** In view of what has been said by the Hon'ble Minister I beg leave of the House to withdraw my motion. I hope the action of Government will be prompt and in all seriousness.

**The Hon'ble the SPEAKER:** The motion moved is that the provision of Rs.15,514 under grant No.18, Major head—39.—Public Health,



Minor head—A.—Public Health Establishment, Sub-head—(a)—Superintendence and other establishment—1.—Pay of officers, Detailed head—Assistant Director of Public Health, at page 137 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.7,67,500 do stand reduced by Rs.100.

The motion was, with the leave of the House, withdrawn.

**The Hon'ble the SPEAKER:** The question before the House is that a sum not exceeding Rs.7,67,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the head "39.—Public Health".

The motion was agreed to.

#### GRANT No. 17

(38.—MEDICAL)

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 10,65,000 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the 'Medical Department'.

**The Hon'ble the SPEAKER:** The motion moved is that a sum not exceeding Rs. 10,65,000 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the "Medical Department".

**Srijut PURNA CHANDRA SARMA:** I do not want to move my motion\*

**Maulavi ABDUR RAHMAN:** Sir, I am not going to move my motion†

**The Hon'ble the SPEAKER:** Srijut Kameswar Das may move his motion.

**Srijut KAMESWAR DAS:** I beg to move, Sir, that the provision of Rs. 4,69,392 under Grant No. 17, Major head—38.—Medical, Minor head—B.—Hospitals and Dispensaries (total), at page 126 of the Budget be reduced by Rs. 100, i.e., the amount of the whole grant of Rs.10,65,000 do stand reduced by Rs.100.

(To criticise the inadequacy of the provision for grants to Hospitals and Dispensaries.)

Sir, it was needless, I think, to move this motion as Government may take the same plea as they do in every other case that there is no money in the Government coffers. Peculiarly enough, Sir, in this sub-head—Hospitals and Dispensaries—we see no increase in the provision whereas in some other regard to Director, Superintendent and Establishments. The same figure has been repeated here as was done last year as grants to hospitals and dispensaries. Sir, as the population of the province is going on increasing the diseases in the country are also going on increasing. We heard the other

\*That the provision of Rs 27,03 under Grant No.17, Major head—38.—Medical, Minor head—A.—Medical Establishment, Sub-head—(b)—District Medical Officers, Detailed head—1.—Pay of Officers—Civil Surgeons, at page 128 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.10,65,000 do stand reduced by Rs.100. (To censure Government for not taking action against the Civil Surgeon of Nowgong for the mal-administration of the Department at Nowgong and in spite of public opinion, against him.)

†That the provision of Rs.1,49,493 under Grant No.17, Major head—38.—Medical, Minor head—B.—Hospitals and Dispensaries, Sub-head—F.—Grants to Hospitals and Dispensaries (Total), at page 132 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.10,65,000 do stand reduced by Rs.100. (To urge upon Government for making better provision for medical grants.)

day the Government say that the scourge of *kala-azar* is reappearing in two districts of the Assam Valley. But when we come to the question of having a larger provision for facing the problem we find the Government taking plea under the cover of insufficient fund in the Government coffer. In my own subdivision of Barpetta for a population of about 3,50,000 there are only six dispensaries, i.e., for a population of about 60,000 there is only one dispensary there. One of my hon. friends this side whispers that I am rather fortunate enough to have six dispensaries for a population of 3,50,000. I realise that in that case the position is more serious in some other subdivisions. It is why I urge the Government to be up and doing and come forward with money to help these dispensaries and hospitals.

**The Hon'ble the SPEAKER:** The motion moved is that the provision of Rs 4,69,392 under Grant No.17, Major head—38.—Medical, Minor head—B.—Hospitals and Dispensaries (total), at page 126 of the Budget be reduced by Rs 100, i.e., the amount of the whole grant of Rs.10,65,000 do stand reduced by Rs.100.

**Maulavi MUHAMMAD AMJAD ALI:** Mr. Speaker, Sir, the hon. mover of the motion criticises Government for the fact that the grants to hospitals and dispensaries are inadequate. I quite agree with him that our dispensaries and hospitals in the province are not properly catering to the needs of the people. We find sometimes that within a radius of 12 to 15 miles there is no dispensary. There are villages where we find that the medical help is absolutely necessary. The people in these villages have got to depend on village quacks for their treatment or sometimes they go without any semblance of treatment whatsoever. Sir, it is a question of means and more money should be forthcoming from Government to the Local Boards to finance the dispensaries and hospitals. Government in that case should make a liberal contribution to the Local Boards. I urge upon this Government to see that our dispensaries are well provided with money so that proper treatment can be afforded to the people. In one point I see that our hospitals are very poor, i.e., in the number of hospitals in our province the treatment of the females is either neglected or is not taken up at all. In my subdivision of Goalpara a Female Ward has recently been opened with a munificent donation of the different Zamindars and the local people. But the equipment of this Female Ward has not been sufficient to meet the needs. Even the decent ladies of the *Bhadrolok* class are to take resort to this ward but they cannot be given proper treatment. That being the crying need I ask the Local Government and the Hon'ble Minister in charge to see that some grant to Goalpara Female Ward is given.

**Mr. BAIDYANATH MOOKERJEE:** You will get the assurance.

**Maulavi MUHAMMAD AMJAD ALI:** If I am a gentleman, words of assurance will have value to me. (*Hear ! hear !*).

I have found that in some hospitals some diseases are not treated at all. Diseases like Yaws and some other virulent diseases of that nature are not at all taken care of in some hospitals. I hope that Government will make some provision so that the diseases which are at present not being treated in out of the way places may in future be treated.

I have found that there is now a tendency on the part of Government to give rabid dog treatment in many dispensaries. Certain outposts have been opened of late to give treatment in that respect, but I believe that there are not enough centres to cope with all the cases. So I take this opportunity of urging upon the Government to see that this treatment is brought to the home people who need it most in villages.

With these few words I resume my seat.



**Srijut SARVESWAR BARUA:** Mr. Speaker, Sir, there is a motion in my name also by which I wanted to press for the opening of more dispensaries, a subject which has been referred to by the hon. mover of this cut motion. As the matter has been taken up by the hon. mover of this motion I will not move my motion, but will speak on this motion.

Sir, it is the duty of every civilised Government to protect the lives of the people under its care, and as such it is the sacred duty of the Assam Government to provide more dispensaries in this unhappy land of ours where there are so many different types of virulent diseases. Sir, we find a very lamentable state of affairs when we look to the number of dispensaries in our province. We find from the Triennial Report published by the Government of Assam for the years 1932-34 that in our province for every lakh of persons there are only 2.3 dispensaries, and for every 1,000 square miles there are only 3.2 dispensaries. In the district of Kamrup for every lakh of persons we have 1.8 dispensaries, and for every 1,000 square miles 2.46 dispensaries. In Darrang for every lakh of people there are 2.2 dispensaries, and for every 1,000 square miles 4.4 dispensaries. In my district of Lakhimpur the percentage seems to be lower; it is 1.6 dispensary for every lakh of people and 2.9 dispensaries for every 1,000 square miles. In Dibrugarh we have got 7 dispensaries, and in my subdivision only 4. In Tezpur there are 8, and in Mangaldai 4. In Gauhati there are 14, and in Barpeta the figure given by the hon. mover is 6, but at the time the Report was published there were only 3. In Dhubri the number is 17, and in Nowgong 13. In Sibsagar the number is 4, in Jorhat 5, and in Golaghat 8. The number as will be seen is very inadequate. As a matter of fact we find that one has to go to a distance of about 10 miles on an average in the mofussil villages to go to the nearest dispensary, and in my subdivision of North Lakhimpur in many cases one dispensary is at least 20 miles distant from another. So, Sir, you can imagine how difficult it is for the suffering humanity in the villages to get a drop of medicine in time of need. Sir, the hon. members will be surprised to learn that in the immigrant area in North Lakhimpur in Laluk mauza, where there are only about 7,000 families settled, in the course of one month during the rains more than one hundred people died of malaria because these people have got no dispensary there nearby, and in order to get to the nearest dispensary they have got to cross a big river—the Dikrang—which is not always crossable during the rains. Other people have also died during the same period in other parts of the subdivision, but I have not got the figures—I have got the statistics about these immigrants as they were taken there for one month by the Local Board. Sir, it may be said that it is the function of the Local Boards to provide dispensaries for the areas placed under them. It is true, but for want of funds the Local Boards far from opening new dispensaries are not even able to maintain the existing ones efficiently. They cannot do it, their hands are tied for want of funds. So it is up to the Government to help these Local Boards with funds for opening new dispensaries. I think this matter comes under head—C.—Grants for Medical purposes. Here the contributions to Local Boards for this purpose and other purposes are shown and we find that only a sum of Rs.54,639 has been provided for next year under this head. These grants are made to the Local Boards for medical purposes, and this amount is not even enough for the existing item of expenditure under the head. I find that this Rs.54,639 includes all these items:—Contribution to Lady Chelmsford League for Maternity and Child Welfare; contribution to Countess of Dufferin Fund; contribution to the Ganesh Das Women's Hospital; contribution to Municipal Boards; grant to Lady Minto Nursing Association; contribution to the Assam Council of Medical Registration; grant to the Assam Branch Red Cross Society etc., all these things taken together.

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** On a point of information Sir. I would like to point out that these are not grants to Local Boards.

**Srijut SARVESWAR BARUA:** Under what head are they shown?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** Under Minor head—B.—Hospitals and Dispensaries, you will find a provision there of Rs.1,49,493.

**Srijut SARVESWAR BARUA:** In that case also it is still worse. In that case the amount is Rs.1,49,000 covering a host of items. But I do not find any item under those heads specially for opening of new dispensaries. Not a single farthing is proposed to be given to the Local Boards for opening new dispensaries in the whole list.

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** All that grant of Rs.1,49,493 is grant to the local bodies.

**Srijut SARVESWAR BARUA:** For all the purposes named here. Not a single farthing is provided for opening a single new dispensary in the whole province. Then, Sir, we have seen that last year a certain amount was to be spent in subsidising medical practitioners in certain localities. We find that not a single farthing has been spent on this head also. The amount has not been spent though it was allotted for this purpose. The unfortunate people living in the mofussil have not got sufficient number of dispensaries. Last year Government proposed that the private medical practitioners will be subsidised. But they have not done so and so far as we know this amount has not been spent and it is mentioned that there has been some delay. Therefore, I think we have just reasons to find fault with the Government and carry this motion.

**Rev. L. GATPHOH:** Sir, I can speak with feelings and at length on this motion but time does not allow me to do so. I think, the people in the plains are more fortunate than our people in the hills especially in the subdivision from which I come. They have Local Boards which are responsible for making provision for the medical needs of the people and drawing the attention of the Government in this respect. But we have no such body in the Jaintia Hills. It is a big subdivision and we only have one Government dispensary in one corner of it. It has to cater for five thousand people at least. In order that you may have a better idea of the area of that part of the subdivision I can tell you that if any of you want to come to that place it would take you say a day to travel a distance of three miles. Because you have got to climb up high hills and down deep valleys. I also feel and I must draw the attention of the Government to the fact that even in the headquarters of the subdivision itself which is the largest town in the district here is no Government dispensary. As I said in my last budget speech the people over there have been living on the charity of Missions. It is true that Government give grant to the Mission Dispensary there and also lend the services of a Government doctor. But that is all that Government has done. The doctor in the Mission hospital there has got to attend to the needs of the people who come over a distance of three days' journey from the headquarters. So they naturally feel that the medical provision in the Jaintia Hills has been very very inadequate. When I saw the Government resolution in the Gazette that the Government propose to start subsidised Dispensaries in the Jaintia Hills, I at once thought that it was an impractical proposition. The system may work in the plains where there are a great many private medical practitioners but it will not be practicable in the hills where there is not a single medical private practitioner who is a qualified doctor. I would request Government to show that they take greater interest in the people of the Jaintia Hills who are at a greater disadvantage compared with the people of the plains. The capital of the Province is only



33 miles from Jowai but there are no proper roads. What do you think the people would do if they have to bring up cases for major operations to Shillong? It is easier for the people of Cachar or Kamrup to bring cases up to Shillong than for us to do it. I would therefore suggest that Government should make use of the money intended for giving subsidies and also the money intended for grants to hospitals to be utilised in starting *bonafide* Government dispensaries in the subdivision. If that is done, Government would certainly be taking a step in the right direction in the way of meeting the wishes of the people. With these words I resume my seat.

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** There is no one who is more painfully conscious than myself of the fact that there is need of more dispensaries and hospitals. I am sure, Sir, that in future there will be a greater demand for dispensaries and hospitals in all parts of Assam. I want to mention only a few points which my hon. friend Srijut Kameswar Das has stated. He has mentioned about *kala-azar*. I want to inform him that *kala-azar* is treated specially by the Public Health Department which was first started for the sake of combating *kala-azar* and it is still doing all that it possibly can do to stop *kala-azar*. We want to nip that fell disease in the bud and that is what we are doing everywhere. The *kala-azar* cases are treated in the Public Health dispensaries or outcentres.

In regard to yaws referred to by my hon. friend Maulavi Amjad Ali I may tell him that this disease is in the list of diseases to be treated by the Public Health Department. Our officers, the Sub-Assistant Surgeons do survey work, and if they find any person suffering from yaws he is asked to come to the Public Health dispensary to be treated there.

**Srijut KAMESWAR DAS:** On a point of information, Sir. If I am not wrong, *kala-azar* patients are treated in the Local Boards also.

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** They are treated there also, but the Local Board dispensaries make a survey of only about 5 miles around the dispensary and the other areas are surveyed by our Public Health officers. The patients are treated in the Public Health dispensaries when they come there, or in a Local Board dispensary when a Local Board doctor surveys that area. In all other places they are treated in the Public Health dispensaries or in the out-centres started by the Public Health Department.

Sir, my hon. friend Srijut Sarves ar Barua has spoken about the scheme for Government subsidised medical practitioners. We have in this budget at page 132 Rs. 12,150 for subsidised medical practitioners. We have invited applications. These applications will be sent to the Civil Surgeons. We have asked the Civil Surgeons and the district officers to send up to us a list of places where they propose to start these subsidised dispensaries. They are in the process of being started now. It is the desire of the Government to give more grants to the Local Boards. But as the hon. member says that the Local Boards have no funds, so the Government also are sorry that they have no money to give grants to the Local Boards. Regarding the special help which some of the Local Boards may want to get from the Government for any dispensary, it is for the Local Board to send up a scheme, and if we have funds, we shall do our best to help them.

Hon. members may see that the Government has already got a proposal to start subsidised dispensaries. Some have already been started. One of them is at Lakhiganj in the Dhubri subdivision. I do not know whether it has been started or not, but when I went to Lakhiganj, the Deputy Commissioner said that he was going to start it there. In some other places also they have started such dispensaries, for instance in Nowgong. If the scheme succeeds, we will increase the grant and start more.

As regards the grievances voiced by Rev. Gatphoh, we are going, if we have money, to start a dispensary in the Jaintia Hills. We know that in many places we have to start dispensaries, but our only difficulty is want of funds.

In view of these facts—and hon. members know the financial condition of the province—I hope the hon. mover will see his way to withdraw his motion.

**The Hon'ble the SPEAKER:** What does the hon. mover propose to do?

**Srijut KAMESWAR DAS:** I am not withdrawing, Sir.

**The Hon'ble the SPEAKER:** The question before the House is that the provision of Rs.4,69,392 under Grant No. 17, Major head—38.—Medical, Minor head—B.—Hospitals and Dispensaries (total), at page 126 of the Budget be reduced by Rs.100, i.e., the amount of the whole grant of Rs.10,65,000 do stand reduced by Rs.100.

The motion was lost.

**The Hon'ble the SPEAKER:** The question is that a sum not exceeding Rs.10,65,000 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1939, for the administration of the "Medical Department".

The motion was agreed to.

#### Adjournment

The Assembly was then adjourned till 11 a.m. on Thursday, the 3rd March 1938.

Shillong,  
23rd April 1938.

A. K. BARUA,  
Secretary, Legislative Assembly, Assam.