

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

The Assembly met in the Assembly Chamber, Shillong, at 11 a. m., on Saturday, the 6th December 1941.

PRESENT

The Hon'ble Mr. Basanta Kumar Das, Speaker, in the Chair, the ten Hon'ble Ministers, and seventy-eight members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

Introduction of uniform weights and measures

Maulavi ABDUL BARI CHAUDHURY† asked :

*46. (a) Is the Hon'ble Minister-in-charge aware that numerous systems of weights and measures are in vogue in the different parts of the province ?

(b) If so, what steps do Government propose to take for the introduction of one single weight of 80 tolas throughout the province ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

46. (a)—Yes.

(b)—A draft Bill has already been drawn up in consultation with the Legal Remembrancer, Assam and it is under further scrutiny of the Government.

Mr. N. DAWSON : Does not Government recognise the urgency of such a Bill ?

The Hon'ble Maulavi MUNAWWAR ALI : Government have realised the urgency of the measure, and have taken it up with all possible expedition.

Mr. N. DAWSON : May I know when it will be introduced ?

The Hon'ble Maulavi MUNAWWAR ALI : At the next Budget session, definitely.

Prisoners under the Defence of India Rules

Babu BIPIN BEHARI DAS asked :

*47. Will Government be pleased to state—

(a) The number of accused in the province under Defence of India Rules, showing the number of *Satyagrahis* among them separately ?

(b) How many of them were convicted ?

(c) How many of them were released by the higher court after being convicted by the lower court ?

† The question was put by Maulavi Abdur Rahman on authorisation, in the absence of the questioner.

(d) How many of the prisoners are released after the expiry of terms of imprisonment by this time ?

(e) The number of internees and security prisoners, if any, of the province under the Defence of India Rules ?

(f) How many of those belong to Surma Valley and how many to Assam Valley ?

*48. Will Government be pleased to state—

(a) The numbers and names of each class of prisoners convicted under the Defence of India Rules, and classified into 'A', 'B' and 'C' divisions ?

(b) The basis of such classifications ?

*49. Will Government be pleased to state the places of internments and names of internees and security prisoners of Surma Valley and Assam Valley separately ?

*50. Will Government be pleased to state the number and names of internees from the province showing in each case the names of particular areas wherefrom they have been interned ?

*51. Will Government be pleased to state—

(a) Whether the internees are given any monthly allowance ?

(b) If so, what is the rate per head ?

(c) How many of the internees applied for such allowance ?

(d) The names of recipients, if any, of such allowance ?

*52. Are Government aware of the fact that the internees have become an additional burden to their respective families for passing time without doing any work ? If so, what measure Government propose to take in that respect ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

47. (a)—The number of prosecutions under the Defence of India Rules from 1st January 1941 to 15th November 1941 was 474, including *Satyagrahis*, whose number cannot be given separately.

(b)—Convicted 382, including 274 *Satyagrahis*.

(c)—Six.

(d)—Three hundred and eight released, including 221 *Satyagrahis*.

(e)—There are no Security Prisoners in the province, nor has any person been interned, but 37 persons have been restricted to areas in Assam by orders of the Provincial Government.

(f)—Twenty-three to the Surma Valley and 14 to the Assam Valley.

Maulavi ABDUR RAHMAN : With regard to (e), the answer is "there are no Security Prisoners in the province, nor has any person been interned, but 37 persons have been restricted to areas in Assam by orders of the Provincial Government". May I know how they are styled ? Are they not styled 'internees' ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Yes, Sir, if they are circumscribed in particular areas, they are called internees.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

48. (a)—The up-to date numbers are not available but have been called for.

(b)—The hon. member's attention is invited to the reply given to unstarred question No. 115(a) asked by Babu Karuna Sindhu Roy at the last Budget Session.

49.—A list of those restricted to areas in the province is laid on the table.

**List showing names of internees and security prisoners of
Surma Valley and Assam Valley**

SURMA VALLEY	AREA TO WHICH RESTRICTED
1. Mahitosh Purkayastha	... } Village Baghbari Police Station Karimganj of Khasir Beanibazar Police Station. To report change of residence.
2. Jajneswar Das ...	...
3. Sukumar Nandi Majumdar	... Village Bejura, Madhabpur Police Station.
4. Ramendra Kumar Bhattacharjee	Ditto.
5. Gopendra Chandra Deb	... Village Abdakamal, Bahubal Police Station.
6. Sachindra Chandra Datta	... Within Maulvibazar Municipality.
7. Ashutosh Sen ...	... Within Sylhet Municipality.
8. Manik Lal Chaudhuri...	... Ditto.
9. Nibaran Chandra Datta	... Village Ishakpur, Jagannathpur.
10. Jitendra Kumar Bhattacharjee ...	Village Dhakadakshin, Golapganj Police Station.
11. Binay Lal Majumdar	... Within Sylhet Municipality.
12. Pranesh Chandra Biswas	... Within Chunarughat Police Station.
13. Suresh Chandra Deb ...	... In an area within a radius of 5 miles from Karimganj town.
14. Mahbubor Rob Chaudhuri	... Village Dalcherra, Patharkandi.
15. Satyabrata Datta ...	... Village Narpati, Chunarughat.
16. Digendra Nath Das Gupta	... Within limits of Balaganj Police Station.
17. Nikhilendra Mitra ...	... Within Habiganj Municipality.
18. Rabindra Nath Dam ...	... Village Sichni, Sunamganj.
19. Rajendra Nandi ...	... Village Sholaghar, Sunamganj.
20. Kiriti Bhusan Chaudhuri	... Within Biswanath Police Station.

ASSAM VALLEY	AREA TO WHICH RESTRICTED
21. Probadananda Kar ...	... Within municipal limits of Sylhet town.
22. Sachindra Roy Chaudhuri ...	... Village Sudarsanpur, Cachar.
23. Amiya Sindhu Ray ...	... Not to be in any place in the Khasi and Jaintia Hills district.
24. Nilmoni Barthakur ...	... Within limits of Dibrugarh Municipality.
25. Haridas Deka ...	... Within 1 mile of Gauhati town
26. Upendra Sharma ...	... Ditto.
27. Umakanta Sharma ...	... Ditto.
28. Harendra Kolita ...	... Ditto.
29. Bistoo Bora ...	... Within jurisdiction of Jorhat Police Station.
30. Gokul Chandra Medhi ...	... Within 1 mile of Gauhati Municipality.
31. Bhupendra Mahanta ...	... Ditto.
32. Kedar Nath Goswami ...	... Within Sonari Police Station area, Silaagar.
33. Prafulla Goswami ...	... Village Nalbari, Nalbari Police Station.
34. Khagendra Borboruah ...	... Village Borahibari, Anguri Police Station.
35. Hemanta Chakrabartti ...	... Within Dibrugarh Municipality.
36. Jyotirmoy Chakrabartti ...	... Ditto.
37. Dr. Binay Bhusan Chakravartti	Within Dibrugarh town.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

50—A list of those externed by orders of the Provincial Government is laid on the table.

NAMES OF PERSONS EXTERNED BY ORDERS OF THE PROVINCIAL GOVERNMENT

	From Assam
1. Sachindra Lal Singh	ditto
2. Umesh Lal Singh	ditto
3. Anantalal De	ditto
4. Hariganga Basak	ditto
5. Sushil Kumar Bhadra	ditto
6. Apurba Kumar Das	ditto
7. Abani Charan Das	ditto
8. Nilmoni Mukharji	ditto
9. Brajendra Chandra Chakrabartti	ditto
10. Sushil Das (Gupta)	ditto
11. Pabitra Kumar Roy	ditto
12. Kamaniya Kusum Das	ditto
13. Sudhir Kushiari,	ditto
14. Anil De <i>alias</i> Adhikari	ditto
15. Prithwis Chandra Ghosh	ditto
16. Amarendra Mukharji	ditto.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

51. (a) Some of those whose movements have been restricted, and who applied, have been given maintenance allowances.

(b)—Rupees 12 per head.

(c)—Nine.

(d)—Kiriti Bhusan Chaudhuri, Digendra Nath Das Gupta and Rajendra Kumar Nandi.

Babu RABINDRA NATH ADITYA: Does the Hon'ble Minister think that the poor pittance of Rs.12 a month is sufficient for the purpose?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: That is a matter of opinion, Sir.

Babu RABINDRA NATH ADITYA: Did the Hon'ble Minister receive any complaint on that score?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, in one case.

Babu RABINDRA NATH ADITYA: Have Government arrived at any conclusion regarding that complaint?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The case is under consideration.

Mr. ARUN KUMAR CHANDA: In view of the breakdown of the health of Kiriti Bhusan Chaudhuri, will Government allow facilities for treatment on his own responsibility?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The suggestion will be considered. At present he is getting treatment from a hospital.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

52.—No doubt this occurs in some cases. The remedy lies in the hands of the persons concerned, by abandoning activities which may bring them into conflict with the State and furnishing guarantees that they will be good citizens.

Mr. ARUN KUMAR CHANDA: Is it on the basis of suspicion or definite proof that the movements of these youngmen have been circumscribed?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: On definite proof.

Mr. ARUN KUMAR CHANDA: If there is definite proof, what is the difficulty in bringing them to Court for trial?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Because it is a speedier method of securing law and order.

Mr. ARUN KUMAR CHANDA: Why is the Criminal Procedure Code there? Is it incompetent to deal with the securing of law and order?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It is not incompetent, but in this time of emergency, a speedier enactment has been put on the statute by the Government of India, viz., the Defence of India Act and Rules.

Mr. BAIDYANATH MOOKERJEE: Do Government propose to bring them to the Courts of Law?

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

Creation of the Publicity Department

Maulavi ABDUL BARI CHAUDHURY † asked :

*53. Will the Hon'ble Minister-in-charge of the Publicity Department be pleased to state—

- (a) The circumstances that led to the creation of the Publicity Department ?
- (b) The functions performed and the purposes since served by the said Department ?
- (c) Whether it is a fact that the services of the Publicity Officer in Assam are mainly being utilised in issuing war bulletins ?
- (d) Whether it is a fact that no copies of the Press notes, communiques and bulletins issued by the Publicity Department are supplied to the members of the Provincial Legislature ?
- (e) If so, why ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

53. (a)—The circumstances were placed before hon. members when the demand was moved, and the full statement then made is available in the Assembly proceedings.

(b)—The functions are to present to the public mainly through the medium of the public Press, all the activities of the Government and all facts and considerations with which it is desirable that the public should be acquainted on current topics of importance : and to employ other methods of furnishing information to the public, so far as they are available, generally for the service of the State.

(c)—No.

(d)—Generally speaking the Publicity Department operates through the Press or by direct approach through Cinemas, lantern slides, etc. On one occasion, however, copies of a Press note were supplied to hon. members.

(e)—Normally it is presumed that hon. members will see the Department's material in the newspapers. The supply of copies specially to them can be considered if there is a demand but it would be expensive.

Maulavi ABDUR RAHMAN : May I know, in which papers this information is published ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Almost in all the local papers, and also in the Calcutta press.

Maulavi ABDUR RAHMAN : May I know whether prompt publication is done ?

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

Maulavi ABDUR RAHMAN : Is it a fact that the Publicity Officer has to go to the Chief Secretary in all matters, and it takes about two months to have an information published in the Press ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : No, Sir. The Chief Secretary is the Press Adviser for the Province and therefore any material that is to be sent to the Press, has to be approved by him.

† The question was put by Maulavi Abdur Rahman on authorisation in the absence of the questioner.

Maulavi ABDUR RAHMAN: Is it a fact that the Publicity Officer cannot publish any information whatsoever on his own initiative?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: As I have already said, Sir, anything that is to be published in the press has got to be supervised by the Press Adviser.

Mr. A. WHITTAKER: With reference to answer to (c), is the Prime Minister aware that certain members of the House think that the Publicity Department far from being mainly utilised for issuing War bulletins does not actually give enough importance to them, in view of the danger on the North-East frontier?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, certain members think that enough publicity of War news has not been given by the Assam Publicity Department.

Babu RABINDRA NATH ADITYA: Is the Publicity Department in possession of more facts than are published through different news agencies?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Of course not. At the same time the Publicity Officer has to place them in such a way as they can reach those people who have no opportunity to read *Reuter* and other news agency messages.

Babu RABINDRA NATH ADITYA: Are they not published in the newspapers?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: They are generally published in the English newspapers and dailies which are not available to the majority of the people of the Province.

Mr. ARUN KUMAR CHANDA: May I ask Mr. Whittaker whether he wants panic or publicity?

Mr. A. WHITTAKER: When I asked for more publicity of War news I did so in the hope of creating confidence. I believe accurate knowledge is the first prelude to confidence (*hear, hear*).

Home internees of the Province

Mr. BAIDYANATH MOOKERJEE asked:

*54. Will Government be pleased to state—

- (a) Whether they are aware that internee Pranesh Chandra Biswas, B.L., son of late Bharat Chandra Biswas, village Churta, police station Chunarughat, district Sylhet, has no means or sources for subsistence at home?
- (b) Whether he submitted petitions to the Government from time to time for an allowance to be granted to him for maintaining himself and prosecuting his studies?
- (c) If so, will Government be pleased to state whether Government have granted any allowance to him?
- (d) If not, why not?
- (e) Whether Government propose to grant him any allowance?
- (f) Whether he drew the attention of Government to the fact that he has been suffering from chronic ear troubles and that it has reached such a stage that he runs the risk of being made completely deaf?
- (g) Whether he submitted to Government the certificate of the Medical Officer of the Chunarughat Dispensary advising him to go to a specialist or to a hospital for proper treatment and also the certificate of the Assistant Surgeon, Habiganj, advising him to consult a specialist in Calcutta as also

the note of the Medical Surgeon of the Ear, Nose and Throat Department, Calcutta Medical Hospital, to the effect that "a course of treatment will last for six weeks"?

(h) Whether he submitted any petition to the Government praying for leave accordingly to undergo the said treatment in Calcutta?

(i) If so, whether the required leave was granted to him?

(j) If not, why not?

(k) Whether Government propose to give him any opportunity and provide him with facilities for undergoing the proper treatment in Calcutta?

*55. Will Government be pleased to enquire and state—

(a) Whether interneer Pranesh Chandra Biswas submitted applications to Government for permission to pass his probationary period of one year at the Calcutta High Court under the High Court Rule No. 8285g and to avail himself of the special facilities at hand in Calcutta, to sit for the M. A. examination in English, at the same time?

(b) If so, whether permission was granted to him accordingly?

(c) If not, why not?

(d) Whether Government propose to grant him leave for the said purpose?

*56. Will Government be pleased to lay on the table the names of the home interneers in the province showing their place of residence as well as the names of the interneers who get allowance from the Government showing the amount given to each of them?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA
replied :

54. (a)—So far as Government are aware, the person named has never enjoyed any income. He has represented that he earned by private tuition, but no evidence of this is shown and his statements have not been consistent.

(b)—Yes.

(c)—No.

(d)—Government perceive no reason why his education should be paid for from the revenues.

(e)—No. The case can be considered either for relaxation of the restrictions if he shows that he can be relied upon to be of good behaviour, or for allowance if he can establish grounds for granting him one.

(f)—Yes.

(g)—He submitted a certificate from the Sub-Assistant Surgeon at Chunarughat and an out-door patient's ticket from the Senior Assistant Surgeon of the Ear, Nose and Throat Department of the Medical College Hospital with a prescription and a note stating that "a course of treatment will last about six weeks."

(h)—Yes.

(i)—Yes.

(j)—Does not arise.

(4)—Government are prepared to consider any representation regarding relaxation of restrictions to enable him to undergo treatment if this is supported by a recommendation of a medical officer. They are not prepared to accept financial liability for his treatment.

55. (a)—Yes.

(b)—No.

(c)—Government were not satisfied of the *bona-fide* character of the request.

(d)—No. He can qualify as a pleader without going to Calcutta.

56.—A list showing the names of those restricted to their home village and their places of residence is laid on the table.

LIST SHOWING THE NAMES OF THE HOME INTERNEES IN THE PROVINCE.

1. Mahitosh Purkayastha of village Baghbari, Police Station, Karimganj, Sylhet.	Restricted to his home village.
2. Sukumar Nandi Majumdar, of Bejura, Madhabpur, Police Station, Sylhet.	Ditto.
3. Ramendra Kumar Bhattacharjee of village Bejura, Madhabpur Police Station, Sylhet.	Ditto.
4. Gopendra Chandra Deb of village Abdakamal, Police Station Bahubal, Sylhet.	Ditto.
5. Nibaran Chandra Datta of village Ishakpur, Jagannathpur Police Station, Sylhet.	Ditto.
6. Jitendra Kumar Bhattacharjee of village Dhakadakshin, Golapganj Police Station, Sylhet.	Ditto.
7. Mahbubor Rob Chaudhuri of village Dalchera, Patharkandi Police Station Sylhet.	Ditto.
8. Satyabrata Datta of village Narpati, Chunarughat Police Station, Sylhet.	Ditto.
9. Prafulla Goswami of village Nalbari, Nalbari Police Station, Kamrup.	Ditto.
10. Rabindra Nath Dam of village Sichni, Sunamganj Police Station, Sylhet.	Ditto.
11. Khagendra Nath Borborua of village Borahibari, Amguri Police Station, Sibsagar district.	Ditto.
12. Rajendra Nandi of village Sholaghar, Sunamganj Police Station, Sylhet.	Ditto.
13. Sachindra Roy Chaudhuri of village Sudarsanpur, Cachar.	Ditto.

The following receive an allowance :—

1. Kiriti Bhusan Chaudhuri	...	...	Rs.
2. Digendra Nath Das Gupta	...	...	12
3. Rajendra Kumar Nandi ...	...	...	12
			12

Mr. ARUN KUMAR CHANDA: May I in this connection bring it to the notice of the Hon'ble Premier that Mr. Amiya Sindhu Roy has been on hunger strike for the last 7 days?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have received three telegrams from Sylhet in this case and have sent them to office to take an immediate step. But as my hon. friend cannot say whether the internee lives in a private house or hotel, it is not certain whether Government officers will have an access into the private house. But all that I can say is that an immediate enquiry will be made about the condition of the man.

Mr. BAIDYANATH MOOKERJEE: May I know why all these internees do not get any allowance from Government?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: If I remember aright, all these people have not applied for allowance. But those who have applied are receiving consideration of Government.

Mr. BAIDYANATH MOOKERJEE: Am I to understand that only three persons applied for it and they got the allowance and others have not got it as they did not apply for it?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: About nine persons applied, of whom three have been granted, two are still under consideration and the rest have been rejected.

Assam Census anomalies

Srijut GAURI KANTA TALUKDAR asked:

*57. (a) Are Government aware that a very large section of people of the province strongly disapproves the action of Government in not publishing the Census figures according to the number of followers of the different religions prevailing in the province as was done in the last Census and that demands have been made for publication of the figures on the basis of religion?

(b) Do Government propose to undertake the re-sorting of figures on the basis of "religion" and to allow the result of such re-sorting to be scrutinised by a responsible non-official body with a view to leave no room for public suspicion?

(c) Will Government be pleased to state—

(i) Whether any correspondence is going on between this Government and the Central Government regarding the protests and complaints made against these Census anomalies?

(ii) Whether the Census authorities of the Central Government have asked this Government to supply them with any report or explanations regarding the Assam Census anomalies, complaints against which have been made to this as well as to the Central Government by responsible persons and bodies directly and through the Press and the platform?

(iii) If the answers to questions 57(c)(i) and 57(c)(ii) above are in the affirmative, will Government be pleased to lay on the table the copies of the correspondence that passed between the Central Government and this Government in this connection?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

57. (a) —Government has received some requests for publication of the figures according to religion.

(b) —No. The question whether there will be a re-counting on the basis of religion is one for the Government of India to decide.

(c) (i) —No such correspondence is going on.

(ii) —No.

(iii) —Does not arise.

Srijut GAURI KANTA TALUKDAR: May I know whether the complaints made by the public of Assam will be conveyed to the Central Government ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir. These matters have been discussed at length on the adjournment motion.

Srijut SIDDHI NATH SARMA: May I know whether any enquiry will be made in connection with the statement made by Mr. Marar in his letter dated 24th March 1941 that the appendix II was prepared at the instance of the Government of Assam ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, this will be considered. We are now pre-occupied with Assembly work. But our notice has been drawn to that.

Teaching Staff of the Murarichand and Cotton Colleges

Maulavi MABARAK ALI asked :

*58. (a) Will Government be pleased to state whether it is a fact that the requisition from the Murarichand College, Sylhet was for strengthening the teaching staff of the Mathematics Department of the College by the addition of an Assistant Lecturer to it, but that a Lecturer has been appointed ?

(b) Will Government be pleased to refer to the advertisement dated the 4th July 1941 by the Chairman, Public Service Commission, for the appointment of a Lecturer in Mathematics for the Murarichand College, Sylhet and state whether a second class M.A., or M.Sc., with teaching experience was to be given preference to a first class inexperienced M.A., or M.Sc., according to the said advertisement ?

(c) The name of the gentleman appointed in that post ?

(d) Whether he satisfied all the conditions as required in the advertisement ?

*59. Will Government be pleased to state—

(a) Whether the appointments of a Lecturer and of an Assistant Lecturer in Mathematics at the Cotton College, Gauhati, in September last were made after due advertisement ?

(b) When the post of an Assistant Lecturer in Mathematics was created at the Cotton College, Gauhati and who was appointed in that post ?

(c) Whether the post was advertised ?

(d) Whether it is a fact that the gentleman appointed in that post belongs to an over-represented community?

*60. Will Government be pleased to state whether it is a fact that there is no post below the rank of Lecturer in the Mathematics Department of the Murarichand College, Sylhet?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The Hon'ble Srijut Rohini Kumar Chaudhuri is ill and may be coming a bit later. I may reply on his behalf.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied

58. (a)—No. At the request of the Calcutta University, a post of Lecturer was provided for in the Budget, and a Lecturer was appointed accordingly.

(b)—Government have referred to the advertisement mentioned. It does not say or mean that a candidate with a second class degree and teaching experience is to be given preference to a candidate with a first class degree without teaching experience.

(c)—Maulavi Nurul Islam.

(d)—Yes. He had more than the minimum qualifications, and a claim to the post on the preferences laid down. The advertisement laid down that teaching experience would be considered, but it was not a necessary qualification or a condition for appointment.

59. (a)—The appointments were made from among the candidates applying for the post of Lecturer advertised on the 4th July, since the Public Service Commission considered that the same candidates would apply to a second advertisement for similar posts, and that re-advertisement was not necessary.

(b)—A temporary post was created from 25th January 1941, and it was made permanent from 1st March 1941. Srijut Phanidhar Dutta was temporarily appointed to the post, and later, in consultation with the Public Service Commission, as mentioned in the answer to question 59 (a) Maulavi Muhib Ali was appointed to the post.

(c)—The hon. member is referred to the answer to question 59 (a).

(d)—No, he belongs to the under-represented Muslim community.

60.—Yes.

Maulavi MABARAK ALI: Sir, in the Gazette it is published—“None need apply who is not a native of, or domiciled in Assam, and who does not possess at least a 2nd Class M.A. or M.Sc. degree in Mathematics. Consideration will be given to candidates with teaching experience. Candidates belonging to the under-represented communities possessing the above mentioned qualifications will be preferred. Subject to the foregoing considerations, candidates with first class degrees will be preferred”. I lay special stress upon the words “Subject to the foregoing considerations” and want to know why a candidate with first class degree but without teaching experience has been preferred?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am not in a position to give a reply straight-away to the question, because the file has been given to me just now by the Hon'ble Education Minister saying that he will not be able to come as he is ill.

Maulavi MABARAK ALI: Will the questions be replied to-morrow?

The Hon'ble the SPEAKER: The questions from 58 to 60 should be left over for the day after to-morrow.

Improvement in the administration of Jails

Maulavi ABDUR RAHMAN asked :

*61. Will Government be pleased to state—

- (a) If any appreciable change or improvement has been made in the administration of jails since they have been placed under the control of medical officers ?
- (b) Whether Government is aware that the public are experiencing immense inconvenience for the transfer of the supervision of jail administration into the hands of medical officers ?

*62 Will Government be pleased to state—

- (a) The present population of the Habiganj Jail ? (Figure upto the 15th November 1941 is required)
- (b) The accommodation capacity of the Habiganj Jail ?
- (c) The number of under-trials in the Habiganj Jail upto the 15th of November 1941 ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

61. (a)—The present arrangement is quite satisfactory.

(b)—No.

Maulavi ABDUR RAHMAN: Is it known to Government that on account of the transfer of the Jail Department to the hands of the Medical Department, people find great difficulties to obtain permission to see their relations in Jail ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: We have received no complaints on that score, Sir.

Maulavi ABDUR RAHMAN: Is it not a fact that if anybody is to see his relation in jail, he does not find the Superintendent of the Jail inside it and is to remain outside for a long time to obtain permission for the purpose ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It is not necessary that the Superintendent of Jail who is to give permission to a person to see his relation in jail, should remain all the day within the compound of the jail.

Maulavi ABDUR RAHMAN: Is it known to Government that people desiring to obtain permission are to see the Superintendent in his private quarters between 11 a. m. and 4 p. m. ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am not aware of that. The Superintendent of Jail is also the Sub-divisional Medical Officer. He has got his office and he should be found there.

Maulavi ABDUR RAHMAN: May I know whether it is within the knowledge of the Government that the Superintendent generally remains absent from his office between 11 a. m. and 4 p. m. ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am not aware of that. Most of the Medical Officers are the Superintendents of Jails, and as such, they have got other duties to attend. Probably they remain busy with other duties at the time.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

- 62. (a)—One hundred and twenty-one (including under-trials).
- (b)—The registered accommodation is for 108.
- (c)—Seventy-nine.

-QUESTIONS AND ANSWERS

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Conviction of one Syed Yawar Bakht Chowdhury

Maulavi ABDUR RAHMAN asked :

122. Will Government be pleased to state —

- (a) Whether one Syed Yawar Bakht Chowdhury of North Sylhet Subdivision was convicted in a forgery case sometimes back ?
- (b) Whether it is a fact that the said convict has since been released from jail ?
- (c) The reasons under which he has been released ?
- (d) The contents of the orders passed for his release ?
- (e) Whether it is a fact that the said convict has been ailing all the time he was in the jail ?
- (f) Whether it is a fact that medical authority was of opinion that his release from jail was necessary for his ill-health ?
- (g) Whether Government propose to withdraw the condition, if any, which has been imposed on him in connection with his release from the jail ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

122. (a)—Yes.
 (b)—He is on release as the sentence of imprisonment has been suspended.
 (c)—Ill-health.
 (d)—A copy of the order is given below—

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

GENERAL AND JUDICIAL DEPARTMENT—JAILS BRANCH

Dated the 17th May 1941

READ—Letter No. 4807, dated the 22nd October 1940, from the Inspector-General of Prisons, Assam, forwarding a petition from convict No. AB/8584—Syed Yawar Bakht Chaudhury, praying for making proper arrangement for treatment of his diseases.

Read also a petition dated the 18th November 1940 from the wife of the convict praying for his release on medical grounds and a letter No. 376E/II-6, dated the 24th January 1941, from the Sessions Judge, Sylhet, submitting his opinion on the proposal.

ORDER—The Governor is pleased, under Section 401 of the Code of Criminal Procedure, 1898 (Act V of 1898) to suspend for a period of four months the sentence of convict No. AB/8584—Syed Yawar Bakht Chaudhury in order that he may obtain medical treatment, on the conditions that he removes himself immediately from the province of Assam and does not re-enter it within the said period, that for the observance of these conditions

he shall give security in the sum of Rs.2,000 with two sureties each for the like amount, that before the expiry of the said period he shall obtain and submit to the Governor a certificate as to his health from the specialist or other medical officer from whom he receives treatment, and that on the expiry of the said period he shall surrender himself to the Superintendent of the Sylhet Jail and serve out the remainder of his sentence of three years' rigorous imprisonment.

H. G. DENNEHY,

Chief Secretary to the Government of Assam.

Memo. No. Pri. 470/2985-88-G. J.

Shillong, the 30th May 1941

Copy forwarded for information to the:—

1. Inspector-General of Prisons, Assam.
2. Sessions Judge, Sylhet.
3. Deputy Commissioner, Sylhet.
4. Musst. Kaniz Ahmed Chaudhuri, wife of Syed Yawar Bakht Chaudhuri, Zaminder, Sylhet.

By order of the Governor of Assam,

T. T. S. HAYLEY,

Under-Secretary to Government.

(c)—Yes.

(f)—No.

(g)—The matter is under consideration in the Judicial Department.

Maulavi ABDUR RAHMAN: The answer given is that 'the matter is under consideration in the Judicial Department'.

May I know from the Hon'ble Minister-in-charge of the Judicial Department when he can come to the final consideration of the matter?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: It is still under the consideration of the Government.

Maulavi ABDUR RAHMAN: My question is when the final stage of the consideration will come?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: I think, Sir, as soon as the session is over.

Grants-in-aid to Middle English and Middle Vernacular Schools

Srijut KARKA DALAY MIRI asked:

123. Will Government be pleased to state—

- (a) Whether they have received any representation recently from the public for grants-in-aid for the Middle English and Middle Vernacular Schools of the province?

- (b) If so, whether any provisions have been made for them in the budget of this year ?
- (c) If not, whether Government propose to make such provisions by a supplementary demand this year ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

123. (a)—No. No written representation for grants-in-aid for the Middle English and Middle Vernacular Schools of the province appears to have been received recently from the public.

(b)—Does not arise, but in fact a provision of Rs.25,000 was made in the budget for the current year.

(c)—Does not arise.

Srijut BELIRAM DAS : With regard to (a), may I enquire from the Hon'ble Minister whether he received any public representation for grants-in-aid for the Mukalmua Middle Vernacular School in the Kamrup District?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : This is entirely a new question. This question refers to a particular school and I have not got materials to reply to my hon. friend.

Srijut BELIRAM DAS : The reply given is "No written representation for grants-in-aid for the Middle English and Middle Vernacular Schools of the province appears to have been received recently from the public" and I think, I am entitled to ask this question.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I am not in a position to give a definite answer, because it refers to a particular School.

Srijut BELIRAM DAS : May I know, Sir, whether the representation submitted to the Director of Public Instruction is treated as representation made to Government ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Government means the Ministry. Of-course, the Director of Public Instruction is an Executive under the Ministry, but the application received by him is not supposed to have been received by the Government unless and until it is forwarded to the Ministers.

Atlantic Charter and National Defence Council

Srijut SARVESWAR BARUA asked :

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

(a) If the interpretation put upon the so-called Atlantic Charter by the British Premier and the Secretary of State for India so far as India is concerned has been considered by him and his Government ?

(b) If so, has it in any way affected the Government's War efforts ?

(c) If so, how ?

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

(a) In what capacity he was asked to join the National Defence Council ?

- (b) Whether it is a fact that the Hon'ble Prime Minister joined the National Defence Council as a representative of the Government of Assam ?
- (c) If so, why did he resign the office ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

124. (a)—No. The interpretation of other authorities are scarcely matters for consideration by this Government.

(b) and (c)—Do not arise.

Srijut SARVESWAR BARUA : With regard to (a), may I enquire why it has no bearing on the War efforts of this Government ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The answer has already been given.

Babu RABINDRA NATH ADITYA : What is the meaning of the words 'other authorities' ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The reply is to be read with the question.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

125. (a), (b) and (c)—It is well known that the invitation was accepted on the understanding that it was made to the Premier as head of the Provincial Ministry, and that as this point was made matter for controversy it was deemed better that the Premier should resign.

Mr. NABA KUMAR DUTTA : Is it a fact that invitation was sent by His Excellency the Governor General to Sir Muhammad Saadulla to be a member of the Defence Council in his capacity as Prime Minister of the province ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : There was no official letter excepting the Gazette Notification or rather communicate from the Central Government where my name was shown as the Chief Minister of Assam.

Mr. A. WHITTAKER : In the interest of this province, and particularly, in view of the increasing grave situation in the North East India, is it not desirable that Assam should be represented by another Minister who will be able to attend the meetings of the National Defence Council ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : It is a matter for His Excellency the Governor General to consider.

Mr. NABA KUMAR DUTTA : Is it not a fact that the Prime Minister of this province resigned, because he thought that he was not invited as Premier of this Province ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Sir, this fact is an ancient history now, as it has been so much agitated in the Press. It appears, Sir, that before this communicate was issued at the instance of His Excellency the Governor-General, His Excellency the Governor of Bombay wrote a letter to Mr. Jinnah, who is the Leader of the All-India Muslim League. There it was definitely stated that my inclusion or the inclusion of the Muslim Premiers was primarily as Muslim to represent

the causes of Muslims. I thought it derogatory on the part of a Prime Minister of a Province to attend the Council only to represent one section of the communities and that is why I resigned.

Mr. NABA KUMAR DUTTA: Sir, am I to understand that Sir Muhammad Saadulla is still prepared to be a member of the Defence Council as a Premier of the Province if a fresh invitation is issued to him?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: This is a hypothetical question. Let the invitation first come, and then I will consider.

Srijut SARVESWAR BARUA: With regard to Question No 125(a), will the Hon'ble the Premier state why he acted upon the interpretation of the Governor of Bombay in regard to the invitation, when the Government is not prepared to accept interpretation of 'other authorities'?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The Governor of Bombay did not issue invitation, but he wrote a letter where it was distinctly mentioned that the inclusion of Muslim Premiers was to represent the Muslim community.

Mr. NABA KUMAR DUTTA: Was it not made clear by the Secretary of State for India that these people were invited to be members of the Defence Council as Premiers of the provinces?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Certain interpretations were put in later on.

Babu RABINDRA NATH ADITYA: Is it not more in obedience to the mandate of Mr. Jinnah that the Hon'ble Premier resigned?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir. There was no mandate from anybody.

Census Classification

Srijut SARVESWAR BARUA asked :

126. (a) Is it a fact that Hindu tribals in Assam have been shown as non-Hindus in the last Census?

(b) Are Government aware that this has greatly incensed the Hindu Community in Assam including the Miris and Kacharis who have protested against it in public meetings?

(c) Is it a fact that the Christian and Buddhist tribals also have been similarly excluded from their religious denominations in the said census?

(d) If so, who is responsible for this?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

126. (a)—No. Hindu tribals were returned as tribal by community and Hindu by religion.

(b)—Government have received complaints from the Hindu community but none from Kacharis and Miris.

(c)—No.

(d)—Does not arise.

Communal representation in Government Services

Srijut RAJENDRA NATH BARUA asked :

127. Will Government be pleased to lay on the table a comparative statement of the percentage figures in Government service to which the following communities are entitled as before and after the recent Census operations—

(a) Hindus, (b) Muslims, (c) Christians, (d) Scheduled Caste Hindus, (e) Plains Tribal, (f) Hills Tribal ?

128. Will Government be pleased to state the basis of calculation in finding out the alleged increase of 1 per cent. in Government appointments for the Hindus, announced in a Government Press Note recently published, as a result of recent Census Operations ?

129. (a) Is it a fact that the labour population will not be computed to determine the service ratio of the Hindus ?

(b) If so, will Government be pleased to state whether it will lower the percentage of the service ratio of the Hindus and inflate the percentage of the service ratio of the Muslims ?

130. Will Government be pleased to state—

(a) Under what religion or community the labour population was included in the recent Census ?

(b) The number of such labour population ?

131. Will Government be pleased to state—

(a) The number of domiciled people in Assam in the recent Census ?

(b) The number of Assamese speaking and Bengalee speaking people in Assam in the recent Census.

(c) The number of unemployed educated youths according to the recent Census ?

(d) The names of the communities included under the head "Others" in the recent Census ?

(e) Whether any tea garden or ex-tea garden labourer was returned as Assamese or Bengalee in the recent Census ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

127.—A Statement is given] below.

Srijut RAJENDRA NATH BARUA: From the table, Sir, it is found that service ratio of the Hindus is 41 per cent. in 1935 and 42·3 per cent. in 1941. May I ask the Hon'ble Premier whether the labour population has been included for computing the service ratio, and if so, whether the service ratio would not have been increased?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The hon. member is referred to reply to unstarred question No.129(a), namely, 'The labour population of tea gardens and some mines is excluded in calculating service ratios'.

Srijut SIDDHI NATH SARMA: Will Government be pleased to state whether any representation has been given to the Indian Christian in service ratio?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, representation has been given to the Indian Christians.

Srijut SIDDHI NATH SARMA: What is the percentage?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The former percentage was a little over ·5 and now it is ·3.

Srijut RAJENDRA NATH BARUA: Why the labour population has been excluded from giving service ratio?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Every one knows, the labour population have got no candidates whatsoever. The labour population mostly come from tea gardens and they have absolutely no candidates and none of these people have gone up for higher education. Those labour people who have come out and settled in Government waste-lands have been included and they also have got service ratio.

Srijut SIDDHI NATH SARMA: In which figures this ratio of ·3 has been included, Sir?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It is included in 'others', Sir.

Babu RABINDRA NATH ADITYA: Will Government advise the Census authorities to take the enumeration of the unemployed youths of the province?

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

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

128.—The Statement laid on the table shows that the total percentage allotted to non-tribal Hindus including Scheduled Castes and Ahoms has risen from 41 per cent. in 1935 to 42·3 per cent. in 1941.

129. (a)—The labour population of tea gardens and some mines is excluded in calculating service ratios.

(b)—It will not.

130. (a)—For religion every one was returned under the religion which he professed to follow. For community, immigrant labourers were mostly classified under "Tribes".

(b)—The population excluded in calculating service ratios is 1,134,034.

131. (a)—Figures are not available.

(b)—Figures are not available,

- (c)—Figures are not available.
 (d)—A complete list is not available.
 (e)—Government have no information.

Srijut GAURI KANTA TALUKDAR: With regard to (b), do not Government consider it necessary that the figures of the people, speaking Assamese and Bengali should be published for general information?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: In spite of the full dress debate on the adjournment motion on this very question, this matter was not brought up at all. The tabulation is entirely a matter for the Central Government. The Government of India does not think it necessary at this stage to make separate tabulation of the Assamese and Bengali speaking people of this province as it will involve extra labour and expenditure.

Srijut RABINDRA NATH ADITYA: Did this Government move in the matter?

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

Sanskrit College at Nalbari

Srijut GAURIKANTA TALUKDAR asked :

132. Will Government be pleased to state—

- (a) Whether they are aware that the Sanskrit College at Nalbari is experiencing great inconvenience for want of a building of its own and for insufficient recurring income?
- (b) Whether Government have received copies of two resolutions adopted by the Executive Committee of the college in their meeting held on the 7th June 1941, requesting Government to help the institution with a recurring grant of Rs. 250 per month and also with a non-recurring grant of Rs. 5,000 for the construction of the college building?
- (c) Do Government propose to accede to the said request?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

132. (a)—Yes.

(b)—Yes.

(c)—The matter is under the consideration of Government.

Assam Sanskrit Association

Srijut SIDDHI NATH SARMA asked :

133. (a) Is it a fact that Srijut Gahan Chandra Goswami of Nikamal Satra was appointed a member of the Assam Sanskrit Association and his name was duly published in the *Assam Gazette*?

(b) Is it a fact that under orders of the Government of Assam, Srijut Bhubaneswar Deb Goswami, Adhikar Rajapukhuri Satra, Post Office Rampur, Kamrup, has subsequently been appointed to be a member of the Assam Sanskrit Association in place of Srijut Gahan Chandra Goswami?

(c) If so, what is the reason for this subsequent change?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

133. (a)—Yes.

(b)—Yes.

(c)—Because Government considered that Srijut Bhubaneswar Deb Goswami, Adhikar, was more suitable as a member being the President of the Managing Committee of Guimora Sanskrit Tol, the only tol in South Bank of Kamrup besides the Munikul Ashram.

Dibrugarh Sub-Registry office

Srijut JOGES CHANDRA GOHAIN asked :

134. Will Government be pleased to state—

(a) The total number of documents registered during 1939-40, 1940-41, and up to the 30th September 1941, in the Dibrugarh Sub-Registry office ?

(b) The minimum number of documents to be registered in a Sub-Registry office to acquire the status of permanency ?

(c) Whether the Sub-Registry Office at Dibrugarh has since acquired the status of permanency so far as the registration of documents is concerned ?

(d) If so, do Government propose to give it the status of permanency at an early date ?

(e) If not, why not ?

The Hon'ble Miss MAVIS DUNN replied :

134. (a)—The Registration year is the calendar year and hence the figures are given below by the calendar year—

1939	...	...	...	...	1,389
1940	...	...	...	...	1,696
1941	(upto 30th September 1941)	...	...	...	1,206

(b)—No minimum has been formally and authoritatively fixed for entitling an office to a wholtime officer. Ordinarily 2,000 documents are at present taken as justifying the substitution of an *ex-officio* Sub-Registrar by a wholtime Sub-Registrar.

(c)—The number of presentations has not yet reached the figure of 2,000.

(d)—The reply is in the negative.

(e)—Does not arise.

Inspector of Registration

Srijut JOGES CHANDRA GOHAIN asked :

135. (a) Is it a fact that a post of an Inspector of Registration has newly been created ?

(b) If so, will Government be pleased to state what made Government to create this post ?

(c) Whether the post was advertised and appointment made through the Public Service Commission ?

(d) If not, why not ?

The Hon'ble Miss MAVIS DUNN replied :

135. (a)—By transfer of the Special Sub-Registrar from Silchar to Nowgong, the post of Inspector of Registration was created for the Assam Valley.

(b)—Work having increased rapidly and steadily in this Valley, there was need for an officer to inspect and supervise.

(c) & (d)—No, as no direct recruitment was made.

Maulavi ABDUR RAHMAN: May I know from the Hon'ble Minister whether there is any difference of duties between the Inspector of Registration and that of the Special Sub-Registrar?

The Hon'ble Miss MAVIS DUNN: The only slight difference is that the Special Sub-Registrar is also required to do the ordinary duties of registration and inspecting work.

Maulavi ABDUR RAHMAN: Am I to understand that the Inspector of Registration has not got the function of registering documents?

The Hon'ble Miss MAVIS DUNN: He has been given that function too.

Maulavi ABDUR RAHMAN: I find from the answer that by the transfer of the Special Sub-Registrar from Silchar to the other Valley, he is being styled as Inspector of Registration. My question is, why can he not be styled as Special Sub-Registrar as is done in the Surma Valley?

The Hon'ble Miss MAVIS DUNN: The question is not with regard to the Special Sub-Registrar, but it is whether a post of Inspector of Registration has been created and the answer is here.

Maulavi ABDUR RAHMAN: I want to know why he should not be called Special Sub-Registrar instead of Inspector?

The Hon'ble Miss MAVIS DUNN: He has been styled as Inspector. That is all I know.

Babu Irabat Singh, a Manipur State Prisoner

Babu KARUNA SINDHU ROY asked :

136. Will Government be pleased to enquire and state—

- (a) Whether Babu Irabat Singh, a Manipur State prisoner, who is undergoing imprisonment in the Sylhet Jail has been receiving "C" Division treatment?
- (b) Why he has been kept in a Cell where punished prisoners and lunatics are kept?
- (c) Why violent lunatics making loud vociferations day and night are kept in the adjacent Cells in the same barrack who disturb his peace, sleep and studies?
- (d) The amount paid per mensem by the Manipur State to the Government of Assam on account of the said prisoner?
- (e) Whether Government propose to take steps for making such arrangements as to afford "A" Division treatment to Babu Irabat Singh, as suited to his position?
- (f) If not, why not?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

136. (a)—Yes.

(b)—At his own request for his convenience. He performs daily "Pujahs", etc., which is not possible in barracks with other ordinary

prisoners. (If he is classified as a higher division prisoner he may be accommodated with other higher class prisoners where facilities for such "Pujahs", etc., may be available).

(c)—For want of accommodation for lunatics in the Jail and also in the Mental Hospital, Tezpur.

(d)—Rs. 10-13-4 only.

(e)—The matter is under correspondence with Manipur State and in the meantime the prisoner has been provisionally treated as "A" Division Prisoner.

(f)—Does not arise.

Adjournment motion regarding Government policy on the settlement of waste lands

Srijut MAHI CHANDRA BORA: Mr. Speaker, Sir, before I beg leave of the House to move my adjournment motion* and proceed with it, I should like to make a submission to you. There is a resolution standing in the name of my hon. friend Srijut Lakshesvar Borooah, and the subject-matter of that resolution is almost akin to that of mine. If that resolution comes up for discussion and is debated upon and decided then there may be no necessity for me to move my motion; as such, I suggest that this motion be stayed over for some other suitable date.

The Hon'ble the SPEAKER: The hon. member should decide whether he is going to ask for leave of the House to move his motion.

As I find from the list of resolutions the resolution to which the hon. member has referred stands second in the list. There is, therefore, every likelihood of the resolution being moved in this session. I cannot decide that it is not going to be moved. So, in view of the fact that the resolution is likely to come up, the motion will really be out of order as our rule stands. It is not necessary for me, as the hon. member is suggesting, to see whether the resolution will be moved and decided upon—the question of decision is practically immaterial. My view is that the resolution is likely to come up. If the hon. member wants to economise time in order to allow other matters to come up for discussion, it is for the hon. member to decide whether he is to ask for leave of the House to move this motion. I have given an indication of what will be my decision in case he insists on his motion.

Srijut MAHI CHANDRA BORA: In view of the statement just now made by you, Sir, I beg to withdraw my motion.

Adjournment motion due to the failure of Government in not removing the Chairman, Tezpur Local Board, in spite of the no-confidence resolution against him

Srijut OMEO KUMAR DAS: Hon'ble Speaker, Sir, I beg leave to move:

"That the Assembly do now adjourn to discuss a definite matter of urgent public importance and of recent occurrence, to wit, the serious situation arising in the municipal administration of Tezpur due to the failure of

* Srijut Mahi Chandra Bora to move:—

"This Assembly do now adjourn to discuss a definite matter of urgent public importance, to wit, the alarming situation that has been caused amongst the indigenous population of all the communities in the province by the policy of the present Government underlying the scheme of settlement of waste lands commonly known as the Development Scheme and the methods adopted to enforce the same."

Government to remove the Chairman in spite of the no-confidence resolution of the Board and Government's own order No.3545-I.S.-G."

This matter is a definite matter of urgent public importance because the municipal administration, owing to the no-confidence resolution passed by certain members of the Board is at a deadlock, and the Government having ordered the removal of the Chairman has not yet acted upon it. This order of the Government is dated 22nd November. It was sent by telegram as follows :—

"Resolution of the Tezpur Municipality for removing Chairman and Vice-Chairman held legally valid. The removal of Dr. Hem Chandra Das from Chairmanship approved under section 27(a) of the Municipal Act. Wire names of suitable members of the Board to hold temporary Chairmanship under section 28(a) for calling a meeting to elect a new Chairman." In spite of this order of the 22nd November issued from Government, Sir, the Chairman has not yet been removed and he has still been continuing in his office and the rate-payers of the Tezpur Municipality apprehend a serious situation regarding the illegal use of municipal funds. As such my motion is urgent and of public importance and it is a matter of recent occurrence, I therefore beg leave of the House to move my motion.

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI* : Mr. Speaker, Sir, I shall briefly state the facts from which I am sure it will appear clear that the adjournment motion that has been tabled by the hon. member is not of an urgent nature.

It is a fact that on the 22nd November Government approved of the resolution of no-confidence that was passed on the Chairman of the Tezpur Municipal Board and the order was actually passed by a telegraphic message on that date.

Before the order however could reach the Municipal office, a meeting was held by the Municipal Board on the 22nd November and in that meeting 8 out of 14 members were present and 1 member, so it has been reported, did not take any part in the proceedings of the meeting. So, 7 members passed a resolution regarding their confidence in the Chairman. And before the Chairman was apprised of his removal, a motion or a resolution placing confidence in the Chairman was passed. That resolution was sent to the Government and the Government was asked to reconsider their decision in the matter. In that resolution, they rescinded their previous resolution of the Board. Now, Sir, the question arose whether the Board was competent to rescind the previous resolution passed by the same Board.

Srijut DEBESWAR SARMAH* : On a point of information, Sir, was the resolution passed by two-thirds majority ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI* : Of course, it was taken to be two-thirds majority but actually it was less by one-third member. Because, out of 14 members only 9 passed the vote of no-confidence on the Chair and according to the calculation, nine works out actually one-third member less two-thirds majority. The Government agreeing to their resolution, removed the Chairman. But after the resolution that was passed by the Municipal Board on the 22nd November rescinding their previous resolution of the Board, the question arose whether the Board was competent to pass a resolution rescinding the previous resolution of their own. That was the point and various other legal difficulties also arose in the way and we had to take legal advice.

*Speech not corrected by the hon. member or Minister concerned.

The file was with the Legal Remembrancer so long and we could not decide whether the Board was competent enough to rescind their previous resolution within six months of the time they passed the original resolution. So, it is yet under consideration of the Government, Sir, and on these facts, it will appear that Government is not in a position to pass an immediate order on the subject.

Srijut OMEO KUMAR DAS: Sir, I have stated that the position of the Government regarding the Municipal affairs of Tezpur is ridiculous and disgraceful.

The Hon'ble the SPEAKER: Order, order. The hon. member is just only to show how it is in order.

Srijut OMEO KUMAR DAS: There is no provision under the Municipal Act that a confidence motion should be passed after the no-confidence motion has already been passed. I am sorry that the Hon'ble Minister for Judicial and Local Self-Government has forgotten the principles of the Local Self-Government Act.

The Hon'ble the SPEAKER: The hon. member is again arguing the motion itself.

Srijut OMEO KUMAR DAS: It is still more surprising that in the confidence motion that has been passed, the Chairman and the Vice-Chairman passed the confidence motion on themselves (*hear, hear*). They were also parties to this motion.

The Hon'ble the SPEAKER: Order, order. These are all facts which raise controversies and I do not think the hon. member can raise all these questions now.

Srijut OMEO KUMAR DAS: This is urgent, Sir as the rate-payers apprehend illegal use of Municipal funds and the Municipal administration is in a deadlock.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: On a point of order, Sir, is not this motion out of order on account of the fact that the hon. member has not taken the earliest opportunity to move this motion although he knew the order which was dated the 22nd November?

Srijut OMEO KUMAR DAS: I was expecting that the Municipal Board would carry out the orders of Government. But I was surprised when I received this telegram dated the 3rd "Government orders were not obeyed and the Chairman and the Vice-Chairman have not yet been removed. We apprehend illegal use of Municipal funds".

The Hon'ble the SPEAKER: It seems that this adjournment motion wants to censure Government on their failure to take prompt action on the decision of the Tezpur Municipality to remove the Chairman. From what has been said by the Hon'ble Minister-in-charge it appears that there are some matters with regard to which legal opinion will have to be obtained in order to decide the question one way or the other. So in this view of the matter, I do not think that Government can at all be censured at this stage and there has been sufficient explanation given as to why there has been such a delay.

Srijut DEBESWAR SARMAH: Before you utter the fateful word, Sir.....

The Hon'ble the SPEAKER: Order, order, I should not be interrupted like this when I am giving my ruling.

Srijut DEBESWAR SARMA: Only one matter of information, Sir.

The Hon'ble the SPEAKER: No, the hon. member will please take his seat. On the facts I have mentioned, I do not think that this is a matter of recent occurrence of urgent public importance. So the motion is not in order.

Adjournment motion due to defilement of Holy Quoran in the Habiganj Jail

Maulavi ABDUR RAHMAN* : Mr. Speaker, Sir, I beg leave to move : "That this Assembly do now adjourn to discuss a definite matter of urgent public importance, namely, the situation at Habiganj arising due to the desecration and defilement of the Holy Quoran in the Habiganj Jail".

The Hon'ble the SPEAKER : Order, order. Is not the hon. member the Chief Whip of the Government party ? Does he want to censure the Government by this motion ?

Maulavi ABDUR RAHMAN* : Sir, my adjournment motion seeks to give vent to the facts of the situation which certainly arise in a certain place. It does not purport to be a censure motion.

The Hon'ble the SPEAKER : What is the object of passing this censure motion ?

Maulavi ABDUR RAHMAN* : The object is to ascertain facts whether Government have taken any action on this matter which is very urgent and which is really agitating the public mind at a certain place. If at a certain place a public agitation arises on a particular matter, should it not be proper on the part of certain members of this House to bring that to the notice of the Government so that Government may take immediate step so as to establish peace and order in that locality ?

The Hon'ble the SPEAKER : But the hon. member being the Chief Whip of the Government party might have brought it to the notice of Government in another way.

Maulavi ABDUR RAHMAN* : The telegram which I received on the 3rd at about 4-30 says that there has been an agitation. On my further enquiry on the 4th I was told by the Private Secretary to the Hon'ble Premier that Government also received a similar telegram. Now I am not in a position to say whether that agitation has subsided or whether the Hon'ble Premier has taken any action. As I received the telegram I had no alternative but to give notice of this adjournment motion.

The Hon'ble the SPEAKER : I also received a telegram on the same subject.

Maulavi ABDUR RAHMAN* : I am not in a position to say whether Government have received any other telegram than this.

The Hon'ble the SPEAKER : I may tell the hon. member that as the motion stands, the wording is very inaccurate. From the language of the motion it appears that the Government is a party to the act complained of. He has not stated who defiled the Holy Quoran.

Maulavi ABDUR RAHMAN* : Certain Jamini.

The Hon'ble the SPEAKER : Then the object of the attack is the under-trial prisoner ?

Maulavi ABDUR RAHMAN* : My object is to make the Government to take sufficient steps against those miscreants. The object of the attack is the warder.

The Hon'ble the SPEAKER : It is a very serious matter and I share fully the feelings of the hon. member. It is indeed a serious matter that the Holy Quoran should have been desecrated. But to move an adjournment motion for that is not the proper way of getting redress. The Hon'ble Premier may speak now.

*Speech not corrected by the hon. member.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA* : Sir, like my hon. friend who hails from Habiganj, my hon. friends both Messrs. Baidyanath Mookerjee as well as A. K. Chanda received copies of the telegram that was sent to me and to you. Immediately Government undertook to ascertain the facts. It appears that during some quarrel one warder—a Hindu warder—snatched away the Holy Quoran from the hands of an under-trial prisoner and desecrated it. The Inspector-General of Prisons has also instituted an inquiry and has suspended, pending final orders, the offending warder. The enquiry is not finished. So the Government cannot be censured. As soon as they got scent of this, they started an enquiry and I must say to the credit of my hon. friends that though they are Hindus they also immediately brought it to my notice and wanted me to take action.

The Hon'ble the SPEAKER : I also forwarded my telegram to the Hon'ble Premier.

Maulavi ABDUR RAHMAN* : May I know the text of the telegram that you have received ?

The Hon'ble the SPEAKER : The telegram sent to me was perhaps to this effect "Pray the dismissal of the warder and transfer of the jailor, etc. etc."

Maulavi ABDUR RAHMAN* : May I be permitted to give the text of my telegram ? It is with regard to a subsequent incident which occurred on the 1st of December.

The Hon'ble the SPEAKER : The hon. member will appreciate my point that Government have been very prompt in taking action on this matter. They could not do otherwise than taking prompt action. The hon. member knows it, and having known all this why he came with this motion ?

Maulavi ABDUR RAHMAN* : I am not concerned with the incident which took place on the 27th November. Probably my hon. friends Messrs. Chanda and Mookerjee received a telegram on that incident from the President, Jamiat-ul-ulema, Baniachong. But I received a telegram on the subsequent incident which took place on 1st December that the particular Quoran was missing.....

The Hon'ble the SPEAKER : That is not the subject-matter of the motion.

Maulavi ABDUR RAHMAN* : Sir, the telegram runs as follows :— "Telegram 27th November one warder Habiganj Jail desecrated Quoran 1st December convict Jamini embeded Quoran under earth Hindu warders and jailors complicity suspected great public agitation prevails urge Government immediate action non-official enquiry.—Abdulhye".

The Hon'ble the SPEAKER : Very well, what does the hon. member propose to do ? Does he press the motion ?

Maulavi ABDUR RAHMAN* : Sir, I have not been allowed to state the facts.

The Hon'ble the SPEAKER : It seems the hon. member is not in possession of full facts.

Maulavi ABDUR RAHMAN* : As I said before on the 1st of December the Holy Quoran was found missing from the barrack of the under-trial prisoners.

The Hon'ble the SPEAKER : That is not the subject-matter of the motion.

*Speech not corrected by the hon. member or Minister concerned.

Maulavi ABDUR RAHMAN* : The aim of my motion is to discuss about the incident which took place on the 1st December.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA* : My hon. friend says that after the incident of 27th November about which we got a telegram, there was a subsequent incident on the 1st December, on which we have not got any telegram until now.

The Hon'ble the SPEAKER : He was speaking that the Holy Quoran was missing from the Jail. But that is not the subject-matter of the adjournment motion.

Maulavi ABDUR RAHMAN* : But Sir, I should be given an opportunity to discuss whether it is a definite matter of urgent public importance.

Mr. A WHITTAKER* : Might I suggest Sir, that in the interest of the rest of the House who are not in the possession of the fact and that the hon. member's case will be adequately dealt with if the Hon'ble Premier undertakes to make a statement on Monday or even on Tuesday ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA* : If I get the fact, Sir, then I will do that.

Maulavi ABDUR RAHMAN* : If I am allowed only two minutes Sir, I will finish. On the 1st of December at 7 a.m. the Quoran was missing from inside the jail and it was taken out of the barrack. It was embedded under the earth by 3 convicts and that in the telegram it was stated that the Muslims of the town suspected the complicity of the jailor and some other warders other than the one suspended on 27th. That, Sir, agitated the minds of the Muslims at Habiganj and I seek redress from the Government.

The Hon'ble the SPEAKER : Very well, this will do.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA* : Having heard my hon. friend I will immediately ask the Chief Secretary to wire for details of the incident of the 1st December of which we have no knowledge.

The Hon'ble the SPEAKER : Does the hon. member press his motion now ?

Maulavi ABDUR RAHMAN* : In that case I will not press, Sir.

The Hon'ble the SPEAKER : There is another adjournment motion† of which notice has been given by Sri Jut Karka Dalay Miri. As he is now absent, the adjournment motion does not arise.

Motion regarding withdrawal of mass literacy campaign

The Hon'ble the SPEAKER : Order, order. The next item of business is a motion‡ which stands in the names of Maulavi Abdul Bari Chaudhury, Maulavi Naziruddin Ahmed, Maulavi Muhammad Maqbul Hussain Chaudhury, Maulavi Dewan Muhammad Ahbab Chaudhury and Maulavi Namwar Ali Barbhuiya ; but all of them are now absent. Will Khan Bahadur Maulavi Mufizur Rahman, in whose name the motion also stands, move it ?

Khan Bahadur Maulavi MUFIZUR RAHMAN : I will not move, Sir.

* Speech not corrected by the hon. member or Minister concerned.

† That this Assembly is of opinion that the Mass Literacy Scheme introduced by Government should be withdrawn at once and the money provided therefor should be utilised for the spread of Primary Education.

‡ See foot-note of page 1351 of the Assembly proceedings of 5th December 1941.

Resolution for the mechanisation of Police Force in Assam

The Hon'ble the SPEAKER: The next item of business is private members' resolutions.

Mr. E. H. S. LEWIS: Mr. Speaker, Sir, I beg to move that:

"This Assembly is of opinion that immediate steps be taken for the mechanisation of the Police Force in Assam."

Sir, Assam was looked on for a very long time as a backward province, but in recent years successive Governments have done a great deal to develop the resources of the province and this development has been particularly noticeable in communications. The improvement in roads has encouraged private enterprise—bus and lorry owners have kept pace with this improvement to the advantage of themselves and of the province. But unfortunate to relate, the police force has not moved forward with the times. Now this is no reflection on the various Inspectors General of Police who have always complained that they have been starved of men, money and equipment. However, it is not reasonable to expect the police to continue to do their work properly if they are not properly equipped.

If I may just quote a few figures for the House to explain how handicapped the police are here.

In Assam there is only one policeman to every 1,873 head of population. This compares with 1 to 383 in the North Western Frontier Province and to 1 to 1,012 in the Punjab. Bengal and Orissa are slightly worse off than Assam with 1 to 1,909 and 1 to 1,992 respectively. But in spite of these figures the policeman's lot in Assam is not a happy one for here there is only 1 policeman to every 11 square miles compared with 1 to 2.84 square miles in Bengal and 1 to 8.5 square miles in Orissa. Now figures are very difficult to follow unless one sees them. But the point I want to make is that Assam is worse off than any other province in India with regard to number of police for its area and almost as bad as any other province with regard to number of police for its population.

Sir, I think a better wording of the resolution would have been 'motorisation' rather than 'mechanisation'. We are all familiar with these terms in these days. A mechanised force does its job from and in its mechanical vehicles. But a motorised force merely uses its motors to take it to the place where its job of work lies and what are wanted are motors to take the police to the place or places where they are required, thus enabling them to get there quickly, and, on arrival there, to be fresh and fit.

There are three main reasons why the police force requires vehicles, viz., (1) for traffic control, (2) for the preservation of law and order and (3) for the apprehension of criminals.

To take the first. This Assembly in the last session voted considerable additional onerous duties on to the police in connection with the Motor Vehicles Rules. Now in other provinces and countries which have had more experience of traffic control than we have, it has been found essential to have a mobile police patrol to ensure that the traffic laws are obeyed. It is obvious that no one with any sense at all will deliberately break the law when he knows that a policeman is watching, but there is a great temptation to break rules which appears irksome, and, when one is fairly sure that no guardian of the law will witness the occurrence. Elsewhere mobile patrols have been found necessary to overcome this and I see no reason why Assam should be any different.

In fact, I understand, the nucleus of such a staff has been sanctioned and enlisted, but without transport obviously it cannot start to do its job. To be consistent, therefore, this House having voted these additional duties

on to the police should now support this resolution in order to enable the police to do those duties efficiently.

Now, the second reason I mentioned was the preservation of law and order or it would have been better put 'prevention of disorder'. The Inspector General in his report for 1940 on page 30 states -

"It has been particularly noticeable that where a Superintendent of Police has been able to spare men for intensive patrolling the crime of the locality so patrolled has immediately shown a tendency to drop."

Now it is obvious that a motorised force can undertake a great deal more patrolling than a foot force. The Inspector General states that extensive patrolling does reduce crime, and reduction in crime means less work for the police. And if the police have less work to do they can do possibly with a smaller police cadre, with less recurring expenditure. But I must make it clear that I do not suggest that motorisation will enable the existing police force to reduce their already scanty numbers, but it will probably enable them to reduce the recruiting of as many men as otherwise they would find necessary. I have already illustrated by figures how very scanty the police force is, and the Inspector General in his report states that the majority of the village Thanas are seriously under-staffed. Now, I feel sure that he would agree that it would not be such a serious matter if he had facilities to move reinforcements quickly and at short notice. I can explain this better by referring to the analogy of war. In war, no General expects to have sufficient men at his command to man all his front line so strongly that any section of it can deal with all eventualities. He merely puts sufficient men into the front line to be able to hold up an attack long enough for reinforcements to come in. But it is essential that he is in a position to bring up his reinforcements quickly and at short notice, and therefore, he must have adequate motor transport. In Assam, the various police Thanas are the police front line, and as in war so in peace, no Inspector General will expect to have all Thanas sufficiently staffed to cope with all eventualities. But as in war, the Inspector General has a right to expect to be provided with sufficient reserves and means to bring them up to the front line, *i.e.*, the Thanas. This he has not got, this he should get, and we urge Government that they take immediate steps to provide the necessary transport.

My third and the last reason was the apprehension of criminals. Criminals do not play fair. In the Lakhimpur district we have the spectacle of foot patrols of police trying to apprehend opium smugglers who use fast cars. Probably in no other country in the world are police so handicapped in their fight against criminals as in Assam, nor should this state of affairs be allowed to continue. There is one other point which may not be irrelevant. There is no doubt that after the war is over there is going to be a vast increase in air travel, and we now know, Sir, that Assam will be on one of the great air routes of the world. This is no dream. Already a large aerodrome is under construction somewhere in Assam, and this aerodrome will be of sufficient size to enable large air liners to land and take off with safety. As soon, therefore, as war is ended, Assam will be ready at once to take its place, or do its part, in the expansion of air travel which will form an important part of post-war reconstruction. The coming of great liners to Assam will bring a large number of visitors not only from other provinces, but also from other countries and continents. Surely, we should not allow these visitors to take away the impression of a province with a very poorly equipped police force. It is our duty to see that these visitors leave Assam with the impression of having visited a go-ahead and well-governed province. My point is that visitors are inclined to form their

first impressions of a country from its police force, and, therefore, if they see an efficient and well-equipped force, they will quite correctly get the impression that the province is run in an efficient and up-to-date manner.

Since this resolution is designed to increase the efficiency of the police, it will have the support of every law-abiding citizen of the province. It follows, therefore, Sir, that every hon. member of this House will also support this resolution. Yesterday, Sir, the hon. Deputy Leader of the Opposition referred in another connection to the fact that Assam had been forgotten as usual. Do we want the police to say, when the next budget comes out, that they have been forgotten as usual? And, therefore, Sir, I ask for an assurance from Government that they will make some provision in the next budget for starting motorisation of the police force.

With these few words, Sir, I commend my resolution to the acceptance of the House.

The Hon'ble the SPEAKER: Resolution moved:

"This Assembly is of opinion that immediate steps be taken for the mechanisation of the Police Force in Assam."

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, the resolution moved by my hon. friend will have a better chance if the word "mechanization" is amended to "motorization". If the House has not got any objection, I will request you, Sir, to allow that change.

The Hon'ble the SPEAKER: I think it will be better to have a formal motion of amendment from any hon. member.

Mr. A. WHITTAKER: Mr. Speaker, Sir, I beg to move that the word "mechanisation" be substituted by the word "motorisation".

The Hon'ble the SPEAKER: Amendment moved:

"That the word 'mechanisation' in the resolution be substituted by the word 'motorisation'."

(The amendment was then put and adopted).

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, I listened with great interest to the comparative figures that were supplied to us by the learned mover of the resolution as to the proportion of policemen *per capita* of the population, as also the proportion of policemen per square mile. Assam, on account of its natural conformation and its proximity to the North-Eastern Frontier has to deal with a vast area, and also such areas as the very densely populated Sylhet as well as the very sparsely populated parts of the excluded areas. No wonder, therefore, that the provincial average that has been quoted compares very poorly with the average of a province like Bengal, which has not got the same diversity of population or difficult topographical considerations.

It is natural for me to say—because I have repeatedly stated on the floor of this House—that Assam has got the misfortune of having been given a conformity which can be likened to the shape of the houses of our poorer people. The central ridge of our hill districts runs throughout the length from the border of Bengal to the border of Burma dividing the country into two valleys which are bisected by mighty rivers. Therefore, the administration of police of such a province becomes more difficult. Then, the inaccessibility of the areas in the Hill Districts adds to our difficulties. If the province could afford to build roads to all the headquarters and subdivisional stations, if Assam had the money to tackle the criminals in jungles—however dense they may be—by means of mobile force, surely it would have added to the efficiency of Government and amenities of the province.

My learned friend Mr. Lewis has advanced three reasons as to why a mobile force is necessary with the police. We require police force for traffic control, but I must say to the credit of the law-abiding nature of our citizens that they have not yet taken to what we read of the conduct of a section of motorists in other parts of the world. Those, who read the papers or even the books on fiction, find it stated there, that in the great high-ways that are provided to the motorists, they drive at a break-neck speed contravening every police regulation for speed and such people have to be brought to book by the activities of a police force which are known as flying squads. We have not got such a problem here, for we have not got such beautiful roads or motorists with such propensity. Even then, our traffic control by the police can be made more efficient if we can have a few constables or a few sergeants with motor vehicles in order to apprehend any such delinquents.

My hon. friend has advanced the argument that motorisation of the force is necessary for preservation of law and order. As I have already stated that if we had good roads on which to ply motor vehicles of the Police Department, that would have been the ideal state of affairs. But in spite of the limitation under which we suffer, I think, Sir, it will add to the efficiency of the Police Department, if at least a part of the police force could be motorised or if a few motor vehicle could be placed at the disposal of the Police Department, so that they can transfer the police force immediately where there is an apprehension for breach of peace.

My learned friend has advanced the third argument that such motorisation of police force is necessary for the apprehension of criminals. This reminds me of a recent case which was reported by the Police Department that when certain criminals were about to be apprehended, they rushed off by jumping into a waiting taxi and by the time the police people who were in pursuit of the criminals caught hold of a bus to pursue the criminals, they fled away. That was the case in point for which the present hon. mover wants motorisation of the police force for the apprehension of miscreants.

On account of these difficulties, the Inspector General of Police has submitted a scheme of partial motorisation of the force as he wants to make an experiment in certain districts which are provided with good roads connecting the outlying Thanas and police stations. The police headquarters in these districts should be provided with a few motor vehicles for transport of police force necessary expeditiously and quickly. That scheme had received the approval of Government but is pending the final approval of the House in the Budget session ; for the money that will be necessary for this purpose shall have to be voted by the Legislature. Probably this matter may come up in the shape of a schedule.

Babu RABINDRA NATH ADITYA: May we have an idea about the scheme and the expenditure to be involved ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: At present, if I remember aright, it is going to be on an experimental measure in only three districts, and the cost will be in the neighbourhood of Rs.25,000.

But there are two difficulties ahead. I do not know, even if the House provides the money, whether motor vehicles that are suitable for this purpose, can be obtained in the open market, and even if the vehicles are obtained, whether in these days of petrol rationing, the force will get sufficient petrol to make this experiment a success. Personally, I think, Sir, that acquisition of vehicles will be a more difficult task. For in the conference of the Transport Advisory Council which I attended in the middle of this year in Simla, I learnt that an enquiry was set afoot by the Central Government

whether there were any surplus motor vehicles, that is, motor vehicles lying without use in any province. Barring the Punjab, every province said that there was no surplus vehicle which could be made available to meet an emergency.

But, Sir, it cannot be doubted that motorisation of the police force, even on a limited scale as the Inspector General of Police has recommended, will add greatly to the efficiency of the police force. As I have already stated, Sir, that the scheme as recommended by the Inspector General of Police will be presented before the House, I hope that my hon. friend Mr. Lewis will see his way to withdraw his motion on the assurance that I have given.

✓ **Srijut DEBESWAR SARMAH:** Mr. Speaker, Sir, we on this side of the House oppose this resolution. We cannot have a better illustration of the saying than that we have Rolls Royce Administration in the country of bullock carts. Here, our people of Assam, I mean the masses of Assam, are being left with little property. As a matter of fact, they have very little to lose and we do not want police with motor cars to chase the thieves of these properties. On principle, Sir, in this country the police are having more than their share of the exchequer and if anything is to be done, their cadre should be reduced, and reduced substantially as my friend here has observed. I can understand why some of my friends to my left might have some anxiety to see the police equipped with motor cars to rush to their places whenever there is any incident requiring their presence. I do not know whether the hon. mover is new in the district. I can tell him from evidence on record that whenever a complaint is lodged by the European manager of any tea garden, the police rush to the place in motor vehicles with all possible speed and do needful not for ends of justice, but for the entire satisfaction of the manager. Therefore, Sir, for their requirement they really do not want any automobiles for police to render them any help. As for ourselves—I mean, the masses, *i.e.*, our people—whenever a report is lodged to a policeman, the first thing that the officer says is, “Tell me if you suspect any body”. The answer generally is, “I do not know”. Then the policeman says, “You may go; try to find out the thief and we shall see”. Even in many urgent cases reported by the villagers, the police people do not turn up till the second or third day.

Therefore, Sir, we oppose the very idea of the police being provided with automobiles to do their duties under the present circumstances.

Now, I come to the points that have been raised. The first point raised by the hon. mover is the control of traffic. This reminds me of a story, Sir, which I cannot resist the temptation of quoting. Once a bird was sitting and chatting with a frog when an elephant happened to pass by them and there was a great rush and stampede and noise in the jungle. The bird said, “Look, an elephant is moving with a terrific rush trampling down everything under his feet”. The frog proudly said, “Well, that is the way with us—all four footed creatures”. Like the frog in the story we in Assam are also trying to class ourselves with those in big provinces, although we have not the revenue resources of those. So, motorisation of police is not suitable in our case. There is very little traffic in Assam. The few buses that ply on the Trunk Roads rush at a terrific speed no doubt, but more often than not we find a policeman helping himself to a free seat in the bus and overlooking all sins of omission and commission on the part of the bus conductor.

Then, as regards the second point of maintaining law and order is there really as much disorder and lawlessness in our province as would justify the requisite amount of expenditure on this item? I submit, definitely

not. Regarding chasing of the criminals, the Hon'ble Premier has mentioned a particular case of a certain criminal rushing away in a taxi. It is an exception to prove the general rule that Assam is full of jungles and the thieves and burglars flee away through these.

The hon. mover gave us the figure that there is only one policeman for every 11 square miles in Assam. He did not tell us the number of people in each square mile. There are possibly more jackals and other animals in every 11 square miles than there are people in Assam. Therefore, there is no necessity of providing the police with automobiles to do their duty speedily, and what is more, the money that will be spent on this scheme can be better utilised in solving the more crying needs of Assam.

Assam is in urgent need of other nation-building schemes and this scheme of providing the police with automobiles may wait. Therefore, I, on behalf of the members of this side of the House, oppose this motion.

The Hon'ble the SPEAKER: I wish to know whether the hon. mover wants to withdraw his resolution on the request made by the Hon'ble Premier. I do not think there is any need of further debate on this resolution.

Mr. A. WHITTAKER: I think, it would be constructive, Sir, to have the views of other sections of the House before the resolution is amended or withdrawn.

The Hon'ble the SPEAKER: Let me first decide whether this should be withdrawn.

Mr. ARUN KUMAR CHANDA: May I enquire of the hon. mover if he has seen the advent of mechanisation, as seen on the roads of Shillong? A number of green horns are set upon motor cars and lorries marked 'L' and do they not create a panic among pedestrians in Shillong?

Mr. A. WHITTAKER: Mr. Speaker, Sir, I should like to deal with one point mentioned by my friend Srijut Debeshwar Sarmah, namely, that this is a further evidence of "Rolls Royce Administration in the country of bullock carts". I think the main point raised by Mr. Lewis is the use of 'Rolls Royce' method by the criminals while the police are compelled to use the 'bullock cart' method. Whoever may be the author of the saying that "God is on the side of the big battalions", the modern translation of it is, "God is, on the side of swift battalions". (*Voices from the opposition benches—Do you believe in God at all?*)

Mr. A. WHITTAKER: This is a hypothetical question, Sir. I think, Mr. Lewis has made out a substantial case. The other point raised by Mr. Sarmah is that the criminals can always flee into the jungles. But we have got to deal not only with Assam criminals, but also with the criminals of modern times, who do not recognise the artificial provincial boundaries or artificial district boundaries.

Srijut DEBESWAR SARMAH: What is there to steal in Assam?

Mr. A. WHITTAKER: I would refer the hon. member to the report of the Inspector General of Police, Assam.

I agree whole-heartedly with Mr. Chanda about this danger on the road, but I think with proper mobile patrols some of the learners would not be able to acquire proficiency at the expense of other motorists or humble pedestrians.

I, therefore, support Mr. Lewis's resolution.

The Hon'ble the SPEAKER: Mr. Lewis may reply. But he must first tell whether he accepted the amendment.

Mr. E. H. S. LEWIS: Sir, in view of the assurance given by the Hon'ble Premier, I beg leave of the House to withdraw my motion.

The resolution was, by leave of the House, withdrawn.

Resolution disapproving the Land Settlement policy of the present Government

Srijut LAKHSESVAR BOROOAH: Mr. Speaker, Sir, I beg to move: "This Assembly is of opinion that the policy of land settlement with the immigrants and indigenous population of Assam adopted by the present Government be disapproved".

Sir, the hon. members of this House are perhaps aware that on account of the unrestricted influx of immigrants, particularly Muhammadans from Bengal, since, I think, 1916 there was a genuine fear in the minds of the indigenous people consisting of Assamese, Tribals and Schedule Castes that there would be great scarcity of land for their present needs and for future expansion. The aggressive attitude of the immigrants which manifested itself in wanton trespass on the land of the indigenous population, offences against women, mischief upon the crops of the indigenous population and various other crimes disturbed the peaceful atmosphere of the local rural people. Sir, the District Officers concerned had to pass anxious time and ultimately they devised a plan to cope with the situation by dividing all available waste lands into three categories, *viz.*, (a) first, those in which immigrants were allowed to settle, (b) second, those in which they could not settle and (c) third, those in which the immigrants were allowed to settle only on one side of demarcated areas. Sir, in spite of these restrictions, the influx of immigrants continued unabated with the result that they in flagrant defiance of laws continue to commit all kinds of aggressive acts. Country-wide agitation was set on foot by the indigenous population to stop that sort of unrestricted influx of foreigners and also to maintain the above stated arrangement of settlements of land which is commonly called the "Line System". Sir, a move to counteract the agitation was launched by the immigrants themselves. As a matter of fact, in the old Council, one Muhammadan representative, in the person of Khan Bahadur Nooruddin Ahmed, at the behest of the immigrants, tabled a resolution recommending the abolition of the Line System altogether from the districts of Nowgong, Darrang and Kamrup. But the old Council rejected the resolution of Khan Bahadur Nooruddin Ahmed. Soon after, Sir, election to the Legislature under the new Constitution was held and these very points whether the Line System should be retained or not and whether influx of foreigners into the province should be stopped or not was mooted as election issues and the candidates from all parties of this province belonging to the Assamese, Tribals and Scheduled population gave solemn pledges to the electors that all endeavour will be made to retain the Line if a contrary move is taken in the newly constituted Assembly. True to anticipation, one of the Muhammadan representatives in the Assembly in 1937 tabled a resolution to abolish the Line System. The first Saadulla Ministry which held the reins of administration was in a fix as to what to do. The attitude of the Congress Party, however, was clear. It declared that when the verdict of the country over this issue was unambiguous, and more so when only a short time ago in the old Council the proposal to abolish the Line System was rejected, the Ministry should have no hesitation to reject such a proposal. The first Saadulla Ministry for reasons of its own, however, decided to appoint a committee, commonly known as the 'Line System Committee' in which one representative from the Scheduled Caste community, one from the Tribal community, three representatives from the Muhammadan community and one from the European Group, in the person of Mr. Hockenull, were taken.

Sir, the representatives of the indigenous population, viz., Assamese, Tribal and Scheduled Caste—all of them—recommended that the Line System should be retained and that all steps should be taken to stop the influx of the immigrants into this province. In this connection, Sir, it is worthwhile to know the views of the representative of the Scheduled Caste community. Then Srijut Mahendra Saikia, but now the Hon'ble Srijut Mahendra Nath Saikia, Minister for Excise, as expressed in his recommendations on the Line System Committee, was very emphatic on the point that the Line System should be retained and that sufficient land should be reserved for indigenous population. This is what he said: "From this and from evidence of those important revenue officers beginning from the Commissioner of the Assam Valley Division and the Deputy Commissioner of Nowgong to the Sub-Deputy Collectors and Colonisation Officers, coupled with our personal experience gained through our direct contact with immigrant people and Assamese peasants in the interior, I have come to the following irresistible conclusions: (1) The Line System is an imperative necessity and must be retained in its entirety. If it is abolished, there will be chaos and disorder leading to bloody quarrels and riots. The abolition of the Line System will bring out pre-lining days with its usual various kinds of oppressions on the peaceful Assamese peasants for whose protection against such oppressions of the immigrants this had to be introduced. During our tours, we found many Assamese peasants bewailing and describing how they were oppressed by the immigrant people and how they have been at least partially protected by it. If it is abolished, they will be compelled to leave their hearths and homes and to migrate to the hills."

Then overruling the objection that the Line System is difficult to maintain for want of staff he said, "The Lines though intended to protect the Assamese people have not been able to do so completely due partly to want of....."

Mr. JOBANG D. MARAK: On a point of information, Sir, is this Line still in existence or abolished?

Srijut LAKSHESVAR BOROOAH: It is difficult for me to say now. It is probably practically abolished. As I was saying, Sir, Srijut Mahendra Saikia went on: "The Lines though intended to protect the Assamese people have not been able to do so completely due partly to want of adequate staff and partially for corruption of lower grade land records staff. The staff should be increased to maintain the system with more stringency".

Speaking about the necessity of more lands for expansion, Mr. Saikia said: "The Development Officer of Borphathar has thrown light on the point that in Borphathar area, in a short time there were thousands of *bona fide* applications for land from Assamese people who were actually in need of land and he could provide land to only a small fraction of it. The conclusion is therefore irresistible, that there is not enough of waste land in Assam for any further settlement with immigrant people. Whatever little quantity of land there is, it will soon be taken up in natural course by the needy Assamese people and the settled immigrants and further settlement of lands with new immigrant people should therefore be stopped at once".

That shows, Sir, his clear views on the point.

I now proceed as to what the representative of the Tribal people, viz., Mr. Rabi Chandra Kachari said with regard to these two points. He agreed in his views with those of the hon. member Srijut Sarveswar Barua and Srijut Kameswar Das and three of them signed one report and this is what they say:

"As noted above, we do not consider it advisable to relax or modify the Line System now. We are afraid such relaxation will have the effect of heavier influx of new-comers and the pressure on the indigenous population with the concomitant acts of oppression will again increase manifold. Besides, the tension of feeling between the two people will be accentuated very much. We are of opinion that the conditions which necessitated the institution of the Line System still exist in a large measure and in some places rather in an aggravated form. Particularly the mode in which the system is sought to be modified appears to us to be much more harmful than the present system. We are definitely opposed to the proposal of partitioning districts and subdivisions and of handing over a half of a similar large portion to the immigrants for establishment of homogeneous colonies there."

Speaking about reservation of land for future expansion these representatives of the Assamese and the Tribal peoples said: "Restriction on further settlement of lands with new immigrants.—As we have just found there is hardly sufficient land for the satisfaction of the needs of even the present population and their future expansion—we have pressed before the Committee that time has come for crying a halt to the further flow of immigration into the province and we think that the majority of the Committee accepted our views. It has become all the more important in view of the fact that there has been a general feeling among the immigrants that the lines would be abolished and reserves thrown open."

From this it will be gathered that they were all for retaining the Line System and also for reservation of sufficient land for expansion of the indigenous population.

Sir, before the first Saadulla Ministry could take action on these recommendations, it was overthrown and the administration of the country was devolved on the Congress-Coalition Ministry. The Congress-Coalition Ministry carefully perused the Report and the recommendations made therein by the representatives of the indigenous people and adopted a policy of land settlement which was published in a Gazette Extraordinary, dated 4th November 1939. They realised (a) the importance of maintaining grazing and forest reserves meant for public and as such ordered immediate eviction of encroachers—immigrants or non-immigrants; (b) The interests of the Tribal and backward people were jealously guarded and with that view large blocks in submontane areas inhabited by Tribals were ordered to be made prohibited areas; (c) Due provision was also made for the reservation of large areas for natural expansion of indigenous population and a proposal for planned settlement was contemplated in the available cultivable waste land. It is well-known to this House that these recommendations of the Congress-Coalition Ministry, could not be enforced because they had to resign their Ministry on a larger issue of great political significance. The present Ministry in their eagerness to satisfy the so-called landless men turned down each and every one of the broad policy adopted by the Congress-Coalition Ministry, to wit, they did not recognise the importance of maintaining reserves in spite of protests made by the department of the Hon'ble Srijut Rupnath Brahma, the Minister of Forests (*vide* Forest Administration Report of 1937-38).

Adjournment

The Assembly then adjourned for lunch till 2 P.M.

After lunch

Srijut LAKSHESVAR BOROOAH: Mr. Speaker, Sir, as I was telling, Mr. the Congress-Coalition Ministry adopted the above stated three broad policies.

The Hon'ble the SPEAKER: The hon. member has only eight minutes more.

Srijut LAKSHESVAR BOROOAH: I shall try to finish, Sir.

The Congress-Coalition Ministry in announcing their motive for planned settlement said, "That policy, it will be clear is one of planned settlement in the interests of the cultivators themselves and of the indigenous people, particularly the tribal and backward classes." Secondly, as I have said before, the Congress-Coalition Ministry also recognised the importance of maintaining the grazing reserves and forest reserves and this is what they said: "The question of land which has been reserved from settlement for definite purposes, such as village grazing grounds, professional graziers' reserves and the like, can be disposed of in a few words. These reserves are areas in which settlement is forbidden to all persons—immigrants or non-immigrants. All persons, therefore, in occupation of land within these reserves, shall be evicted." Thirdly, as I said before, it was the policy of the Congress-Coalition Ministry to guard the interest of the Tribal and backward people. This is how the Government expressed their views: "The restrictions constituting the so-called Line System which have been in existence in the province for over 10 years past were primarily intended against the unending flow of Bengal immigrant cultivators and took the form of constituting certain areas in which settlement of land with such immigrants was prohibited. Government agree with the Committee that in future the unit for such restriction or prohibition should, where possible, be larger. They consider that in the sub-montane areas it should be possible to constitute whole Mauzas or compact parts of Mauzas inhabited predominantly by backward and tribal classes into 'prohibited areas'. Elsewhere where the whole village or a larger compact area is predominantly peopled by backward or tribal classes such village or area may be constituted a 'prohibited area.' Within the prohibited areas so constituted, immigrant cultivators shall not be allowed land either by settlement or by transfer of annual *pattas*, and any immigrant so taking up land or by squatting shall be evicted."

This is in short the broad policy followed by the Congress-Coalition Ministry. As I have said already, after the resignation of the Congress-Coalition Ministry on a large issue of great political significance, the reins of administration fell into the hands of the second Saadulla Ministry, i.e., the present Ministry and the present Ministry in their anxiety to please certain sections of the population threw out all the suggestions made by the previous Congress-Coalition Ministry. This Ministry did not recognise the importance of reserved forests and grazing reserves. Secondly also they did not consider, although they profess so in their communiqué to protect the interests of the tribal people and they have not looked into the interests of the backward people as will appear from the report of the Development Schemes Officer and also the Government Communiqué under criticism. I shall cite only a few instances to shew that the present Ministry has not shown any consideration to the interest of the tribal and backward people. I read from the report of the Development Schemes Officer, Mr. M. Chaudhuri, on land settlement in Nowgong district. Speaking of settlement of a block called Kumbhirdubi Block No. 2, Mr. Chaudhuri said:—

"Kumbhirdubi N. C. comprising an area of about 4,000 Bighas in Garubat Mauza contains four families of permanent Assamese residents. Seven more new families of Assamese have recently taken up Pam cultivation in some open fallow land vacated by others. Four families of Nepalis maintain their Khuties there in rains, though it is not a professional grazing reserve. Except the Pamuas, the rest have their lands under *pattas*. All

these are in a compact block in the north-west. Kacharies, Mikirs and Nepalties are living side by side with Mahimals, (Muslim Fishermen), Naths and Namasudras from the Surma Valley in the three villages adjacent to the north of the block. Another village Chira Pather further to the north is inhabited exclusively by Mahimals. It has no inhabitation on the three other sides. The Mikirs and Kacharies may have a slice in the north if they are in need of it. Another slice including the pattas of Assamese and Nepalties in the north-west may be settled with the Assamese. The rest may be settled with Surma Valley people and immigrants, the former having the preference."

This is the recommendation of the Development Schemes Officer. The recommendation of the Deputy Commissioner, Sir, is that, "settlement in this block may be deferred till other lands are occupied." But the present Government threw out the suggestions of the Development Schemes Officer and the Deputy Commissioner and settled the entire 4,000 Bighas with immigrants. The effect of this order will be that the immigrants will be thrust with the Kacharies, Nepalties and Mikirs and there will be eventual conflict between immigrants and these simple Tribal people of the province.

Then about Mauza Lanka, the Development Schemes Officer said:—

"Block No.5.—This block composed of Chimlai N. C. Rajapathar N. C. and Thaisu N. C. in Lanka, comprising an area of about 9,000 Bighas lies about 2½ miles of Lanka Railway Station. Surma Valley people are living side by side with Kacharies and Mikirs quite in peace and amity between the railway station and the proposed block. So this block may be reserved for settlement with Kacharies, Mikirs and Surma Valley settlers. Some Kacharies have opened out lands in the block and got pattas. One Mikir village containing seven families of Mikirs has been established within the block. All facilities will have to be provided to these Kacharies and Mikirs for not only maintaining their existing cultivation but extending it also within the Scheme. Separate smaller blocks may be set apart for them at the time of settlement".

Here also, Sir, the Deputy Commissioner recommended to defer settlement in this block. The Development Schemes Officer recommended settlement with all these people—Mikirs, Kacharies and Surma Valley settlers, but the Government threw away all these recommendations of the Deputy Commissioner as well as the Development Schemes Officer. The present Government under the communique under criticism has ordered to throw open the whole block to the immigrants. From this it will appear what real consideration the present Government has shown for the interests of the Tribal and backward communities.

Sir, I need hardly say that before a decision is taken to settle lands with people coming from outside with whom the indigenous population bear no social or cultural affinity, it should be the paramount duty of every Government to ascertain the amount of land that is likely to be necessary for expansion of the children of the soil for a fairly long time to come and then set apart sufficient land for that purpose. It is worthwhile, Sir, to give an idea to the House as to the amount of land that the indigenous population require for its normal expansion. We may, Sir, have a fairly accurate idea of this from the quantity of land that the indigenous population actually occupied during a certain definite period. I shall endeavour, Sir, to furnish the House the acreage of land that the indigenous population occupied from 1928 to 1939, i.e., a period of 10 years, in each of the districts, viz., Nowgong, Darrang and Kamrup in which the present Government proposes to introduce its land development scheme. From a perusal of the statement

contained in Appendix III of the Land Revenue Administration Report for 1928-29 we find that in 1928 all classes of population held 4,74,370 acres of *khiraj* land in Nowgong district, 5,34,810 acres in Darrang and 8,40,424 acres in Kamrup district. We find in Appendix IV of the same report the amount of land held by all classes of non-Assamese people, *e.g.*, Mymensingh immigrants, *Ex-tea* garden coolies, Marwaris and Nepalis. In the same year the amount of land held by the above non-Assamese settlers were 1,57,139 acres in Nowgong, 1,69,680 in Darrang and 1,22,545 acres in Kamrup districts. Deducting these latter figures from the former we find that the indigenous people including Assamese, Tribal and Scheduled Castes occupied respectively—3,17,231 acres, 3,65,130 acres and 7,17,879 acres in Nowgong, Darrang and Kamrup districts. By similar process, Sir, from Appendix III..

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

Srijut LAKSHESVAR BOROOAH: This is a vast subject, Sir. Kindly allow me another 5 or 10 minutes, Sir.

The Hon'ble the SPEAKER: But already the hon. member has spoken for half an hour.

Srijut LAKSHESVAR BOROOAH: I will finish very soon, Sir.

The Hon'ble the SPEAKER: Very well, the hon. member may go on.

Srijut LAKSHESVAR BOROOAH: By similar process, from Appendices III and IV of the Land Revenue Administration Report of 1938 we find that the indigenous population held respectively 3,40,236, 3,86,237 and 7,75,046 acres. This shows thereby that during the period of 10 years the Assamese people held 17,005 acres in Nowgong, 21,107 acres in Darrang, 57,167 acres in Kamrup district, *i.e.*, more land in 1938 than they did in 1928. The hon. members will find from a perusal of these Land Revenue Administration Reports that the amount of land held by the Assamese people has been steadily on the increase since 1908 and even before. From the above, the hon. members will have no hesitation to come to the conclusion that 17,005 acres or 51,015 Bighas in Nowgong, 21,107 acres or 63,321 Bighas in Darrang and 57,167 acres or 1,71,501 Bighas in Kamrup are necessary for natural expansion of indigenous population in a decade. Sir, in face of these staggering figures the present Ministry have not cared to reserve the extent of the land likely to be required for natural expansion.

Sir, the Land Development Scheme is open to one serious objection; in that the Ministry have decided upon doling out land without previously ascertaining what amount of cultivable land was available for settlement. We have been presented with conflicting information about the amount of such land available in Nowgong district. In the Government order it has been stated that—

“Deducting subsequent settlement from the details furnished by Mr. Marar, the then Deputy Commissioner of Nowgong in 1938 (see page 17 of Vol. II of Line System Committee's Report), it appears that roughly about 6 lacs Bighas of cultivable waste land are available for settlement in Nowgong.”

Sir, the evidence of Mr. Marar given before the Line System Committee is before us and you will be surprised to find from Mr. Marar's evidence where he said that only 62,000 acres and not 6 lacs of Bighas are available in Nowgong district. And he has stated that out of this area the major portion in Hojai and Namati is completely allotted. As will appear from his evidence that he pointed out before the Committee in a map showing a certain plot of land which will evidently be much

less than 62,000 acres. Sir, as has been said already and admitted by the present Government in their communique that the problem of settling the available waste lands in the three districts of Assam, viz., Nowgong, Darrang and Kamrup have been engaging the serious attention of Government since 1937. The Line System Enquiry Committee obtained from the Deputy Commissioners and Subdivisional Officers' the amount of cultivable land that may be available for settlement with the landless people. The Deputy Commissioners and Subdivisional Officers had carefully found out the available cultivable waste lands that may conveniently be settled with the immigrants and indigenous population. I submit, Sir, their Report as to area that was available for such settlement should have been relied upon and acted upon by the present Ministry, for, I need hardly say that their Report was based upon practical experience gained in administering their respective districts. But for reasons best known to the Ministry, they thought it advisable to depute a Muhammadan Officer belonging, of late, to the Subordinate Executive Service who turned down the suggestions of the Deputy Commissioners—both European and Indian having long experience of administration of districts and subdivisions. Funniest part of the affair is that the Government in its Development Scheme for Nowgong has accepted the recommendation of this officer to do away with 30 per cent. reservation of land in proposed development areas meant for the welfare of the local indigenous people consisting of tribes, Assamese and Scheduled Castes and have rejected those recommendations of the Development Officer meant for the protection of the tribals and also other Assamese people as will appear from the following.....

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

Srijut LAKSHESVAR BOROOAH : One word more, Sir.

The Ministry after full examination of what amount of land is available as they say and what amount of land is suitable or unsuitable for cultivation, decided upon reserving 30 per cent. of land for future expansion of the indigenous people in these development areas; but the lightheartedness with which the present Ministry gave the go-by to their own fundamental principle lend support to the belief freely entertained in the country that the much vaunted Land Development Scheme of the present Ministry is a camouflage for the extension of the Pakistan Scheme huggd only by a section of Mussalmans that are communally minded.

So, Sir, as I have already stated the Development Scheme proposed to be applied in Nowgong by the present Ministry is liable to be rejected for (1) non-reservation of lands for future expansion of the indigenous people to the extent of their needs, (2) for not ascertaining the exact quantity of available cultivable land, (3) for not reserving 30 per cent. of land out of the development areas for indigenous people as announced in the Government order dated 26th June 1940, (4) for reserving blocks in Lanka and Garubat Mauzas occupied by Lalungs, Kacharies, Assamese exclusively for the immigrants and thereby threatening the Mikirs, Kacharies and Lalungs to be evicted therefrom.

I believe the hon. members will know that the Government have not yet decided to introduce the Development Scheme for Darrang and Kamrup districts though the recommendations of the Development Scheme Officer is published and when this report will be discussed it will found to be equally disappointing. They are positively detrimental to the cause of the Tribal population. In Kamrup, Sir, only 13,257 Bighas have been

reserved for indigenous people whereas 30,617 Bighas for immigrants showing thereby his solicitude for the immigrants at the cost of the Assamese people.

The criticism offered by me on the recommendation of the Development Officer of Nowgong and Kamrup apply in all forms to his proposed Scheme for Darrang. One noticeable feature of this Scheme is his utter disregard of the claims of the Tribal people of the neighbouring district of Goalpara to settlement of land in the Mangaldai subdivision. I cannot but quote the following lines from his report which goes to support the above fact. "The special feature of Mangaldai subdivision is the immigration of Goalpara people mostly Kacharies. It is daily growing in magnitude and may soon assume the shape of threatening the normal expansion of the indigenous people. These Kacharies are coming in after selling away their lands in their native villages to the Mymensingh immigrants. They are much better cultivators and hardier than the local Kacharies or Assamese. They maintain a higher standard of living also. They are gradually expanding from Rangia eastward. They are quite capable of looking after themselves and need little protection. I am afraid time is fast approaching when indigenous population will need protection against them."

I need hardly say that this should be an eye-opener for the Tribal representatives of this Assembly.

Sir, as the time at my disposal is limited, with these remarks about Darrang and Kamrup I leave it to the hon. members hailing from those districts or others to offer their criticism in details.

With these words I commend my motion for acceptance of this House.

The Hon'ble the SPEAKER: Resolution moved:

"This Assembly is of opinion that the policy of land settlement with the immigrants and indigenous population of Assam adopted by the present Government be disapproved."

Srijut GOPINATH BARDOLOI: Sir, I beg to move an amendment to the resolution that has been moved by my friend Srijut Lakshesvar Borooah. It may be seen from the list of resolutions that I also tabled a resolution to the same effect. Only my resolution covered a larger ground and contained some constructive suggestions which I wanted to throw out to the Ministry. I have tried in this amendment to incorporate, Sir, those ideas, so that the House may get a fuller chance of looking at the question from all points of view. The amendment that I propose runs as follows:—

"That the 'fullstop' after the word 'disapproved' shall be deleted and the following shall be added thereafter:—

'And urges on them to stop the same forthwith and to take up immediate measures not only for maintaining the existing village reserves, professional graziers' reserves, game and valuable timber reserves, but also for creating enlarged prohibited areas in regions where the population is predominantly Tribals or backward, by evicting the trespassers from the former and by refusing settlement in the latter.

The Assembly further urges Government to cause an actual survey of the available culturable wastes other than the constituted reserves and prohibited areas mentioned above, as also determine by direct method the number of landless people and of those with less than five Bighas of land per family among the indigenous people; and that after the actual figures are available, Government do set apart certain areas sufficient for the future expansion of the growing population of the province and settle the remaining

portion of the waste on the basis of a legislation which will provide for (i) settlement with *bona fide* agriculturists including immigrant settlers from before 1st April, 1937, with preference to the indigenous people, (ii) settlement of a limited area with educated people of areas larger than thirty *bighas* per head for improvement of agriculture and for solution of the unemployment problem, (iii) prevention of alienation by sale, gift, mortgage, etc., in favour of non-agriculturists and such other provisions as may be necessary to safeguard the interests of the *bona fide* agriculturists'."

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I rise to a point of order, Sir. I submit that the amendment which has been moved by the hon. Leader of the Opposition is entirely out of order on two grounds. Firstly, this amendment goes beyond the scope of the original resolution, which has been moved by my hon. friend Srijut Lakshesvar Borooah. His resolution is of a negative character; it disapproves a certain policy of Government, it asks Government not to do a certain thing. But the amendment moved by the hon. Leader of the Opposition has got both a negative and a positive aspect. In the negative aspect, it disapproves Government policy, and in its positive aspect it urges upon Government to do certain things; he puts forward certain 'constructive suggestions', as he calls them. According to his own admission, the resolution, of which he gave notice, covers a larger ground. Therefore, Sir, this amendment is clearly out of order because it goes beyond the scope of the original resolution.

The second ground on which I base my point of order is a ruling by President Sir Frederick Whyte in the Central Assembly. At page 55 of the Selection from the Decisions of the Chair, we find, "A member sought to move an amendment to a resolution which amendment was included in a later resolution of which notice had been given prior to the amendment. The President ruled that the amendment was not in order." That case is similar to the present amendment. On these two grounds, I urge, Sir, that you rule this amendment out of order.

Srijut GOPINATH BARDOLOI: May I respectfully submit that the amendment which I have moved is both an explanation as well as a sequence of the main subject at issue, *viz.*, that the policy pursued by Government is not the correct one? It will be seen, Sir, that so far as the first paragraph of that amendment is concerned, it merely elucidates in a way the resolution which has been moved by my hon. friend Srijut Lakshesvar Borooah. And so far as the second paragraph is concerned, it only seeks to make the resolution complete. I respectfully point out to you that my amendment does not go beyond the scope of the original resolution, on the other hand it just explains the scope of the resolution.

The Hon'ble the SPEAKER: But the Hon'ble Mr. Matin Chaudhuri has taken advantage of the expression used by the hon. mover of the amendment that it covered a larger ground. Will he kindly explain what he meant by that?

Srijut GOPINATH BARDOLOI: I will just now explain to you. My amendment makes the original resolution a whole thing. It explains the original resolution. The constructive suggestions that have been put forward are only a part of the main subject.

Babu KAMINI KUMAR SEN: May I submit a few words in support of the position that has been taken by my hon. friend Mr. Bardoloi?

It seems, Sir, that according to our rules—I refer to rule 80—the only restriction that has been put to moving an amendment is to this effect—"After a resolution has been moved, any member may, subject to all the rules relating to resolutions, move an amendment to such resolution". The original rule with regard to moving of resolutions will be found in rule 76,

which runs as: "Every resolution shall be in the form of a declaration of opinion by the Assembly indicating, whenever necessary, a line of action to be taken by the Government, and no resolution shall be moved in regard to any of the following subjects, etc.". My submission is that the resolution which has been moved by Sriji Lakshmesvar Boroah is rather incomplete and the amendment moved by Sriji Bardoloi makes it complete. That is, it gives the necessary instructions indicating whenever necessary the line of action to be taken by Government. My submission is that without this amendment the resolution is incomplete. There is no express provision in our rules, which makes it obligatory that an amendment must be within the scope of the resolution. I may further submit, Sir, that the resolution refers to the Development Scheme and the suggestions made in the amendment are really constructive suggestions with regard to the same scheme on which the original resolution stands and as such the amendment is definitely within the scope of the original resolution. So, I do not see any reason why the amendment should be out of order according to our rules.

The Hon'ble the SPEAKER. With regard to the point of order, I would like to point out to the House that the ruling that has been cited by the Hon'ble Maulavi Abdul Matin Chaudhuri, really shows that a resolution which has been admitted cannot be moved as an amendment to a prior resolution which is taken up for discussion. This is the simple fact that has been stated in that ruling. But there may be circumstances under which even a later resolution can be admitted as an amendment to a prior resolution if that resolution be within the scope of the resolution that is moved. So, it is a question to be decided whether the amendment which has been moved is really within the scope of the resolution that has been moved. The Hon'ble Maulavi Abdul Matin Chaudhuri has said that the resolution moved is really of a negative character, but the amendment that has been moved is of a positive character suggesting some lines of action to be taken by Government. But in my view, the resolution is also of a positive character. It firstly lays down a line of action, viz., the recommendation that Government ought to abandon the policy, and then it also implies that the Government should also adopt a policy which would be acceptable to the House. Now, in that view, I think, any hon. member will be within his rights to say—"Well, I don't like that we should only record our disapproval, but I should like to dictate the policy that Government should adopt with regard to the subject-matter of the resolution." So, I think in this view, the amendment, while disapproving the present policy of Government, also indicates the policy which they should adopt as being more acceptable to the House. I hold, therefore, that the amendment is within the scope of the resolution. In this connection, I may refer the hon. members to the ruling given by the Hon'ble Speaker of the United Provinces Legislative Assembly. That was in connection with a very important and well-known resolution throughout India. That resolution was regarding making India participate without her consent and demanding that she should be regarded as an independent nation entitled to frame her own Constitution. The resolution was put forward by Government of the United Provinces indicating the policy that they should adopt in regard to the war and to that resolution the Opposition tabled many amendments which went even and suggested counter to the resolution and also a quite different policy which appeared not to have been within the scope of the resolution. But the Hon'ble Speaker held that they were all within the scope of the resolution and he gave a very liberal interpretation of what is meant by "the scope of a resolution." (*Applause*).

Srijut GOPI NATH BARDOLOI : I thank you, Sir, for your ruling. But I expected that the Ministry itself would have found no difficulty whatsoever in accepting the amendment that I tabled. In this connection, I want to tell the House and the Ministry that my position over this resolution is not merely one of disapproval ; it also aims at throwing certain suggestions which if the Ministry were really anxious and really willing to meet the public feeling, would surely like to adopt. What I like to point out is this that this Land Development Scheme of Government has created such a wild agitation in the country that it would be, I should consider, an imperative duty of Government to reconsider the whole thing. Sir, from certain quarters this scheme has been called both an aggressive communalism as well as a communal aggression. Others have chosen to term this as a scheme where Pakistan is already in operation. Sir, I am not afraid of terms, nor do I have much belief in them ; but I am not surprised at these criticisms, when Government follow a policy of blind communalism it is bound to have communal repercussions, as love would beget love and hatred hatred. Feelings of the people in some parts of the country have been to the effect that under the present Government, they cannot remain safe in their own hearths and homes, and that they will have to leave their places to find out some shelter in hills and dales. The feelings of the people have become so strong that we, who had actually been in retirement during this period, have been forced to come out and lodge this protest on behalf of those people. I consider, Sir, the matter is really very serious, and with all the earnestness that I can command, beseech the Ministry to take note of the feeling of the people and to reconsider the whole matter and to take action accordingly before it is too late.

Sir, I do not propose to traverse the grounds which my hon. friend—the mover—has dealt with, but yet I consider it necessary to focus the pointed attention of the House to the policy that was adopted by us and the policy that has been proposed to be adopted by the present Government in the communiqué which they issued in 1940 to show the difference. Sir, there are three distinct things which are clearly readable from the resolution which the Congress-Coalition Government adopted and which were published in the Gazette, dated November 4th, 1939. The three principles that underlie this resolution are as follows:—

Firstly—that the reserves should be rendered inviolable and any trespasser upon the reserves should be met with eviction.

I will repeat that portion, I mean paragraph 2 of that resolution, which states the facts as follows:—

“The question of land which has been reserved from settlement for definite purposes, such as village grazing grounds, professional graziers’ reserves and the like, can be disposed of in a few words. These reserves are areas in which settlement is forbidden to all persons—immigrants or non-immigrants. All persons, therefore, in occupation of land within these reserves, shall be evicted.”

Now, Sir, the importance of this reservation can hardly be exaggerated. Assam is an agricultural country and we are all agriculturists. The necessity of such grazing reserves, the village grazing reserves and professional grazing reserves, requires to be stressed upon. Then, Sir, my hon. friend, has just now read the opinion of the Conservator of Forests about the necessity of such forest reserves. It has been said that our rivers are getting shallow everyday and floods have become a matter of seasonal occurrence on account of the deforestation, that is going on just now for the purpose of finding lands for the landless people. If, in face of all these expert opinions, and in face of the urgent necessity for maintaining grazing grounds and such other reserves

the Ministry do not consider this to be their sanctified duty to protect these reserves, I would consider that they must be pursuing a very wrong and ruinous policy.

Then, Sir, the second point that we purposely stressed and we consider it very necessary to stress now, is the necessity of giving protection to the Tribal and backward people. That position is rendered very clear in paragraph 4 of that resolution, which is as follows:—

"They consider that in the submontane areas it should be possible to constitute the whole mauzas or compact parts of mauzas inhabited predominantly by backward, tribal classes into 'prohibited areas'. Elsewhere where the whole village or a larger compact area is predominantly peopled by backward or tribal classes such village or area may be constituted 'prohibited area.' Thus it was decided that immigrant cultivator would not be allowed into these areas land either by settlement or by transfer of annual pattas; "and any immigrant so taking up land or by squatting shall be evicted".

The policy underlying this is very clear, Sir. Everybody knows that the submontane areas in Assam Valley, both in the north as well as in the south of the Brahmaputra, are peopled by the Tribals. The policy that has been sought to be made clear here is that into these areas no settlement with immigrants should be made.

Then, Sir, we also decided that elsewhere where the whole village or large compact areas are predominantly peopled by backward and tribal classes, these areas also should be declared as 'prohibited area'.

Then coming to the third point of the resolution we decided that, Sir, if any land was left after those above reservation, indigenous people should get preference to settle there, and after that we should give lands to immigrants who had come and settled here before April 1937. I think, Sir, this clearly enunciates the policy which was contained in the resolution of the Congress-Coalition Government.

Then, Sir, I come to the resolution which was adopted by the present Government on the 21st June 1940. By this resolution the Ministry propose to say that they are only making clear certain ambiguities and certain vagueness that exist in the former resolution of the Congress Coalition Government. Paragraph 3 of the resolution says:—

"Government propose to start Development Schemes, somewhat on the lines of the Barpathar Scheme, in as many areas of the province as possible, where large blocks of unopened land suitable for settlement are available. In these, after reserving 30 per cent. for the expansion of the existing population, all squatting will be prohibited and smaller blocks will be created, and allotted for settlement by members of all the different communities who are in need of land, viz., the indigenous Assamese, Tribal people, Scheduled Castes and immigrants".

Sir, I submit that instead of making ambiguity clear, the Government have purposely launched into vagueness, to give a cover to their ultimate object. The whole statement is vague.

Why I call this a vague statement is due to the fact that here this 30 per cent. of reservation has not been shown to exclude the reserves. If this 30 per cent. was shown to have included lands other than those constituted reserves or other than those for which reservation was made for the protection of the Tribals, I would have been perfectly satisfied. But this resolution is such that the Development Officer, Government's own Officer, who was appointed afterwards, could say that he could not recommend the maintenance of the reserves in many cases. Then Sir, I find in the resolution no doubt that necessity for the protection of the Tribals and the Scheduled Castes is admitted. It is laid down in the resolution as follows:—

"The question of maintaining the Line System or abolishing it was discussed in the conference, but on common consent, that is, by the parties concerned, the controversy of its legality, etc., was dropped for the time being, though it was agreed by all that the Tribal and Scheduled people required adequate protection and Government accept this recommendation". Now what prevented this Government in reiterating the policy that for the protection of the Tribals larger reservation is necessary? I say, Sir, that even in this, much room is left for vagueness, by means of which I will point out that this Government actually transgressed the policy which the Congress-Coalition Government laid down in respect of reserves for the expansion of the Tribal people and for their protection.

I hope, Sir, I have been able to explain the view points which underlie the two resolutions. I will now show, Sir, how the Development Scheme Officer in his recommendation has gone against this.

Maulavi ABDUR RAHMAN: Is it not a fact that prior to the publication of the Government communique or resolution, a conference of the different groups, was held and as a result of that conference this publication of the Government was issued?

Srijut GOPINATH BARDOLOI: Yes, Sir, and that is all the more reason why I take exception to what the present Government is doing; in spite of severe protest the Government did not take into account the feelings of the people, and went on with its irresponsible policy. I am sure that this scheme, which has been given effect to, was not taken up in consultation with any member, or even, as I understand, with the members of their own group—not to speak of the people who are in a position to speak on their behalf.

Maulavi ABDUR RAHMAN: Is it not a fact that this resolution of the Government was in corroboration with the result of the conference and not in conflict with the decision of the conference?

Srijut GOPINATH BARDOLOI: We do not know, Sir; we were not taken into confidence. Now, Sir, the two points that I stressed were in the first place, that no consideration was given to the tribal areas and as a proof of that I simply read from the Report of the Development Scheme Officer, which scheme, I understand, was sent round to the District Officers to be given effect to. I need not go to other places—I am citing the case of Kamrup district. Who does not know that Paschim Borbhang and Baska mauzas are inhabited by the Tribals? But what do we find from the recommendations of the Development Scheme Officer? It is definitely laid down in his report that he recommends the settlement of lands with the immigrants in the mauza Paschim Borbhang. Then, again as regards Block No. 7, Block No 8 and other places, I may say from my own personal knowledge that these are inhabited by the Tribals only and none else; yet these lands have been recommended for settlement with the immigrants.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Will my hon. friend refer to the page or paragraph he is reading, is he reading from page 11?

Srijut GOPINATH BARDOLOI: Yes, Sir, it is page 11.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: But, I find that the recommendation is that these places should be left for the present.

Srijut G OPINATH BARDOLOI: I am not saying that the settlement has already been made, I am only referring to the recommendations, in order to make my point clear. As regards Rangia circle, I again repeat that—the whole of Rangia circle is a Tribal area. (I am now reading from page 14)—the total area proposed for the Development Scheme by the

Deputy Commissioner is 35,909 Bighas ; the area recommended to be left out for the present is 12,661 Bighas and the area recommended for settlement with the immigrants and all classes of settlers is 11,191 Bighas. Can this fact be denied by the Hon'ble Premier ? So, Sir, it would appear that the most important portion of the resolution, namely, the protection of the Tribals, was set at naught by this Government and the recommendation of the Development Scheme Officer is being given effect to by the Government.

Then, as regards the inviolability of the reserves I need not read, I have only to refer again to the recommendations of the Development Scheme Officer.....

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I am sorry, Sir, to trouble my hon. friend. When he places any matter before the House he should place the entire thing. My hon. friend just now told us that an area of 11,191 Bighas is going to be settled with the immigrants and that the area that is reserved for the indigenous people is 12,657 Bighas. But if my hon. friend will read the heading of column 5, he will find that the area recommended is for 'all classes including immigrants' and not for the immigrants only.

Srijut GOPINATH BARDOLOI : It is just here that I admire the devices of the present Government. I am explaining, Sir. The Development Scheme Officer has said that in all cases where land is proposed to be settled with the immigrants, it could also be given to others. In other words, all lands given to immigrants have been reported as land for all. But as a fact, can anybody think that where the immigrants settle, other people will ever go, especially the Tribal people ?

Then, Sir, to revert to the question with regard to the inviolability of reserve, one has only to read the Report of the Development Scheme Officer. In the case of Nowgong district, he has proposed two big reserves, the Lakhwa reserve and another the Lungia reserve, to be opened. So far as Mangaldai is concerned, they are proposing to open not more than 24,000 Bighas of land which of course are predominantly inhabited by the Tribals.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : On a point of information, Sir, is it not a fact that all the Congress members of the Line System Committee recommended the opening of the Lungia reserve ?

Srijut GOPINATH BARDOLOI : I am not aware of that. It is not true.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY : On a point of information, Sir, may I ask whether the Advocate General gave a ruling that the Line System is illegal ?

Srijut GOPINATH BARDOLOI : That is not the point, Sir. I have not at all raised the question of Line System in my discussion. I am only trying to show that a fair distribution of land is possible and that every community can be satisfied, if a right policy is followed.

So, Sir, this is the position. Government enunciates the policy: the Development Scheme Officer has recommended something beyond it ; and when you go to examine the actual working of this scheme by Government something very appalling overwhelm us. Here is an example where the scheme has been given effect to. In Nowgong district, the Development Scheme Officer proposed the settlement of only 40,000 Bighas in view of the recommendation of Mr. Marrar made before the Line Enquiry Committee wherein he proposed the settlement of only 40,000 Bighas ; but the present Government have ordered the settlement of 64,000 Bighas ; and what is more, as I understand from some friends who are interested in this matter, that the number of Bighas, which are now going to be opened, amounted to nearly two lakhs—I do not know how far that is a fact, but the apprehension

of the people is there. Therefore, Sir, the matter stands like this—the Resolution of the Government stands on one footing, but as soon as it comes to the Development Scheme Officer it goes a step further against the interest of the indigenous people and when it actually comes to be applied in practice by the Government it takes the unjust proportion which has created all this agitation and all this mischief in the country. I think, therefore, Sir, that it is necessary to condemn this Government for this ruinous policy and for carrying out the policy in a far more ruinous manner.

Then, Sir, the methods that have been applied have given as much cause for criticism. In evolving a scheme like this everybody expected that an officer who could command some respect from the Deputy Commissioners should have been the person to do it: probably the Director of Land Records would have been the fittest person to do the duty as I personally feel about it. If not, at least some other senior Deputy Commissioners might have probably been appointed to draw up the scheme. But who is the person that has been selected to do it by the Government? He was formerly a Sub-Deputy Collector and now he has been raised to Extra Assistant Commissioner, and it is his recommendations which are supposed to be carried out by the Deputy Commissioners and the Sub Divisional Officers. Then again, all the officers that have been employed as Colonisation Officers, are Muslims. The Government are supposed to safeguard the interests of all the communities, the Hindus, Tribals and everybody in the operation of the scheme. How is it that only Officers from one particular community are found suitable and none from other communities? Are there no Hindus and Tribal Officers available?

Khan Bahadur Maulavi KERAMAT ALI: May I know to what community the Colonisation Officers belonged when the Congress Ministry was in power?

Sriji Gopinath Bardoloi: That is absolutely out of the question. I am talking of the criticism that is there and I maintain that it is a just criticism and just grievance. I, as a friend, make the suggestion that the Government should see that these causes of criticism are gone. And that is the reason why I have tabled the second portion of the resolution. All that I say now is that it has created such a grave position in the country that I feel I should earnestly request Government to revise their policy, to stay their present policy, and then look at the matter from the standpoint of real development and not as communal question as they have done hitherto; and then try to evolve a scheme by which they can satisfy everybody and all classes of people.

And then, Sir, I come to the relevant portion of my amendment. My suggestion is that they should “take up immediate measures not only for maintaining the existing village grazing reserves, professional graziers’ reserves, game and valuable timber reserves, but also for creating enlarged prohibited areas in regions where the population is predominantly tribal or backward, by evicting the trespassers from the former and by evicting and refusing settlement in the latter”. If these measures are adopted, I am sure the feelings that have been raised over this question in the country will be very much allayed and the present agitation will be soon toned down.

Then, Sir, I have urged on the Government to “cause an actual survey of the available culturable wastes other than the constituted reserves” and then to bring in a legislation by virtue of which these lands are proposed to be given to those who actually ought to get such lands. In reference to settlement with immigrants how things are going on now are known to many. Generally the Sarcars and the Dewans get large plots of land and keep a large number of labourers to work on them. These labourers naturally want lands for their own and these rich Sarcars and Dewans pass

these labourers on to some other place to squat. I consider it is a very inequitable state of things which should at once be stopped. We cannot allow exploitation and speculation by the big landlords on the one hand and indiscriminate squatting and subsequent conflict on the other. And this could be done only by a legislation, which will provide for "settlement with *bonafide* agriculturists". It is only by this legislation that the people who actually want relief could get that relief. With these few words, I place my amendment before the House for its acceptance.

The Hon'ble the SPEAKER: Amendment moved:

"That the 'fullstop' after the word 'disapproved' be deleted and the following added thereafter:—

'And urges on them to stop the same forthwith, and to take up immediate measures not only for maintaining the existing village reserves, professional graziers' reserves, game and valuable timber reserves, but also for creating enlarged prohibited areas in regions where the population is predominantly tribals or backward, by evicting the trespassers from the former and by evicting and refusing settlement in the latter.

The Assembly further urges Government to cause an actual survey of the available culturable wastes other than the constituted reserves and prohibited areas mentioned above, as also determine by direct method the number of landless people and of those with less than five *bighas* of land per family among the indigenous people; and that after the actual figures are available, Government do set apart certain areas sufficient for the future expansion of the growing population of the province and settle the remaining portion of the waste on the basis of a legislation which will provide for (i) settlement with *bonafide* agriculturists including immigrant settlers from before 1st April, 1937, with preference to the indigenous people, (ii) settlement of a limited area with educated people of areas larger than thirty *bighas* per head for improvement of agriculture and for solution of the unemployment problem, (iii) prevention of alienation by sale, gift, mortgage, etc., in favour of non-agriculturists and such other provisions as may be necessary to safeguard the interests of the *bona fide* agriculturists'."

I think that at this stage the Hon'ble Premier should speak.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, the resolution as it now stands is a very comprehensive one and has both its negative and positive sides. I must congratulate my hon. friend Sriyut Gopinath Bardoloi for his taking the trouble of giving us what he calls constructive suggestion in order to make the Development Scheme acceptable to everyone in the province. I wish however, Sir, that we in this province could attain to such an ideal which still remains Utopian. My experience has been, Sir, that there is a class of people in the province whom nothing will satisfy. It is a well known fact that the province of Assam had quite a vast area lying fallow which could be turned into productive uses. As early as in 1928, the Royal Commission on Agriculture noted on that point. But even before that report was out, there was infiltration of quite a considerable number of people from the West into this province. These people came not only from East Bengal, but also from Bihar and from the Punjab, Marwar and Nepal. They all had their share of fresh settlements from the waste lands available for settlement to newcomers. These two factors remained in the history of Assam for a long time,

Every Government according to their lights, wanted to come to an equitable and acceptable solution of the situation. I need not take the time of the House by detailing what was done before the present Constitution came into existence in 1937. But since 1937 there have been three Governments, firstly my first Government, then the Government of my friend, the mover of the amendment and lastly again the present Government under me. In the first Government or the first Ministry of mine, I thought, Sir, on the recommendation of the House, that an enquiry should be made whether any fresh policy should be evolved which would satisfy every one. The Line System Enquiry Committee which had come into existence composed of representatives of every group and interest and was presided over by one who was entirely disinterested in the solution of this problem. My hon. friends, the mover of the resolution as well as the amendment had to admit that no agreed solution could be provided by the Line System Enquiry Committee, for there was a majority report and minority report. My hon. friend Srijut Lakshesvar Borooah who ought to have known better by this time of the constitutional position has gleefully stated that before that report could be discussed, my Government was "overthrown". I challenge him to show if it was overthrown. I resigned of my own accord. Any way, when the Government of the party to which the hon. mover of the resolution belongs and the Government of my hon. friend the mover of the amendment came into existence, they had 13 months to solve this problem according to their lights. During this 13 months, I do not know what policy they adopted or what they did in this respect. But 10 days before their actual resignation we saw that a resolution was published by them. This resolution has been read *in extenso* by both the hon. members who have preceded me. That resolution has been placed before the House in the best light by the author—shall I be wrong if I call him Mr. Bardoloi? (Srijut Gopi Nath Bardoloi:—I am not). Any way it was his Government and the responsibility is his. I would place before the House, the resolution and the principal points which have already been placed before the House by my hon. friend, Mr. Bardoloi. Unfortunately, as I said before, they could not see the fruition of their resolution and evolve any detailed and practical policy or legislation. They thought it fit to resign on another issue.

When we took the reigns again in 1939, I found the same difficult question still bristling in the administration. I thought that I would settle the matter by taking every party into confidence and had a conference in the year 1939. That conference was representative of all the parties concerned and all the interests involved. It had the representation from the Tribal group for which so many tears had been shed by the members who had preceded me. It had the representation from the Scheduled Castes, it had the representation from the immigrants who have been crying hoarse for settlement of land. But apart from these representations it had the representation from the block opposite—I mean the great Congress party. My hon. friends Srijut Sarveswar Barua and Kameswar Das were members thereof and I here publicly acknowledge the services rendered by them. The proceedings were conducted in a most satisfactory and smooth manner and there was a considerable amount of agreement which was embodied in the shape of the Resolution which has been criticised by my hon. friends opposite and which was published in June 1940.

Sir, I have made a tabular statement to shew the difference if any between the two Resolutions—I mean the Resolution of the Congress Government and the Resolution of the Ministry over which I happen to preside. The three main principles, according to my friend Srijut Lakshesvar Borooah, in their Resolution of November 1939

were (1) that the reserves should be inviolable, (2) protection to the Tribal and backward people should be given and (3) there should be a planned settlement. In my analysis, Sir, I have gone into further details and I have gone into every one of the recommendations that can be extracted from the Resolution of my friends opposite: (1) That there should be a planned settlement in the interests of the cultivators themselves and of protection of the interests of the indigenous people, particularly the backward and Tribal people. The Resolution of the present Ministry accepts this policy, whereas my hon. friends were content with laying down a general principle; we give details. Sir, the Resolution of 21st June 1940 was an addendum to the Resolution which was published by my predecessors—the Government of Srijut Gopi Nath Bardoloi. In our Resolution we found no defect about the basic principle of planned settlement in the interests of the cultivators themselves and protection of the indigenous people particularly the Tribal, Scheduled and such other backward classes. Can anything be more clearer in spite of the fact that the learned Leader of the Opposition has been pleased to term our Resolution to be vague and hazy? Now, that was the first paragraph of our Resolution. Then in paragraph 7 we have the same thing and it was quoted by my learned friend Srijut Bardoloi. The question whether the Line System is legal or not was agitated in the country and the Government had to consult the learned Advocate General, Rai Bahadur Promod Chandra Dutt. He gave his opinion that the Line System or a protection to particular people prohibiting others from entering that line contravenes the provision of section 298 of the Constitution Act. Sir, if this legal opinion is to be given effect to at once, there will be chaos and disorder at least in certain areas.....

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: On a point of information, Sir. By whom the Advocate General was appointed?

The Hon'ble the SPEAKER: This does not arise at all.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: As you said, Sir, that the question as to who had appointed the Advocate General is quite irrelevant, but the fact remains that he is the highest legal expert that the Government of Assam possess and as such his opinion should be respected. If we are to follow his legal opinion and at once abolish the Line System, there would have been, I am afraid, at least in certain areas, lot of disorders culminating in breach of peace. I requested the members of the immigrant group who were in that conference not to press Government to take up that position to declare the Line System to be illegal and invalid. Be it said to the credit of those hon. members that they accepted my plea for an amicable settlement of the question and therefore, Sir, this statement we had to place in our Resolution. The ground of maintaining the Line System or abolishing it was discussed in the conference, but on common consent, *i.e.*, the parties concerned, the controversy was dropped for the time being and it was agreed by all the Tribal and Scheduled Caste people, and Government accepted the recommendation.

Again I say, Sir, that instead of my Resolution being vague, it shows in the clearest term that my friends of the immigrant group as well as others were alive to the fact that in certain areas people belonging to the community of Tribal people requires some kind of protection, but we were confronted again by the same provision of section 293 in declaring any area, a protected area, which my predecessors had wanted to declare. I must say, Sir, at the time when they published their resolution, the opinion of the learned Advocate General was not before them and therefore in the their resolution they said that—

"They consider that in the submontane areas it should be possible to constitute whole Mauzas or compact parts of Mauzas inhabited predominantly by backward and tribal classes into 'prohibited areas'".

If we have differed from my friends opposite, it was due to the fact that I encountered a legal difficulty and had to keep silent and also had to request my friends the immigrant group not to raise this question because it may lead to difficulties.

Sir, in this connection it will be better if the House reads section 298 of the Government of India Act. I will submit only sub-section (1) which reads as follows:—

"No subject of His Majesty domiciled in India shall on grounds only of religion, place of birth, descent, colour or any of them be ineligible for office under the Crown in India, or be prohibited on any such grounds from acquiring, holding or disposing of property or carrying on any occupation, trade, business or profession in British India".

The principle is simple and clear and no elucidation is necessary on that behalf from me.

Then Sir, my friends described regulated settlement of available land with actual cultivators—maximum limit being 30 *bighas* for a cultivator's family. We have also settlement of large blocks under Development Schemes in the lines of the Barpathar Scheme in suitable areas after reserving 30 per cent. of the whole area for expansion of the existing population; areas will be allotted to indigenous Assamese (Hindus and Muslims), Tribal, Scheduled castes and immigrants—squatting to be prohibited.

Srijut GOPINATH BARDOLOI: On a point of information, Sir. Did the Advocate General give the opinion that there will be no grazing and other kinds of reserves.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No question of grazing reserve did arise, Sir. My friends wanted prohibited areas for Tribals only. As I started by saying, Sir, that ours was an additional statement after the Resolution of the Congress-Coalition Ministry. The Congress-Coalition Ministry no doubt said that the reserve should be inviolable, (paragraph 2 of their Resolution)—but in our Resolution we have nowhere said that we have cancelled that provision of the Congress Resolution. On the other hand Sir, it is apparent from all the statements that are made in our Resolution that nowhere we wanted to encroach village, common ground or grazing reserves. I will come to that later, Sir, but I was just placing the two Resolutions.

Sir, in our scheme, we want that separate blocks should be constituted for different categories of people—for the indigenous, for the Tribals, for the Scheduled, for the Hindus as well as the immigrants—so that each community can cultivate their own block without any hindrance or encroachment from the other party. But I must say, Sir, that in spite of the protestation to the contrary, the Congress Resolution wanted to perpetuate the anomaly in a few immigrants, Tribal or in such areas: whereas our plan is perfect segregation. They wanted to co-mingle the two communities—a community which according to my hon. friend, the mover of the resolution, is reputed to be wild and uncontrollable, *viz.*, the Mymensinghias and the tame indigenous people.

For I find, Sir, in paragraph 5 of the Congress Resolution, this statement: "This policy will be given effect to also in the case of the immigrants who have encroached into or acquired land in areas which were hitherto prohibited areas constituted in the interests of the aforesaid Tribal or backward classes. In other areas which were hitherto constituted prohibited

areas in the interests of indigenous people other than the Tribal or backward classes, Government propose a relaxation, namely, where the number of immigrant families in a village is substantial, i.e., 15 or more in number—and the occupation dates from before 1st April 1937, or where any immigrant has been in *bona fide* occupation of the land for over 12 years before 1st April 1937, and has been paying or pays the revenue due in respect of the land for the period of occupation, such persons will not be disturbed in their present possession in the village provided they pay the premium fixed for the land; they shall however not be entitled to extend their possession in the prohibited area. Where, on the other hand, in a village the number of such families is less than 15 and the occupation of land is not of the type mentioned above or the other conditions regarding payment of premium or revenue are not satisfied the immigrant shall be liable to eviction except in regard to periodically settled land, but will be given preference in the settlement of land available for immigrants elsewhere in the district or in the neighbouring district".

That means, Sir, that if there has been an encroachment by the immigrants in prohibited areas of indigenous people they should be allowed to continue if they pay premium, or if their number is 15 or more. We have not made such a kind of promiscuous mingling in our development areas because it is not liked by certain classes of indigenous people.

Then, Sir, the Congress Resolution says, about the settlement in prohibited areas with indigenous people, that it should be restricted to *bona fide* agriculturists and of an area not exceeding 30 *bighas* in all per family. We say, Sir, that landless people should be given land, that he should be a cultivator himself, and any one possessing 5 *bighas* or less would be defined as "landless". We also said that casual labourers have no right for settlement of land. We also lay down 30 *bighas* per family as the maximum limit.

Then, paragraph 7 of Congress Resolution is for 'settlement on application' only. We also in paragraph 3 use the expression "prohibits squatting". Then, regarding persons coming from outside the province for taking up land for cultivation, my friends opposite wanted it to be like this: "any one coming before 1st of April 1937". For the better safeguard of the indigenous people we limited this to people "coming to the province before the 1st of January 1938". Then we have defined "actual cultivator". The actual cultivator is defined as one whose main source of income is from ordinary cultivation. So, Sir, where is the difference between my hon. friend's Resolution and our Resolution? It is, as I have said, Sir, an elaboration of his own scheme with more details which have been discussed at a conference at which the representatives of his group were present and who contributed, as the proceedings will show, quite a large number of constructive suggestions, which were accepted by Government, and who also saw in certain measures, the reasonableness of the propositions of either Government or other representatives, and who finally accepted them. We have elaborated the principle by which premium should be recovered. The premium was at first objected to on behalf of the indigenous people, but when it was explained that the entire proceeds of the premium will be thrown back into the development areas in the shape of amenities or improvements, it was accepted. (A voice:—Not by the Congress group). It was accepted by the conference. I have got the proceedings with me. I presided over the conference and I remember it was accepted.

Srijut SARVESWAR BARUA: There were dissentient voices on the matter. When the résumé of the proceedings was sent to us we did not agree to this. But still we did not get copies of the résumé after they were corrected.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Any way, Sir, I will leave it to the House to judge whether a small premium of Rs. 5, spread over 5 years, is an exaction, when the money would not come to the provincial coffers but would be thrown back upon the land for providing amenities like schools, drinking water supply, improvement of roads or even, if funds are sufficient, to provide for human as well as animal medical aid.

Mr. BAIDYANATH MOOKERJEE: On a point of information, Sir. The Hon'ble Premier just now said that there is no difference between his Resolution and the Resolution of the Congress-Coalition Government. May I enquire then what was the necessity of passing another Resolution? That point is not quite clear to me.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: If my hon. friend has not understood what I have already laid before the House, that beyond generalization the Congress Resolution did not give any direction as to the procedure to be taken up in regard to this matter, it is not my fault. Our Resolution is the result of the deliberations and recommendations of the conference. We have gone into details as to how the land will be reserved—30 per cent. for future expansion—how the available waste lands will be divided into blocks, and how these different blocks will be reserved for different communities so that there may be no disorder among different people. (*A voice*:—In paper only;) Yes, it is in paper surely.

I think, Sir, I have shown sufficiently that there is hardly any difference between my hon. friend's Resolution and our Resolution. On'y, we have gone into details while they confined themselves to generalities. Then, my hon. friend asks what has been done by the Ministry to implement their own Resolution; or, in other words, they say, Sir, that at the time when the Development Scheme is being given effect to—the Scheme is ready only for the district of Nowgong—it has not been implemented in the spirit in which it was made.

Now, Sir, in the first place, the Deputy Commissioners of the different districts to which we wanted to apply the Development Scheme, were asked for reports of available waste lands. From the reports of the Deputy Commissioners we find that there are very nearly 34 lakhs Bighas of land which can be settled under the Development Scheme; but we have proposed only to take 6 per cent of that—as a matter of fact, 2 lakhs of Bighas. That is we have reserved 94 per cent.

Then, my hon. friend said that so far as Nowgong district is concerned, although the Development Officer recommended that only 40,000 out of 64 thousand Bighas should be opened for development, this Government went beyond his recommendation and ordered for settlement of 64,000 Bighas. This is perfectly true, Sir. We make no secret of it and it is for several reasons. We wanted the Development Officer to report to us as well as to the Deputy Commissioner of the available waste land in big blocks of 500 Bighas, and from his report we found that in the Nowgong district some 6 lakhs of Bighas were available in small blocks for normal expansion. When there were ten times the area reserved for future expansion, we ordered that 64,000 Bighas should be thrown open for settlement.

Now, to use the very inapt epithet used by my hon. friend—the Leader of the Opposition, who is probably as much communally minded as myself—that our scheme is either aggressive communalism or communally aggressive, he will have to tell a different story when we place before him the figures of applications received and figures of applications admitted by our officers after checking. For the Nowgong district, the number of

applications received from immigrants of all categories were 25,521 and the number of applications admitted after checking were 11,591. The Assamese applicants including the Surma Valley people numbered 12,542 and the applications that have been admitted for consideration after checking, numbered 5,149. The Tribal number of applications were 1,127 and the number admitted 537. The Scheduled Castes applications were 974 of which 590 were admitted. Sir, if under the guise of the Development Scheme our Ministry were trying to introduce the "Pakistan Scheme", as has been termed by my hon. friend, we could have said—Let all these 25,000 immigrants be all admitted. Then, again, Sir.....

Srijut SIDDHI NATH SARMA : On a point of information, Sir. Do we understand that all the applicants will be given the equal quantity of land ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I was going to place that, Sir.

Srijut PURNA CHANDRA SARMA : Do the 64,000 Bighas of waste land include game reserves and grazing reserves ?

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

Srijut PURNA CHANDRA SARMA : These 64,000 Bighas of waste land do not exist in Nowgong district unless the game reserves and grazing reserves are included.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Sir, the District Officers report otherwise.

Srijut BELIRAM DAS : May I know whether the District Officers gave the figure after survey or it is their own figure ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I was going to reply to the constructive suggestions of my hon. friend, the mover of the amendment.

Srijut DEBESWAR SARMAH : After taking one hour ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Have I taken one hour ? Very well, I will finish.

The Hon'ble the SPEAKER : I am allowing the Hon'ble Premier to go on for the simple reason that the House should be enlightened with all facts and figures on the subject that Government may place before it.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Thank you, Sir. In this Scheme of Development for Nowgong, we have, in the Cabinet, in which representatives of all interests were present, decided to allot 24,000 *big as* to the immigrants. Now, as the admitted number of applications from the immigrants are 11,591 or roughly we can say 12,000, each applicant cannot get a holding of more than 2 *bighas*.

Then we proposed to allot 24,000 *bighas* to the indigenous people, the majority of whom are caste Hindus. We have got 5,149 applications from them. Therefore, they will get a little more than 4 and half *bighas* each. The Tribal people have been given 9,000 *bighas*. As the number of their admitted applications are 537, they will get about 18 *bighas* per application. From this alone my hon. friends of the Tribal community will find that their interest has been safeguarded very adequately. The Scheduled Castes have been allotted 7,000 *bighas*. Their admitted number of applications is 590 or let it be said 600. Therefore, they will get a little more than 11 *bighas* per application.

Sir, from this Development Scheme so far as Nowgong is concerned, it is apparent that the Tribal and the Scheduled Castes people for whom my hon. friends have so dispassionately advocated protection, have been well provided.

Then, Sir, my hon. friend, the Leader of the Opposition, criticised or rather to be more frank, insinuated that we appointed a particular Junior Extra Assistant Commissioner for making this survey in spite of the fact that we could employ a Deputy Commissioner of seniority and repute. Sir, the special qualifications, which this gentleman had, made it imperative for us to appoint him. He was the Colonisation Officer in Nowgong. He knew the place and the system of colonisation which was in vogue and therefore we selected him. Then, it has been said, Sir, that all the Colonisation Officers are Muslims. Sir, these Colonisation Officers are there for the last 12 years. I can say also that there is a proposal for appointing two more Colonisation Officers, one of whom at least will be a non-Muslim.

My hon. friend says that in the Scheme, Sarkars and Dewans will get most of the lands. We have already shown that there has been a very thorough and exhaustive enquiry into the applications and it is only the landless people whose applications have been given preference.

Sr'jut S'DDHI NATH SARMA: On a point of information, Sir. The Hon'ble the Premier said that there are 34 lakhs of *bighas* of waste lands available in Assam. May I know the extent of waste lands in Nowgong, Sir?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Nowgong 600,000 lakhs, Darrang 840,000, Kamrup 997,000, North Lakhimpur 1,115,000. Sibsagar is not within this Development Scheme.

Only one point more, Sir, and I will finish. Reading from the Development Officer's report, my hon. friend who preceded me had said that in Garubhat and Lanka Mauzas which are predominantly peopled by the Tribals, the Development Scheme seeks to introduce Mymansingh elements in those Mauzas.

Srijut GOPINATH BAR DOLOI: I mean Lawkhoa.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Lawkhoa is a reserve. Since this matter was brought to our notice, both the Hon'ble the Revenue Minister and the representative of the Tribal people in the Cabinet, my friend Srijut Rupnath Brahma, went to the spot and having seen that the representations were correct, it has been ordered that there should be an adjustment of the different blocks and that no immigrants should be introduced in areas which are predominantly Tribal. That was about the middle of the last month. This clearly shows that our solicitudes for the Tribal people are no less than that of my hon. friend, the Leader of the Opposition.

Sir, the constructive suggestion made by my friend opposite is that there should be an actual survey of the available culturable waste lands other than the constituted reserves and the prohibited areas mentioned above. I have already stated that it is not necessary to have a survey of the available culturable waste lands.

Then, my hon. friend said that we should determine by direct method the number of landless people. I think by direct method, he means by a census. Now, Sir, it will be impracticable, I think, to start a fresh census to find out the number of landless people. The method which we accepted—*i.e.*, "let those people who want lands apply" and say that they are landless people and we have defined that landless people will be those who have no lands or those who have lands less than five *bighas*—seemed to us the better.

Thirdly, Sir, my hon. friend says that a piece of legislation should be introduced which will provide for settlement with the *bonafide* agriculturists and so on. Sir, a legislation will take such a long time that all the labours of the past few years starting from 1937 will be again delayed, or lost as we have only taken up the question of the Nowgong district and the Development Schemes for the other districts are not yet ready. We can first of all see the actual effect of the Scheme in the Nowgong district and afterwards will take this suggestion into consideration.

Sir, I have amply proved that there is hardly any difference between my friend's Scheme and ours and it was urged probably by my friend Mr. Mookerjee, that since there is no difference practically between my friend's Scheme and ours, there is no difficulty for us to accept the Resolution. Sir, the Resolution "disapproves" of our policy and therefore I cannot accept that Resolution. I will be the first person to admit that my Resolution is worse than that of my hon. friend if that were really so.

Adjournment

The Assembly was then adjourned till 11 a.m. on Monday, the 8th December, 1941.

SHILLONG :

A. K. BARUA,

The 20th January, 1942.

Secretary, Legislative Assembly, Assam.

Handwritten: 28.1.42

ASSAM LEGISLATIVE ASSEMBLY
GOVERNMENT OF ASSAM
GOVERNOR OF ASSAM

His Excellency Sir ROBERT NIEL REID, K.C.S.I., K.C.I.E., I.G.S.

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2. The Hon'ble Srijut ROHINI KUMAR CHAUDHURI, B.L., in charge of Education Department.
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