

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 2 p.m. on Friday,
the 4th March, 1938.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

Introduction of Military Training to the College Students

Kumar AJIT NARAYAN DEV asked :

*131.(a) Are Government aware that the problem of defence of India is engaging the serious attention of many of the Provincial Government ?

(b) In view of the demand for Indianisation of Armies and Defence of India, do Government propose to impart military training to the college students of Assam in the lines of the University Training Corps ?

(c) If the answer to question 131(b) is in the affirmative, when do Government propose to introduce the Training in the colleges of Assam ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

131.(a)—Yes.

(b)—The hon. member's attention is invited to the answers given to questions numbered 462-465 asked by Srijut Gauri Kanta Talukdar at the last session. The matter is now being considered by the military authorities.

(c)—Government will do all they can to expedite matters when the military authorities intimate their acceptance of the proposal that a branch of the Training Corps should be opened in each of the Government colleges.

Mr. FAKHRUDDIN ALI AHMED: What steps have been taken by the present Government to further this matter ?

The Hon'ble Maulavi MUNAWWAR ALI: Government have taken definite steps in the matter. The Director of Public Instruction has been in correspondence with the General Officer Commanding, Fort William, for the purpose.

Mr. FAKHRUDDIN ALI AHMED: For what purpose ?

The Hon'ble Maulavi MUNAWWAR ALI: For obtaining information as to how military training should be started in our colleges.

Mr. FAKHRUDDIN ALI AHMED: Am I to understand that Government has to act upon the advice of that officer ?

The Hon'ble Maulavi MUNAWWAR ALI: Certainly.

Mr. FAKHRUDDIN ALI AHMED: Has Government decided to establish a training corps in this province ?

The Hon'ble Maulavi MUNAWWAR ALI: The matter is under serious consideration of Government. Government are not expert body in his respect ; therefore, they have to take expert opinion.

Mr. FAKHRUDDIN ALI AHMED: May I know whether expert opinion is necessary for deciding upon the establishment of a training corps here?

The Hon'ble Maulavi MUNAWWAR ALI: Government are in sympathy with the proposal, and they require details for the purpose.

Re imprisonment of Rani Guidiliue of Naga Hills

Mr. ARUN KUMAR CHANDA asked:

*132. Will Government be pleased to state—

- (a) The exact nature of offence for which Rani Guidaloo of Naga Hills is being detained under Regulation III of 1818?
- (b) Why she was not brought to any open trial?
- (c) If Government propose to have her duly tried or released?
- (d) For how long she has been in captivity and how longer she is likely to be, if not tried?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

132.(a)—There is no such person as Rani Guidaloo of the Naga Hills. The hon. member is probably referring to a Manipur State subject named Gaidiliu. She is not detained under Regulation III of 1818. Government understand that she was duly tried and convicted in the Manipur State of abetment of murder committed in that State.

(b)—Does not arise.

(c)—Does not arise.

(d)—This Government understand that she was convicted on the 11th January 1933 and sentenced to transportation for life.

Mr. ARUN KUMAR CHANDA: Has she been detained in the Shillong Jail?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: As regards these questions I have got to make a statement. The subject matter of this question is a native of Indian State. Under the rules, on this subject, there cannot be any questions here unless His Excellency consents. So far as these questions are concerned, in order to remove the misapprehensions of some and to allay misinformed agitation on this subject, His Excellency has given his consent to answer them. I am not in a position, without further consent from His Excellency, to answer any supplementary question.

Srijut RAJENDRA NATH BARUA: Was the offence of a political nature?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have already replied that it was abetment of murder.

Mr. ARUN KUMAR CHANDA: Can I not ask for this information whether she is detained in the Shillong Jail?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I cannot say unless His Excellency consents.

Babu RABINDRA NATH ADITYA: When there is a reply there will be supplementary questions. Did he mention this?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I did not mention this. The position is well known.

Babu RABINDRA NATH ADITYA: Did not the Hon'ble Chief Minister consider that supplementary questions will have to be answered?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: When supplementary questions regarding an Indian State is asked, the rule is that His Excellency's approval or consent is required.

Mr. FAKHRUDDIN ALI AHMED: His Excellency having once allowed this question, can he take away the right to put supplementary questions regarding this subject?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am not concerned with that.

Mr. ARUN KUMAR CHANDA: I want a ruling from you, Sir.

The Hon'ble the SPEAKER: Will the Hon'ble Chief Minister quote the rule under which the supplementary questions do stand on the same footing as substantive questions and that they require the consent of His Excellency separately before being put?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: If the substantive question needs the consent of His Excellency, then supplementary questions also require the consent of His Excellency, I presume.

Babu RABINDRA NATH ADITYA: Why should he answer partially to our questions, Sir?

The Hon'ble the SPEAKER: When this question was tabled, I asked for the consent of His Excellency. As I read the rules, I think when His Excellency gives consent to a question being asked, then that consent should also be considered to be available with regard to supplementary questions. There is no question of presumption that it should be presumed that with regard to supplementary questions fresh consent of His Excellency would be necessary. It is only reasonable that supplementary questions within the scope of the main question and limited to the same subject matter should be permitted when there is the consent of the Governor to the main question.

Mr. ARUN KUMAR CHANDA: May I know if this prisoner is being detained in the Shillong Jail?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I want notice, Sir.

Babu KARUNA SINDHU ROY: Will the Hon'ble Chief Minister please state if two Civil Disobedience prisoners from Kohima have been re-transferred to the Gauhati Jail?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Does that question arise, Sir?

The Hon'ble the SPEAKER: No. This is quite irrelevant.

Babu RABINDRA NATH ADITYA: Sir, some misapprehension may be removed if it is known if a substantive question is answered, all supplementary questions should be answered.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I had nothing to add.

Measures adopted by Government for improving the general agriculture of the Province

Maulavi ABDUL BARI CHAUDHURI asked:

*133. Will the Hon'ble Minister in charge of Agriculture be pleased to state—

- (a) The measures adopted by Government for improving the general agriculture of the Province during the last financial year?
- (b) Whether it is a fact that Rs. 10,000 was sanctioned for agricultural demonstrations in last year's budget?
- (c) If so, how this amount was spent?

- (d) The number of such demonstrations held in the district of Sylhet ?
- (e) The number of agricultural exhibitions held or organised in the province and the amount contributed by Government towards these exhibitions ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY replied :

133. (a)—During the current financial year (1937-38), the usual activities of the Department, such as, researches and demonstrations on rice, potato, sugarcane, live-stock, etc., and training of boys in agriculture in the 2 Training Classes and training through school gardening were being continued for the all round improvement of agriculture.

In addition to these, the following special schemes are also being worked :—

- (i)—Cultivation of *boro* paddy by means of irrigation by power driven pumps.
- (ii)—Scientific breeding of cattle under the supervision of the Live-stock Improvement Association, Assam.
- (iii)—Organisation of village breeding areas with the funds provided by the Government of India.
- (iv)—Preparation of a scheme for the organisation of model villages for the all round improvement of the agriculturists.
- (v)—Issue of loans at Rs. 250 each to eight trained students for the purpose of enabling them to earn livelihood through agriculture.
- (vi)—Extra demonstration grant for intensive and extensive demonstrations.

The following schemes financed partly by the Imperial Council of Agricultural Research and partly by the Government are also in operation :—

- (i)—Sugarcane Research Scheme at Jorhat.
- (ii)—Deep Water Paddy (*Amon* and *Boro*) Research Scheme at Habiganj.
- (iii)—Scheme for Agricultural Marketing Survey, and
- (iv)—Citrus Fruit Research Scheme (this scheme is expected to function soon).

(b)—Yes, in the budget for 1937-38.

(c)—The hon. member is referred to the answer given in reply to question No.53(b) asked by Babu Lalit Mohon Kar at this session of the Assembly.

(d)—As the amount has been allotted only recently, Government have no information regarding number of demonstrations actually held upto this time.

(e)—Up till now report regarding the proposal to hold 14 shows has been received. The amount sanctioned as contribution up-to-date is Rs.425.

Babu RABINDRA NATH ADITYA: Had this Government any contribution to the agricultural policy adopted by the pre-autonomous Government ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: Government is following the previous policy with modification and further improvements.

Babu RABINDRA NATH ADITYA: What are the modifications and improvements, Sir ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: It is evident from what I have read. These are all modifications and improvements.

Srijut DEBESWAR SARMAH: Are Government aware that paddy crop every year is destroyed to a very appreciable extent by pests and insects in our parts of the country ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: There are, of course, cases like this.

Srijut DEBESWAR SARMAH: Sir, referring to the research work that was undertaken during last year, may I know whether the research work has been able to do anything towards assisting the people to get rid of this pest ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: Sir, our Mycologist at Jorhat is concentrating his attention on that work.

Srijut DEBESWAR SARMAH: Has any result been achieved upto now ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: I would refer the hon. member to the report of the Agricultural Department published recently.

Babu HARENDRA NARAYAN CHAUDHURI: Is the Hon'ble Minister aware that the pumps that are supplied for *boro* crops are insufficient to meet the demands of the public ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: Pumps were first supplied for demonstration purposes with the object that the people having seen the benefit of these power driven pumps, will themselves purchase and use these pumps.

Srijut SARVESWAR BARUA: May we know what is the cost of a pump ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: The cost of a pump is, I think, about Rs. 1,800.

Srijut SARVESWAR BARUA: Can it be expected that the ordinary cultivators would be able to invest this amount ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: The well-to-do people can purchase these pumps on hire purchase system.

Srijut PURNA CHANDRA SARMA: Do not the cultivators contribute anything for the maintenance of the pumps ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: The working expenses are realised from the cultivators.

Mr. KEDARMAL BRAHMIN: May we know the activities of the Marketing Survey Department ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: The Marketing Survey Department has published several reports but this department being financed by the Imperial Council of Agricultural Research has got to submit its report to them.

Mr. KEDARMAL BRAHMIN: Has this department found out any new market for our Assam produce ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: Their function is to report on the marketing of our agricultural produce.

Mr. KEDARMAL BRAHMIN: Sir, may I know whether the Marketing Survey Department has found out any new market for our produce ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: They have been asked to submit report for the marketing of our produce but the whole scheme is financed by the Imperial Council of Agricultural Research, and Reports are submitted to them.

Babu RABINDRA NATH ADITYA: Are we to understand that this Government have no control over them?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: This Government give a contribution for this marketing survey scheme.

Srijut PURNA CHANDRA SARMA: Are the price of these pumps paid by this Government?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: Several pumps have been purchased by this Government for the use of the cultivators.

Srijut DEBESWAR SARMAH: Sir, the report of the Agricultural Department does not throw much light as to what steps Government are taking with a view to help the agriculturists for getting rid of the pests on their paddy crop.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: The result of the experiment carried at Jorhat is demonstrated throughout the whole province through the help of our demonstrators.

Srijut DEBESWAR SARMAH: Is there any appreciable result achieved from this demonstration?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: I think, considerable result has been obtained.

Srijut DEBESWAR SARMAH: Will the Hon'ble Minister be pleased to take it from me that the result is nil? Are Government aware that *gur* is selling at present below the cost of production?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: The hon. member is entitled to hold his own opinion. I am not aware of that.

Srijut DEBESWAR SARMAH: It is not a matter of opinion, Sir. It is an absolute truth. Government have to give remission of revenue to the people because their paddy crops are destroyed by pests. I like to know, Sir, whether Government is aware that *gur* is selling at present below the cost of production.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Does this question arise Sir?

Srijut DEBESWAR SARMAH: Yes, Sir. It is in connection with sugarcane experiment.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I addressed my point of order to the Chair.

Srijut DEBESWAR SARMAH: All right, Sir. May we know what is the object of demonstration and experiment on sugarcane?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: To improve the sugarcane varieties throughout the province.

Srijut DEBESWAR SARMAH: May we take it, Sir, that improved varieties are necessary in order to bring in more profit to the agriculturists?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: That is one of the objects, Sir.

Srijut DEBESWAR SARMAH: Is the object with which the experiment on sugarcane is being carried out fulfilled and more profit brought to the agriculturists? *(laughter)*.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: We are making experiments with this end in view, Sir.

Khan Bahadur Maulavi KERAMAT ALI: Is it not a fact, Sir, that market fluctuates from time to time? *(loud laughter)*.

The Hon'ble the SPEAKER: To whom is this question?

Khan Bahadur Maulavi KERAMAT ALI: To the hon. member.

Maulavi ABDUR RAHMAN: May we know, Sir, under what principle Government make contribution towards agricultural exhibition?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: Government contribute towards agricultural exhibition for demonstration purpose.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: Sir, it has been said that some persons were helped by Government to earn their livelihood through agriculture. May we know the number of such persons and the work for what they were so helped?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: The reply is given to the question No. 133(a). Eight students were given training in agricultural farms at Sylhet and Jorhat.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: For what purpose they are trained, Sir?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: They are trained in order to enable them to earn their livelihood through agriculture.

Re movements of Political Suspects

Babu DAKSHINARANJAN GUPTA CHAUDHURI asked:

*134. (a) Is it a fact that police always keeps watch over the movements of Srijut Durgesh Chandra Deb, of village Chokahan, Police station Kulaura, South Sylhet subdivision?

(b) If so, why?

*135. In view of the changed situation, do Government propose to issue directions to the police not to cause annoyance to the said gentleman by keeping watch over his movements?

*136. Are Government aware that Srijut Mohini Mohan Chakravarty of village Bishnupur, police station Maulvibazar, South Sylhet, at present a compounder in the Nambur Nadi Tea Estate in the district of Sibsagar, was externed from Bengal while a student of the third year class of the National Medical School at Dacca and that police still keeps watch over his movements?

*137. Are Government aware that the said Srijut Chakravarty supported by a strong certificate of the Manager of the said Tea Estate moved Government for the removal of the ban and the police watch?

*138. In view of the changed situation, do Government propose to direct the police not to annoy the said gentleman by keeping watch over his movements and recommend to the Government of Bengal to withdraw the order of externment?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

134. (a)—Yes.

(b)—Because of his suspected connection with terrorist organisations.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: Has he ever been convicted for the terrorist crime?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am not aware of that, Sir.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: What made the Government to think that he has connection with the terrorist organisation?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: We had to act according to our police report.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: Is it customary on the part of the Government to always rely on the report of police in such cases?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, unless it is proved to be contrary to facts.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: By what means these contrary proposition can be proved? Is any means provided?

(At this stage the next question was called.)

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

135.—The matter is under consideration.

136.—Yes.

137.—Government have no such information.

138.—The first part of the question is under consideration, but as regards the second part as this Government have no information why the Bengal Government extorted the gentleman, they are unable to make any recommendation.

UNSTARRED QUESTIONS

(To which oral answers are given)

Release of Guidiliue imprisoned in connection with Civil Disobedience Movement

Babu KARUNA SINDHU ROY asked:

396. Has the attention of Government been drawn to the article under the heading 'গাইলিউর মুক্তি চাই' published in the *Janasakti*, dated 12th January 1938?

397. Will Government please state—

(a) If Guidiliue was imprisoned in connection with the Civil Disobedience Movement?

(b) If so, why she has not yet been released?

398. Will Government please state—

(a) If there is an intention to release her at an early date?

(b) If not, why not?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

396.—Yes.

397.(a)—No.

(b)—Does not arise.

398.(a) & (b)—She was convicted in the Manipur State, and Government have no information.

Srijut PURNA CHANDRA SARMA: Does the Hon'ble Chief Minister mean to say that they have no control over the prisoners confined in the State Jails?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have already stated the Government position as regards this question.

Area of Buro lands in the Sanir Haor in Sunamganj subdivision

Babu KARUNA SINDHU ROY asked:

399. Will Government please state—

(a) Whether Government have asked the Deputy Commissioner, Sylhet, to have an enquiry about the non-subsidence of water from a large area of Buro lands in the Sanir Haor in the subdivision of Sunamganj as promised in reply to my question No.1028(c) asked in the last Budget Session of the Assembly?

(b) If so, has any report been submitted to Government?

400. If the reply to question 399(b) above is in the affirmative will Government please lay the report on the table?

401. If not, why no enquiry has yet been made?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY replied:

399.(a)—Yes.

(b)—Yes.

400.—The report is placed on the Library table.

401.—Does not arise.

Babu KARUNA SINDHU ROY: Will Government please state the cause of non-subsidence of water from the Sanir Haor?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: A report has been placed on the Library table about it.

Babu KARUNA SINDHU ROY: There is nothing in the report about it, but there is something about Abuakhal.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: I think the report contains some reference to the non-subsidence of water from the Sanir Haor also.

Babu KARUNA SINDHU ROY: Have Government received any petition about the non-subsidence of water from the Sanir Haor?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: Yes.

Babu KARUNA SINDHU ROY: Is it under enquiry?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: It is under consideration of Government.

Improvement of Village Industries

Srijut LAKSHESVAR BOROOAH asked:

402. Will the Hon'ble Minister for Industries please state what scheme, if any, has been drawn up to improve village industries in each subdivision of the province?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY replied :

402.—Government, with the limited financial resources at their disposal, and according to the suitabilities of the localities, are however, doing all that can be done for the spread of sericulture and weaving industries.

Srijut LAKSHESVAR BOROOAH: Will the Hon'ble Minister for Industries and Agriculture please state the names of localities where attempts have been made for the spread of sericulture ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: I require notice of that question.

Extension and improvement of Sugarcane Industry

Srijut LAKSHESVAR BOROOAH asked :

403. Will the Hon'ble Minister be pleased to state and name the number of enterprises run by individuals and by company for production of sugar in Assam ?

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

- The steps taken by the Hon'ble Minister for developing the Sugar Industry in Assam ?
- What are the quantities of paddy, rice and sugar imported to Assam during 1937 ?
- What are the quantities of paddy, rice and jute exported from Assam during 1937 ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY replied :

403.—There are 6 sugar concerns in Assam, viz. :—

- (1) Bogidhola Sugar Factory at Deopani,
- (2) Lakshmi Sugar Syndicate at Margherita,
- (3) The Nalini Estate at Naojan,
- (4) Baidiha Sugar Plantation at Nakachari,
- (5) The Surjogonia Sugar concern at Dergaon, and
- (6) The Noandi Tea and Sugar Estate, P.O. Kalaigaon (Darrang).

404. (a) —About Rs.17,000 is spent every year for the extension and improvement of sugarcane. The amount is spent in experimental work at the Jorhat Sugarcane Farm as well as in distribution of setts and demonstration of improved varieties of canes in cultivators' fields by the district staff.

In addition to the above the general demonstration staff spend considerable time in the extension of the cultivation of sugarcane among the cultivators.

The Imperial Council of Agricultural Research has sanctioned Rs.48,000 for conducting a five years' sugarcane research scheme which has been started at the Jorhat Farm since 1933.

(b)—Import from 1st January to 30th September 1937—

	Maunds.
Paddy	1,296
Rice	342,944
Sugar	330,638

(c)—Export from 1st January to 30th September 1937—

	Maunds.
Paddy... ..	561,438
Rice	880,275
Jute { Loose	142,669
Pucca bales	2,427,603

Khan Bahadur Maulavi MAHMUD ALI: Will the Hon'ble Minister please state the localities where their staff are extending the cultivation of sugarcane ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: Our staff are spread over the whole of the province. I cannot say in which localities.

Maulavi ABDUR RAHMAN: May I know whether the staff are extending the cultivation of sugarcane in Durlavchera and Karimganj ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: I require notice of that.

Maulavi ABDUR RAHMAN: Will Government open a sugarcane farm in Habiganj similar to that opened at Jorhat ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: The experimental farm at Jorhat is financed by the Imperial Council of Agricultural Research.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Will Government make an enquiry whether an experimental farm can be opened there ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: As I said, the Jorhat farm is being financed mainly by the Imperial Council of Agricultural Research, and it is not under the consideration of this Government to open a farm there.

Khan Bahadur Maulavi MAHMUD ALI: Are Government aware that the people of Patharkandi, Durlavchera and Cachar require more help and encouragement ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: I may take that statement from the hon. member as correct.

Publication of notice of tenders for Public Works Department works

Srijut MAHADEV SARMA asked :

405. Will Government please state—

- Whether there is any rule about the publication of notice of tenders for Public Works Department works ?
- If it is a fact that such notices are not widely circulated even subdivisional and sectional offices are not served with such notices ?
- Whether Government propose to publish them in the local newspapers also for attracting general notice of the public ?
- Whether any tenders from the local contractors were received for Dalgaon-Rowta Road in the Mangaldai subdivision for bridges No. 2/1 and 7/2 (screw-pile) ?
- If so, whether their tenders were accepted ?
- If not, why not ?
- Whether attention of Government been drawn towards an article published in the Bi-weekly "Assamiya" of the 18th January last entitled "চৰকাৰী ধনৰ অপব্যৱহাৰ—চেণ্ট্ৰাল আৰম্ভণিৰ দ্বিতীয়—Public Works Department ৰ অপব্যৱহাৰ"।

- (h) If so, what steps Government propose to take on the broad allegations against the Department ?
 (i) Whether it is a fact that subway bridge No. 73/2 has been out of order before the bill for the same was passed or allowed ?
 (j) Whether ordinary subways would have been possible at a less cost than bridges ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

405. (a)—Yes.
 (b)—No.
 (c)—This is done if the magnitude of work justifies the expenses.
 (d)—Yes.
 (e)—No.
 (f)—Because their rates were considerably higher than those of the Contractor who was given the contract.
 (g)—Government have seen the article.
 (h)—Government have enquired into the matter and find the allegation baseless.
 (i)—No.
 (j)—Subways are generally cheaper but quite useless for passing traffic where waterways exist or where the soil is waterlogged.

Srijut MAHADEV SARMA : May I know to whom the reference was made regarding the enquiry into the allegations ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The reference was made to the Executive Engineer who knows the fact.

Srijut MAHADEV SARMA : Am I to understand that reference for an enquiry was made to the same officer against whom the allegations were made ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I have got no report against this officer about his ability to supervise bridge work.

Srijut MAHADEV SARMA : May I know whether the subway bridge still exists, Sir ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : This subway bridge subsided on account of heavy traffic in lorries and buses but before the final payment was made, it was repaired by the Assamese contractor who took the contract of this bridge. I am not sure whether it existed this cold weather. If the hon. member wants the information I can submit it to him later on.

Srijut MAHADEV SARMA : Are Government satisfied that a subway would not have been possible instead of the subway bridge ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Our report says that it would not have been possible.

Names of persons nominated to the Dibrugarh Municipality

Srijut HALADHAR BHUYAN asked :

406. Will the Hon'ble Minister for Local Self-Government be pleased to state the names of the persons nominated to the Dibrugarh Municipality ?

407. (a) Is it a fact that the recommendations of the Deputy Commissioner and the Commissioner in the matter were not accepted ?

(b) If so, why ?

408. Will Government be pleased to state which of the unrepresented and under-represented communities do the members nominated by the Hon'ble Minister represent ?

409. Is it a fact that one of the members nominated by Government is not a resident of the Municipality ?

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

406-409.—The hon. member's attention is invited to the replies given to question No.128 asked by Srijut Sarveswar Barua at this session of the Assembly.

Construction of a new bund at Desangmukh

Srijut SANKAR CHANDRA BARUA asked :

410. Are Government aware that (a) the want of protection from floods in the Brahmaputra has been mainly responsible for reducing the Kowarpur mauza in the Sibsagar subdivision to its present state ?

(b) That formerly there was adequate protection from floods and Government have made no attempts to replace the old bund which had been washed away ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

410.(a)—If the hon. member will define "present state" Government will endeavour to reply to his question.

(b)—A portion of the Desangmukh road which ran parallel to the Brahmaputra was washed away. The road in question afforded slight protection to immediate flooding on the rise of the Brahmaputra in so far as it took the flood waters sometime to back up behind the bund.

The Chief Engineer and Superintending Engineer went to the locality and discussed the matter with some local gentlemen and opined that it was not possible to fight a river like Brahmaputra with a bund like this.

Srijut SANKAR CHANDRA BARUA : মোব ৪১০নং প্রশ্নৰ উত্তৰ

মি নৱ : স্ত্ৰী মহাশয় কৈছে—“If the hon. member will define 'present state' Government will endeavour to reply to this question.” এতিয়া বৰ্তমান অবস্থা হৈছে এই য় গভৰ্ণমেণ্টে কোৱৰপুৰ মৌজাত মথাউৰ বান্ধি নিদিয়াৰ কাৰণে গোটেই মৌজা পানীয়ে উভায় পেলায়। তাৰ পৰা এতি বৎসৰ খেতি নষ্ট হয়। মই স্বাধৰ খোজোঁ কোৱৰপুৰ মৌজাৰ বাইজক বন্ধা কৰিবলৈ মথাউৰি বন্ধা কি গভৰ্ণমেণ্টৰ কৰ্তব্য নহয় নে ? Will the Hon'ble Minister please reply now ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I cannot give an off-hand reply just now.

Srijut BHUBAN CHANDRA GOGOI : The "present state" refers to the condition of the *raivats* who has been reduced to utter helplessness since the abandonment of that bund. As an example I refer to the number of estates sold amount to Rs.1,500 more or less, as stated to the reply to a question in this session.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I wish all these facts had been embodied in the question. It is impossible for me to reply without enquiring into those facts.

Srijut BHUBAN CHANDRA GOGOI: May I request the Hon'ble Chief Minister to depute an officer to visit the bund and report on its condition?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: There is already the report. I will ask the Superintending Engineer to visit the locality, when he tours that side next.

Srijut BHUBAN CHANDRA GOGOI: May I enquire for how many times this bund had been shifted due to erosion of the Brahmaputra?

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

Srijut SANKAR CHANDRA BARUA: Sir, this is a very important question.

The Hon'ble the SPEAKER: The Hon'ble Minister requires notice.

Srijut SANKAR CHANDRA BARUA asked:

411. Are Government aware (a) that the *raiots* of the Kowarpur mauza some years ago, started work on their own initiative to build a new bund at Desangmukh and had half completed it before the rain set in and prevented from further progress?

(b) that the *raiots* made another attempt 3 years later to complete the unfinished bund?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

411.—Government are aware that the *raiots* half completed a bund but the cause of their failing to complete it is not known.

(b)—Government accept this as a statement of fact.

Number and nature of Police cases in Habiganj Subdivision

Maulavi ABDUR RAHMAN asked:

412. Will Government please state—

(a) The number and nature of Police cases *thana* by *thana* in the Habiganj subdivision for the years 1935, 1936 and 1937?

(b) The number and nature of Police cases sent up by the Police of each of the *thanas*?

(c) The result of those cases year by year?

413. Will Government please state—

(a) The number of Police cases in which the accused were remanded to *hajat* for more than 14 days in the subdivisional Magistrate's Court of Habiganj in the years 1936 and 1937?

(b) The reasons for putting those accused to *hajat*?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

412. (a), (b) and (c)—A statement is laid on the table.

Statement referred to in reply to question No.412(a), (b) and (c) asked by Maulavi Abdur Rahman at the Budget session of the Assam Legislative Assembly, 1938

NABIGANJ POLICE STATION

Sections	1935					1936					1937					Remarks
	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	
395, I.P.C.	3	3	..	3	..	4	1	..	1	..	..	..	..	..	..
392, I.P.C.	2	1	..	..	..	1	..	..	..	..	..	..	..	..	..
457 to 460, I.P.C.	82	11	7	4	..	66	9	6	3	..	64	4	3	..	1	
454 to 456, I.P.C.	2	1	1	..	..	4	3	1	2	..	2	1	1	..	..
379 to 382, I.P.C.	41	15	10	5	..	27	6	4	2	..	21	10	8	2	..	
143, 147 and 148, I.P.C.	6	6	2	4	..	5	3	1	2	..	5	4	1	..	3	
302, I.P.C.	1	..	..	..	..	1	..	..	..	..	1	1	..	..	1	Rioting with murder.
411, I.P.C.	9	8	5	3	..	7	7	6	1	..	6	4	2	..	2	
Other sections..	11	7	5	2	..	13	9	5	4	..	18	8	2	5	1	

AZMIRGANJ POLICE STATION

[4TH MAR.

QUESTIONS

Sections	1935					1936					1937					Remarks
	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	
395, I.P.C. . . .	2	2	1	1	..	1	1	..	1	..	..	..	..	..	..	..
457 to 460, I.P.C. . .	51	4	2	2	..	28	1	1	..	..	5	..	..	..	..	..
379 to 382, I.P.C. . .	19	4	3	1	..	15	3	3	..	..	17	8	5	1	2	..
143, 147 & 148, I.P.C. . .	4	4	4	..	..	3	3	1	2	..	9	7	2	3	2	..
302, I.P.C. . . .	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
304, I.P.C. . . .	1	1	..	1	..	1	1	1	..	..	1	1	1	..	..	..
Other sections	5	2	1	1	..	12	6	2	4	..	8	5	1	3	1	..
392, I.P.C. . . .	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..
Other sections..	..	..	..	..	..	..	..	..	..	..	2	1	1	..	..	..

QUESTIONS

[4TH MAR.]

Statement referred to in reply to question No. 412 (a), (b) and (c) asked by Maulavi Abdur Rahman at the Budget Session of the Assam Legislative Assembly, 1938

1938.]

LAKHAI POLICE STATION

Sections	1935					1936					1937					Remarks
	No. of cases	C. S. Submitted	Convicted	Acquitted	Pending	No. of cases	C. S. Submitted	Convicted	Acquitted	Pending	No. of cases	C. S. Submitted	Convicted	Acquitted	Pending	
457 to 460, I.P.C.	52	5	4	1	..	37	3	2	1	..	31	4	3	1	..	
379 to 382, I.P.C.	15	6	5	1	..	13	4	4	..	..	18	6	6	..	..
411 to 414, I.P.C.	3	3	3	..	..	2	1	1	..	..	..	..	..	..	..
143, 147 and 148, I.P.C.	4	4	1	3	..	5	5	2	3	..	5	4	2	1	1	
302, I.P.C.	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..
Other sections...	4	2	2	..	..	5	4	2	2	..	6	6	3	1	2	
304, I.P.C.	..	..	..	..	..	..	..	..	..	..	1	1	1	..	..

QUESTIONS

BANIYACHONG POLICE STATION

Sections	1935				1936				1937				Remarks		
	No. of cases	C. S. Submitted	Convicted	Acquitted	Pending	No. of cases	C. S. Submitted	Convicted	Acquitted	Pending	No. of cases	C. S. Submitted		Convicted	Acquitted	Pending
395, I. P. C. ..	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..
457 to 460, I. P. C. ..	112	9	6	3	..	49	6	6	..	..	17	3	2	1	..
454 to 456, I. P. C. ..	1	..	..	..	..	2	2	1	1	..	2	2	1	1	..
379 to 382, I. P. C. ..	40	14	13	1	..	31	14	6	8	..	31	4	3	1	..
411, I. P. C. ..	2	2	2	..	..	3	3	2	1	..	3	2	1	..	1
143, 147, & 148, I. P. C. ..	6	4	2	2	..	13	9	6	3	..	8	6	2	3	1
304, I. P. C. ..	2	2	1	1	..	3	3	3	..	..	1	1	1	..	..
302, I. P. C. ..	1	1	1	..	..	1	1	1	..	..	1	..	..	..	..
Other sections ..	15	10	4	6	..	20	13	7	6	..	15	6	1	2	3

Statement referred to in reply to question No. 412 (a), (b) and (c) asked by Maulavi Abdur Rahman at the Budget Session of the Assam Legislative Assembly, 1938

HABIGANJ POLICE STATION

Sections	1935					1936					1937					Remarks
	No. of cases	C. S. Submitted	Convicted	Acquitted	Pending	No. of cases	C. S. Submitted	Convicted	Acquitted	Pending	No. of cases	C. S. Submitted	Convicted	Acquitted	Pending	
395, I. P. C. ..	1	1	..	1	..	1	1	1	..	..	..	..	..	..	..
392, I. P. C. ..	..	..	..	..	..	1	1	1	..	..	1	1	1	..	..
457 to 460, I. P. C. ..	216	16	11	5	..	96	11	10	1	..	54	10	7	1	2	
454 to 456, I. P. C. ..	3	1	1	..	..	2	1	1	..	..	1	..	..	..	..
379 to 382, I. P. C. ..	58	28	21	6	1	56	16	14	2	..	70	17	16	1	..	
143, 147 & 148, I.P.C. ...	6	6	4	2	..	7	4	4	..	..	5	3	3	..	..
302, I. P. C. ..	1	1	..	1	..	1	1	1	..	..	1	1	..	1	..
411, I. P. C. ..	11	10	9	1	..	9	8	8	..	..	3	2	2	..	..
Other sections..	25	20	15	5	..	42	29	21	8	..	23	16	6	4	6	

BAHUBAL POLICE STATION

Sections	1935					1936					1937					Remarks
	No of cases	C. S. submitted	Convicted	Acquitted	Pending	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	
395, I. P. C. ..	1	1	1	..	..	2	1	1	..	..	..	..	..	..	..
392, I. P. C. ..	..	..	..	..	..	3	1	1	..	..	..	..	..	..	..
457 to 460, I. P. C. ..	68	9	8	1	..	72	4	3	1	..	36	5	3	1	1	
454 to 456, I. P. C. ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
379 to 382, I. P. C. ..	28	10	8	2	..	14	12	12	..	..	16	7	4	1	2	
143, 147 and 148, I. P. C.	6	3	..	3	..	13	12	8	4	..	3	2	1	1	..	
302 and 304, I. P. C. ..	..	..	..	..	..	1	1	1	..	..	2	2	2	..	..
411, I. P. C. ..	5	3	3	..	..	3	2	1	1	..	4	4	2	2	..	
Other sections ..	19	15	7	8	..	17	14	6	8	..	12	11	6	2	3	

QUESTIONS

[4TH MAR.]

Statement referred to in reply to question No.412(a), (b) and (c) asked by Maulavi Abdur Rahman at the Budget Session of the Assam Legislative Assembly, 1938

1938.]

MADHABPUR POLICE STATION

Sections	1935					1936					1937					Remarks
	No. of Cases	C. S. submitted	Convicted	Acquitted	Pending	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	
395, I. P. C. ..	3	1	1	..	..	2	1	1	..	..	..	..	..	..	..
392, I. P. C. ..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..
457 to 460, I. P. C. ..	66	6	6	..	..	58	9	6	3	..	48	10	10	..	..
454 to 456, I. P. C. ..	1	1	1	..	..	1	1	1	..	..	2	..	..	..	..
379 to 382, I. P. C. ..	31	15	12	3	..	16	2	2	..	..	12	3	3	..	..
143, 147 and 148, I. P. C.	..	..	..	..	..	..	..	..	..	..	3	..	..	..	..
302 and 304, I. P. C. ..	3	3	3	..	..	..	..	..	..	..	2	1	1	..	..
411, I. P. C. ..	8	8	8	..	..	11	11	11	..	..	8	8	8	..	..
Other sections ..	12	9	5	4	..	18	14	9	5	..	9	6	1	2	3	

QUESTIONS

CHUNARIGHAT POLICE STATION

Sections	1935					1936					1937					Remarks
	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	No. of cases	C. S. submitted	Convicted	Acquitted	Pending	
395, I.P.C.	5	4	1	3	..	2	1	..	1	..	..	1	..	..	..
392, I.P.C.	1	1	..	1	..	1	1	1	..	..	1	1	1	..	..
457 to 460, I.P.C.	132	11	7	4	..	82	6	5	..	1	83	12	10	1	1	
454 to 456, I.P.C.	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..
379 to 382, I.P.C.	40	9	8	1	..	23	7	5	2	..	27	9	6	2	1	
143, 147 and 148, I.P.C.	3	2	..	2	..	1	..	..	..	..	2	2	1	..	..
302, I.P.C.	2	2	..	1	1	6	6	5	1	..	3	3	1	..	2	
411, I.P.C.	5	4	4	..	..	1	1	1	..	..	2	2	1	..	1	
Other sections	18	15	5	9	1	21	17	13	4	..	21	18	12	6	..	

413. (a)—In 1936.....116 cases.
In 1937..... 90 cases.

(b)—To ascertain the reasons would entail a detailed examination of hundreds of records in the Habiganj and Sylhet record rooms which is impossible in the short space of this session.

Maulavi ABDUR RAHMAN: May I know whether Government is aware that in certain cases the accused are put in hajat on very flimsy grounds?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: If the hon. member will cite two or three specific instances I will enquire into the matter.

Maulavi ABDUR RAHMAN: Such as in burglary cases and cases under Sections 379, 380?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I want a reference to specific cases and not kind of cases.

Further Demands for grants and supplementary statement of Expenditure charged upon the revenues of the Province

The Hon'ble the SPEAKER: The next item is further demands for grants. I think there are no further demands for grants.

The next item is discussion, if any, of Supplementary Statement of Expenditure charged upon the revenues of the Province during 1937-38.

Babu KAMINI KUMAR SEN: Sir, may I rise on a point of order?

The Hon'ble the SPEAKER: We have not come to that as yet. We are now to take up item No.3. i.e., Discussion, if any, of Supplementary Statement of Expenditure charged upon the revenues of the province during 1937-38.

I see that no hon. member wishes to speak.

Next comes item No.4, i.e., voting on Demands for Supplementary Grants for 1937-38.

**Supplementary Demands for grants
9—Stamps**

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, on the recommendation of His Excellency the Governor of Assam I beg to move that an additional sum of Rs.2,490 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending on the 31st March, 1938, for the administration of the head 9—Stamps.

Grant originally passed by the Assembly... 16,299

Sub-heads under which the supplementary grant will be accounted for by the Department of Stamps—

C—Superintendence— 490
D—Cost of stamps supplied from Central Stores— 2,000

Total ... 2,490

The explanatory note shows why this demand has been placed before the House. We had to indent a larger number of stamps.

The Hon'ble the SPEAKER: The question is that an additional sum of Rs.2,490 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending on the 31st March, 1938, for the administration of the head "Stamps".

There are no cut motions.

The motion was agreed to.

10—Forests

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Mr. Speaker, Sir, on the recommendation of His Excellency the Governor of Assam I beg to move that an additional sum of Rs.28,240 be granted to the Minister in charge to defray certain charges which will come in the course of payment during the year ending on the 31st March, 1938, for the administration of the head—"10—Forests".

Grant originally voted by the Assembly— Rs.8,64,400

Sub-heads under which this supplementary grant will be accounted for by the Forest Department—

A.—Conservancy, etc.—	
V.—Rent of leased forests and payments to share-holders—	14,980
B.—Establishment—	13,260
(a)—Pay of establishment—	
Total	28,240

The explanatory note shows why this demand has been placed before the House.

The motion was then put and agreed to.

25.—General Administration

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, on the recommendation of His Excellency the Governor of Assam, I beg to move that an additional sum of Rs.2,02,912 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending on the 31st March, 1938, for the administration of the head "25.—General Administration."

This demand covers four items—

Grant originally passed by the Assembly	Rs. 18,63,254
Supplementary grant already voted by the Assembly	25,300
Total	18,88,554

(1) Sub-heads under which the supplementary grant will be accounted for by the Departments of General Administration.

Legislative Bodies—

(i) Provincial Legislative Assembly—

	Rs.
1. Pay of officers ...	1,02,000
2. Allowances and honoraria ...	35,000
	1,37,000

(ii) Legislative Assembly Department ... 10,200

(iii) Provincial Legislative Council—

1. Pay of officers ... 23,000

Total ... 1,70,200

EXPLANATORY NOTE

Provincial Legislative Assembly and Provincial Legislative Council.—The additional grant is required to meet the travelling allowance of members owing to a larger number of sessions of the Legislatures being held than was originally anticipated and for their salaries in the anticipation that the Members' Emoluments and Allowances Bill will be passed at the Budget Session.

Legislative Assembly Department.—The excess represents additional expenditure under "Pay of Establishment," due to extra staff being entertained in the Assembly office as a result of increased work and also to the grant of special pay to Reporters; under "Allowances and honoraria," due to the journeys of the Secretary, Legislative Assembly, to Calcutta and Delhi on duty and under "Contingencies" on account of an unexpectedly heavy amount being required for the hot water radiators in the members' hostels and the Assembly.

A total supplementary grant of Rs.1,70,200 is, therefore, required under the head "Legislative Bodies."

(2) Sub-heads under which the supplementary grant will be accounted for by the Departments of General Administration.

Secretariat and Headquarters Establishment—

Director of Land Records—

	Rs.
Pay of officers ...	1,397
Pay of establishment ...	560
Allowances and honoraria ...	555
Total ...	2,512

EXPLANATORY NOTE

The additional expenditure under "Pay of Officers" and "Allowances and Honoraria" represents the pay, travelling allowance and honoraria of the Special Officer appointed for the revision of certain rules under the Land Revenue Re-assessment Act, Land Revenue Regulation and Re-settlement Manual for whom no provision was made in the original budget. A sum of Rs.560 is also required under "Pay of Establishment" owing to provision for leave allowances having proved inadequate as a larger number of the clerical staff proceeded on leave than was anticipated when the budget was framed. A total additional sum of Rs.2,512 is therefore, required under the head "Director of Land Records" during the current year.

(3) Sub-heads under which the supplementary demand will be accounted for by the Departments of General Administration.

S.—District Administration—General Establishment—

	Rs.
1. Pay of officers...	14,000
2. Pay of establishment ...	12,000
Total ...	26,000

EXPLANATORY NOTE

It is anticipated that there will be an excess expenditure of Rs.14,000 and Rs.12,000 under "Pay of Officers" and "Pay of Establishment" respectively, in the district administration budget. The excess of Rs.14,000 under the former head is due to some officers officiating in superior posts owing to more officers going on leave out of India than anticipated when the budget was framed and resulting in a saving of about Trs.31 under the charged head. The excesses under the latter head is due to the appointment of additional clerical staff in district offices to cope with increased work.

(4) Sub-heads under which the additional grant will fall—

Charges in England—

	Rs.
(a) Expenditure of the High Commissioner for India...	3,840
(b) Expenditure of the Secretary of State for India ...	360
Total	4,200

EXPLANATORY NOTE

The additional grant under the former head is required to meet the leave salary of Srijut S. N. Barkataki, Extra Assistant Commissioner, whose leave was not foreseen when the budget was framed and also to cover the increase in this Government's share of the cost of the High Commissioner's establishment, while the excess under the latter is due to increase in the subventions to universities for training of Indian Civil Service probationers.

The Hon'ble the SPEAKER: The question is that an additional sum of Rs.2,02,912 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending the 31st March, 1938 under the head—25—General Administration".

The motion was agreed to

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: Mr. Speaker, Sir, on the recommendation of His Excellency the Governor of Assam, I beg, to move that an additional sum of Rs.14,000 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending on the 31st March, 1938, for the administration of the head—"25.—General Administration".

	Rs.
Grant originally passed by the Assembly ...	18,63,254
Supplementary grant already voted by the Assembly.	25,300
Amount of supplementary grant asked for in demand No.3.	2,02,912

Total ... 20,91,466

Sub-heads under which the supplementary demand will be accounted for by the Department of General Administration—
R.—Commissioners.

	Rs.
1. Pay of officers ...	1,696
2. Pay of establishment ...	8,940
3. Allowances ...	1,000
4. Contingencies ...	2,364
Total	14,000

The position is explained in the explanatory note. I shall only add that His Excellency the Governor has indicated that this sum is necessary for the due discharge of his special responsibility. The Ministers take no responsibility in this matter.

Mr. FAKHRUDDIN ALI AHMED: On a point of information, Sir, from the Hon'ble Minister who has moved the Supplementary demand, may we know whether he was not one of the persons who had voted against this Commissioners' establishment when the matter was placed before the House during the last budget session?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: The hon. Member will find it in the proceedings of the House (laughter).

Babu KAMINI KUMAR SEN: Sir, I rise to a point of order. My submission is firstly that this demand cannot come in the way of a supplementary demand under section 81 of the Government of India Act. Secondly that it is not a matter which is covered by His Excellency's special responsibility. Sir, on a supplementary demand of an almost similar nature in last December we raised exactly the same point of order. But Sir, you ruled otherwise on the ground that that demand was made to meet some statutory liabilities,—that is the pay of the officers which they were entitled under the Civil Service Regulations to get and also on the assurance of the Hon'ble the Chief Minister that that demand was not made to restore the grant which was refused by the Assembly but only to meet that statutory obligation and that he would not come with any further demand for this purpose in the future. But, Sir, in the present demand the position is quite otherwise. This demand is not made for any unforeseen expenditure or for supplementing any expenditure which had been already voted by the Assembly. Nor is there any such assurance that this is the last of a demand like this. Sir, I now refer you to section 81, it runs thus: "If in respect of any financial year further expenditure from the revenues of the province becomes necessary over and above the expenditure theretofore authorised for that year, the Governor shall cause to be laid before the Chamber or Chambers....." Here, Sir it is practically restoring a demand which was totally refused by the Assembly and so no question of expenditure over and above what has been sanctioned by the Assembly arises at all. So, I submit that under section 81, which is the only section under which a supplementary demand can come, this demand cannot come. I am also confirmed in the interpretation of this section by the Government of India, Reforms Office letter D.O. No.F.26/36-F dated the 16th March 1937 addressed to the Chief Secretary to the Government of Assam, where it is also laid down like this: ".....after the authentication of a schedule to incur expenditure not on a technically 'new service' but on what has been called in the past a new 'instrument' of service (a 'new' service being ex-hypothesi outside the scope of the grant while a new 'instrument' of service might lie within its scope), section 81 does not contemplate that a demand, token or otherwise, shall be submitted for it. If the explicit concurrence of the Legislature, is desired to such an item of expenditure, it could be obtained through the process of a resolution." This is neither a new service nor a new instrument of service and as such my submission is that the supplementary demand does not lie.

My second point is, Sir, that we find in the supplementary demand that "this demand is presented under section 78(2) of the Government of India Act, 1935 and the sums included in it are included solely because His Excellency the Governor has directed their inclusion as being necessary for the due discharge of his special responsibilities". With regard to this, I submit that this is a matter which has no connection with His Excellency's special responsibility. I do not know exactly what is the exact proviso under which this special responsibility has been taken. I think, the hon. members of the House know that, exactly this very demand was sent to this Assembly in the last December session with His Excellency's message for being placed before the House. If I remember aright, Sir, it was mentioned in that message that His Excellency relied on Section 52(1) (c) for including this demand within His Excellency's special responsibility. But the other day the Hon'ble Chief Minister told us that it was not 52(1)(c) but that it was 52(1)(g) which is relied on. I shall try to show, Sir, this is neither covered by 52(1)(c) nor by 52(1)(g). If I may be permitted to read the specific proviso—52(1)(c) it reads like this: "In the exercise of his functions the Governor shall have the following special responsibilities, that is to say:—.....(c) the securing to, and to the dependants of, persons who are or have been members of the public services of any rights provided or preserved for them by or under this Act, and the safeguarding of their legitimate interests."

It is clear, Sir, that this demand for running the office of the Commissioner for another three months cannot come within this proviso. Any question of safeguarding the interests of the services does not arise at all. Then if you take up Section 52(1) (g) it runs like this: "the securing of the execution of orders or directions lawfully issued to him under Part VI of this Act by the Governor General in his discretion". I would draw your attention, Sir, to the words "lawfully issued to him under Part VI of this Act". Let us see Part VI which has been referred to. There are four general heads under which this part is divided. The first is General, the second is Broadcasting, the third is Interference with water-supplies and the fourth is Inter-provincial Co-operation. I think, Sir, even on a reading of the main heads, the last three that is Broadcasting, Interference with water supplies and Inter-provincial Co-operation may safely be left out of consideration. The only head that remains is the head General. I have carefully looked into all the sections under the head General and the only section in which I find that the Governor General can issue an order to His Excellency the Governor is firstly Section 123.

The Hon'ble the SPEAKER: There is also sub-section (5) to section 126.

Babu KAMINI KUMAR SEN: Yes, Sir, I am coming to that, Sir. Section 123(1) states that "The Governor General may direct the Governor of any province to discharge as his agent, either generally or in any particular case, such functions in and in relation to the tribal areas as may be specified in this direction." Sub-section (2) says "such functions in relation to defence, external affairs or ecclesiastical affairs as may be specified in the direction." So, Sir, this demand cannot by any stretch of imagination come under section 123. And then the only section that remains under which the Governor General can lawfully issue an order to the Governor is section 126. There also, Sir, I do not think there is anything which relates to the point at issue. So I need not read all these sections. But nowhere do I find that the Commissioners' establishment has anything to do with that section. These are mainly devoted to the control of the

Federation over the provinces in certain matters. Only in sub-section (5) to section 126 a general power is given to the Governor General to issue an order to the Governor in cases which refer to the prevention of any grave menace to the tranquility of India or any part thereof. It relates to inter-provincial matters and only in cases where he apprehends that there is grave menace to the peace and tranquillity of India or any part thereof. So, Sir, I submit that this order with regard to the Commissioners' establishment cannot come under Part VI and as such Section 52(1)(g) cannot protect this demand as an order from the Governor General lawfully issued to the Governor under Part VI. So, Sir, I submit that this demand is not protected by His Excellency's special responsibility.

Now, Sir, even if for argument's sake we take it that it is a subject which is covered by His Excellency's special responsibility, what is the position, Sir? The procedure with regard to the expenditure on a demand which is refused by the Legislature and which is also covered by His Excellency's special responsibility is laid down in the proviso to section 80(1)(b), which runs thus:—"Provided that, if the Assembly have refused to assent to any demand for a grant or have assented to such a demand, subject to a reduction of the amount specified therein, the Governor may, if in his opinion the refusal or reduction would affect the due discharge of any of his special responsibilities, include in the schedule, such additional amount, if any, not exceeding the amount of the rejected demand or the reduction, as the case may be, as appears to him necessary in order to enable him to discharge that responsibility." So, Sir, the procedure is this. After the demand was refused and before the authentication was made, His Excellency had the authority to restore that part of the demand which he considers to be necessary for the discharge of His Excellency's responsibility. Now, after the last budget session in which this demand was totally refused, the authentication has been made by his Excellency. Now, if a supplementary demand for a portion of the grant which has been refused is passed again, it will have effect of modifying that authenticated schedule, which I submit, Sir, even His Excellency has not the right to do. (*Hear ! hear !*).

In this connection, Sir, I would refer you to the last sentence of paragraph 3 of the Government of India letter I referred to before. It runs thus—"If any other view were adopted, reappropriation of any sort would be barred (as even the Governor himself cannot modify an authenticated schedule)." So I submit, Sir, that if this demand has taken up or is passed, it will have the effect of modifying the schedule, which His Excellency has no right to do. On all these considerations I submit, Sir, that this demand is illegal, out of order and cannot come in the way of a supplementary demand under section 81 of the Government of India Act.

The Hon'ble the SPEAKER: Is any other hon. member going to speak either for or against?

Rai Bahadur PROMODE CHANDRA DUTT: I would like to add just one word, Sir. The demand is for expenditure from the 1st of January 1938 to the 31st of March 1938. To-day is the 4th of March and a good deal of this money has already been spent. That is to say that a good part of expenditure for which the supplementary demand is brought, has already been incurred. Supposing this House refuses this demand, what will happen? In this particular case it may be said that there is the special responsibility of the Governor. It is quite conceivable, a case may arise in which the Governor may not have a special responsibility. What will happen in that case if the House refuses the whole grant? It is not

showing respect to the House. The House passes the budget and gives certain directions as regards expenditure to the Ministers. But, if the Ministers disobey those directions and incur expenditure in the hope that the Assembly will sanction it upon a supplementary demand having made later on, this would need comment for flouting the House. I think a convention ought not to be allowed to grow that supplementary demands can be made for expenditure it has been incurred.

Srijut GOPINATH BARDOLOI: Mr. Speaker, Sir, after the argument of my hon. friend Mr. Kamini Kumar Sen, I do not think, I need say anything further. I only want to add that I agree to the interpretation that has been put upon the sections by him. The only section in which any approach can be made towards the exercise of the responsibility of the Governor General is possible, is section 123, as has already been pointed out by my hon. friend. Under section 123(1) "The Governor General may direct the Governor of any province to discharge as his agent, either generally or in any particular case, such functions in and in relation to the tribal areas as may be specified in the direction." It would appear that such direction must be in reference to a specific matter—viz one relating to the administration of tribal area. We do not know what the direction of the Governor General is in this matter. It has not been placed before the House. All that we can say, Sir, is that this special responsibility of the Governor General does not extend to the case that we have before us. Therefore, it is quite clear that the Governor General could not have this responsibility. It would simply mean that by such direction, if any, he takes away the power of this House, namely to vote or refuse to supplies on a votable demand. This power of the House is, as I have already pointed out in my last speech in December, unquestionable; and when either the Governor General or the Governor wants to exercise his special responsibility in a manner not provided for in the Act, he only acts arbitrarily. Therefore, Sir, my submission is that this demand is not presentable.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: On a point of information, Sir. Who would finally decide whether it is within the special responsibility of the Governor or not?

Srijut GOPINATH BARDOLOI: According to the Act the final authority is the Governor or Governor General. But whether he exercises it according to the Act or not, it is surely for us to discuss the point here. When he does not act in accordance with the rule of law laid down by the constitution, he does not act as a constitutional Governor.

Rai Bahadur PROMODE CHANDRA DUTT: I submit, Sir, that the question will depend on the interpretation of section 52. It does not depend on the discretion of the Governor. The Governor may possibly hold a view that he has got the discretion. But we are not bound by that. That is a matter which has got to be decided upon the interpretation of section 81. I submit the Governor's voice is not the last voice. The final voice rests with the Federal Court.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir: Three issues have been raised by my hon. friend Mr. Kamini Kumar Sen in this point of order. The first point that he has urged is that this supplementary demand does not fall under Section 81 of the Government of India Act; the second one is that the subject matter of the supplementary demand is not covered by the special responsibilities mentioned in Section 52 of the Constitution Act and the third point is that even if either of these two sections did apply, then under Section 80 the effect of this supplementary demand will be the modification of the authenticated schedule which was presented before this House last September by His Excellency the Governor and His Excellency has no power to amend his own schedule.

I will take all these points seriatim. My Hon'ble Colleague has just now and I also have informed the House many times that we have taken absolutely no responsibility for submitting this supplementary demand before this House. It was with the intention of giving this House an opportunity of casting their vote for or against this item, that the matter has been brought before the House.

I contend that the expenditure sought comes under Section 81. Section 81 says "If in respect of any financial year further expenditure from the revenues of the Province becomes necessary over and above the expenditure theretofore authorised for that year, the Governor shall cause to be laid before the Chamber or Chambers a supplementary statement showing the estimated amount of that expenditure". The House voted on my assurance, as has been told by my hon. friend, the charges of the Commissioners' establishment up to the end of the last calendar year. Since then under the orders of the Secretary of State, His Excellency has been compelled to maintain the establishment and therefore further expenditure has become necessary and therefore, Section 81 comes into operation.

The second point that has been urged by my hon. friend is about Section 52, i.e., the question of special responsibilities of His Excellency does not come in. My submission before the House is that it comes under (c) and (g). I will first take the question of (c). Section 52(1)(c) reads thus: "In exercise of his functions the Governor shall have the following special responsibilities, that is to say (c) the securing to, and to the dependents of persons who are or have been members of the public services of any rights provided or preserved for them by or under this Act, and the safeguarding of their legitimate interests". Now, Sir what are the legitimate interests of the Commissioner? His legitimate interest, so long as the Commissioner is in service, is to function as a Commissioner. But if the establishment is removed from him by refusal of supply, he is there but cannot perform his ordinary duties or even his statutory duties. Therefore the operation of clause (c) comes into play. Next, as I mentioned the other day, clause (g) also come into operation and clause (g) brings us to Section 123, as my hon. friend the leader of the opposition has already drawn attention to. Now every one knows that the Commissioner of the Surma Valley is known as the Commissioner of Surma Valley and Hill Division (*Laughter from the opposition and independent blocks*). My hon. friend over there should not be taken by surprise, because it is a well-known fact. And, therefore, he has to perform certain duties in the areas which are excluded from this constitution. Section 123(1) runs to this effect—"The Governor-General may direct the Governor of any Province to discharge as his agent, either generally or in any particular case, such functions in and in relation to the tribal areas as may be specified in the direction". Here, as the Commissioner of the Surma Valley at least who has got to function in relation to the tribal areas, he will not be able to function if his establishment is removed, the Governor General has got the right under this section to direct His Excellency to come with this supplementary demand up to the end of this financial year. My hon. friend quoted from the Government of India letter in support of his contention. But I can inform him as well as other members of this House that it is the same Government of India who has ordered the Governor that it is within his power to bring this supplementary demand before the House. I had a talk only recently, in January last both with the Reforms Department as well as the Finance Department of the Government of India. We have got their letter under which His Excellency sent in his message last time and the Government of India letter says that the Secretary of State has ordered them and the Secretary of State has consulted his legal

advisers. So, if there is any letter in support of my hon. friend over there, I have on the other hand got three different opinions all tending to the same conclusion, *i.e.*, the competence of His Excellency the Governor to submit this supplementary demand before the House. Therefore, my submission is that this demand is perfectly in order both under sections 81 and 51.

Now quoting the same letter, the hon. member says that the proviso to Section 80, sub-clause (1) will come into operation and therefore even if this is voted by this House, Governor will have no right to modify the schedule. Sir, I do not find any such limitation in the Act itself. Proviso to Section 80 (1) reads thus—"Provided that, if the Assembly have refused to assent to any demand for a grant or have assented to such a demand subject to a reduction of the amount specified therein, the Governor may, if in his opinion the refusal or reduction would affect the due discharge of any of his special responsibilities, include in the schedule such additional amount, if any, not exceeding the amount of the rejected demand or the reduction, as the case may be, as appears to him necessary in order to enable him to discharge that responsibility". Nowhere in the Act itself I find that once the Governor has submitted the authenticated schedule of expenditure he is debarred from modifying it, for, there may be circumstances which may compel him in the routine work even to modify his schedule.

For all these reasons, I submit, that this demand is in order.

Rai Bahadur PROMODE CHANDRA DUTT: Sir, I understand the position of the Government now. May I say a word in reply? Some of the points are entirely new. These points were not urged before. I would only mention two points.

The Hon'ble the SPEAKER: Very well.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: This is the third speech, Sir. Shall I have a right of reply.

The Hon'ble the SPEAKER: Yes.

Rai Bahadur PROMODE CHANDRA DUTT: First I want to refer to section 123 of the Government of India Act.

"The Governor-General may direct the Governor of any Province to discharge as his agent, either generally or in any particular case, such functions in and in relation to the tribal areas as may be specified in the direction."

I thought the Government would take shelter under section 52(e) which runs as follows—

"the securing of the peace and good Government of areas which by or under the provisions of this Part of this Act are declared to be partially excluded areas"

They have, however, resorted to Section 123. But tribal areas are nowhere defined.

May I ask if the whole of the Commissioners' staff is necessary for the purpose of discharging the duties that would devolve upon the Governor as agent to the Governor General with regard to tribal areas?

This is a device to get round the vote of the House and unworthy of a Government which calls itself honest. I pause for a reply. Are the two Commissioners, I ask again, with their staff necessary for the purpose of discharging the duties that would devolve upon the Governor as Agent to the Governor General in regard to tribal areas?

Then Sir, it is said that these two officers have got to function as Commissioners. But, Sir, why? Let us refer to Section 240:

"Except as expressly provided by this Act, every person who is a member of a civil service of the Crown in India, or holds any civil post under the Crown in India, holds office during his Majesty's pleasure."

It is only if His Majesty pleases, that these Commissioners should remain. He can discharge them at his pleasure. But the Secretary of State is forcing the hands of the Legislature.

It is not at all necessary that the Commissioners should continue, their function may be delegated to others by necessary amendments of the Acts concerned.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:

I am astounded at the proposal which has come from so learned lawyer friend of mine over there. He says that the Commissioners need not function over the areas which are included in partially excluded areas. If my friend thinks that section 52 (e) applies, I shall only be too glad to supplement that argument also. But my position stands on a higher foundation, *i.e.*, under the ordinary routine of administration, at least one Commissioner has got certain functions to discharge whatever may be the area—whether partially excluded or totally excluded. Therefore, it is clear that in order to discharge that bit of function the Commissioner must have an establishment. It may be one clerk or it may be more.

As regards the question that the Secretary of State is trying to keep two Commissioners, with your permission, I will just mention certain facts. Two days ago, we have received a letter from the Government of India stating that the Secretary of State wants further materials as regards the savings that will accrue by the removal of one Commissioner. The letter came only two days back. We have not yet been able to say what would be the total saving. He also wanted to know how the work of one Commissioner, if abolished, will be distributed. He is not taking up the position that Commissioners must remain. The Secretary of State is wanting materials. We hope to receive his orders before next financial year begins.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: I want to ask one thing to the Hon'ble Ministers. They have declared that they have no responsibility in the matter. I say whether they can argue in favour of it.

Babu DAKSHINA RANJAN GUPTA CHAUDHURI: Sir, I have one single point to ask. After the schedules have once been authenticated by His Excellency the Governor there is no question of modification of it. I shall read from the White Paper proposals "Appropriations required for the non-reserved departments will be the responsibility of Ministers. But the proposals for raising revenues and for appropriation of those revenues will be subject to the common constitutional rule that as laid before the Legislature they carry a recommendation from the representative of the Crown. If the Governor General regards his Ministers' proposals for appropriations as insufficient to enable him adequately to fulfil any of this special responsibilities, he will be entitled to append to the Budget statement, laid before the Legislature, additional proposals for appropriation under any head in respect to which he regards his Ministers' proposals as inadequate. These additional proposals, if any, of the Governor General will be distinguished as such in the Budget statement and whether they relate to non-votable or to votable heads of expenditure, the Legislature will not be invited to vote upon them: in other words the appropriations on which the Legislature will be invited to vote will be those proposed by the Ministry."

After reading this, my contention is that this demand cannot come up before the House for being voted. I maintain, Sir, that if this is read with Section 80 of the Government of India Act, anything which His Excellency considers as necessary for the due discharge of his "special responsi-

bility" cannot come to this House in the shape of a supplementary demand.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: May I reply, Sir. One sentence is sufficient to refute the argument of my friend Babu Dakshinaranjan Gupta Chaudhuri. The Constitution is based on the Act and not on the proposals of the White Paper.

The Hon'ble Speaker's ruling on the supplementary demand for the Commissioners' Establishments

The Hon'ble the SPEAKER: This supplementary demand for Rs. 14,000 represents a portion of the sum of Rs. 78,446, which was rejected by the House during the last Budget Session by omitting the expenditure for the establishments of the two Commissioners in the two Valleys and is intended to cover the expenditure already incurred and to be incurred for maintaining the establishments from 1st January to 31st March 1938.

Out of that sum, the expenditure necessary for continuing the establishment up to the 31st of August 1937 from the 1st of April was available to Government even against the verdict of the House given during the last Budget Session on the strength of the order passed by the Governor under sub-section 1 of section 5 of the Government of India Commencement and Transitory provisions order, 1936 and under the proviso to sub-section 2 of that section.

Rai Bahadur PROMODE CHANDRA DUTT: Up to 1st of September, Sir.

The Hon'ble the SPEAKER: No, it was up to 31st of August. On the 1st of September, the authenticated schedule was presented. The expenditure for the two establishments from the 1st of September up to 31st March, 1938 was not available to Government as that was not and could not have been included in the authenticated schedule presented before the House on the 1st of September giving effect to the verdict of the House omitting the whole expenditure. Only to continue the establishments up to the 31st of December, 1937 from the 1st September, 1937 a supplementary demand was presented before the House during the last December session on the ground that they had to be retained on account of the provisions of the Civil Service Regulations, Article 436. Under that Article Government servants before they are discharged are entitled to receive a reasonable notice of not less than three months and if the notice be less than three months compensation for the period by which that period of notice falls short. A point of order was raised on that occasion on the same ground as has been pressed here with regard to this supplementary demand by hon. Babu Kamini Kumar Sen. That point of order was argued threadbare and I gave my ruling on the 18th of December in which I analysed the provision of section 81, gave my interpretation of that section and held that the supplementary demand was in order. I held in that ruling that the necessity of dispensing with the establishment arose after the verdict of the House rejecting the entire amount of Rs. 78,446 which was quite unforeseen and that the Officers, Clerks and menials of that establishment had really an enforceable right under Article 436 of the Civil Service Regulations and that they were retained for four months only to wind up the establishment. I held that they were, therefore, entitled to get their pay, allowance, etc. In that ruling the portion which is necessary for the purpose of deciding the point of order that has been raised in this case is as follows.—“The ruling of the Chair is that a supplementary demand in respect of any demand to which the Assembly refused its

assent or in respect of the amount which the Assembly has previously refused would be in order if it can be shown that it has become necessary on the grounds from which the Chair can come to the conclusion that it is *prima facie* so". Now in this case the point of order that has been raised by Babu Kamini Kumar Sen is really that the expenditure has not become necessary and therefore the provisions of section 81 are not attracted. To show that the expenditure has not become necessary, he has urged another point by saying that this supplementary demand cannot be presented before the House as being necessary for the discharge of one of the special responsibilities of His Excellency the Governor. With regard to the second point I must say at once that it really involves a legal question and by raising this point the hon. member really invites the Chair to sit in judgment over the decision of His Excellency the Governor by examining the grounds under which he has come to the conclusion that the sum is necessary for the discharge of one of his special responsibilities. Necessarily the point is to be decided on the interpretation of section 52 and of other sections which have been referred to in the speeches of the hon. members arguing the point of order, specially sections 123 and 126 of the Government of India Act. It has been said by the hon. Rai Bahadur Promode Chandra Dutt, and that rightly, that it is really a question the ultimate decision of which will rest with the Federal Court. That being so, in the light of the ruling which I gave on the 18th of December last, I am only to see whether there are any grounds presented before the House from which I can hold that there is a *prima facie* case which should be placed before the House to be discussed for the final decision of the House as to whether this supplementary demand should be granted or not. Now, this supplementary demand, as is well known, has been presented before this House under very peculiar circumstances. It would appear from the explanatory note accompanying the supplementary statement that it is under the direction of His Excellency the Governor that this demand has been presented on the ground that it has become necessary for the due discharge of one of his special responsibilities. The grounds under which His Excellency the Governor can or cannot exercise his special responsibilities are really grounds which cannot be scrutinised without an interpretation of sections 52, 123 and 126 and some other sections of the Government of India Act. And I have already said, that the interpretation of these sections is purely a question of law. In my opinion it is not a question which would be within the competence of the Chair to scrutinise in order to see whether the demand is tenable or not. The House will be quite at liberty, however, to discuss it in their own light and arrive at a definite decision as to whether they should be ready to accept the grounds which might have weighed with His Excellency in taking action under one of his special responsibilities. It comes to this, therefore, that so far as the Chair is concerned, the case that the expenditure has become necessary for the discharge of one of the special responsibilities of His Excellency the Governor is not open to be examined and the Chair should refrain from examining these grounds that have weighed with His Excellency the Governor. As I have said that I am only to see whether there are any grounds which can make out a *prima facie* case for the demand, I shall hold that this supplementary demand is in order. (Applause). Because I think that over and above the grounds which were urged at the time when the main item of expenditure of Rs. 78,000 was presented before the House, there is now a special additional ground which has arisen after the vote of the House during the last Budget Session that this expenditure is necessary in the opinion of His Excellency the Governor in order to discharge one of his special responsibilities and this ground not being

open to me to be examined, I have no other alternative than to hold that the demand is in order. Now, it has been urged that if this demand be voted by the House that would restore the entire amount of Rs.78,446 and His Excellency having exercised his right under sub-section (2) of section 80 of the Government of India Act cannot now after the preparation of the authenticated schedule restore this amount. Here I may point out that this view is not at all warranted by the provision of the proviso to sub-section (1) of section 80, read with section 78, sub-section (2). Hon. members will note that when the sum of Rs.78,446 was included in the annual estimates and presented before the House at the last Budget Session that item of expenditure was not included in the Annual Estimates on the ground that such inclusion was necessary because His Excellency the Governor directed its inclusion as being necessary for the due discharge of his special responsibilities. Now, it is only when the sum is included in an annual estimates solely because His Excellency the Governor has directed its inclusion as being necessary for the due discharge of any one of his special responsibilities, it is only then and then alone that His Excellency the Governor can restore that amount if that is rejected by the vote of the House. Hon. members will please also notice the distinction here that the present demand has been presented before the House on the ground that the amount is necessary for the discharge of one of the special responsibilities of the Governor. Now if His Excellency restores this amount after an adverse verdict of this House, he will be only restoring the amount which has now been presented before the House under sub-section (2) of section 78 of the Government of India Act, and although the net effect may be that by this restoration the entire amount of Rs.78,446 has been restored, it cannot be said that His Excellency is doing anything which is not warranted by the provisions of the Constitution Act. If this supplementary demand was presented before the House without that indication that it was necessary solely because His Excellency had directed that it was required for the discharge of one of his special responsibilities then after the adverse verdict of this House His Excellency would not be entitled in the view I hold to restore the grant. From what I have said above, it will appear that this supplementary demand has come before the House on the additional ground that His Excellency requires it for the discharge of his special responsibility, and from that, as I have indicated above, I hold that there is a *prima facie* case so far as the Chair is concerned and that it should be placed before the House.

I am not unmindful of the constitutional position that might be said to have arisen by the presentation of this supplementary demand, having regard to the fact that there was a definite assurance given to this House that the Commissioners' establishments would be dispensed with from the 1st January 1938, and that when an attempt was made to have this supplementary demand passed by this House through a message under Section 63(2) of the Government of India Act, the Hon'ble the Chief Minister declared that he had no connection with that supplementary demand and that he was not prepared to move it. However unhappy that position might be, the Chair is not at all concerned with that, and on the grounds that I have already shown I allow this demand to be discussed by the House on its merits.

Rai Bahadur. PROMODE CHANDRA DUTT: Mr. Speaker, Sir, for the last twelve months we have been having discussions on this matter. The only remark that I would make now is that in the opinion of the Secretary of State, if any of the officers whose salaries are charged to revenue must continue to function their staff also must be continued although

charges for the same are votable. I would ask the House to consider what the position amount to? The position really is that the salaries of the two Commissioners being charged to revenue, this House has no right to refuse the grant for these two posts and that as a consequence it must also vote the charges for the staff. The Secretary of State says that the Governor has a special responsibility in this matter under Section 52(1)(c). That is one of the grounds taken by the Hon'ble Chief Minister also on behalf of the Government. If that is so, it would mean that in respect of officers whose pay is charged to revenue we must also give them all the staff that is necessary to enable them to function. If that is the position, then why do they come to us for a vote? Let it be made non-votable, but so long as it is votable the Hon'ble Ministers must abide by the verdict of the House. The action of the Government creates the position that as we cannot touch the salary of the Commissioners we must give them their staff whether we wish or not. If that is the position then the whole Act is a mockery.

The Hon'ble the SPEAKER: I see that there is a cut motion; that need not be moved; something may be attained by opposing this demand.

Mr. BAIDYANATH MOOKERJEE: Mr. Speaker, Sir, I am really tempted to say something in this matter. At first I wish to draw your attention to the questions and answers that were asked and replied to during the last December session. Sir, you asked the Hon'ble Chief Minister—"Can the Hon'ble Chief Minister give the House an assurance that on the 1st of January, 1938 the offices of the Commissioners will cease to exist?" The Hon'ble the Chief Minister replied—"Yes, Sir". You then asked, Sir, "What was the recommendation of the Government to the Secretary of State?" The Hon'ble Chief Minister replied—"The recommendation of the Government was that the post of the Commissioner of the Surma Valley should be abolished". You then asked—"Then it will be necessary to come up again for a demand for the office of the Commissioner of the Assam Valley?" The Chief Minister replied—"Not necessarily. In this connection I may explain that the retention of the Commissionership of one Valley has no reference to the retention of the establishment. The establishment is separate". You then asked—"I want to know exactly what the recommendation to the Secretary of State was". The Chief Minister replied—"Our recommendation to the Secretary of State was that there was no necessity for one Commissioner, i.e., the Commissioner of the Surma Valley. As I have already pointed out there are certain legislative difficulties for which one of the Commissioners will have to be kept on for some time". You then asked—"But will it not be necessary to come up with any further demand for the period from the 1st of January, 1938?" The Chief Minister replied—"As the House has already refused the supply, we will not come up with any further demand for the establishment during the current year". You then asked—"If the post of the Commissioner of the Assam Valley is retained, will it not be necessary to come up for a supplementary grant from the 1st of January, 1938?" The Chief Minister replied—"No, Sir, except for one or two clerks". You then asked—"Is the Hon'ble Minister sure?" The Chief Minister replied—"I am sure because he may be transferred to Shillong and he will be attached to the Secretariat. So far as this present matter is concerned, we have asked the House to only sanction the cost of this establishment up to the 31st of December, 1937". Then you asked, Sir—"But the House cannot be sure that there will be no further supplementary demand". The Chief Minister replied—"When another supplementary demand is made

the House will know how to deal with the demand". You then asked—"If the Secretary of State refuses to sanction the abolition of the posts of Commissioners?" The Chief Minister replied—"Then the Commissioners will remain, but the Government is bound to follow the mandate of the House as regards the establishment". You then asked—"Then there will be no necessity for a further demand for the balance of the grant?" The Chief Minister replied—"No, Sir". Then you asked, Sir—"Supposing Government has recommended the abolition of the post of one Commissioner and the Secretary of State does not sanction it and says that both the Commissioners should be retained, will it not be necessary to come up for a supplementary demand? Will the Commissioners go without the establishment?" The Chief Minister replied—"Yes, that is the verdict of the House". You then asked, Sir—"Then am I to accept the assurance of the Hon'ble Chief Minister that even if the Secretary of State does not sanction the abolition of the post of the Commissioner as has been recommended by Government, that the two Commissioners will go on functioning without establishment?" The Chief Minister replied—"If the House does not sanction the expenditure they will have to. If these two posts remain, it may be, that we may come up for one or two clerks". (*Laughter.*) You then asked, Sir—"But if Government comes up later for the restoration of the balance of the grant?" The Chief Minister replied—"Then the House will know how to deal with that, but if you say that it is inadmissible then there is an end of it". You then asked—"But the House must be sure that there will be no further demand". The Chief Minister replied—"That will come more under the category of impropriety of the demand. I think, the House can trust me to see that the dignity of the House is not flouted. Beyond this I cannot go at this stage". (*Hear! hear! and laughter.*) Sir, there was much more that the Hon'ble the Chief Minister stated. But I do not want to detain the House on those questions and answers any more. The position then was that there was a difference of opinion between His Excellency the Governor and the Hon'ble the Chief Minister. What do we find now? Only a few minutes ago the Hon'ble the Chief Minister said that he is still holding the same opinion. Then, Sir, the same difference still exists. Now we find that His Excellency the Governor is making the demand through one of the Ministers. According to the Hon'ble the Chief Minister he says that he is not moving the demand. It is ridiculous (*Hear! hear!*), that he is allowing one of his colleagues to move in the matter. If the Hon'ble Chief Minister is anxious to preserve the dignity of the House he should not allow one of his colleagues to move for this demand because it makes his position inconsistent. So long as the responsibility is joint, I think it is quite absurd on the very face of it. Sir, if the people of the province think that the Ministry is bamboozling this House, will they be far wrong to conclude that they are bringing this supplementary demand under a conspiracy?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The time for this is only till 4 o'clock. The hon. member Mr. Mookerjee is making all kinds of remarks and I must have at least five minutes time to reply to those.

Mr. BAIDYA NATH MOOKERJEE: That the Hon'ble the Chief Minister is not moving the demand is merely an eyewash, it does not improve his position at all by allowing one of his colleagues to move in the matter. Sir, if this is being done as it has been said under the special responsibility of His Excellency the Governor under section 52, sub-section (3) in that case also, Sir, under the Instruments of Instructions we find as

laid down in Article VIII "in any of which cases our Governor shall, notwithstanding His Ministers' advice, act in exercise of the powers by or under the Act, conferred upon him in such manner as to his individual judgment seems requisite for the due discharge of the responsibilities and functions aforesaid. But he shall be studious so to exercise his powers as not to enable his Ministers to rely upon his special responsibilities in order to relieve themselves of responsibilities which are properly their own." Now what do we find here? Our Ministers are being unable under this clause to rely upon the Governor's responsibility. In the discharge of responsibility which is properly their own, they are taking the help of His Excellency the Governor and they are trying to relieve themselves of their own responsibility, the inevitable conclusion is that the Ministry is trying to get over the unhappy position by adopting a ruse in allowing His Excellency the Governor to exercise his special responsibility and to get the money for the Minister who does not want it.

The Hon'ble the SPEAKER: The hon. member will have to finish now.

Mr. BAIDYANATH MOOKERJEE: Half a minute, Sir. I think the House will agree with me if I say that the action of the present Ministers is exactly the same as it was during that of the much condemned dyarchical system of Government. I think, Sir, when the rest of the world will come to know how we in this province are proceeding, they will think that we have not been able to clearly follow the rules and the full implication of the new Government of India Act. Sir, we are doing something farcical here. The Government may go on, but it will go on only crackly. All glory to the Hon'ble the Chief Minister.

Babu HARENDRA NARAYAN CHAUDHURI: I shall say only one sentence, Sir. Only the other day when the no-confidence motion was being discussed on the floor of the House, the Hon'ble Chief Minister was trumpeting before the House that he yields to none in the matter of self-respect. Sir, after having given the assurance to this House that he will not come forward with any further supplementary demand he is now again before the House with a further demand. If this is his standard of self-respect, I have nothing to say. But I submit Sir, that my standard of self-respect differs vastly from that of his.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, I will take up the challenge of the last speaker who has just sat down. The boast about his standard of self-respect comes very ill from that particular member because when I was away in the other House only the other day, it was this standard of self-respect that helped this hon. member to have the audacity in my absence to call me the "Mad Mullah" of Assam. I wish that with his standard of self-respect he could make these remarks when I am here. (*Cries of shame, shame.*) Of course codes of honour differ with different men and with different mentalities. But I hold that it does not lie with that gentleman to challenge my code of self-respect.

Babu HARENDRA NARAYAN CHAUDHURI: The next year's budget is coming. I shall be eagerly awaiting for the occasion.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, I am very pleased to find that this motion has opened out the tight tongues of many hon. friends of this House whose wide experience of Parliamentary matters, whose vast knowledge of law, we all want to derive benefit from. But although we find our venerable Rai Bahadur has taken his stand four times to-day, he has never given us the benefit of his erudition on previous days. It is also gratifying to find that my

hon. friend Mr. Mookerjee, the Tea Planter, has been converted into a constitutional lawyer (*laughter*). Like an amateur he has to-day dabbled in the expert's sphere, but I must say he has hopelessly failed. Sir, let me repeat that I stand by every sentence and word of the quotation that he has read out to the House and I stick to the replies that I have given in answering the question from the Chair in December last. Let me say again that even now, I am of the same opinion and I think that the Secretary of State should have come to a decision earlier and given a clear verdict whether he is going to abolish any of the two Commissioners. Therefore, I did not move the demand and I have not given any advice to His Excellency. His Excellency had his orders from higher quarters and had come up before you first in the shape of a Message and again by requesting one of my hon. Colleagues to move it in the House, as you, Sir, ruled that the matter cannot be discussed by the House until it is moved. It is only to give this House an opportunity to vote on it that it has been formally placed before the House. So far as the Ministry is concerned, they are not going to vote for this supplementary demand.

Mr. BAIDYANATH MOOKERJEE: On a point of personal explanation, Sir, it is true that I represent the Surma Valley Indian Tea Planters. But I can say to the Hon'ble Chief Minister for his information that I read law at least for an equal number of years as the Hon'ble Chief Minister.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: But has not practised.

Mr. FAKHRUDDIN ALI AHMED: May I ask one thing to the Hon'ble the Chief Minister, Sir? Last time when the supplementary demand for Commissioners' establishment was placed before the House, the Hon'ble Chief Minister had given us the assurance that the Commissioners' staff will be dispensed with. May I know Sir, if he has passed orders for dispensing with the services of the Commissioners' staff?

The Hon'ble the SPEAKER: The hon. member can very well infer.

Babu RABINDRA NATH ADITYA: To whom are we to give this grant Sir, to the Hon'ble the Chief Minister or to His Excellency the Governor?

The Hon'ble the SPEAKER: Why is the hon. member asking this question? It is stated in the grant—"To the Minister in charge".

The question is that an additional sum of Rs.14,000 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head—"25.—General Administration."

The motion was lost.

27.—ADMINISTRATION OF JUSTICE

The Hon'ble Maulavi ABDUL LATIF CHAUDHURY: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs 2,500 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending on the 31st March, 1938, for the administration of the head—"27.—Administration of Justice."

Rs.

Grant originally passed by the Assembly	...	...	Rs. 6,88,200.
Sub-heads under which the supplementary demand will be accounted for by the Departments of the Administration of Justice.			
E.—District and Sessions Judges—			Rs.
1. Pay of officers (voted)	...	...	2,500

The motion was put and agreed to.

The Hon'ble the SPEAKER: Because the time limit has been reached, I am putting all the demands from the Chair.

29.—POLICE

The Hon'ble the SPEAKER: The question is that an additional sum of Rs.797 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending the 31st March, 1938, for the administration of the head "29.—Police".

The motion was agreed to.

37.—EDUCATION (OTHER THAN EUROPEAN)

The Hon'ble the SPEAKER: The question is that an additional sum of Rupees five only be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending on the 31st March, 1938, for the administration of the head "37.—Education (other than European)".

The motion was agreed to.

38.—MEDICAL

The Hon'ble the SPEAKER: The question is that an additional sum of Rs.5,224 be granted to the Governor to defray certain charges which will come in the course of payment during the year ending on the 31st March, 1938, for the administration of the head "38.—Medical."

The motion was agreed to.

47.—MISCELLANEOUS DEPARTMENTS

The Hon'ble the SPEAKER: The question is that an additional sum of Rs.6,772 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending 31st March, 1938, for the administration of the head "47.—Miscellaneous Departments."

The motion was agreed to.

50.—CIVIL WORKS—TOOLS, PLANT AND ESTABLISHMENT CHARGES

The Hon'ble the SPEAKER: The question is that an additional sum of Rs.3,200 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "50.—Civil Works—Tools and Plant and establishment charges".

The motion was agreed to.

54-A.—FAMINE RELIEF

The Hon'ble the SPEAKER: The question is that an additional sum of Rs. 29,100 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "54-A.—Famine Relief."

The motion was agreed to.

56.—STATIONERY AND PRINTING

The Hon'ble the SPEAKER: The question is that an additional sum of Rs.25,100 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending on the 31st March, 1938 for the administration of the head "56.—Stationery and Printing."

The motion was agreed to.

57.—MISCELLANEOUS

The Hon'ble the SPEAKER: The question is that an additional sum of Rs.3,39,000 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "57.—Miscellaneous".

The motion was agreed to.

The Hon'ble the SPEAKER: This disposes of all the supplementary demands.

Demands for grants

GRANT NO. 20

(41.—VETERINARY)

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.1,55,400 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 head "41.—Veterinary".

The Hon'ble the SPEAKER: The motion moved is that a sum not exceeding Rs.1,55,400 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 head "41.—Veterinary".

Srijat KAMESWAR DAS: I beg to move, Sir, that the provision of Rs. 59,756 under Grant No. 20, Major head—41.—Veterinary, Minor head—A.—Superintendence (total), at page 158 of the Budget, be reduced by Rs. 100, i. e., the amount of the whole grant of Rs. 1,55,400 do stand reduced by Rs. 100.

Sir, my intention in moving this motion is to raise a discussion over the question of having special pay in addition to substantive pay by certain Government officials. While I raise this discussion as to the desirability of having special pay under this head, my ideas and objections apply equally to all other departments under the administration. From the budget we see that there are different kinds of pay, called special pay, personal pay and over-seas pay. Of course, as regards over-seas pay the House has nothing to do as the expenditure is shown as charged. As regards personal pay and special pay, the House is competent enough to have its say. This special pay, Sir, is not confined to particular localities such as the hill areas or to the valleys or to any particular district. We see there are special pays all over Assam, attached to particular posts and persons. We see also that there are fixed monthly amounts of special pay or personal pay with scales thereof here and there. In certain cases we see one person enjoying as many as three different pays, e.g., substantive pay, over-seas pay and special pay.

Government servants, as I understand, are required to perform all sorts of duties that may be entrusted to them and which they are capable of doing.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: If my hon. friend thinks that there is any officer in the Veterinary Department drawing over-seas pay, I can at once tell him that there is no such officer at present.

Srijat KAMESWAR DAS: Sir, while I discuss the question of these kinds of pays under this motion, my ideas and objections also apply to other departments. So, I make mention of the over-seas pay here.

I do not understand, Sir, what is the implication of this special pay. If special pay is meant for specific duties to be performed within definite periods, then I do not understand why there should be any recurring special pay, or its scales extending over from year to year. Sir, by doing special duties the Government servants are bound to take some portions of their time which they are expected to devote to their ordinary duties and to that extent their ordinary duties suffer. We are having a deficit budget and there are complaints all round that the grades of even the substantive pay are already very high at least so far as some posts are concerned. It is in the fitness of things, therefore, that we should know all the implications of special pay. Under this Department we see there are 16 reserve stationary and staff Veterinary Assistants whose substantive grade is from Rs. 50 to Rs. 150. Out of these Assistants two are getting Rs. 30 each as special monthly pay and nine Rs. 10 each as such. Of the seven clerks whose substantive pay is from Rs. 35 to Rs. 200, one is getting a special monthly pay of Rs. 20 in addition to his substantive pay. Sir, I oppose this principle of giving special pay in addition to substantive pay especially in the present financial position of the province. If it were only in cases of officers having a pay of Rs. 100 or under, some of us might, however, tolerate that. But, Sir, when all officers high or low are getting special pay, and specially when we find that higher the officers, the higher their special pay, I strongly urge on the Government to do away with any form of special pay specially to the higher grade officers. With these observations I commend my motion to the acceptance of the House.

The Hon'ble the SPEAKER: The motion moved is that the provision of Rs. 59,756 under Grant No. 20, Major head—41.—Veterinary, Minor head—A.—Superintendence (total), at page 158 of the Budget, be reduced by Rs. 100, i. e., the amount of the whole grant of Rs. 1,55,400 do stand reduced by Rs. 100.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: Sir, the hon. member said that his motion refers to all the departments. For the moment we are concerned only with the Veterinary Department which we are discussing now. In this Department there are only two posts for which there is a special pay of Rs. 30 and for nine posts there is a special pay of Rs. 10 each. With regard to the two posts for which there is a special pay of Rs. 30, these are the posts of Veterinary Assistant Surgeons at Silchar and Gauhati. These two officers get these special pay in lieu of ordinary allowance. Both of them are competent officers and in addition to their ordinary duties, in case of epidemics, they are to go to other areas to supplement work done by the other officers.

Srijat KAMESWAR DAS: Is not travelling allowance of officers and establishments provided for in the budget?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: They are given special allowance because they have to do extraordinary arduous duties in case of epidemics. I understand that the Retrenchment Committee is

তাৰ পাছত এই Veterinary বিভাগৰ Superintendentৰ pay সম্পৰ্কে মই কওঁ যে Veterinary বিভাগ ৰে অৱশ্যেই আক কামও শুকুৰ। অত্যাঁত Heads of the Departments এ নি দৰ্শনা লয় সেইবিলাক বাস্তবকৰেই বহু বেছি দৰ্শনা। Veterinary Superintendent এ এনেকুৱা আবশ্যকীয় কাম যদি কম দৰ্শনাত কৰিব পাৰে তেন্তেই অত্যাঁত Heads of the Departments এ সেই দৰ্শনাত কাম কৰিব নোৱাৰিব কিয় ? মই এতিয়াকৈ কথাকৈ দোৰ এই cut motion সভাৰ আগত দাঙ্গি ধৰিলোঁ।

The Hon'ble the SPEAKER: The motion moved is that the provision of Rs.59,756 under Grant No. 20, Major head—41.—Veterinary, Minor head—A.—Superintendence (total), at page 158 of the Budget, be reduced by Rs.100, i. e., the amount of the whole grant of Rs.1 55,400 do stand reduced by Rs.100.

Babu HIRENDRA CHANDRA CHAKRAVARTY: Sir, I tabled a cut motion which is No.4. This also refers to the inadequate provision of Veterinary staff. May I therefore speak on this motion Sir? In the last Budget Session also I referred to the fact that there is necessity for a second Veterinary Assistant Surgeon at Hailakandi. I expected that since then Government would take some action for the entertainment of a second Veterinary Surgeon. I do not know if Government has done anything in the matter. Since the flood of 1929 our area has become the hot bed of cattle diseases. Hundreds of cattle are dying every year. There is only one Veterinary Surgeon. He has to attend the Dispensary in the head quarter and also to go to the villages. He has to do the injection work and also other works. In the circumstances it is impossible for him to render any service to the satisfaction of the people. The Local Board also approached Government for a special grant of Rs.1,000. They agreed to supply peons and other things. But to our misfortune Government has not granted our prayer. So if this department has to do any work there, another Veterinary Surgeon should be appointed immediately. Otherwise there is no need to keep one whose services are not being appreciated by the people, in spite of the very good work he is doing. With these words I support the motion of my friend and I hope Government will provide funds for a second Veterinary Surgeon at Hailakandi.

Srijut LAKSHESVAR BORODAH: Sir, I shall only take two minutes. I had a cut motion in my name and I think, I can speak on this motion. I endorse every word of what my hon. friend Srijut Haladhar Bhuyan has said. I take this opportunity to bring to the notice of the Ministry the condition of my subdivision. Last time I referred to the same matter in the hope that it will be looked into, but I regret nothing has been done. The area in my district is 2,072 square miles with about 1,874 villages. In this area there are only two Veterinary Surgeons one of whom has to traverse 1,761 square miles and look to the needs of about 1,147 villages. I think the position of these unfortunate persons is really pitiable. Besides all these they have got to minister to the needs of polo ponies of tea planters and of the horses of the Assam Valley Light Horse. Therefore, I request the Hon'ble Minister that in order to relieve the poor persons another Veterinary Surgeon may be appointed at Dibrugarh.

Maulavi BADARUDDIN AHMED: Sir, in the Mangaldai subdivision the number of Veterinary Surgeons are two and the area in which each of them has to work is very big. On behalf of the immigrants a petition was submitted to the Government to open a Veterinary Hospital in the immigration area. I hope the Hon'ble Minister in charge will look to this.

Maulavi MUHAMMAD AMIRUDDIN: Mr. Speaker, Sir, in the district of Nowgong, from the town proper up to the distance of about 50 miles in the west over some six Mauzas there is not a single Veterinary Dispensary. Moreover these Mauzas are very thickly populated and they greatly contribute towards the financial development of the district. In view of the absence of any Veterinary Dispensary, I beg to draw the attention of the Hon'ble Minister-in-charge to be pleased to locate one in a suitable central place near about Moirabari which is the middle place of all the Mauzas.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: Sir, I do not deny that the staff of the Veterinary Department is quite insufficient. When epidemic breaks out in several localities simultaneously our staff is not enough to cope with the work. In this year's budget we have made provision for two more extra Veterinary Assistant Surgeons and some of our students are under training in the Veterinary College. Sir, difficulty in regard to the recruitment of the Veterinary Assistant Surgeons is this that enough men either native or domiciled in this province with the training of Veterinary Assistant Surgeons are not available. I do not think the House would like the recruitment from outside the province. As regards the suggestion which has been made by my hon. friend Srijut Haladhar Bhuyan, regarding the training of Compounders, we shall examine that suggestion and see how far it is practicable to give effect to it.

Babu HIRENDRA CHANDRA CHAKRAVARTY: On a point of information. Is it a fact that some Veterinary Assistant Surgeons who are native of this province have been employed in other provinces?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: It may be, Sir. People of this province might have gone to many other provinces.

Babu HIRENDRA CHANDRA CHAKRAVARTY: Will Government be pleased to recall them to our province?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: If all the hon. members want to recruit people from outside and not to give training to our own people (*A Voice*.—Surely not) then we shall consider that question. Now Sir, there is a demand for Veterinary Assistant Surgeons for Hailakandi, North Lakhimpur, Nowgong and Mangaldai. Sir, we have received applications from the Local Boards of North Lakhimpur, Golaghat and Goalpara asking to supply each of them with extra Veterinary Assistant Surgeons. (*A voice*.—Why not Dibrugarh?). The arrangement for meeting the expenses and pension charges of the Veterinary Assistant Surgeons working under Local Boards is as follows.—The Local Boards pay two-thirds of the pay and pension charges of the Veterinary Assistant Surgeons and Government make contribution to the remaining one-third plus Rs.50 for the purchase of serum and other appliances. When there is an attack of epidemic anywhere Government supply serum vaccine and instruments. Besides this Government maintain two Inspectors and a Superintendent. While some of the Local Boards have asked for more Veterinary Assistant Surgeons, the Sunamganj Local Board has asked for the abolition of the post from that subdivision. Now Sir, the dual control of Veterinary Assistant Surgeon is not quite satisfactory. The question whether the Veterinary Assistant Surgeons should be brought entirely under the control

Sir, this is only one of the typical instances in what a miserable plight the village co-operative credit societies have fallen now. Sir, this naturally leads me to discuss the general principles of the Co-operative Department. The defects of the existing system were clearly shown by Sir Edward McLagan in 1915, in his report but we are sorry our Government have taken no action on that. The Royal Commission on Agriculture also referred to the neglect of the wise precautions recommended by the McLagan Committee, but they were not attended to. It is well known to the hon. members that there are sham and bogus committees everywhere in consequence of the indiscriminate floatation of societies by the organisers. The Oakden Committee in the United Provinces in 1925 also remarked that there were a number of sham committees in the villages of the United Provinces. The defects of our societies are due to lack of training and understanding of co-operative principles and to the defective audit system. In this connection, I may tell the hon. House that the Central Banking Company also recommended for special district unions for audit supervision and inspection. Unless these things are referred to some administrative agency, there is chance of over-lapping of activities. Then, there should be proper enquiry into the needs of co-operative finance of the members and their paying capacity. Unless this is ascertained, simply giving loans without any consideration of the total financial liabilities does not go to relieve the distress and the object for which the co-operative credit system is intended is defeated. Then, there is the inclination, dilatoriness and inadequacy of co-operative finance. If a man takes a loan of Rs.500 from a co-operative society, he is debarred from taking any further loan, whereas we know that members require money from time to time to meet the seasonal demands of cultivation. So, Reserve Bank should provide agricultural finance at cheaper rates for longer periods and cash credit system should be introduced in Co-operative Banks. This simplifies the question of time and procedure for the grant of a loan. The technical procedure that is followed in considering a loan application is to some extent responsible for the unpopularity of the movement.

As regards the inadequacy of co-operative finance, I have already said that unless a proper account is taken as to the total indebtedness of the intending borrowers, and arrangement made to grant him a loan big enough to wipe out his past liabilities and to enable him to give a fresh start in life, there is no redeeming him and no real relief granted to him.

I may be permitted to put some demands which may be considered by the Co-operative Department. The first is that the Reserve Bank should provide finance at cheaper rates for long periods. We have been disappointed to find from the latest report submitted by the Reserve Bank that agricultural finance would not be a practical proposition with them. The second demand is that cash credit facilities should be provided in Co-operative Banks. The third demand is that Inland exchange business may be recognised as a legitimate part of the functions of Co-operative Banks. The fourth is that cheap capital should be provided in rural areas for the establishment of godowns for the storage and marketing facilities of agricultural produce. I have drawn attention to this in my budget speech last year. Apart from these Co-operative Societies there should be a simultaneous growth of the co-operative non-credit societies in villages. In this connection I have been allured into narrating some grievances about some rural societies in Nowgong. My hon. friend Sriyut Mahi Chandra Bora tells me that in the Demou Gaolia Bank some of the debtors paid up their liabilities to the President of the Bank, but after a time the President was convicted for misappropriation, but now execution is pending against those who

have already paid up their liabilities. I am told they submitted representations to the authorities and also to the Hon'ble Minister in charge, but they have been to no avail. Unless these demands are given effect to we cannot expect to get much benefit from these co-operative societies.

Sir, yesterday, and even to-day, we find from the speech of the Hon'ble Minister for Co-operative and Agriculture that he has got practically nothing to improve upon the policy enunciated by the previous Government. Sir, Mr. Hockenull has always advised us to keep patience and to give a chance to the new Ministers and to see how they fare in the end. But this is why we naturally feel disappointed when we see that the Hon'ble Minister for Co-operative and Agriculture is quite content to follow the beaten track of the old Government and not to chalk out a new policy for himself. We are still struggling in the same darkness as before.

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.8,350 under Grant No. 21, Major head—42.—Co-operative Credit, Minor head—A.—Superintendence, Sub-head—1.—Pay of Officers, Detailed head—Assistant Registrars, at page 162 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.97,900 do stand reduced by Rs.100.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Mr. Speaker, Sir, I have only a few remarks to make. I pointed out in my budget speech, and the Hon'ble Finance Minister also said while presenting the budget that there are defects in the system of co-operative societies. Sir, this Department was inaugurated only for the benefit of the cultivators, but it is seen that this Department instead of doing benefit sometimes brings ruin upon them. In some places we find that the cultivators think that individual *mahajans* are better than the co-operative banks because from the *mahajans* they get some sympathetic treatment while the banks are very unfeeling and cruel in realising their money. I may cite an instance. In my constituency there is a co-operative society in Dakshinkul near Tahirpur. The members of this society are all poor people and they have ruined themselves by borrowing money from Co-operative Bank. They applied to Government more than once for remedy but they did not get any relief as the rules did not allow the officers to give any relief to the poor fellows. So, Sir, these banks are practically doing no good to poor agriculturists. My humble suggestion is that Government should see whether agricultural banks can be established in rural centres. These banks will advance money to the agriculturists at cheap rates on long terms, and in such manner that the cultivators can clear up all their debts at a time, otherwise they will have to take loans first from the co-operative bank to pay up part of their debts and then from *mahajan* again to pay up their debt to the co-operative bank and in this way they will become more and more encumbered instead of paying up their debts. So I think that the proper time has come for the Government to make a thorough enquiry into the matter and see if they can do anything for these poor cultivators, or they can reform the societies. So far as I remember, the Banking Enquiry Committee put the extent of the indebtedness of the agriculturists of Assam at about 22 crores of rupees. This is not a matter of joke, but so far as I am aware the Government has done very little to help the poor agriculturists in order to relieve them from the burden of indebtedness. Therefore, Sir, my humble suggestion is that in order to relieve them of debt Government should either start agricultural banks in suitable rural centres or reform the societies on a sound basis in such a manner that the monied people can safely deposit their money with them (*Hear! hear!*).

Maulavi JAHANUDDIN AHMED: Sir, there are some defects in the Co-operative Department and I should like to point out these defects to the Hon'ble Minister in charge. Sir, this department was created to give some relief to the poor agriculturists from the hands of the *mahajans*. But, Sir, that object was not reached, because of the reason that this department realises loans that are advanced in coins. But our *mahajans* realise in kind. The poor agriculturists do not care much to pay their loans in kinds. So far as my experience goes, Sir, the agriculturists are quite ready to give even more in kind, than in coin. I should, therefore, like to suggest that this department should create some co-operative stores to realise loans from the poor agriculturists in kind. This is my suggestion and with these words I would like to request the Hon'ble Minister in charge to see to it if the system will be a successful one.

Srijut RAJENDRA NATH BARUA: Sir, I have a motion in my name, Motion No.2, and I take this opportunity to speak a few words.

The Hon'ble the SPEAKER: The hon. member will get only three minutes.

Srijut RAJENDRA NATH BARUA: I shall say a few words on the motion moved by my hon. friend Babu Rabindranath Aditya. Sir, I must say at the beginning that the Co-operative Department is the poorest nation building department which has been allotted a sum of only Rs.97,900; it is less than what is spent on His Excellency the Governor and his Military Secretary's staff on salaries and allowances. There are significant modifications to be made in the rules which are now prevalent in the co-operative movement. I would refer to rules 41 and rule 28, sub-rule(4). Rule 28, sub-rule(4) relates to suspension of the Managing Committees which can now be suspended by the Registrar. Sir, the affiliating societies, as a matter of fact, should have the right to suspend these Managing Committees as they are the societies which issue loans to the village banks. So rules may be made for the better management of these village societies to save them from stagnation and to stir them to activity and that the affiliating societies should have the power which is now possessed by the Registrar because one who pays the piper should have a right to call for the tune. The decision from the Registrar, as a rule means delay. Again, Sir, in rule 41 we find the cancellation of the registration of societies, that means the liquidation of the societies. I propose that simultaneous notices with the issue of notice of liquidation in the official Gazette should be given prohibiting alienations of properties (both movable and immovable) of the society liquidated and a penal clause should be provided for the prohibition of such alienations. What I mean to say is this. While liquidation is being made in a society it is generally seen that people get scent of it and make *benami* transactions, or they alienate their property so that they might cheat the liquidator or the creditor-banks. To counteract that, I think, if we simultaneously issue rules prohibiting alienation of property by such societies which are debtor societies then the purpose would be better served and the money of the creditor societies would be saved.

Sir, while congratulating Mr. Hockenhull on his speech of yesterday when he said that the Agricultural Department is a top-heavy Department, I cannot congratulate him when he said that the solution does not lie in decapitation. I may draw his pointed attention to the North-West Frontier Province where I find from a statement in the *Amrit Bazar Patrika* of the 24th February, that they are now contemplating to abolish the Director of Agriculture. I may read the relevant extract: "The Associated Press understands that the North-West Frontier Government has decided to abolish the Directorate of Agriculture. Lieut.-Colonel Noel, Director of Agriculture

and Allied Departments will be retrenched and the remaining staff, it is learnt, will partly be retrenched and partly be absorbed in the Secretariat."

The Hon'ble the SPEAKER: The hon. member should now finish.

Srijut RAJENDRA NATH BARUA: Yes, Sir. My point is this. The Co-operative Department is the poorest of the nation-building departments and they should be provided with funds that may be saved by decapitating the unwanted Heads of the Departments. If we do so I expect we will readily get many lakhs of rupees for this Co-operative Department. I may say that the Director of Agriculture, the Deputy Directors of Agriculture, the Economic Botanist, the Marketing Officers, the Commissioner of Excise and so forth are all so many ornamental figures without much work. With these words I support the motion of the mover.

The Hon'ble the SPEAKER: Order, order, the Hon'ble Minister will now reply.

Maulavi ASHRAFUDDIN MD. CHAUDHURI: (Rising to speak).

The Hon'ble the SPEAKER: No, there is no time. The Hon'ble Minister should reply now.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: Sir, criticisms have been made against the department that there has been deterioration in the co-operative movements in this province. I agree with the criticism. It is an undoubted fact that the co-operative movement has deteriorated in this province (*Hear! hear!*). But, Sir, this department is not responsible for this deterioration. I shall explain why. It is mainly the economic depression that has hit hard the rural co-operative societies and it has shaken them to their very foundation. One of the main defects, as has been pointed out by my hon. friend Babu Rabindranath Aditya, is that there was a lack of knowledge of co-operative principles among the members of the village societies. The hon. member has made mention of the Report of the McLagan Committee and the Co-operative movement in India is based on that report. Our rural credit societies are based on "Raffelsen" model. McLagan Committee says in their report that for the success of rural credit societies we must find a "Raffelsen" in every village. By this they mean that in every village there should be public spirited people who understand the spirit of co-operation and instil the same spirit in the minds of the villagers, the spirit on which the co-operative movement is based. This educative propaganda did not precede the formation of societies and that was the main weakness in our formation of the rural societies. But the department has also been handicapped for want of staff. The Punjab is very much ahead of all the other provinces in co-operative movement. There they have for every 22 societies one Inspector or Sub-Inspector of co-operative societies. Here in Assam we have got one Inspector for every 90 societies. Besides that, in other provinces like Bombay, Madras, the Central Provinces there is a separate audit staff for doing the audit duties. In Assam there is no separate staff. It is the Inspectors who have to do all the audit work, who have to realise all the arrears from the rural societies and who have to do all the liquidation work and many other kinds of work. Being burdened with all these duties, Sir, it is not possible for them to look into the organisation of the societies as much as they should. There are Inspectors who have got over 100 societies in their charge and it is not possible for them to inspect every society under their charge as thoroughly as they should. Government is

considering the question of providing a separate audit staff, so that the Inspectors will be free to do more of propaganda and educative work. I hope if an audit staff is appointed, there will be appreciable improvement in the work of the societies. Just at present the Co-operative Department is not concerned with increasing the number of societies. We are now concerned more or less with consolidating the position so far won. The work of re-organising the societies has been taken up by the department in right earnest.

I understand that my predecessor in office had assured the House that the Government would appoint a committee of enquiry to go thoroughly into the matter of reorganising the co-operative societies. The Hon'ble Chief Minister also tells me that we are going to have an enquiry committee with the object of enquiring into the defects of the movement and finding a solution to them. I hope when the committee is appointed and a thorough enquiry is made into the defects of the co-operative movement in this province there will be found solutions for the removal of those defects.

My hon. friend Mr. Rajendra Nath Barua has made some suggestions with regard to rules 28 and 41. I can assure him that we shall examine these rules and see how far his suggestions can be accepted.

My hon. friend Maulavi Muhammad Maqbul Hussain Chaudhury referred to the question of starting agricultural banks in rural areas. So far as agricultural banks are concerned, if there are joint stock banks this is not the business of the Co-operative Department. If he means by these banks co-operative banks, then I may tell him that our rural societies serve the purpose of co-operative banks in rural areas, and there are over 1,000 rural societies in this province.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: May I know, Sir, how many of them are under liquidation?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: I think, as many as 79 of them have gone into liquidation last year and we are going to weed out the bad societies so that the good ones may improve.

The Hon'ble the SPEAKER: The question is that the provision of Rs.8,360 under Grant No.21, Major head—42.—Co-operative Credit, Minor head—A.—Superintendence, Sub-head—1.—Pay of Officers, Detailed head—Assistant Registrars, at page 162 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.97,900 do stand reduced by Rs.100.

The motion was lost.

The Hon'ble the SPEAKER: The question is that a sum not exceeding Rs.97,900 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—“42.—Co-operative Credit”.

The motion was agreed to.

GRANT No. 23

(47.—MISCELLANEOUS DEPARTMENTS)

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.91,600 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 “47.—Miscellaneous Departments”.

The Hon'ble the SPEAKER: The motion moved is—that a sum not exceeding Rs.91,600 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 “47.—Miscellaneous Departments”.

Srijut OMEO KUMAR DAS: I beg to move, Sir, that the provision of Rs. 37,725 under Grant No.23, Major head—47.—Miscellaneous Departments, Minor head—A.—Inspector of Factories (total), at page 172 of the Budget, be reduced by Rs.2, i.e., the amount of the whole grant of Rs.91,600 do stand reduced by Rs.2.

In this connection, I beg to bring to the notice of this House and the Hon'ble Minister in charge about the objections raised by the Tezpur Municipal Board regarding the Tezpur Electric Draft License in a meeting of the Board held on the 11th February last. They want the area of the supply to be extended. All the roads, lanes, paths belonging to and vested in the Municipal Board and the road from the Municipal boundary to the pumping station (in view of the fact that the area will soon be included in the Municipality) should be added to the area defined in the Annexure 1 to clause 4 (1) of the Draft License.

Sir, they object against the rates. The Tezpur Electric Supply Company having been established more than 23 years ago, their objection is not inequitable. The rate according to the draft license is 8 annas per unit for domestic purposes and they want it should be lowered to annas 5 with one anna rebate for unit metered and Re.1 only per 20 watt lamp per month, against the present Re.1-12; for fans 4 annas per unit metered and a flat rate for light and fan combined, annas 4 per unit metered. For motors, for each installation having motors whose brake horse-power does not exceed 1 B. H. P. they want the rate of annas 3 per unit metered; and for each installation having motors whose brake horse-power exceeds 1 B. H. P. annas two and pice six only per unit metered. For industrial purposes their suggestion was—for each installation having motors in which brake horse-power does not exceed four annas three pies per unit metered; for each installation having motors in which brake horse-power exceeds four but does not exceed fifteen—annas two and pies six per unit metered; and for each installation having motors in which brake horse-power exceeds fifteen—annas two per unit metered. They urge that there should be no separate monthly charge for industrial purposes in any case.

Then again for heating, cooking, refrigerating, etc. they suggested annas three per unit metered, and said that a rate should be fixed for energies supplied to theatres and cinemas which in the opinion of the Board should be specially embodied in the License at a rate of annas three per unit metered without any additional charge for supply of energies throughout the twenty-four hours of the day. So far for the rates.

In the report of the working of the Indian Electricity Act in Assam for the year 1936, I find that “substantial increase in the rebates have been given in the past twenty months by the Shillong License, and are being arranged in the re-constituted Jorhat, Dibrugarh and Tezpur licenses and in the application for the Dhubri license.” But I find no arrangement is being made in the draft license for the increase in the rebates.

Regarding clause 8 of the Draft License, the Municipal Board has objected that it should be as follows:—

“The option of purchaser given by sub-section (1) of section 7 of the Act shall first be exercisable on the expiration of 15 years from the date of notification of this license and on the expiration of every subsequent period of 5 years. The percentage to be added on account of compulsory

purchase to the value (as determined in accordance with and for the purpose of sub-section 1 of section 7 of the Act) of the lands, buildings, works, materials and plants of the licensee shall in accordance with the second proviso of the said sub-section be five per cent.

The generating station to be used in connection with the undertaking shall not form a part of the undertaking for the purpose of purchase.

The following be added to clause 8 of the Draft License as the Board considers that proper valuation will not be possible in future in the event of the licensee's possessing side-business along with their electrical business at present:—

'That a valuation shall be made of all lands, building, works, materials and plants belonging to the licensees solely used for the electrical purposes by a competent authority in consultation with the Municipal Board before granting the license.'

It should also be embodied in the License that the Municipal Board shall receive a deduction of Rs. 3,000 paid as lump sum contribution to the Tezpur Electric Supply Company on 14th October 1933 for the extension of their lines within the Municipality and one-third contribution of the estimates paid after 1st April 1933 from time to time for extension of their lines within the Municipality in the event of the Board's exercising the option of purchase.

Then paragraph 4 of clause 7 of the Draft License be re-written as follows:—

'For industrial purposes electrical energies shall be supplied throughout the twenty-four hours of the day'

Proviso to clause 7 be deleted.

To clause 10 of the Draft License the following addition be made after the word "appointment":—

'At terms and conditions of service and scales of pay approved by the Local Government preference to be always given in matters of service to the natives or domiciled of the province'

The following new clauses be added to the Draft License:—

(i) A schedule of rates for wires, fittings, meter testing, connecting and disconnecting mains, meter rents, repairs and all other works necessary for the purposes of supplying energies to the consumers be prepared and approved by the Municipal Board.

(ii) The License shall not affect the agreement entered into by the Tezpur Municipal Board and the Tezpur Electric Supply Company.

These are the objections of the Tezpur Municipal Board regarding the Draft License and I ask the Hon'ble Minister in charge to take these objections into consideration and give the rate-payers of Tezpur Municipality the amenities they have asked for using electricity for lighting their houses and for industrial purposes.

The Hon'ble the SPEAKER: The motion moved is that the provision of Rs. 37,725 under Grant No. 23, Major head—47.—Miscellaneous Departments, Minor head—A.—Inspector of Factories (total), at page 172 of the Budget, be reduced by Rs. 2, i.e., the amount of the whole grant of Rs. 91,600 do stand reduced by Rs. 2.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: May I enquire of the hon. mover what is present rate or if there is any rebate?

Srijut OMEO KUMAR DAS: Annas 8 and no rebate.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Is anything charged for the meter?

Srijut OMEO KUMAR DAS: Yes.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Whether any separate charge over and above this 8 annas is made for the hire of meter?

Srijut OMEO KUMAR DAS: Yes.

Srijut MAHADEV SARMA: সভাপতি ভাৰৱীয়া, মই প্ৰধান মন্ত্ৰী ভাৰৱীয়া ক এই বিষয়ে আৰু এটা উদাহৰণ দিব পাৰোঁ। সম্ভৱতঃ তেজপুৰ বান থিয়েটাৰ পাৰ্টিৰ বছেৰেকীয়া অধিবেশনত Electric Supply Companyৰ বেট্‌ সম্বন্ধ আলোচনা হৈছিল। তাত মই উপস্থিত আছিলোঁ। তেওঁলোকে পাৰ্টিৰ থিয়েটাৰ হবব দিনা বাতি মিটাওঁত যি ইণ্টেনিট উঠে তাৰ charge লোৱাৰ উপৰিও থিয়েটাৰ হলে প্ৰতি বাতিৰ কাৰণে উপৰুৱা ১০ চাৰ্জ কৰে। আগেয়ে ২৫ টকাকৈ লৈছিল। এইটো এটা অনিয়ম নহয়নে? আৰু এটা কথা Municipal areaৰ ভিতৰত যদি light দিয়া হয় সেইটো যেন সকলো ঠাইতে সমান ভাবে দিয়া হয় সেইটো চাব লাগে। মই জানো সেই বান থিয়েটাৰ পাৰ্টিয়ে নিৰ্ভৰ থকাৰ connection আনিব লগা হোৱাত সেই partyৰ প্ৰায় ১,০০০ টকা খৰচ হৈছে। কৰণ Municipalityৰ ভিতৰত হলেও বি বাস্তাত থিয়েটাৰ বৰ সেইটো compulsory road নাছিল। সেই নিমিত্তে আমি বিবেচনা কৰোঁ যে license দিয়াৰ আগতে যাতে Municipalityৰ ভিতৰত সকলো ঠাইতে connection পাব পাৰে আৰু আধিক্য charge নলয় এই এটাই বিলাক কথা গভৰ্ণমেণ্টে বিবেচনা কৰে।

The Hon'ble Babu AKSHAY KUMAR DAS: Mr. Speaker, Sir, the Government as the largest consumer is more interested in this matter than any one else. Government at the same time has to see that the electric licensee gets a fair play. The rates for energy must be sufficient so as to allow the licensee to carry on his business well and to keep the reserve for the maintenance of the good condition of the machinery, otherwise the concern might go bankrupt and the public will be deprived of light and power.

Babu RABINDRA NATH ADITYA: Does the Hon'ble Minister know what is the charge per unit in Mysore and Madras?

The Hon'ble Babu AKSHAY KUMAR DAS: The greater the number of consumers the lower the charges are likely to be. I can say this much before the Hon'ble House that due weight will be given to the representation received and suggestions made by the hon. mover and Government will take all these into consideration before they finally decide the question of granting a fresh license.

Babu RABINDRA NATH ADITYA: Has the Government any hydro-electric scheme for Assam?

The Hon'ble Babu AKSHAY KUMAR DAS: No, Sir.

Srijut OMEO KUMAR DAS: In view of the assurance given 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 SIDDHI NATH SARMA: Sir, I beg to move that the provision of Rs. 6,000 under Grant No. 23, Major head—47.—Miscellaneous

Departments, Minor head—E.—Preservation and translation of ancient manuscripts (total), at page 173 of the Budget, be reduced by Rs. 2, i.e., the amount of the whole grant of Rs. 91,600 do stand reduced by Rs. 2.

The object of moving this motion is to criticise the inactivity of Government in this direction.

Sir, the ancient manuscripts are the record of our past civilisation and culture of a nation. They deserve preservation and protection and should be made available to the public. I find in the budget that there is only a provision of Rs. 6,000. With this Rs. 6,000 it is not possible to preserve the manuscripts and translate and publish them into our modern language. I suggest that more provision be made in the future so that these manuscripts can be well preserved and translated into the modern language and may be made available to the public.

The Hon'ble the SPEAKER: The motion moved is that the provision of Rs. 6,000 under Grant No. 23, Major head—47.—Miscellaneous Departments, Minor head—E.—Preservation and translation of ancient manuscripts (total), at page 173 of the Budget, be reduced by Rs. 2, i.e., the amount of the whole grant of Rs. 91,600 do stand reduced by Rs. 2.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, of all the cuts that we have been dealing with in this House, I feel that although the sum concerned is only Rs. 2, it is the unkindest cut of all, for the Assam Government have been doing their level best, not from now, but from about the year 1910, to preserve ancient *puthis* and historical records. My revered teacher late Srijut Hem Chandra Goswami was deputed specially for this purpose and he collected a large number of books and a catalogue is preserved in the Commissioner's office at Gauhati. When I was in charge of Education between the years 1924 and 1929 we gave a really more practical shape to this. The anxiety on the part of Government to preserve ancient manuscripts is evident owing to the fact of their instituting a Department of Historical and Antiquarian studies. The then Commissioner, Mr. Bentinck, was the President and Professor S. K. Bhuyan, now Rai Bahadur S. K. Bhuyan was the Deputy President and through the energy and persistence of these officers quite a large number of books have been published at Government expense. Owing to paucity of funds, we cannot do more. Rai Bahadur S. K. Bhuyan has gone to England for higher studies, and for specialising in researches of this kind and now the Principal of the Law College who is a great educationist is working in his place. This Department is publishing some of the old *buranjis* and other important books.

I hope on this statement the hon. mover will be pleased to withdraw the motion.

Srijut SIDDHI NATH SARMA: In view of this statement I beg leave of the House to withdraw this motion.

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

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

The Hon'ble the SPEAKER: The question is that a sum not exceeding Rs. 91,600 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 "47.—Miscellaneous Departments".

The motion was agreed to.

GRANT No.29

(57.—MISCELLANEOUS)

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. 3,32,300 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 '57.—Miscellaneous'.

The Hon'ble the SPEAKER: The motion moved is that a sum not exceeding Rs. 3,32,300 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 57—Miscellaneous.

Srijut KAMESWAR DAS: I beg, Sir, to move that the provision of Rs. 5,920 under Grant No. 29, Major head—57.—Miscellaneous, Minor head—E.—Petty Establishments, Sub-head—(b)—Other Petty Establishments (total), at page 194 of the Budget, be reduced by Rs. 100, i.e., the amount of the whole grant of Rs. 3,32,300 do stand reduced by Rs. 100.

I have tabled this motion to raise a discussion if Government have been able to secure contribution from the Central Government to the full extent of the cost of the Transport and Commissariat establishments in the Frontier Tracts.

I hope no technical objection will be raised by the Hon'ble Minister in charge on the ground that there is no votable amount shown under the Establishment of Transport and Commissariat. If I wish to confine my remarks to this establishment it is not to be understood however that we have nothing to say on other petty establishments. We are going to sanction more than Rs. 2,000 as pay of the contingency menials under Secretariat Hill Establishment and Ward Lake Establishment and it may well be said that these establishments may be possible to be amalgamated with advantage to the Provincial coffer. More than a lakh of rupees is being provided for under the Transport and Commissariat establishments as is shown in the Budget and Rs. 25,000 is being shown as contribution from the Central Government. There is of course Rs. 8,776 shown as probable savings. This amount might or might not be possible to be saved. So, over Rs. 90,000 has to be spent from the provincial coffers. I want to know what is the actual position with regard to these establishments where these establishments are mainly engaged and what proportion of them are engaged in the Frontier Tracts for the purposes of the Central Government and what proportions engaged in other hill areas administered under this Government and for its own purpose. I want to know if any part of the cost of the establishments engaged in the Frontier Tracts in excess of Rs. 25,000 is to be borne by the Provincial Government. To my mind the entire cost of the transport and commissariat establishments engaged in Frontier Tracts should be borne by the Central Government and no part of it should be borne by the Provincial Government, because I think the Frontier Tracts are maintained mainly in the interests of the imperial policy of the Central Government.

With these words I commend my motion.

The Hon'ble the SPEAKER: The motion moved is that the provision of Rs. 5,920 under Grant No. 29, Major head—57.—Miscellaneous, Minor head—E.—Petty Establishments, Sub-head—(b)—Other Petty Establishments, at page 194 of the Budget, be reduced by Rs. 100, i.e., the amount of the whole grant of Rs. 3,32,300 do stand reduced by Rs. 100.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, at the outset, I would like to point out that there is a printing mistake. The cut refers to page 194, but the subject matter is printed at page 193. A reference to the Budget will show that.

Srijut KAMESWAR DAS: I am obliged to my friend; but there is a reference at page 194 also.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: But the amount is on the other side. The Budget establishment under sub-head (b) starts on the page that I have referred.

I think the hon. mover of this cut has raised a very interesting point for discussion on the floor of the House. Most probably hon. members are aware that in this province, two such coolie corps for Transport and Commissariat establishments are maintained—one for the Lushai Hills for which the Central Government do not contribute anything, and the other for the Balipara and Sadiya Frontier Tracts. Before the inauguration of the Reform, the question was discussed with the Central Government by the then Government of Assam, but the Central Government agreed to bear the charges necessitated by the Transport establishment working to keep contact with the Battalions serving in the un-administered area, while all the expenditure on the administered areas will fall on the Provincial Government. On that basis, calculations were made by our Reform Officer and if I remember aright, Mr. Callaghan, the then Inspector-General of Police who had long worked as Political Officer in those areas and so had an intimate knowledge about the subject after discussions with the Political Officers of the two Frontier Tracts suggested a sum of Rs.25,000 as the amount spent by the Government of Assam in maintaining that portion of the establishment which supply rations in the unadministered area. This matter was again placed before the Otto Niemyer Committee who saw no reason to change the amount which was already fixed. It is impossible to say from the available figures what portion is actually spent for the administered area and unadministered area. I looked into the old records but I could not find any data by which this figure was arrived at. Unfortunately Mr. Mullan, our Reform Officer who is responsible for this figure of Rs.25,000 is no longer in this province. Now the matter has already been settled by the Niemyer award and I doubt whether any useful purpose will be served by going up to the Central Government to revise this figure. However, I can assure the hon. members that I am taking up the question with the Central Government for bearing the entire charge of Assam Rifles. If the Central Government be so pleased to accept our recommendation then this matter will automatically disappear. I have nothing further to add, Sir.

Srijut KAMESWAR DAS: In view of what I have heard from the Hon'ble Chief Minister, I beg leave of the House to withdraw the motion.

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

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

The Hon'ble the SPEAKER: There are four other cut motions but I think time will not permit us to deal adequately with any one of them. Is Babu Karuna Sindhu Roy going to move his motion?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir, he is absent.

The Hon'ble the SPEAKER: Srijut Siddhi Nath Sarma is may move his motion.

Srijut SIDDHI NATH SARMA: Mr. Speaker, Sir, I beg, to move that the provision of Rs.2,50,824 under Grant No.29, Major head—57—Miscellaneous, Minor head—1—Contributions, Sub-head—(a)—Contributions to Local Bodies, etc., (total) at page 194 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.3,32,300 do stand reduced by Rs.100.

(To raise a discussion for inadequacy of contributions to Local Bodies.)

Sir, contribution to Local Bodies is so meagre and inadequate that Government deserves nothing but condemnation (*laughter*). Sir, the present budget under General purposes Grant only provides Rs.1,77,209 for the Local Boards and Rs.67,290 for the Municipalities. The real need of the villagers is village sanitation, water-supply and medicines. Sir, as regards water-supply in Kamrup, I think any one who has any knowledge of the south bank will agree with me that water-supply in that locality is very scarce. During the winter season the women and children living on the bank of the Brahmaputra river have to go about a mile to get a pitcher of water. The northern bank along on the foot of the Bhutan Hill is inhabited by the tribal people and they have got no source of water-supply. The people of this locality have to take water from *Khals* and *beels*. Practically men and cattle drink water from the same contaminated source. So, Sir, better provision should be made for water-supply. Rupees 2,47,000 contributed by the Government of India for rural development has been appropriated in the general revenue. Sir, to-day we found from the newspaper that 3,000 wells have been provided by the Orissa Government.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Only one thousand wells, Sir.

Srijut SIDDHI NATH SARMA: No Sir, 3,000 wells have been provided. This Government instead of spending any money for water-supply from its own exchequer spend the whole amount contributed by the Government of India for other purposes. So, Sir, this Government deserves nothing but condemnation.

The Hon'ble the SPEAKER: The motion moved is that the provision of Rs.2,50,824, under Grant No.29, Major head—57—Miscellaneous, Minor head—1—Contributions, Sub-head—(a)—Contributions to Local Bodies, etc., (total) at page 194 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.3,32,300 do stand reduced by Rs.100.

Srijut DEBESWAR SARMAH: Sir, the Jorhat Local Board of which I happened to be a member, passed a resolution to the effect that the contribution to the Board is very inadequate particularly in the matter of education. They particularly enjoined upon me to press upon the Government for a bigger grant-in-aid. I now take this opportunity to impress upon the Government the necessity and urgency to allocate more grant to the Local Boards generally and Jorhat particularly. There is a very pressing need of the Jorhat Local Board particularly for the matter of expansion of education and nothing could be done in the direction for want of funds. So I hope Government will see its way to make some additional grants without delay.

Maulavi JAHANUDDIN AHMED: There is a proverb that God helps those who help themselves, and our Government says that they help those who help themselves. Sir, our district of Goalpara has shown the sign of self-help by raising our local rates and we hope Government will stick to their words in the matter of distribution of grants to Local Boards in the district of Goalpara so that they, i.e., Government help those who help themselves, (*Hear! hear!*).

Srijut PURNA CHANDRA SARMA: Sir, I only want to say that I join the chorus of condemning the Government for inadequacy of

their contribution to Local Bodies for the improvement of water-supply and doing other useful works for the people.

(At this stage the clock struck 6 p.m.)

The Hon'ble the SPEAKER: The question before the House is that a sum not exceeding Rs.3,32,300 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 "57.—Miscellaneous".

The motion was agreed to.

The Hon'ble the SPEAKER: The Assembly is adjourned till 11 a.m. on the 5th March, 1938.

Srijut GOPINATH BARDOLOI: Before we rise, Sir, may I make a reference ?

The Hon'ble the SPEAKER: I have adjourned the House.

Adjournment

The Assembly was then adjourned till 11 a.m. on Saturday, the 5th March, 1938.

*Shillong,
The 30th April, 1938.*

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