



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

CORRECTION SLIP TO THE ASSAM LEGISLATIVE ASSEMBLY  
DEBATES (BUDGET SESSION OF THE ASSEMBLY HELD IN  
MARCH, 1941)

*Correction Slip No. 2 of 1941.*

For the words "The Hon'ble Maulavi Munawwar Ali replied", wherever they occur below Unstarred questions, put and answered during the 1941 March Session of the Assam Legislative Assembly, *substitute* the words "The Hon'ble Dr. Mahendra Nath Saikia replied".

[File No.As.-17-L.A. of 1941.]

SHILLONG :  
The 15th July 1941.

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

A. G. P. (L.A.) No.85—500—16-7-1941.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY**  
asked :

\*107. Will Government be pleased to state—

- (a) If any attempt was made to introduce Handloom Industry in the Subdivision of Sunamganj ?
- (b) If so, will Government be pleased to state how many hand-  
looms are working in each of the Thanas of that Sub-  
division ?

**The Hon'ble Miss MAVIS DUNN** replied :

107. (a)—Yes.

(b)—It is not possible to give the exact number of looms in each Thana without a detailed enquiry and this will take a great deal of time. In general, I can say that the Department has so far introduced 101 fly shuttle looms in the Subdivision. There are also 66 country looms in working condition.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY :**  
May I know, Sir, whether Government made any enquiry about the figures asked for ?

**The Hon'ble Miss MAVIS DUNN :** I did not think it would serve any useful purpose to get the figures thana by thana. I have already said that 101 fly shuttle looms have been introduced in the subdivision and there are also 66 country looms in working condition.



**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** It is my look out, Sir, whether it will serve any useful purpose or not. It is not the Hon'ble Minister's.

**The Hon'ble the SPEAKER:** But Government are entitled to say that.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** Could they not make any enquiry?

**The Hon'ble Miss MAVIS DUNN:** If the hon. member wants an enquiry, one will be made.

**Maulavi MUHAMMAD AMJAD ALI:** Would it matter very much if the number of looms that are working in the subdivision were enquired into and the information supplied to the hon. member?

**The Hon'ble the SPEAKER:** It is a matter of opinion and the question also is not clearly put.

**Maulavi MUHAMMAD AMJAD ALI:** May I draw your attention to the fact that this matter was specifically asked for in the question?

**The Hon'ble the SPEAKER:** The hon. member did not put his question clearly; so the point was not perhaps understood.

**Maulavi MUHAMMAD AMJAD ALI:** Question 107(b) clearly asks for the number of looms thana by thana in the subdivision. May I know why it was not enquired into?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The number of looms working in the subdivision has been given. What was wanted was the number of looms thana by thana and the Government reply was that it would take a great deal of time and that with the time at the Government's disposal that could not be done. If the hon. member wants that information, it will be obtained and communicated to him.

### Reports of the Examiner of Local Accounts on Habiganj Municipality

**Babu BIPIN BEHARI DAS** asked :

\*108. Will Government be pleased to lay on the table the last report of the Examiner of Local Accounts on Habiganj Municipality?

\*109. Will Government be pleased to state—

(a) Whether any notice was served upon the Chairman or any member of the Board on the strength of the said Examiner's report?

(b) If so, what are the grounds of notices, what are the replies and what actions have since been taken?

\*110. (a) Are Government aware that the administration of the Habiganj Municipality is not satisfactory?

(b) If so, do Government propose to take immediate action on the matter?



**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI** replied :

108.—Government do not consider that any useful purpose commensurate with the time and labour involved will be served by laying copies of the report on the table. They will, however, be willing to supply information on points specified by the hon. member.

**Babu BIPIN BEHARI DAS** : Will Government please supply me the information ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI** : If the hon. member wants and he also specifies on which points he wants the information, it will be supplied to him.

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI** replied :

109. (a)—No notice was served but the Chairman and a member were asked to explain their conduct in respect of the points noticed in the report.

(b)—The first part of the question does not arise. No action has yet been taken, but the explanation, which has recently been received will be considered soon.

**Babu BIPIN BEHARI DAS** : Will the Hon'ble Minister please state what were the circumstances which led Government to serve notice on the Chairman ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI** : No notice has been served. They had been asked to explain about some points mentioned in the report.

**Maulavi ABDUR RAHMAN** : May I know under what section of the Municipal Act the Chairman and a member of the Board were asked to explain their action ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI** : For the information of the hon. member I may say that it was done under sections 20 and 48 of the Municipal Act.

**Maulavi ABDUR RAHMAN** : May I know what is the purport of these sections ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI** : I have already referred to the sections and the hon. member may consult the book to find out the purport.

**Babu KAMINI KUMAR SEN** : May I know, Sir, the points on which the explanation was asked ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI** : Under section 48 no Chairman or member of a Board is allowed except with the express permission of the local Government, to take any share in any contract business of profits to which the Municipality is a party. This is the main point, Sir, on which the explanation has been asked.

**Babu KAMINI KUMAR SEN** : Do we understand, Sir, that the Chairman was a party to the contract given by the Municipality ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI** : It has been reported so.



**Maulavi MUHAMMAD AMJAD ALI:** May I know the nature of the cases in which the Local Government permits the Chairmen of the Local Boards to take contracts ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** I require notice of that question, Sir.

**Maulavi ABDUR RAHMAN:** Is it not a fact that the Chairman was charged with several items like this ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** It may be so, Sir.

**Maulavi ABDUR RAHMAN:** May I know, Sir, what action has since been taken on the explanation received from the Chairman ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** Sir, we have received the explanation from the Chairman during the present session and had no time to look into it.

**Maulavi ABDUR RAHMAN:** Since then, may I know whether the Hon'ble Minister has gone through the explanation and whether he has come to any decision ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** Both the Secretary and myself were pre-occupied with the work of the session and so we could not see the explanation.

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI** replied :

110. (a)—It has been reported to be unsatisfactory.

(b)—The matter will engage the attention of Government when they are free from the pre-occupations connected with the session of the Assembly.

**Maulavi ABDUR RAHMAN:** May I know when it actually first came to the notice of the Hon'ble Minister ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** It was in August last.

**Maulavi ABDUR RAHMAN:** And when did he receive the report of the Examiner of Local Accounts ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** In December last, if I remember aright.

**Maulavi ABDUR RAHMAN:** May I expect that the Hon'ble Minister will finish the matter as early as possible ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** Yes, I have already replied that the matter will engage the attention of the Government when they are free from the pre-occupation connected with the session of the Assembly.

## UNSTARRED QUESTIONS

(to which answers were laid on the table)

## Lengeri and Dani Chapories

**Srijut KARKA DALAY MIRI** asked :

157. (a) Is it a fact that the Lengeri and Dani Chapories in the Michamara Mouzas of Golaghat Subdivision have been converted to a grazing area by issuing notices on 23rd December 1940 to the Raiyots who have been occupying the Chapories for nearly 10 or 12 years ?

(b) If so, will Government be pleased to state whether Government have received any complaint from the Raiyots of those Chapories ?

(c) If so, do Government propose to take any action on it ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN** replied :

157. (a)—Yes.

(b) & (c)—Only 7 Miri families were found occupying lands in these Chapories who were provided with land in the newly opened Nak-kati Chapori instead : they raised no objection at the time and the proceedings were confirmed : objections received subsequent to this date were naturally not entertained.

## Political Prisoners

**Mr. ARUN KUMAR CHANDA** asked :

158. Will Government be pleased to state—

(a) Whether it is a fact that Government have issued instructions to the Police to obtain the thumb impressions of certain classes of prisoners ?

(b) If so, will Government be pleased to place the text of such instructions on the table ?

(c) The names of political prisoners who have been called upon to give their thumb impressions by the Police ?

159. Will Government be pleased to state—

(a) The names of the hon. members of the Assam Legislative Assembly (i) who have courted imprisonment so far, (ii) the punishment awarded in each case, (iii) the class in which each such member has been placed ?

(b) What is the basis of classification of these prisoners ?

(c) Why punishments vary even when the offence committed is identically the same ?



The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

158. (a)—No. The provision is included in the rules of the Assam Police Manual as modified in January 1939.

(b)—Does not arise.

(c)—1. Biresh Chandra Misra.

2. Abala Kanta Gupta.

3. Kaliprasanna Das.

4. Chittaranjan Das.

5. Jaineswar Das.

159. (a)—A statement is below :—

*Statement of Hon'ble Members of the Assam Legislative Assembly courted imprisonment*

Name	Punishment	Classification
1. Srijut Mohi Chandra Bora, M.L.A.	6 months' simple imprisonment under rule 38 of the Defence of India Rules.	A
2. Srijut Paramananda Das, M.L.A.	6 months' simple imprisonment under rule 38 of the Defence of India Rules.	A
3. Srijut Haladhar Bhuyan, M.L.A.	6 months' simple imprisonment under rule 38 of the Defence of India Rules.	A
4. Srijut Debeswar Sarmah, M.L.A.	9 months' simple imprisonment	A
5. Srijut Jogendra Nath, M.L.A.	4 months' rigorous imprisonment.	A
6. Srijut Kameswar Das, M.L.A.	3 months' simple imprisonment and to pay a fine of Rs. 25, in default simple imprisonment for another month.	A
7. Srijut Gopinath Bardoloi, M.L.A.	1 year's simple imprisonment...	A
8. Srijut Bishnuram Medhi, M.L.A.	1 year's simple imprisonment...	A
9. Mr. Fakhruddin Ahmed, M.L.A.	1 year's simple imprisonment...	A
10. Srijut Gouri Kanta Talukdar, M.L.A.	6 months' simple imprisonment	A
11. Srijut Siddhi Nath Sarma, M.L.A.	6 months' simple imprisonment	A
12. Srijut Beliram Das, M.L.A.	3 months' simple imprisonment	A

Name	Punishment	Classification
13. Mr. Arun Kumar Chanda, M.L.A.	1 year's simple imprisonment and to pay a fine of Rs. 100, in default simple imprisonment for another month.	A
14. Srijut Omco Kumar Das, M.L.A.	6 months' simple imprisonment, and to pay a fine of Rs. 200, in default to simple imprisonment for 3 months.	A
15. Srijut Lakheswar Barua, M.L.A.	1 year's rigorous imprisonment	A
16. Srijut Mahadeb Sarma, M.L.A.	3 months' rigorous imprisonment, and to pay a fine of Rs. 50, in default to simple imprisonment for one month.	A
17. Babu Karuna Sindhu Roy, M.L.A.	1 year's simple imprisonment	A
18. Babu Dakshinaranjan Gupta Chaudhury, M.L.A.	3 months' simple imprisonment, and to pay a fine of Rs. 100, in default simple imprisonment for two months.	A
19. Srijut Ghanashyam Das, M.L.A.	1 month's simple imprisonment, and to pay a fine of Rs. 100, in default 3 months' simple imprisonment.	A
20. Srijut Bepin Chandra Medhi, M.L.A.	9 months' simple imprisonment, and to pay a fine of Rs. 100, in default 3 months' simple imprisonment.	A
21. Srijut Sankar Ch. Barua, M.L.A.	4 months' simple imprisonment, and to pay a fine of Rs. 50, in default 4 weeks simple imprisonment.	A
22. Srijut Rajendra Nath Barua, M.L.A.	4 months' simple imprisonment, and to pay a fine of Rs. 50, in default 4 weeks simple imprisonment.	A
23. Babu Harendra Narayan Chaudhury, M.L.A.	Simple imprisonment for one day.	A
24. Srijut Purna Ch. Sarma, M.L.A.	Fined Rs. 200, and imprisoned till rising of Court.	A

(b)—The basis is laid down in rule 209 of the Assam Jail Manual, Vol. I.

(c)—It is in the judicial discretion of the Magistrate.



**Mr. BAIDYANATH MOOKERJEE:** Is it not a fact that Srijut Debeswar Sarmah who was first placed in A Division was subsequently placed in Division B ?

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI:** There is another set of questions on this subject, which I have answered in detail. But so far as this question is concerned I may inform the hon. member that it is true that the District Magistrate placed Srijut Debeswar Sarmah in Division B and the order was given effect to. Though he was formally placed in B Division, to all intents and purposes he was treated as an A Division prisoner, and subsequently the Government also passed an order placing him in A Division. So although formally on paper he was placed in B Division, as a matter of fact the privileges of an A Division were fully accorded to him throughout.

**Mr. BAIDYANATH MOOKERJEE:** May I know in which Division the trying Magistrate placed him ?

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI:** The trying Magistrate recommended that he should be placed in A Division, but the District Magistrate interfered and placed him in B Division. At present he is in A Division.

**Mr. BAIDYANATH MOOKERJEE:** Do all these A Division prisoners get equal facilities ?

**The Hon'ble the SPEAKER:** I remember some other questions were asked on this point. Are they being answered ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, Sir, they are being answered and fuller details will be given.

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI:** They are all getting A Division treatment except that in some cases it has not been possible to provide the furniture required under the Rules for A Division prisoners. In all other matters, they are getting the same privileges as A Division prisoners.

**Mr. NABA KUMAR DUTTA:** Am I to understand that no instruction has been given by this Government with regard to the punishment awarded to political prisoners ?

**The Hon'ble the SPEAKER:** It is in the discretion of all trying magistrates to award punishment. The Executive Government cannot instruct a Magistrate as to how a particular person undergoing trial before him is to be punished. Such a question should not be asked unless there are sufficient grounds for assuming that Government give directions to magistrates in the matter of punishments to be awarded.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The question also does not arise.

#### Nowgong Sub-Registry office

**Maulavi MUHAMMAD AMIRUDDIN** asked :

160. (a) Is it a fact that in case of the number of documents exceeding 5,000 a year, an additional sub-registrar is required for their registration ?



(b) If so, will Government be pleased to state what actions Government have taken so far, for deputing an additional sub-registrar for the registration of the documents in excess of 5,000 at Nowgong ?

161. Will Government be pleased to state—

- (a) The number of documents registered in the Nowgong Sub-Registry office, year by year during the last 5 years ?  
 (b) The names of the Registration offices in the province of Assam which have the highest number of registered documents during the last five years and the position of the Nowgong Registration office in those years ?

162. (a) Are Government aware that numerous documents presented for registration in the Nowgong Sub-Registry office are being refused daily in the month of February, 1941 for want of time, and that parties coming from long distances have to stay on, for two or three consecutive days for the registration of their documents ?

(b) If so, will Government be pleased to state what actions, if any, they have taken to remove the said inconveniences ?

163. Will Government be pleased to state whether they propose to depute another additional sub-registrar on commission basis to the district of Nowgong for 6 months, from September to February, of every financial year ?

**The Hon'ble Miss MAVIS DUNN** replied :

160. (a)—The reply is in the affirmative.

(b)—Government have decided to transfer the Special Sub-Registrar from Silchar to Nowgong to help in Registration work as also to do inspection work and necessary provision for the purpose has been included in the next year's budget subject to the vote of the Legislature.

161. (a) & (b)—Statements giving the information are shown below :—

*Statement showing the number of documents registered in the Nowgong Sub-Registry office during the last five years.*

Year						Number of documents registered
1935	...	...	...	...	...	5,834
1936	...	...	...	...	...	5,673
1937	...	...	...	...	...	6,361
1938	...	...	...	...	...	7,038
1939	...	...	...	...	...	8,033



*Statement showing the names of the Registration offices in the province of Assam with the highest number of documents registered during the last five years and the position of the Nowgong Sub-Registry office during those years.*

Year	Surma Valley			Year	Assam Valley		
	Name of Sub-Registry office	Number of documents registered			Name of Sub-Registry office	Number of documents registered	
1935	.. Habiganj ..	5,897	1935	.. Nowgong ..	5,834		
1936	.. Sylhet Sadr Joint	5,603	1936	.. Ditto ..	5,673		
1937	.. Ditto ..	5,765	1937	.. Ditto ..	6,361		
1938	.. Ditto ..	5,432	1938	.. Ditto ..	7,038		
1939	.. Ditto ..	6,667	1939	.. Ditto ..	8,033		

162. (a)—Some documents presented late were refused acceptance during the month of February, 1941 on account of the heavy rush for registration which was not possible for one registering officer to manage. Such documents when presented for registration on the following day were accepted. There is no information that parties coming from long distances had to stay for 2 or 3 consecutive days for the registration of their documents.

(b)—The hon. member's attention is drawn to reply to question 160(b) above.

163.—No.

**Resolution to abolish the newly created branch of the Assam Education Service described as Class III and to transfer the present staff of Assistant Lecturers of both the colleges to Class II of the same.**

**The Hon'ble the SPEAKER :** We shall now proceed with the discussion of the resolution\* of Mr. Baidyanath Mookerjee moved by him on the 10th March 1941.

**Babu KAMINI KUMAR SEN :** Mr. Speaker, Sir, there is an identical resolution in my name so I think I shall be failing in my duty if I do not say a few words in support of this resolution. Sir, the grievances and difficulties of these Assistant Lecturers have been very fully described by hon. Mr. Mookerjee and Maulavi Amjad Ali. In fact hon. Maulavi Amjad Ali read a petition submitted by the Assistant Lecturers. Considering that these Assistant Lecturers are recruited from persons having the highest academic qualifications, in fact it has been admitted by the Government in reply to some questions that some of them are brilliant scholars of the University and also that they can very well act as Lecturers in the Department in which they work and that they have to do exactly the same nature of work as is done by the Lecturers, I do not see any reason why they

\*This Assembly is of opinion that Government do take immediate steps to abolish the newly created branch of the Assam Education Service described as class III and to transfer the present staff of Assistant Lecturers in both the colleges of the Province who are now in class III of the service to Class II of the same.



should be placed in an inferior cadre. Anyway, if it is desirable that a separate class is required to be created for them I do not think such a vast difference in the scale of pay is justified. Besides, it should be noted that the cost of living is high and is going up on account of war conditions. Particularly in Sylhet, the College is situated at a long distance from the town and as these Assistant Lecturers stay in the town they have to provide themselves with some sort of conveyance to go to the College. Sir, I do not think the number of these Assistant Lecturers is many, or is likely to increase much in the next few years, so even if they are granted higher pay the cost involved will not be much and in view of what I have said and also of the nature of the work that they have to perform I hope the Government will consider their petition favourably. If it is not possible to place them in Class II they should at least get the benefit of a higher scale of pay as has been prayed for in their petition.

With these few words, I support the resolution.

**Mr. KEDARMAL BRAHMIN :** Mr. Speaker, Sir, I rise to support the resolution of my hon. friend Mr. Baidyanath Mookerjee. Sir, the other day, in reply to my question, the Government admitted that there are some doctors also in this class. Their pay has been fixed at Rs. 100 only, and it is very difficult for them to manage with this pay. Sir, even in High Schools, we find that some of the teachers are getting more than Rs. 100, and it is admitted by the Government also that they are not in any way inferior to the Lecturers and Professors of the Colleges. If that is so, the Government should look for their progress. Further if this class is maintained in the Province there is very little chance of promotion for them. There are only two Colleges in the Province, so we do not see any necessity of creating any inferior post in these Colleges. It will check the progress of higher education when our students will find that there are no chance of any uplift or promotion in our colleges for the lecturers. Sir, as suggested by my friend, Mr. Sen, Government will not incur heavy amount if they increase the scale of pay. I hope Government will consider their case favourably as they gave an assurance in reply to my question.

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI :** Mr. Speaker, Sir, I thank the hon. members who spoke on this resolution for their sympathy for this class of Lecturers and for the appreciation they have expressed for their work. Hon. members are perhaps aware that in Calcutta colleges previously there was a class of officers known as Tutors and Demonstrators. The task of these Tutors was generally to give notes to their students ; they were not ordinarily to work as Lecturers. The work of Demonstrators was different. They were not to work as Lecturers. This class of officers was for the first time introduced during the regime of my predecessors, who instead of filling up the post of Lecturers which fell vacant, splitted it into two posts and appointed two Assistant Lecturers within the same expenditure. There are obvious advantages of this course. We can, by adopting this method, meet the requirements of the University. The Assistant Lecturers that we have are equally as educated as Lecturers. On the other hand, the expenditure is very much lower than. the expenditure that we were to incur if we had been called upon to appoint Lecturers. If in each case we appointed Lecturers it would not have been possible for Government to meet the expenditure. The result would have been that the number of our qualified graduates who have been appointed as Assistant Lecturers would have been much smaller had we not adopted the present system of appointing Assistant Lecturers. But if now, as required by this resolution, we were to do away with this class and convert all the



posts of Assistant Lecturers to that of Lecturers, the immediate cost to the Government would be Rs.18,900 annually. The ultimate cost would be Rs.29,489 annually apart from the heavy expenditure which the proposal contained in this resolution would involve, it will mean that we shall have to be very slow in appointing Lecturers in future and our students will suffer.

So, Sir, the Government is unable to accept the resolution as it stands. But Government is fully conscious of the difficulties of the Assistant Lecturers. They have also received representations from Assistant Lecturers which are still under the consideration of the Government. The scale of pay of these Assistant Lecturers is Rs.100-105 (on confirmation)—8 (there is an efficiency bar)—225. Rupees 225 is the maximum pay of these Assistant Lecturers. But there is no impediment to the promotion of these Assistant Lecturers to the post of Lecturers as soon as such a post falls vacant. The practice which has been adopted by the present Government is ordinarily to promote Lecturers to the grade of Professors and naturally the promotion of Assistant Lecturers to the post of Lecturers will follow in the ordinary course.

I will just place before the House the scale of pay that obtains in other provinces. In Orissa, there is no Assistant Lecturer, but the scale of pay of the Lecturers is Rs.125—250. In Bombay, there are Assistant Lecturers and the scale of pay there is Rs.130—200. In the Punjab, there is no Assistant Lecturer. There are professors and Lecturers there. The Lecturers' pay is Rs.150 and the maximum is Rs.190. In Madras, the Assistant Lecturers start with Rs.100 and the maximum is Rs.200. In the Central Provinces, the scale of Assistant Lecturers is Rs.150—250. Therefore the maximum starting pay which the Assistant Lecturers get in other provinces is Rs.150 in Central Provinces, Rs.130 in Bombay and Rs.125 in Orissa. This Government is seriously considering whether the initial pay of our Assistant Lecturers should not be increased. As regards the latter stage every successful Assistant Lecturer can expect to get a promotion; but the initial pay is very small considering the duties they are expected to perform. In place like Sylhet the difficulty is still greater, because most of the Assistant Lecturers have no quarters near the college. They have to live some miles away. In the rainy season they have got to hire some sort of conveyance. We are considering whether it would not be feasible to put these Assistant Lecturers in charge of hostels, so that they may get an additional allowance and at the same time free quarters. All these questions we are considering at the present moment and if the House will express its opinion in favour of an increase in the initial pay, Government will take such an opinion into careful consideration and see if they can help these Assistant Lecturers within the course of the next year.

**Mr. BAIDYANATH MOOKERJEE:** On the assurance that I have got from the Hon'ble Minister, I beg leave of the House to withdraw my resolution.

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

**Resolution for constituting a committee to suggest remedial measures regarding corrupt practices that may be found prevalent in Courts and Government Offices in Assam**

**Maulavi MUHAMMAD AMJAD ALI:** I beg, Sir, to move that this Assembly is of opinion that immediate steps be taken for constituting a committee consisting of the following members to suggest remedial measures regarding corrupt practices that may be found prevalent in Courts and Government offices in Assam:—

1. Rai Sahib Apurba Kumar Ghose, M.L.C.,
2. Maulavi Abdul Hai, M.L.C.,



3. Khan Bahadur Maulavi Keramat Ali, M.L.A.,
4. Maulavi Ashrafuddin Md. Chaudhury, M.L.A.,
5. Maulavi Abdur Rahman, M.L.A.,
6. Babu Kamini Kumar Sen, M.L.A.
7. Maulavi Syed Abdur Rouf, M.L.A.,
8. The Hon'ble the Judicial Minister, and
9. The Mover.

(Four to form a quorum).

**The Hon'ble the SPEAKER :** I may point out one thing to the hon. member. His resolution as worded seems to me a little vague. I wish to draw the attention of the hon. member to the expression 'regarding corrupt practices that may be found prevalent in Courts'. I wish to know what does the hon. member mean by saying 'corrupt practices that may be found prevalent in Courts'? Does he include also the Presiding Officers of the Court as being also guilty of corrupt practices? The hon. member will please explain what he means by saying 'corrupt practices in Courts'.

**Maulavi MUHAMMAD AMJAD ALI:** In the speech, I will explain it, Sir. My views on this resolution are too well-known to the hon. members of this House as I have been crying hoarse on this subject for the last four years. The subject-matter is very complicated and I don't think I shall be justified in drawing indictment against Government servants in general and any class of them in particular. While I accord my recognition and praise for services rendered by officers often under trying circumstances, I am definitely of opinion that this time there should be a thorough inquiry as to the prevalence of corruption in courts and offices but Sir, by this measure, it is never my intention to set up a fault-finding committee but with the idea of inquiry and to suggest remedial measures only. The Government of United Provinces and Bihar have moved in that matter and it seems both the Governments are determined to stamp out corruption from Government offices. I hope by carrying my resolution the corruption from simply fall in line with the other sister provinces. If and when the Government will which I have suggested sits seriously to tackle the problem, the Government will simply be staggered at the amount of corruption which is going unchecked for long and which, I regret to say, is not altogether unknown to the officers of the higher ranks. I appeal to the personal experiences of many here and ask them to take a very determined attitude in this matter. Sir, corruption in courts and amongst the Ministerial Officers cannot be avoided unless the Presiding Officer himself is methodical, honest and versed in law. I have known from experience that Judges are themselves corrupted when they anti-date judgments and make wrong entries in cause list through the collaboration of the Sheristadar and other Officers. Even the order sheets are changed to avoid adverse comments by Inspecting Officers. A stray visit by the District Judge for a day or two after due notice to the Munsiff, may bring the Registers to date but it is another mode of corruption to which the whole staff of the Munsiff becomes a party in the sense that what appears to be shown in the register to be done from day to day has been done overnight in a single sitting. Moreover, the District Judge by such visit cannot look into the matter very closely. The practice that is prevalent in Bengal, i.e., inspection for a period of one month will put the matter a bit right and the District Judge may thus come and supervise the whole matter. The Munsiff generally depends upon the Peshkar for his monthly output and case work, he himself, being practically a cipher in



his hand. In such a view of the matter when the Peshkar or his staff knows that Munsiff is absolutely dependent on them for good remarks by the Judge, they can with impunity realise small or big tips from the parties.

The High Court circular orders, *viz.*, (Civil and Orders Vol.1) looked in to this aspect of the matter more deeply and devised ways and means by which corruption can to a great extent be minimised. The rules enjoined preparation of different Registers and cause lists which will remain open to pleaders or parties every day at stated times. The litigant public can get necessary information from these books or registers and they are not to seek information from the Peshkar and his staff for such things and for which they are made to pay small tips to the Ministerial Officers. I would refer to rules 14 and 145. 'A daily Cause list in the prescribed Form No.(M) 2 shall be posted in some conspicuous part of every court-house for the information of the parties, their pleaders and the public. Cases and appeals shall be shown in the order in which they appear in the Diary. Execution and Miscellaneous cases may be shown either in the same list or separately. The list shall be prepared and posted not later than 1 p.m. (or 8 a.m. in the case of morning sittings) on the working day preceding that to which the list relates. For the purposes of this list, a case is sufficiently indicated by its number, year and class. Judgments ready for delivery should be notified on the Cause list for the day.

(2) At the close of the day, entries should be made in the Daily Cause list showing in addition (a) the results of all cases disposed of, (b) dates or adjourned dates fixed during the day of cases not disposed of and (c) any order requiring specific action,

Rule 145 (1) says, that on the working day in every week, a list in the prescribed Form No.(M)3 of the suits, petitions, applications, appeals and other cases fixed for peremptory hearing on each day of the next week shall be posted on the notice board of the court. The list shall set out the description, serial number, cause, title of each case and the names of the advocates or pleaders appearing therein.

(2) says, that this list should be prepared under the personal direction of the Presiding Judge and in arranging the cases, precedence shall be given to the older cases and also to cases which have already been adjourned on one occasion or more after peremptory date fixed. The cases shall be called on and taken up ordinarily in the order in which they stand in the list. Any case adjourned from one to another day of the week shall also be subsequently inserted in the same list.

Now the rule 145 says that the list shall be signed by the presiding Judge who should see that it is stuck up at the sitting hour of the last working day of the week preceding the week to which the list relates.

Under Rules 185 (1) notice in the notice board should be given as soon as the decree is drawn up, in prescribed Form No.(M)5, stating that the decree has been drawn up and that the parties or their pleaders may within three working days from the date of the notice peruse the draft decree in the office during the hours fixed by the court for the purpose and sign it if correct, or may file with the Sheristadar an objection to it on the ground that there is in the judgment a verbal error or some accidental defect or slip not affecting a material part of the case, or that such decree is at variance with the judgment, or contains some clerical or arithmetical error. Some objections shall state clearly what is the error, defect or variance alleged, and shall be signed and dated by the person making it.



(2) If any such objection be filed on or before the date specified in the notice, it shall along with the record of the case be laid before the Presiding Judge who shall then consider the objection and pass such orders as he thinks proper.

(3) If no objection is filed, the decree shall be signed in accordance with the Provisions of Order 20, Rules 7 and 8.

(4) If an objection has been duly filed, the decree shall be drawn up after necessary examination and alteration required and the Presiding Judge shall sign the decree in accordance with the provisions of Order 20, Rules 7 and 8.

(5) The judge signing the decree shall make an autograph note stating the date, month and year on which the decree was signed and the corrections or alterations. The result of the objections (if any) should be recorded in the order sheet.

Rules under 626, 657 should be of greater advantage in this respect.

Forms are sometimes sold, hence supply of printed forms must be made available to pleaders. The register of sale certificates (Rule 258) and applications for sale certificates (Rule 254) need be maintained, and undue delay in calling applications for sale certificates to be scrutinised.

Regarding payment of Money through Refund Vouchers Rule 778 should be strictly followed, for non-observance of these rules give rise to a good deal of illegal gratification.

Under rule 1035, the sheristadar of every court will be held responsible for the due and prompt performance of all duties connected with the management and supervision of the office and the departments attached to the court.

A pending list should be kept in every judicial office by the sheristadar in the prescribed form No.(R)38A, Vol. II for inspection by the Presiding Judge with a view to check arrears or delay in the disposal of business.

Every judicial officer is required to make a thorough inspection of his office under Rule 1051(1), and any department of which he is in charge, once a year under rules 1108 and 1110. He cannot at this inspection expect to find things in an efficient state, unless the working of the office is constantly watched and close supervision exercised at regular intervals. It is an important part of the duty of judicial officer to see that each of the officers subordinate to him does his work properly and with despatch. Supervision on the "little and often" principle in the daily handling of the records and papers brought before him or a chance visit to the office, and a cursory look at the registers and books whenever there is an idle moment in the day's work will be found to be of considerable benefit and will prevent the commission of many errors and irregularities.

(2) A judicial officer can do much to check much venality and corruption by keeping a strict eye over the doings of his subordinates and not leaving in their hands things which require his personal attention.

All these functions and duties of the courts and ministerial officers, if properly done and supervised by independent persons, will inevitably deny to them any opportunities of coming in contact with parties and as such venality and corruption will to a great extent be minimised. Now to get all these things properly done and to make them available to the public, office rooms are to be changed in such a way that pleaders, clerks and outside public may be afforded opportunities for inspection of the various Registers and lists prepared. If they are not made available to the public



in a prominent place of the court room and some such places, litigant public are at the mercy of the office staff. This is enjoined by Rule 1036.

I am not unaware of the fact that the staff is insufficient to do all the works allotted to them. To this I invoke the help of Ministerial Officers' Reorganisation Committee, and an investigation in the light of Civil Rules and Orders, for the reorganisation of the entire staff.

Unless and until the staff conforms to the above standard and do all the duties aforesaid and judicial officers be persons of clean habits and trained men, you cannot stop venality and corruption. They must be denied any opportunity of meeting and helping the litigant public.

To this I may be permitted to add that the whole morale of the Judiciary should be improved. Appointment of Judicial officers on communal lines without any strict competitive examination will never lead to the choice of right men at the right times and corruptions will be more rampant.

Very few, excepting those well connected with the Law Courts, know what hardships one is made to suffer when he goes to take persons on bail from the lock-up. Herein also it is the duty of the Presiding officer to see that law is respected and enlarging of persons on bail is more a duty of the Criminal Courts than of Court officers.

Sir, Civil Courts, Criminal Courts, Revenue Courts, process serving departments, are all on the same boat. No Government would like that its officers should be corrupt and that its prestige should be lowered by the bad behaviour of these officers. Sir, if personal purity is a virtue for an individual, I think, purity of administration is a more important factor in the make up of the Government. With these words, Sir, I commend my resolution for the acceptance of the House.

**The Hon'ble the SPEAKER :** Resolution moved :

"This Assembly is of opinion that immediate steps be taken for constituting a committee consisting of the following members to suggest remedial measures regarding corrupt practices that may be found prevalent in Courts and Government Offices in Assam :—

1. Rai Sahib Apurba Kumar Ghose, M.L.C.,
  2. Maulavi Abdul Hai, M.L.C.,
  3. Khan Bahadur Maulavi Keramat Ali, M.L.A.,
  4. Maulavi Ashrafuddin Md. Chaudhury, M.L.A.,
  5. Maulavi Abdur Rahman, M.L.A.,
  6. Babu Kamini Kumar Sen, M.L.A.,
  7. Maulavi Syed Abdur Rouf, M.L.A.,
  8. The Hon'ble the Judicial Minister,
- and

9. The Mover.

(Four to form a quorum.)"

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY :** Mr. Speaker, Sir, I am sorry that I cannot support my friend the hon. mover of the resolution. As his view is well-known to this House, I cannot say that my view is unknown. I do not think that a committee formed by the legislators only will be able to do away with the evil of corruption. At the same time, I think that it will not be fair to constitute a committee with-



out a representative of those against whom we are going to hold this enquiry. It is a general complaint every where that the clerks of the law courts take recourse to corrupt practices and realise money by unfair means from the litigant public. This may be true but as I more than once said, there are some lawyers who are also not free from blame so far as corrupt practices in courts are concerned. I have personal knowledge that some of the lawyers realise some amounts from the litigant public as miscellaneous charge and these are meant for tips. Sir, I do not accuse the lawyers in general...

**Babu KAMINI KUMAR SEN:** On a point of information, Sir. Does the hon. member means to say that the amount called *Baje* which is realised by the lawyers is appropriated by themselves?

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** No, I have already stated that these miscellaneous are meant for giving tips to the clerks. I also know the fact that when any such complaints of corruption were brought to the notice of the presiding officers of the court, they took serious steps and punished the clerks concerned. My hon. friend the mover of the resolution not only confines himself to the clerks but he goes to accuse some presiding officers of the courts also. Sir, it is a very serious charge and I think, before we give assent to this resolution we should think very seriously over this question. It is often we hear of corruptions in courts in this House, but when we go outside this House we hear of corruptions prevailing in other spheres of life also. So I do not know why my hon. friend has made these court clerks alone the target of his attack. If corruptions are found prevalent in some courts it is up to the Pleaders and Mukteers of that place to bring all these facts to the notice of the presiding officer of the court. If the presiding officer does not take any notice of the facts then of course the question of constituting a committee can arise. But nowhere in the speech my hon. friend complains that some facts were brought to the notice of the officers and the officers did not take notice of those facts.

**Maulavi ABDUL BARI CHAUDHURI:** Still corruption is there.

**Maulavi MUHAMMAD AMJAD ALI:** On a point of personal explanation, Sir.

**The Hon'ble the SPEAKER:** The hon. member will get a right to reply.

**Maulavi MUHAMMAD AMJAD ALI:** I never meant a charge against any particular officer. That may be given for my friend's information.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** I am very much thankful to my friend. But I may tell the House that the formation of the proposed committee may drive the practice of corruption from court, to the houses of the officers against whom he is complaining, i.e., the officers who realise the bribes in court may ask the parties to go to their respective houses and make the payment there. Court may be free from corruption but corruption may be prevalent in full swing. With these words, Sir, I oppose the motion.

**Mr. JOBANG D. MARAK:** Mr. Speaker, Sir, I am also inclined to oppose the motion, for the very simple reason that unless the whole mass people are against corruptions, I do not see what this handful of members of this committee will do to check corruption. As a rule, corruption and virtue must go hand in hand. As our great teacher Jesus Christ said in his parable that "let tare and wheat grow together till the judgment day comes." So in this world, Sir, corruption and virtue must go side by side. Of course, there should be efforts both by the executive officers and



by the mass people to check corruption. We remember, Sir, that the Chief Secretary to the Government of Assam issued a circular inviting suggestions as to how corruption could be checked. I think, the hon. members of this House have submitted their proposals as to how corruption could be checked. In my lengthy note regarding checking of corruption in the Garo Hills, I said Garo Hills is the virgin soil for corruption. In that note, in support of that statement, I have detailed how corruption is prevalent in every department there. And I think Government is quite cognisant of various notes submitted by various officers and I do not know how we can check this corruption, with these few members of this committee. So I oppose this, Sir.

**Mr. A. WHITTAKER:** Mr. Speaker Sir, yesterday I made an appeal to you for accurate words, I want to make another point to-day, that when my friend Maulavi Maqbul Hussain Chaudhury spoke about 'tips' I should like to substitute the word 'bribes'...

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** I used the word of my hon. friend the mover, Sir.

**Mr. A. WHITTAKER:** In that case I should like to ask Maulavi Amjad Ali and Maulavi Maqbul Hussain Chaudhury to use the word 'bribes' for the word 'tips'.

In approaching this question I should like to recall in this Assembly a saying of a great cynic Anatole France. In one of his essays he writes something like this: 'I always grieve whenever I hear of any malpractice being discontinued because I firmly believe in every country in the world the quantum of malpractice remains the same.' I do not think India is any exception to the statement. I think the quantum of corrupt practices will remain the same whatsoever committees are set up.

Surely in this business there is a two-fold transaction. There is first of all the willingness of Government servants or of any other persons to receive bribe but surely there is also the willingness of the members of the public to give bribes. There is no use in blinking this fact. If a committee of this House makes ingenious rules to close up the holes in the system, there will be other holes made by other more ingenious people. The quantum of corruption will probably be the same. It is a regrettable conclusion.

I am reminded of a fact that when a Provincial Corruption Committee went on tour, it had a fleet of motor cars and when they were crossing one of the big rivers two of their cars broke down. In order to keep their programme they approached the Officer-in-charge of a nearby police station who arranged two cars. That Committee toured for two months. When they submitted their report the person who supplied the cars sent a bill saying that the cars were "borrowed" by the police for the use of the anti-corruption Committee. What are the remedies against this kind of ingenuity?

Surely, Sir, the only thing is the education of public opinion. I hope the House will consider certain practical suggestions. In two provinces in India and in Burma there have been Anti-Corruption Committees set up. If my theory is right, Sir, the technique of corruption is roughly the same in India. Surely the cheapest and most practical way is to examine the reports of these three Anti-Corruption Committees and to see what is common in these and, if possible, adopt some of their suggestions.



My second point is that a great deal of corruption would go altogether if Government officers would keep their work up to date. The biggest aid to corruption in Government offices is having work in arrears. If members of public know that at certain date and at certain time a Magistrate will sit and take a certain number of cases, I think, that would curtail corruption by 50 per cent. This uncertain time-table maintained by Government officers is the chief means for facilitating corruption. If a man knows that a certain thing will be done at a certain time and in a certain manner, he is not going to offer any bribe because he knows whatever he offers will make no difference.

My next practical suggestion would be that Government should do something to simplify the system of making payment of Government dues. The ordinary citizen, cultivator, or a Manager of a Tea Company is greatly harassed by the extremely complicated and unbusiness-like way in which Government dues have to be paid. An ignorant person is compelled to get assistance of some third party. If Government will do something about introducing business like methods of payment, there will be another hole stopped in the business of corruption. Therefore, Sir, while I agree about the prevalence of this evil, I do not think a committee of this House composed of well-meaning individuals will do anything whatever to stop it unless Government themselves are prepared to introduce a more efficient and speedy administration.

**Maulavi ABDUL BARI CHAUDHURY:** Mr. Speaker, Sir, I rise to support the resolution. Government also are well aware how corrupt practices are prevailing in the law courts and Government offices. We expected that Government of their own accord would come forward with a scheme for suppressing the widespread corruption which is prevalent in the day to day administration in all offices. Sir, the practice of bribery is so all-embracing in all offices that beginning from the poor chowkidar to the wealthy zemindar all contribute their mite to its alter. Ignorant people coming from the villages cannot hope to get anything done or receive any information in Government offices without cash payment. Sir, simply by appointing a committee and investigating in to the shortcomings we cannot hope to succeed in our attempt to end corruption. Public opinion should be aroused in the matter and with the co-operation of the public we may succeed. We know that in many cases, Pleaders and Muktears, under circumstances of course, become willing partners to such corrupt practices. A firm resolve on their part will go a far way in removing corruption from our offices. We do not know whether the Ministerial Officers Reorganisation Committee, which has been set up and which is touring the districts, have got any duty on the subject. Sir, I am not very hopeful about the outcome of the labours of the Committee as suggested in the resolution, still I hope it is a good start. Circumstances in Assam and Bihar are so different that the question of considering and accepting the recommendations of the Bihar Enquiry Committee does not arise. With these few words, I support the motion.

**Mr. W. R. FAULL:** Mr. Speaker, Sir, in the hon. mover's speech and in the speeches of other members, I should say—speaking in terms of my colleague Dr. Terrell—that each one has described a very serious disease. But having described this serious disease the mover, in the resolution, has suggested treatment for one of the symptoms only. I think we all agree that by singling out a particular symptom for treatment we cannot hope to cure the disease.



I am taking part in this discussion, Sir, because, if you recollect, a short time ago I attacked another Department of Government, *viz.*, the Finance Department. I said then that originally the initial system on which officers work was the cause of the disease. In that connection I was told that Government had appointed a Committee which was touring round the country, looking into all the offices and that they were going to devise ways and means in order to improve matters. But it was never suggested or in any way admitted that the system was wrong. So far as the system is concerned it remains the same, but I understand an additional clerk has been provided, presumably to expedite matters. So far as I am personally concerned, Sir, when I go to that particular treasury in Gauhati I get excellent treatment now (*laughter*), but I am quite certain that somebody else is suffering because the system has in no way changed (*hear, hear*). What is wanted, Sir, is that the whole system of administration should be brought up-to-date. This system originated somewhere in the 17th century ; since then it does not seem to have changed in any degree whatsoever. Until the system is modernised and Government are in a position to sell their services straightforwardly over the counter to those who wish to pay for them, this bribery and corruption will remain. All the committees this House can establish will not make any difference.

**Maulavi ABDUL AZIZ:** Mr. Speaker, Sir, I rise to oppose the resolution moved by my hon. friend Maulavi Amjad Ali.

I do not see any virtue in the committee suggested by the hon. mover. Like myself he is a lawyer and he knows very well how corruptions find a way into the courts. As my hon. friend Mr. Marak has said, it is a part of human nature, I also say that as virtue is part of our nature so corruption is also a part of human nature. I do not therefore think that a committee of this House can remove corruption by simply enquiring into the matter. It requires change in human nature, the public mind should be educated. In my opinion, a sort of propaganda is required in order to bring home to the people the evils of corruption. Further, Sir, if the Government tighten their hold on their officers and they in their turn tighten hold on their subordinates, I think, the major portion of the corruption can be checked.

Recently, Sir, there was much agitation in the courts for stopping corruption and the matter went to the notice of the Hon'ble High Court ; innumerable circulars in the form of books came to us making provisions for things for which ordinarily bribes are given by litigant public. But, Sir, the corruption is still there, all the rules and regulations could not check it. So, I say, Sir, that corruption is part of our nature. Again, Sir, circumstances make even the professional people to acquiesce in corruption. Suppose a man is in urgent need of a copy of some document. If he comes in the ordinary way, he shall not only have to pay a large sum of money but he will have to wait at least for a week or ten days as the rule is. But if he pays something he can have it in a day. So, in such cases it will be difficult to check corruption.

(*A voice* :—There is a provision for urgent fees).

I know, but this requires a large sum of money, Rs.10 or Rs.15. But if you pay Rs.2 to the clerk he will give this information to your pleader. So, I do not think any useful purpose will be served by such a committee as suggested by the hon. mover. It will be only a waste of public money. I do not like to be included in such a committee and I do not like to serve on it. Several attempts on several occasions have been made to check corruption and no good has resulted from them. So in my humble opinion, Sir, it will be good for Government to issue instructions to the officers to



keep a watch on their subordinates and to check any such practices when found out. With these few words, Sir, I oppose the resolution brought forward by my friend Maulavi Muhammad Amjad Ali.

**The Hon'ble the SPEAKER :** At this stage, I think, the Hon'ble Minister may give his first reply.

**Maulavi ABDUR RAHMAN :** May I be permitted, Sir, to bring in an amendment ?

**The Hon'ble the SPEAKER :** It can be done later.

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI :** Mr. Speaker, Sir, the resolution that has been moved by my hon. friend, Maulavi Amjad Ali, I understand, can be divided into two parts. The first part is that a committee should be constituted to suggest remedial measures regarding corrupt practices on the facts that have already been collected or upon the facts which on general agreement may be found to exist. This is one aspect of the resolution. The second aspect is the constitution of a roving or fact-finding committee, or a roving fact-finding committee just to collect evidence on which to make their recommendations. If the hon. mover suggests the second alternative, then, Sir, to that I have got my objections. And these objections are based on the following grounds.

This matter, Sir, has been agitated on the floor of this House from 1936, and since then it has been engaging the attention of the Government. Early in 1938 the then Government issued a circular letter to all heads of offices, and in that it was stated that the local officers should bring to the notice of the Government specific instances in which corruption and bribery have been detected in their subordinates or in which there is a reasonable suspicion of corruption being in existence. A notice of a similar resolution was also given by my hon. friend, Mr. Naba Kumar Dutta in July 1938 and the then Ministry discarded the idea of a roving committee on financial considerations. Most probably, Sir, Mr. Dutta's resolution was not moved. The Ministry next formed, I mean the Congress-Coalition Ministry, considered the question and collected information from different provinces. And before they came to a decision on that matter, a cut motion was moved by the mover of this resolution, Mr. Amjad Ali, in the budget session of the Assembly in 1939 March. The then Premier, the Hon'ble Srijut Gopinath Bardoloi, explained that the United Provinces had come to certain decisions on the recommendations of the committee appointed in their province relating to corruption and that it might be also feasible to accept some of them for this province. The motion for the appointment of a roving committee which was suggested in that cut was negatived on financial grounds. The then Government also had examined the recommendations of the Bihar and North-west Frontier Province committees on the same subject, and in the light of those recommendations as also those of the United Provinces, they issued a questionnaire inviting opinions suggestions from officials and non-officials, and particularly from the members of the legislature. (I think, Sir, Mr. Marak made a reference to that in his speech which he delivered on this resolution.) The pleaders, muktears, the bar associations, the local boards, the municipalities, as well as other public bodies were asked to suggest measures as to how the evil may be checked or at least minimised to an appreciable degree. But before they could receive all the replies and give their thought to the suggestions, they had to vacate their seats. After the formation of the present Ministry the rest of the replies have been received, and in our opinion a variety of data have been collected sufficient for any committee or individual to consider and make their or his recommendations upon.



From this it will be clear, Sir, that when two successive Governments were definitely against a roving committee or a fact-finding committee on financial and other grounds, and when at present funds are so scarce even for many of our pressing necessities, I think, it will be wise on the part of the Legislature to oppose a roving or a fact-finding committee. At the same time, Sir, if the House is of opinion that corruption in one form or another exists in our public offices and that a committee should be formed with a view to suggest remedial measures by which the Government can check these malpractices, then I think Government will have little objection to that.

There is another point, Sir, which I should submit to the Hon'ble House and it is that the hon. mover of this resolution has, in his proposed committee, included the names of two members of the Legislative Council. They are not present in this House, and we do not know whether they have given their consent to serve on this committee. I do not know whether the House will take it that the hon. mover has full responsibility for his suggestion. This is the point which I wanted to bring to the notice of the House.

**Maulavi ABDUR RAHMAN:** Mr. Speaker, Sir, I beg to move an amendment as to the personnel of the committee. My amendment is that in place of Maulavi Ashrafuddin Muhammad Chaudhury, I would like to put the name of Maulavi Abdul Bari Chaudhury; in place of Khan Bahadur Maulavi Keramat Ali, who is absent, I would put the name of Maulavi Ghyasuddin Ahmad; in place of Maulavi Abdul Hai I would put the name of Mr. Baidyanath Mookerjee; in place of Rai Sahib Apurba Kumar Ghose I would put the name of Mr. A. Whittaker; and in place of Maulavi Syed Abdur Reuf I would put the name of Mr. C. Goldsmith.

We have heard the views of both the supporters and opposers of the resolution. First of all I will try to meet the arguments which my hon. friend Maulavi Maqbul Hussain Chaudhury put forward in opposing the resolution. My hon. friend Maulavi Maqbul Hussain tried to blame the lawyer class as a whole.....

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:**  
Not as a whole.

**Maulavi ABDUR RAHMAN:** My friend said that lawyers are not free from corruption. This is a remark which is highly objectionable and unbecoming. Then he changed it to some of the lawyers. Mr. Marak also, in opposing the resolution, so remarked that corrupt practices are there, but he opposed the resolution on the ground that a small committee like this will not be able to find out means to eradicate this evil altogether. Then my hon. friend Maulavi Abdul Aziz who is a veteran lawyer, or I may say a worn-out lawyer because he is on the verge of retirement and which is evident from the number of legislations that are coming before this House from him, he said that it is not possible to eradicate this evil. To him I would simply say that it is not only lamentable but regrettable that an old practitioner like him, who is at the last stage of his life—(laughter) should say that this vice cannot be removed by any number of committees. He says this is human nature. I should tell my hon. friend that human nature is modulated by circumstances. Corrupt practices which are prevalent in courts cannot be said to be the picture of one's habit; it is circumstances which give opportunities to persons and which make them liable to corrupt practices. Sir, this committee has been proposed only to find out some means by which this Government can earn a good name by taking steps to



eradicate these corrupt practices in the courts. This committee will be appointed only to make an enquiry ; it will not issue any orders to the court which will prevent the officer concerned in the court realising any bribe ; the committee is to see whether they can give such recommendations or suggestions to the Government by adopting which the Government will be able to relieve the people in general from this illegal gratification to the officer concerned. It is a well-known fact, as stated by Maulavi Muhammad Amjad Ali, that if anybody wants to get anything done, or wants to get any information from the court, and if the officer concerned finds that the gentleman is in a hurry, he is to pay something, otherwise he will not get the information early. The committee is to enquire into ways and means by which the Government could put a stop to these corrupt practices. Mr. Marak and Maulavi Maqbul Hussain Chaudhury said in their arguments that the committee will be one-sided. Sir, it is well known to each and every member of the House what sort of practices are prevalent in our courts and what is the particular nature of the work for which the litigant public are to pay the officers for getting their work done. There will be no difficulty, if the members of the committee sit together at a place to find out the real truth by which an attempt can be made by the Government, to check these evil practices. It has also been said that, since other Governments have appointed such committees and have also adopted the recommendations which the committees have framed, it is no good that we should be waiting to see the results of the committees in other provinces. It is high time that we should have our own committee and Government should take up the recommendations of the committee in right earnest.

With these words, I lend my whole-hearted support to the resolution.

**The Hon'ble the SPEAKER :** Amendment moved is that in the proposed committee, the name of Rai Sahib Apurba Kumar Ghosh, M.L.C., be substituted by the name of Mr. A Whittaker, the name of Maulavi Abdul Hai, M.L.C., be substituted by the name of Mr. Baidyanath Mookerjee, the name of Khan Bahadur Maulavi Keramat Ali be substituted by the name of Maulavi Ghyasuddin Ahmed, the name of Maulavi Ashrafuddin Muhammad Chaudhuri be substituted by the name of Maulavi Abdul Bari Chaudhuri and the name of Maulavi Syed Abdur Rouf be substituted by the name of Mr. C. Goldsmith.

**Mr. A. WHITTAKER :** On a point of order, Sir. Is this amendment correct ? Have the members proposed to be substituted been consulted about it as you directed on a previous occasion ?

**The Hon'ble the SPEAKER :** I take it that the consent of the hon. members whose names have been proposed was taken before moving the amendment. If not, any hon. member may take objection to his name being substituted.

**Mr. A. WHITTAKER :** May I rise and take objection ?

**Maulavi ABDUR RAHMAN :** May I know whether he is unwilling ?

**Mr. A. WHITTAKER :** Having made a speech, I am opposed to the resolution.

**Maulavi ABDUR RAHMAN :** In place of his name, I propose the name of Mr. Naba Kumar Dutta.

**The Hon'ble the SPEAKER :** For the name of Rai Sahib Apurba Kumar Ghosh, the name of Mr. Naba Kumar Dutta is to be substituted. Does the hon. mover accept this amendment ?

**Maulavi MUHAMMAD AMJAD ALI :** I accept it.

**Mr. C. GOLDSMITH :** Mr. Speaker, Sir, as the hon. mover says the question is very delicate, I also say that it is definitely a delicate question.



From the discussion, I understand that it is a contentious subject, and I note that there was some enquiry as to the corrupt practices in offices and Courts. A volume of opinion has been submitted and I think they are in the hands of the Government. But, Sir, what is necessary is that these opinions should be crystalised and focussed into some definite practical suggestions which the Government can take hold of and fortify themselves. Sir, unless there is a small committee to consider this proposal Government cannot come to a definite suggestion to fortify itself in making its recommendations to this Assembly. Therefore, some sort of a Committee is necessary to proceed with the matter. I am concerned with certain suggestions and issues that have been raised in the discussion. I find that many hon. members are against the Committee, because they think that the Committee will be of no avail. But hon. members have already suggested remedial measures which are of a variety in character, and therefore, these must be focussed into some practical suggestions.

Mr. Whittaker has said that the quantum of evil everywhere will be the same. I have not understood his view-point in this matter; but this raises a very vital moral question. If that means that evil will remain in the world as evil, and good will remain as good in that case I have something to say. I believe that good must conquer evil in the world.

**Mr. A. WHITTAKER:** On a point of explanation, Sir. It is an unauthorised statement.

**The Hon'ble the SPEAKER:** Yes.

**Mr. C. GOLDSMITH:** If evil should remain in the world, I certainly oppose that idea. If we think that good should not try to conquer evil, we are not human beings. Man is a moral being and a man is to see that really good conquers evil. I do not thereby mean that all corrupt practices will be eradicated from this world, but good must prevail over evil. It is not our belief that man should not try to work. Such a belief at the present moment will be of no value. I give an example. To-day the world is in conflict with the forces of evil. The spirit of might is right, plunder and loot, race superiority and aggression are marching along. But there are people in this world who have got together and are trying to fight against evil. Good will ultimately conquer the evil. We have the belief that in this great European war that is going on, British people and Americans, I mean democracy, would not have got together and tried to fight German aggression but for this belief. So they are fighting together with the idea and the hope that right will be victorious over might and good will conquer evil. Therefore, our belief should be always to try to eradicate all evil practices that are prevailing in our society. Man's duty is always to try to defeat the evil. But when we say, let us not try to eradicate evil and set up a committee because we cannot get rid of the evil, is a very false premise to work upon. We as legislators must get together. We must have faith. We as legislators must get together and try to get rid of the evil. We must not take it for granted that evil must prevail. We should try to get together and ameliorate the condition of the people. Why have we got our hospitals and Red Cross Societies?

**The Hon'ble the SPEAKER:** I am afraid the hon. member is abouring only one side of the whole question. And this is also beside the point.

**Mr. C. GOLDSMITH:** This is the main thing, Sir.

**The Hon'ble the SPEAKER:** The main thing to be discussed is the practical difficulties that have been pointed out by hon. members.



**Mr. C. GOLDSMITH:** The small committee will be able to find out the difficulties. If this committee brings out before the public the evil practices that are found ; some remedial measures can be suggested. Therefore, I support the amendment that has been moved.

**Mr. F. W. BLENNERHASSETT:** Mr. Speaker, Sir. No body in this House believes more in what the hon. Mr. Goldsmith has just said than the members of this Group but Sir, our submission is that the evil which the hon. mover seeks to remove is deep down in the hearts of men. In every transaction involving bribery, at least two persons are involved—they are the giver and the receiver and our submission is that the change of the hearts of humanity in this province is a task which can never be performed by any committee in the world. And further more, Sir, before sitting down, I should like to say that I have heard the poor treasury benches during the past few days badgered in heaps for money—a lakh for this, and a lakh for something else, and I would like to ask the Hon'ble Minister-in-charge of this particular subject whether he is prepared to supply the funds, a lakh and 50 thousand of rupees, for setting up this Committee when there is so much public work crying to be done. I would like to have an answer from the Hon'ble Minister.

**Babu KAMINI KUMAR SEN:** Mr. Speaker, Sir. It seems to me that it is universally agreed that corruption exists, at least in some of the courts and offices of the Government. Of course, I do not think, that this agreement means a general indictment against all Government servants. On the other hand I admit, Sir, that there are many Government offices and officers who are above this evil but at the same time, I do not think anybody can deny that corruption exists and exists in varying degrees. It varies from officers to officers, from localities to localities, and from offices to offices but the only point that has been taken exception to by Mr. Whittaker and Mr. Blennerhassett is this that in order to stop this corruption the hearts of the people must be changed. I do not entirely agree with the contention that has been put forward. I think my hon. friend Mr. Whittaker has already said that much of this corruption is due to faulty system and lack of supervision. Corruption exists because there is something faulty—something rotten in the system. It oftentimes happens that the Head of Office remains very busy with his work and so he finds very little time to supervise the work of his subordinates. So, Sir, I submit that it is not quite true that in order to remove corruption the change of hearts is necessary. Rather I should like to say that without the change of hearts, we can stop much of this evil if we only change the system and introduce stricter supervision in the offices. I think, it will also be admitted that there are offices in which corruption hardly exists. If that is so, then I do not think, it can be said that the Officers of these offices are above corruption because they are better officers with higher morals than the officers of other offices. I think, hon. members have seldom heard any complaint of corruption in post offices or in our Educational Institutions. It is also, I think, admitted that the officers of these offices are not better paid or less worked than officers in offices where this evil exists. So, I should say that this corruption exists more or less due to faulty system and lack of supervision. It has already been stated by the Hon'ble Minister that successive Governments have taken up this matter. I myself brought forward this question on the floor of this House in the shape of a cut motion and afterwards I had the privilege of looking into this question during the Congress-Coalition Ministry. We tried to collect data from other provinces as well as information from our offices and we also asked for suggestions from the hon. members of this House as to how this can be stopped. Unfortunately we did not get all the informations



before we resigned office but now I learn from the Hon'ble Minister that much of the data has been collected. So, I think, it will be advantageous if a committee is set up for considering these data.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** A committee of Pleaders and Muktears will not do.

**Babu KAMINI KUMAR SEN:** The hon. member says that a committee of Pleaders and Muktears will not do. He has also stated before that the pleaders are also party to this corruption, but can he deny that if the pleaders and muktears be an indirect party to this, it is the system that compels them to be so? We can remove much of the evil due to faulty system and lack of supervision if we consider the recommendations made by the Committees appointed in other provinces as well as the suggestions received from various public bodies and publicmen. So I hope, the Hon'ble Minister-in-charge will accept the suggestion to form a committee so that it may consider all these points and may see whether the corrupt practices that are prevalent in the courts and offices cannot be removed.

**The Hon'ble the SPEAKER:** Does the hon. member want to give a reply?

**Maulavi MUHAMMAD AMJAD ALI:** Mr. Speaker, Sir. In reply I must thank the hon. members who have taken part in this discussion and I take this opportunity of saying that this is a measure for which I am trying for the last four years and now we have come to a stage where all sections of the House are agreed upon the main point that corruption exists and remedial measures must be found out in order to stamp out corruption.

The Hon'ble Minister-in-charge while giving his reply has divided the resolution into two parts; firstly whether the committee that will sit to tackle this problem would be a roaming committee or a committee to find out the remedial measures for its removal. To that I have to reply that when I tabled this resolution it was never my intention that the Committee should be a roaming one. I am aware of the fact that the Governments of Bihar and United Provinces had formed roaming anti-corruption committees and have prepared programmes and collected data on which we can very well work. I am also glad to find that two of our Ministries successively wanted to tackle this problem. They invited suggestions from different localities, from different institutions and they have tried to tackle this problem in their own light. It is said that data are there and we have got to work upon those data. It is never my intention to find faults with any particular officers. It is with regard to the faulty system that is working and the entire system that has got to be changed. To be more clear I must say that in my humble speech I have tried to give out that the rules and orders which obtain in the daily conduct of business in Courts and Government offices are not strictly followed. A reference to a point of this nature has been made by my hon. friend Mr. Whittaker when he said that the Courts are themselves delinquent when they come at very late hours in the day and are responsible for the amount of corruptions that may be found in the offices. If they make it a point to come earlier they can see to it and the amount of corruptions will in that case be less. I have tried to make out that strict adherence to the rules and orders will minimise the corruptions. Unless the system with which we have got to work in the Court and Government offices is thoroughly enquired into and those rules and orders are strictly adhered to, there will be less chance of stamping out corruptions. References have been made that several ways have been tried. But I must say that several ways might be tried before but there is no harm in giving us one chance by such a decisive step in forming a committee and suggest remedial measures in which finally we can stamp out corruptions



which may be found prevalent, for we see that the amount of corruption is daily in the increase. Sir, as regards the personnel of the committee, I have grave and good deal of difficulty in its constitution, and my task of successfully piloting my resolution would have been much easier than now if I could propose a bigger committee than I have done. I quite realise, Sir, that in that case some more hon. members interested in that problem might have been in. But anyway I say, Sir, there must be a committee which would be in a position to tackle this problem in the light of the suggestions made by me and other hon. members and also by the different institutions of the Province as well as in the light of the reports that have been submitted by such committees in other provinces. With these words, I commend my resolution to the acceptance of the House and tell the Hon'ble Minister-in-charge that I am for a committee to find out remedial measures and not for a roaming committee.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** Mr. Speaker, Sir, the position which Government has to take in this resolution has been properly described by my Hon'ble Colleague, the Minister-in-charge. Government position is this : that the system of giving and receiving tips for services rendered is prevalent throughout the world. This system cannot be done away with by any number of committees, commissions or conferences until and unless public opinion is strongly aroused against giving or receiving such tips. We, in the Government benches, feel that there is no necessity for a commission or a committee at all. The suggestion has drawn the attention of the successive Governments and we have got the reports of the various committees in other provinces. We issued a questionnaire—a reply to which is before the Government. But if the House believes on the principle that two heads are better than one, *i.e.*, these anti-corruption reports and replies should be scrutinised and remedial measures be formulated not by Government alone but by a committee of this House, then we would have no objection to that. Under those circumstances, if the resolution goes to the vote of the House, the Government benches will remain neutral.

**The Hon'ble the SPEAKER :** The question is :

“This Assembly is of opinion that immediate steps be taken for constituting a committee consisting of the following members to suggest remedial measures regarding corrupt practices that may be found prevalent in Courts and Government offices in Assam :—

1. Mr. Naba Kumar Dutta,
2. Mr. Baidyanath Mookerjee,
3. Maulavi Ghyasuddin Ahmed,
4. Maulavi Abdul Bari Chaudhury,
5. Maulavi Abdur Rahman,
6. Babu Kamini Kumar Sen,
7. Mr. C. Goldsmith,
8. The Hon'ble the Judicial Minister and
9. The mover.

(Four to form a quorum).”



The Assembly divided.

AYES—12

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|----------------------------------|----------------------------------|
| 1. Mr. Baidyanath Mookerjee.     | 8. Maulavi Muhammad Amir-uddin.  |
| 2. Babu Bipin Behari Das.        | 9. Maulavi Muhammad Amjad Ali.   |
| 3. Babu Kamini Kumar Sen.        | 10. Maulavi Naziruddin Ahmed.    |
| 4. Mr. Naba Kumar Dutta.         | 11. Mr. C. Goldsmith.            |
| 5. Maulavi Abdul Bari Chaudhury. | 12. Srijut Rabi Chandra Kachari. |
| 6. Maulavi Abdur Rahman.         |                                  |
| 7. Maulavi Md. Abdus Salam.      |                                  |

NOES—21

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|---|---------------------------------|
| 1. Srijut Joges Chandra Gohain.               | 10. Mr. F. W. Blennerhassett.   |
| 2. Mr. Kedarmal Brahmin.                      | 11. Mr. N. Dawson.              |
| 3. Maulavi Abdul Aziz.                        | 12. Mr. W. R. Faull.            |
| 4. Maulavi Badaruddin Ahmed.                  | 13. Mr. P. Trinkle.             |
| 5. Maulavi Muhammad Maqbul Hussain Chaudhury. | 14. Mr. C. W. Morley.           |
| 6. Khan Bahadur Maulavi Mufizur Rahman.       | 15. Mr. D. B. H. Moore.         |
| 7. Maulavi Muzarrof Ali Laskar.               | 16. Mr. A. Whittaker.           |
| 8. Maulavi Namwar Ali Barbhuiya.              | 17. Srijut Bhairab Chandra Das. |
| 9. Maulavi Sheikh Osman Ali Sadagar.          | 18. Srijut Bideshi Pan Tanti.   |
|   | 19. Rev. L. Gatphoh.            |
|   | 20. Mr. Jobang D. Marak.        |
|   | 21. Srijut Khorsing Terang.     |

The question was negatived.

### Adjournment

The Assembly then adjourned for lunch till 2-5 P.M.

### After lunch

### Resolution to overhaul the administration of Public Health in Assam

**Mr. F. W. BLENNERHASSETT:** Mr. Speaker, Sir, I beg to move that this Assembly is of opinion that steps be taken for overhauling the administration of Public Health in Assam in order to remove the defects revealed by successive Annual Reports.

Our main criticism, Sir, lies in the fact that this province has no Public Health Act. There are, in other words, no statutory powers or executive sanction vested in any Public Health Department officer to deal with offenders against the hygienic well-being of the community. For instance, let us consider that no Public Health officer has any executive power to compel a person with a dirty drain to clean it, nor for a person living adjacent to an anti-malarial scheme to join in that scheme. Whether he joins the scheme or not is dependent upon his own inclination. If he says he will not join the scheme or, in other words, will not take his part in preserving the welfare of the community to which he belongs in so far as anti-malarial measures are concerned, it may very well be that an expensive scheme costing thousands of rupees will be nullified through the negligence of one individual to perform his duties to the State.



Food adulteration is another subject very closely allied to Public Health. At the moment prosecutions for food adulteration are under local officers operating under Local Bodies whose activities in the very nature of things cannot be as authoritative as they would be were they backed by the Provincial Public Health Department. A Public Health Officer may report to a Local Body a case of food adulteration, but as I have just said prosecution itself must be initiated by the Local Body and not by the Public Health Officer. Apparently there were 145 convictions in 1939, and Rs. 4,683 realized in fines, which is less than Rs. 33 average fine per conviction. As was pointed out the other day by my hon. colleague Dr. Terrell, the adulteration of mustard oil, with the accompanying disease of epidemic dropsy, continues almost unabated and unchecked.

Now, Sir, all this is very different to what happens in the land from which I come. There we have numerous Public Health Officers, and whether they are Public Health Officers of Counties or Boroughs or Cities, they are empowered to prosecute offenders under the Impure Foods Act, and they are in fact charged with very definite executive responsibility for the health and well-being of those whose servants they are.

It is very true, as has been said in the Public Health Report for the year 1939, that with the spread of education and enlightenment sanitary conditions, housing, and the like may improve. They probably will and our hope is that they may. But in the meantime there are those who, being highly educated and enlightened, should lead their less fortunate brethren along the path towards better living, but who fail to do so and in fact behave little better than their less enlightened neighbours. It is those offenders I am after. They are offenders because anybody who does something injurious to the community in which he lives commits an offence against that community and should be punished to the full limit of the power of the law. But where there is no Provincial law making such prosecution possible I do not see how this aspect of the problem is to be solved.

We have been confronted in this House, during this session, with several proposals which are called "nation-building". I would rather, Sir, call some of them nation-propping, but in any case the fact is that in none of these proposals is there a single one to ameliorate the evils I have referred to, nor one single proposal directed towards building up a heritage of health and strength for the coming generations, save opium prohibition which in principle has always had our support.

It is the duty of a Government to look well ahead; to enact such legislation as will be in real fact nation building; to take such steps as will ensure the building up of young generations of fit and robust children, who being the fathers and mothers of generations to come, will be fitted to discharge the duties of parenthood to the country in the manner that they should.

I realise of course that it is alluring to a Government to enact such ready-to-hand legislation as will show immediate and spectacular effect. But though it may not be as alluring to enact legislation as will not show immediate and spectacular results, it is nevertheless a duty to be faced up to. Such legislation, as I now advocate, may not show results for years to come, but future generations will live to bless the Government who initiated it, though its members long since have returned to the dust from which they came.

What I have just said, Sir, may appear a very censorious indictment of Government, and indeed the blame must belong to successive Governments. So now, with your permission, I will proceed to show that I have ample



justification for my remarks, in the Annual Public Health Report of the province of Assam for the year 1939. On page 4 of that Report in paragraph (5) "Birth Registration in urban areas", as also in the bottom line of paragraph (6), we find admissions of defective registration. I know, Sir, how very difficult it is in a province like this, the bulk of whose inhabitants live in scattered rural districts, to ensure proper registration of all domestic occurrence, but that does not absolve the Government from taking steps to ensure that this state of affairs is remedied.

On page 5 of the same Report in paragraph (9) "Death Registration in urban areas" we find a reference to the quinquennial average death rate. This is stated to be 17·40 ; and in the same paragraph we are appalled to see that the highest death rate in the province was recorded in Golaghat and was no less than double the quinquennial average at 37·76. Yet only now are we told that a Health Unit is to be established at Golaghat. Only now in fact after repeated representations from this group, Government is alive to the fact that this appalling state of affairs exists in the Golaghat Sub-division.

Whilst still on the subject of Golaghat may I refer once again to the alarming increase of "Kala azar" in that subdivision. In view of the figures presented on page 14 of the Report I feel members of this House will not be inclined to regard me as a scaremonger, for since the year 1935 the number of deaths from "Kala azar" in the Sibsagar Division are recorded as follows :—

1935	...	...	101
1936	...	...	99
1937	...	...	126
1938	...	...	447
1939	...	...	553

It is indeed time that a Health Unit was established in the Golaghat subdivision which has claimed more than its fair share of these deaths, and we rejoice that this is being done.

As Managers of tea gardens we have the greatest difficulty in segregating lepers who are in the infectious stage. Many of us in fact do not know where to send them. Fortunately for some of us, there are Mission Hospitals doing excellent work on leprosy. In this connection it is interesting to note that whereas Government in 1939 treated only seven leprosy patients in Sibsagar, no less than 116 were under treatment at the Leper Colony at Jorhat established by Dr. Kirby of the American Baptist Foreign Missionary Society. We are told that this disease is receiving the attention of the Department and that steps are being taken to begin the organisation of special leprosy work in the province under the auspices of the British Empire Leper Association. We are also told that advantage will be taken of the proposed visit of Dr. Issac Santra to Assam. In the meantime, Sir, is the extensive knowledge of Drs. Kirby and Crozier taken advantage of by the Public Health Department? Why wait for the arrival of Dr. Issac Santra when work could have begun with the resources already to hand?

Turning now, Sir, to the question of Provincial Public Enemy No. 1, Malaria. At the bottom of page 17, there is a reference to Malaria Control on Tea Estates in the Doom Dooma area. Now, Sir, this control was started in 1923 and it has continued ever since. It was started with tea garden staffs and at Tea Companies' expense and has been continuing with tea garden staffs and at Tea Companies' expense ever since, and eighteen



years afterwards we find that proposals for the control of Malaria in the Government lands within infective range of the schemes initiated by Tea Companies are now under consideration of Government. Industry spent over four lakhs of rupees on 12 per cent. of the population in this province last year in anti-malarial work. The Government, so far as I can make out, spent a sum of Rs.80,400 which includes a grant of Rs. 20,000 to the Assam Medical Research Society on the remaining 88 per cent.

If you want any more evidence to show that anti-malarial schemes are in fact not unified, we may turn to page 18 and read in the second paragraph, "Anti-larval work in the area is not under unified control, as the result of which such work is largely ineffective." Had a period of 5 or 6 years elapsed between the inauguration of these schemes and the necessity for their unification being realised, perhaps very much could not be said, but when one remembers that eighteen years have elapsed we cannot congratulate this or other Governments on the discharge of their responsibilities in this direction.

If justification is required for legislation, such as I have advocated, surely it is to be found in the first paragraph of page 18 of the Report in the 11th, 12th, 13th and 14th lines where it is said that "all efforts to secure the co-operation of the villages in the anti-malarial work failed and it is the opinion that it will not be possible to effect any material improvement in such an area except at a very prohibitive cost"

From the figures before us it would appear that every person in the province must by this time have been vaccinated, yet small-pox still continues and we are told that in 1939 this disease was responsible for no less than 2,197 deaths, which is an increase of 588 over the previous year. We are also told that there are no special hospitals in Assam for the isolation and treatment of small-pox cases. We seriously mistrust the vaccination agencies even making allowance for the ignorance of mothers which very frequently leads them to wipe the vaccine from the arm of the vaccinated child before the vaccination has had an opportunity to do its work.

There is no proper accommodation for lunatics in the province save jails and the difficulties associated with getting a lunatic certified and thereafter placed in restraint and properly treated have to be experienced to be believed.

On page 21 of the Report, Sir, the following is written :—

"There is no recognised institution for the training of midwives and nurse *dhais* in the province. The services of doctors attached to hospitals and maternity homes are available for domiciliary midwifery. There is no provision for the supervision of salaried midwives, assistant midwives and nurse *dhais* either in domiciliary or in private practice. The Assam Births and Deaths Registration Act, 1935, controls the registration of births and deaths in the province. No provision exists for the control of the training, registration and supervision of nurses, health visitors, assistant midwives, nurse *dhais* and trained *dhais*. There is no prohibition of practice by unregistered midwives and *dhais* and there is no regulation regarding qualifications and appointment of staff in maternity and child-welfare work and the inspection of maternity hospitals and homes. The Indian Factories Act controls the conditions of women and children in industry. There is no Children's Act in the Province. The chief hindrance to the advancement of this work are ignorance, prejudice and partly poverty on the part of the bulk of the population."



This, Sir, is 1941, but the state of affairs disclosed in this staggering admission would do no credit to a Public Health Department operating anywhere 100 years ago, and if I have not said enough to establish the necessity for a Public Health Act, surely this paragraph supplies all the evidence necessary. On page 23, we find in Chapter 11 references to health propaganda. Now, Sir, I seriously mistrust all these references to magic lantern lectures and the like, because, though I have sought for, I have never found a single person who has ever seen a single magic lantern demonstration in any place. There is not the slightest doubt that there is room for much health propaganda and we trust it will be carried everywhere with the efficiency and vigour necessary. At the same time one cannot help wondering whether a closer connection between the Education Department and the Public Health Department would not be beneficial.

Drinking water is another subject which should be controlled by the Public Health Department. As it is at present, anybody may dig a hole in the ground from which he and his family may drink and that hole in the ground whose water may constitute an absolute menace to a large number of people need not be filled up by the owner of it nor is there anything which will compel him to fill it up. These holes in the ground from which drinking water is derived are very usual, but what shall we say about the pollution of a drinking-water tank in an enlightened town like Golaghat? Here to my knowledge is a drinking-water tank which though it has a pump for drawing water from it, the local inhabitants rather than use the pump break the fence and dip their water vessels, dirty and clean into the water direct. Through the breach so made, cattle walk to the edge of the water, drink from it and also foul it. People wash themselves in it, and the other day an individual was actually found fouling the water. The state of this particular water tank happens to effect my community, a large number of whom are compelled to get their drinking water from it, for there is no other source. The dangerous state of affairs I have just related has been represented by my community to the Municipality. Nothing has been done about it. Now, I know it would be of no benefit for me to represent this matter to the Hon'ble Minister-in-charge of the Public Health Department, because he would refer me to the Hon'ble Minister-in-charge of Local Self-Government, yet the matter is most directly one of public health. Can I give you any more pertinent example of the defects of the Public Health Administration in this Province as it now stands?

That there is room for re-organization and rationalisation of the entire Department of Public Health is very clear, and the probability is that the staff particularly in the lower grades will have to be increased. This increase, however, could possibly be made good by removing officers operating at the present time in the Local Bodies and transferring them to the Public Health Department, because much of the sanitary inspection work now being done by Local Board officials would, as I have said, be more properly done by them were they members of the Public Health Department staff.

Furthermore, we know the Government contemplates maternity, child, and other welfare legislation whilst a Nurses Registration Bill is to be introduced shortly. Now, the logical accompaniment to such legislation would be the appointment of a medical woman as joint assistant to the Inspector General of Civil Hospitals and Director of Public Health to co-ordinate and supervise both the medical and preventive work for women and children throughout the province in accordance with the recommendation of the



Central Advisory Board of Health. Appointments of this nature have been made in the Punjab, United Provinces, Bengal, Central Provinces, Madras, Hyderabad State and Mysore State, and I suggest this Government should not lag behind, but consider taking a like step in this province. There is no reason why this appointment should not be made in advance of the proposed legislation. At the 3rd meeting of the Central Advisory Board of Health a resolution for the appointment of a senior Woman Medical Officer having special qualifications and experience in maternity and child-welfare work was generally adopted. Assam's reply to the resolution, however, was as follows:—"The maternity and child-welfare work in this province is not yet in a sufficiently well developed state to justify the appointment of a senior woman officer for this province". Surely the appointment of such a medical officer would stimulate the development of maternity and child-welfare work in the province.

If my proposal is not acceptable, may I suggest that the schemes working in the Provinces I have enumerated may be closely watched by this Government, and if they prove successful, this Government should come before this House with appropriate measures to bring our province into line with them.

I fear, Sir, I have occupied the time of this House for longer than I should have done, but I plead justification, for the subject is one of great importance. I trust, however, that what I have said may have the approval and support of this House, and that Government will realise the need for, and early introduce legislation to remedy the serious defects I have referred to.

**The Hon'ble the SPEAKER:** Resolution moved:

"This Assembly is of opinion that steps be taken for overhauling the administration of Public Health in Assam in order to remove the defects revealed by successive Annual Reports".

**Mr. BAIDYANATH MOOKEJEE:** Mr. Speaker, Sir, I rise to support the resolution of my hon. friend Mr. Blennerhassett, but I was just thinking whether there was any necessity for moving such a resolution, because from the very wordings of the resolution it is quite clear that our scope is very limited, because it has been stated there that "this Assembly is of opinion that steps be taken for overhauling the administration of Public Health in Assam in order to remove the defects revealed by successive Annual Reports". Sir, these Annual Reports are published by the Government, so I think that all these defects are well-known to them. Now, Sir, it is really curious that we are to remind the Government about their duties in such a vital matter. Sir, the hon. mover of this resolution has given sufficient facts and figures; so I do not like to go into that side of the question, but I shall quote another portion which has been left by him. It will be found from the Annual Report on the Working of the Civil Hospitals and Dispensaries for the year 1939—(the Report is signed by Lieut.-Colonel L. A. P. Anderson, M.A., M.D., B.Ch., D.P.H., D.T.M.H., I.M.S.) It is stated there:—"During my inspections of Subdivisional and other Dispensaries I have encountered one pernicious result of enforced economy which is chiefly met with towards the end of the financial year—the dilution of mixtures containing essential drugs, particularly quinine, at a point at which the mixture ceases to be effective. There is no drug which is of greater importance to Assam than quinine, and the supply of quinine mixture in a non-effective dose is a form of "economy" which ought not to be tolerated for a moment. But what is the dispensary doctor to do? In the malaria season he is besieged by large numbers of patients clamouring



for treatment, but all too often his stock of quinine is too small to last the year out, and no funds are available to cover supplementary indents, and in the latter part of the year, he must face one of two alternatives: to refuse treatment (the result of which can be easily imagined) or to supply his malaria patients with reduced and ineffective doses, unless the dispensary is fortunate enough to receive a gratuitous supply of quinine from the Public Health Department, a windfall which occurs but rarely. Statistical evidence of the conditions prevailing is afforded by the fact that expenditure on account of medicines on the 1,584,512 patients attending purely out-patient dispensaries in Assam during the year 1939 was no more than Rs.90,960, equivalent to 11 pies per head, and of course still less in the last few months of the year, when stocks are running low".

Sir, the other day while we were discussing a cut motion relating to Forest Budget, we sufficiently gave vent to our feelings regarding cinchona cultivation in the province. So I do not like to raise that point here again. Sir, if we consider the treatment of malaria alone, the amount of quinine and cinchona available during the year 1939 for the 8,27,190 malaria patients attending all Medical Department dispensaries amounted to 3,705 pounds, an amount which allowed 34.4 grains only for each patient. The minimum amount of quinine necessary for a full course of treatment is 168 grains and it is obvious therefore that we are attempting to treat malaria in our dispensaries with a dose of quinine which on the average is little more than 1/5th of the dose required to effect a cure, which is of course what should be aimed at with patients attending Medical Department dispensaries. The discrepancy between the dose given and the effective dose is still greater in the case of those patients attending purely out-patient dispensaries since the figure 8,27,190 includes malaria patients treated as indoor patients who are likely to receive full treatment. The amount of quinine and cinchona available for purely out-patients may therefore be taken to be even less than 34.4 grains per head.

Now, Sir, the point is how are these difficulties to be met. Sir, I hope I would not be blamed of repeating the same argument as I advanced during that cut motion, as I mentioned before; it is high time that Government should take up cinchona cultivation themselves and extend their helping hand to private persons also if any private person wants to take up this industry. Assam has got sufficient land, if properly utilised, to supply cinchona not only to Assam but to the whole of India.

Now, Sir, about the maternity and child-welfare work it has already been touched by the hon. mover. But my point is this: it is good on the part of Government that they have come forward with a Maternity Benefit Bill before the House so far as tea garden labourers are concerned. Sir, it may be said that myself being a tea planter and as my pocket will be touched, I am going to give advice to the Government that before they came up with a Bill like this they ought to have done something for the masses who are looking to them for this kind of help. Sir, I hope in the next session of this Assembly, Government will give a proof that they are not shutting their eyes to this side of the picture by opening some maternity welfare centres.

Now, Sir, about leprosy, it was said the other day that Government was thinking of starting a colony. In this connection I like to bring to the notice of the Hon'ble Premier that one colony will not serve the purpose. I think there should be at least two colonies in the two Valleys. If these colonies are started, in that case, after some time it will be found that Government will be able to accommodate more lepers than they can do at present with the same amount of money as they are spending at present. If properly handled these colonies will be self-supporting in time.



As regards adulterated food, during the discussion of cut motion this was very ably dealt with by my hon. friend Dr. Terrell. In the Report it is found that this is unfortunately a growing evil. The administration of the Assam Pure Food Act has been far from satisfactory. Except in municipal areas, where there are Health Officers, there is hardly any attempt to enforce the Act. One of the difficulties probably is to enlist the co-operation of a sufficient number of local persons with the requisite spirit of public service and leisure. The procedure for sending samples for analysis strikes the average person as being unduly elaborate ; but it cannot be over-simplified if the accused is to have a fair trial and his guilt definitely established. But at the same time it has been suggested that Government should do well to investigate into the suggestion that a substantial reduction in the rate of fee charged for analysis will help to mend matters.

I think Government will take notice of this fact also.

As regards propaganda, it has been stressed practically in all the Reports that propaganda work just to enlighten the people about the utility of the Public Health Department is not being carried on properly. So, Sir, I think the Government should take proper care about this side also. More intensive propaganda should be done by Government.

Sir, I will not take much time of the House. I hope that Dr. Terrell, who is taking very keen interest in this subject, will deal with this matter more elaborately with special reference to lunatics and T. B. clinics. But before I resume my seat, I would request the Hon'ble Premier that he would give a reply to this resolution, because during the discussion of the last resolution, we were rather put to a very awkward position. When we heard the Hon'ble Minister in charge of the Department, we thought that he practically accepted the resolution. He said that if it was not a touring Committee, Government had no objection. But afterwards in his reply, the Hon'ble Premier said that if the House was willing, Government has no objection but they will keep themselves neutral. It is curious indeed, Sir. So it is better that the Chief should give the answer in a serious matter like this and the discrepancies in replies also should be avoided.

I shall touch only one point and that is regarding the subsidised dispensaries.

**The Hon'ble the SPEAKER :** The hon. member's time is almost up.

**Mr. BAIDYANATH MOOKERJEE :** About the subsidised dispensaries Government should take special care. It has been stated at page 8 of the Report published in 1938 that out of the 27 subsidised dispensaries sanctioned only 8 dispensaries were opened. Names of these 8 dispensaries have been given, I am not going to take the time of the House by quoting these names. They were opened during the year and the remaining dispensaries could not be opened during the year for want of suitable and qualified doctors. What is the reason, Sir ? The other day we heard from our friend Mr. Goldsmith when we were discussing about the Medical Institution at Sylhet that there are so many well-qualified doctors and they can be had for a song ; but now from the Report we find that for want of suitable doctors these dispensaries could not be opened. Sir, this belies the contention of my friend and proves that we are in need of more doctors and immediately. My another point is this that the money which has been allotted for these doctors is also very meagre and hope that Government will see their way to increase the amount which should be paid to the doctors so that they can open and maintain the dispensaries properly. With these few words, Sir I support the motion.



**Dr. C. G. TERRELL:** Mr. Speaker, Sir, I must thank my hon. friend for the kind reference that he has made to the remarks I made a few days ago on certain Public Health matters.

There are a few further matters of interest which have not yet been touched on and which I would like to deal with briefly.

The first of these may appear to be of only parochial interest, but actually it is a matter of far greater significance.

In the course of this interesting review of the Public Health problem, it is said that with the spread of education and enlightenment the minds of the people may be awakened to the need for a better standard of living and hygiene. That there is a real need for enlightenment is illustrated by a matter that has come to my notice since my arrival here.

I refer to the agitation against the proposed site for the new tuberculosis clinic in Shillong and it has occurred to me that a few remarks on tuberculosis and this site question in particular might help to dispel misunderstanding.

A clinic is not a sanatorium—it is for the registration, education and treatment of out-patients only. The latter may extend to X-ray examinations and treatment by artificial pneumothorax. It is proposed to maintain two beds only which would be used for emergencies in the case of collapse, and under no circumstances would they be occupied for more than one night.

For the efficient working of a tuberculosis clinic, it is the studied opinion of medical experts that this must be situated in the most central site possible and in no circumstances should be in an isolated locality. In this connection I quote the words of one of our greatest experts, Dr. Frimodt Muller, who is the High Commissioner for tuberculosis in India.

“(1) The clinic should be the first effort. It should be modern, fully equipped for diagnosis and have a laboratory.

(2) It must be situated in the middle of a town and when funds permit, a central block should be purchased in the most densely populated area and if necessary houses should be pulled down to make room for the clinic.”

Apart from the recommendations of this outstanding expert, the matter has been considered by a Sub-Committee of our own medical experts, including the Inspector-General of Civil Hospitals, the Director of Public Health, and the Civil Surgeon, and the site chosen is the result of their very careful deliberations. When funds are available, the actual tuberculosis hospital is to be built at least  $1\frac{1}{2}$  miles outside Shillong.

The residents of Shillong are faced with a very grave danger over the tuberculosis problem. It is estimated that there are at least 1,000 cases now in the town and another 1,000 within five miles. The number is increasing as a result of many patients being sent here from Calcutta and elsewhere owing to the Shillong air being found very favourable for the treatment of this disease.

The selected site for this clinic is in every way suitable to achieve its purpose and attract the maximum number of patients. The fact of its being somewhat close to the *bazaar* is a special advantage in this connection. We are dealing with a *pan-eating* community and spitting is very profuse. It must be obvious to all that in the interest of Public Health, it is a definite advantage that those individuals infected with tuberculosis and spitting in the *bazaar* should have this clinic easily available and close at hand, particularly when it is borne in mind that this habit is responsible for the spread of the disease and that the successful prevention of promiscuous spitting solves 80 per cent. of the tuberculosis problem.



At the clinic they will be taught the elementary principles of hygiene and prevention of the spread of infection, by being supplied with spittoons and taught to use them, instead of otherwise being a grave danger to the whole community.

This is an important subject, and on the success or failure of this clinic will largely depend the future policy of the tuberculosis campaign in the province.

For this reason I sincerely hope that objection to the proposed site, which has been very carefully considered and approved by expert opinion, will be withdrawn and full support be given to the project to ensure its complete success.

The unsatisfactory and inadequate arrangements which exist in Assam for dealing with the problem of the insane has long been a matter of grave concern to those who have made a study of this question. There is only one institution in this province for the accommodation of lunatics—namely the Mental Hospital at Tezpur. This hospital, which is always full to overflowing, has accommodation for 690 patients and to the credit of Government this accommodation has recently been increased by 26 beds.

The institution is by no means up to date and is handicapped by an inadequate water supply and a serious shortage of modern amenities which are essential for the maintenance of a reasonable standard of sanitation and hygiene.

A high percentage of its inmates come into the chronic category and therefore there is very limited scope for fresh admissions.

Existing conditions necessitate close contact between the minority number of cases—who might respond to treatment—and the chronic ones, and this is very prejudicial towards their slender chances of recovery.

The census figures for 1931—which are the latest available—revealed the fact that there were 5,027 lunatics in the province, and this must be a mere fraction of the correct total. A more recent survey for statistical purposes of villages in seven provinces in India shows that the figure for lunacy indicates that Assam heads the list with 1.5 lunatics per 1,000 of the population.

To those of us who are closely associated with social services, it has become apparent in recent years that the consumption of *ganja* is on the increase and reports filtering through from the opium prohibition districts indicate that these are particularly affected.

The evil effects of this drug are well known to all and need not be stressed, but it may not be fully realised that they must also lead to an increase in insanity. An appreciation of these realities brings the problem vividly before us and we are faced with the fact that only inadequate provision exists for the proper housing and treatment of a small percentage of the insane.

The consequences of this are very serious and, in practice, results in it only being possible to dispose of the more violent and dangerous lunatics by the cruel and archaic practice of having them confined in the local jail. Those in charge of jail administration of the province are keenly alive to this injustice and I quote the following from one of their recent annual reports :

“As a result of the inadequate accommodation provided in the Tezpur Mental Hospital, certified lunatics had to be detained in jails for periods considerably in excess of the proper period. This is very undesirable, even in jails which have a sufficient number of cells, to accommodate them ; but in the smaller jails which have few cells or none, it has frequently been found necessary to accommodate certified lunatics in barracks along with



convicts, an expedient which cannot be defended on any ground except that of sheer necessity. The provision of increased accommodation in the Tezpur Mental Hospital is, from this standpoint alone, an imperative necessity".

I venture, Sir, to suggest that ample evidence is available to show the necessity for Government to take action in this matter. Increased modern accommodation on a large scale is essential, and it is my belief that the problem could be best solved by establishing a separate institution in the Surma Valley in the neighbourhood of Sylhet. This would at once ensure relief to our over-burdened Mental Hospital at Tezpur and, from a geographical point of view, would be a far more efficient and satisfactory arrangement than further enlarging and encumbering the existing one.

A study of the volumes penned by our greatest mental specialists reveals the depressing feature that the margin between reason and insanity is a very slender one, and further that this is particularly applicable to the finest intellects (*laughter*). As provincial legislators, I feel that we must claim an honoured place in this category (*laughter*), and therefore cannot remain indifferent to the serious need which exists for a betterment of conditions and accommodation for the insane in this Province.

**Mr. JOBANG D. MARAK:** Sir, I want to speak only one point and that is very important.

**The Hon'ble the SPEAKER:** Let the hon. member hear the Hon'ble Minister and then I shall allow him to speak.

**The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTI:** Mr. Speaker, Sir, I thank the hon. mover of this resolution for the masterly way in which he has introduced this matter before this House and for his taking so much interest in matters concerning Public Health. Sir, the other day in connection with a cut motion tabled under demands for Public Health, some of these points were raised and I remember that I replied to most of them. If I take those points again, I am afraid, that will be a repetition of my previous arguments.

The hon. mover has first of all raised the question of Public Health Act. I remember, that day, I stated that though this Government have got no such Act there are other Acts under which these matters can be dealt with. I also tried to make it clear that even if we have got an Act now, we shall have no sufficient staff to utilise the different provisions of that Act. It is for this reason I pointed out to the hon. members that we should wait till we can give effect to the re-organisation scheme which is under the consideration of the Government now. When this scheme will be taken up, I think, we shall have sufficient number of persons to administer the different provisions of that Act. But for the satisfaction of my hon. friend I can say that we are now thinking whether we should have very soon a Public Health Code in which all the rules and regulations of the Public Health Department will be enacted. That will be more or less a handbook for our Public Health Officers. They can refer to that book and take action according to the different rules and provisions of that Code.

The hon. member was speaking about the anti-malarial measures. Sir, it is known to the hon. members of this House that we have not got sufficient fund to have an extensive work started all at once but with our slender resources we are doing whatever is possible. The Hon'ble Finance Minister, the other day, while introducing the budget mentioned that we are going to purchase no less than 15,000 lbs. of quinine for four years for free distribution in this province and I think the hon. members will be glad to learn that for that purpose we have provided no less than Rs.37,500 this year. I spoke the other day that there is also an anti-malarial scheme before the



Government for consideration and the hon. members of the House may be glad to know that we have already accepted one scheme at Hojai in the Nowgong district, and we are contemplating to take the scheme for two districts in Goalpara and Cachar. But as those proposals came late, we could not take them within the new schemes for the year 1941-42.

The hon. member also spoke about infectious hospital. Of course we have no separate hospital for treating infectious cases, but I think, my hon. friend will be glad to learn that in all our hospitals whether Government hospitals or Local Board hospitals, we have got isolation wards where all those infectious cases are treated. I admit, Sir, this is a great necessity, but at the same time I feel some difficulties whether a hospital at one particular place of the province can serve the entire province. Rather we would try to have wards properly equipped in different hospitals and we have already got some such arrangements in our different hospitals.

The hon. member also spoke about the problem of food adulteration. He has stated that the power has been given to the local bodies but they could not utilise the provisions of this Act satisfactorily and Government should therefore take up this matter. He also tried to make it clear that when the powers have been given to the local bodies our Public Health officers cannot properly tackle those problems. But I think even without the power, any individual is competent enough to bring any case of adulteration or anything of that nature to the notice of a Magistrate and ask the Magistrate to take action under the provisions of the Pure Food Act. Besides, Sir, our local bodies have got ample power to authorise as many persons as they like to take action under this Act. Recently we had a recommendation from the local bodies to allow them to authorise the Inspector of Police under the provisions of this Act and Government have agreed to that recommendation. I find there is some misunderstanding in the mind of the hon. members. They think that only the Municipalities have been given the power to take action under this Act. Local Boards are also empowered to take necessary action. It is not so.

Now, Sir, about the health propaganda, my hon. friend Mr. Blennerhassett who was followed by my friend Mr. Mookerjee raised the question that our propaganda work was not sufficient. I am glad, Sir, that they have not said that there is no propaganda at all. They have admitted that we have got some propaganda and actually, Sir, we have got our propaganda staff. Our Public Health Assistant Surgeons and Sub-Assistant Surgeons with the help of magic lantern operators are visiting different parts of the province and giving lectures on various public health matters to the people. The other day, Sir, I received a long list of questions from the hon. mover of this resolution and after a great deal of trouble, Sir, we have been able to collect the names of the places where those demonstration lectures were held. I received the replies to these questions will come before the House very soon and after that, Sir, I hope, Sir, my hon. friend will be convinced that our public health propaganda staff are not sitting idle but they are doing their very best. At the same time, Sir, it must be admitted that this is not all. We shall be very glad if we can strengthen the staff to improve the propaganda to a great extent. And, Sir, in our re-organization scheme, we have made provision for that. If that scheme is accepted, we shall have one of our Assistant Directors of Public Health who will be in charge of the propaganda section and the propaganda work will be carried on satisfactorily.



Then Sir, about the accommodation of the lunatics I am glad to find, Sir, that my hon. friend Dr. Terrell took the trouble of going through the records and find out the fact that this Government is not neglecting this, but have provided 26 additional beds in the Mental Hospital. Sir, our needs, apart from better accommodation, are very great. We are clamouring for money for many other things. We have got an urgent necessity for a steam steriliser in the Mental Hospital at Tezpur. These patients, *i. e.*, lunatics, spoil their clothings very often. But to have a steriliser we require a large sum of about Rs.27,000. So, Sir, when the hon. members are clamouring for funds for all these things, when we are to provide money for treating ordinary ailments and other things, is it possible for us to give effect to all such things at a time? I think, Sir, this Government have got the willingness and the desire to effect all sorts of improvement but they must find out sufficient funds for those purposes. There must be sufficient funds to give effect to all these items which they themselves feel should be taken up. So far I can say we were very conscious of our needs and we shall be only too glad to fulfil these gradually, so far as our funds permit. With these words, Sir, I hope the hon. member will please see his way to withdraw his resolution.

**Mr. BAIDYANATH MOOKERJEE:** On a point of information, Sir. Is it not the duty of Government to find out ways and means to augment the resources of the province?

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** Mr. Speaker, Sir, it is quite in the fitness of things that hon. Mr. Blennerhassett has moved such a useful resolution. The bulk of the population of Assam live in the rural areas. Consequently the health and prosperity of the people of these areas are matters of vital importance. I am glad that the Hon'ble Minister-in-charge has expressed his pious wish for the people, but pleaded want of funds. We find from the reading of the Report that the state of things as they were in the previous year is continuing this year too. The greatest havoc is being caused in the rural areas by Malaria and *kala-azar*. Government admit in their resolution that:

“*Kala-azar* continued to show signs of recrudescence. An increase in the staff and intensification of surveys led to a greater number of cases being detected and treated than in the previous year. Goalpara, Nowgong and Sibsagar between them accounted for the greater part of the increase.”

About the malaria the resolution says:

“The amount of sickness due to malaria is even larger and the importance of carrying on an incessant fight against this scourge which literally saps the vitality of the population has constantly been before the mind of the Government.”

Sir, on referring to page 17 of the Public Health Department Report of the Province of Assam for the year 1939 it is found that Government says:

“Malaria fever continues to be the most widespread disease in the Province. It is prevalent throughout the province and almost constantly in an epidemic form. Goalpara district is the most badly affected of all the districts.”

Sir, the death-rate of malaria in rural areas in the year under report was—total deaths 160,321 out of this 102,872 died of fever. This shows what havoc fever is causing in the rural areas. The health of the population



according to classes is also not very encouraging. At page 8, under item 'Mortality according to Classes', it appears that during the year under report the deaths among—

Hindus	...	...	...	...	...	17·94
Muslims	...	...	...	...	...	20·17
Christians	...	...	...	...	...	20·14
Buddhists	...	...	...	...	...	17·01
Other classes	...	...	...	...	...	33·44

These figures are certainly not encouraging. What I hear from the Hon'ble Minister-in-charge that Government are trying their level best to improve the conditions of the Public Health Department, but it is difficult for Government to bring out all their schemes into action owing to want of funds. In my opinion, Sir, the question of funds should not stand in the way ; for the improvement of the health of the people Government should anyhow find out funds. They can retrench many items and at least find out money to combat malaria and *kala-azar*. From the Report it appears that Goalpara is worst affected by both these diseases ; I do not know what efforts Government are making to improve the public health in that district.

The Hon'ble Minister-in-charge has already informed us about some proposed scheme which has not yet been placed before the House. We may expect that while preparing that scheme, he will keep in mind what we have discussed to-day. I can at least say this much that the amount which we have saved by refusing the resolution moved by my hon. friend Maulavi Amjad Ali can be utilised for the purpose of improving public health.

**Maulavi MUHAMMAD AMJAD ALI:** I refuse to take it as a joke.

**The Hon'ble the SPEAKER:** The hon. member is not speaking in joke ; he is seriously making this suggestion.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** The Government Resolution says that statistics show that like the North-West Frontier Province and Sind, Assam had a lower birth-rate and death-rate than the remaining provinces of India ; regarding death and birth the position of Government is the same. I hope, Sir, these facts will be taken into serious consideration by Government and they will try their level best to find out money to improve the public health of the province and appoint more officers to combat these diseases about which I have mentioned.

With these few words, Sir, I support the motion.

**Mr. JOBANG D. MARAK:** Mr. Speaker, Sir, I am very grateful, or rather I consider myself very fortunate to hear the speech delivered by Dr. Terrell, who has enlightened us with some practical information about the subject.

Sir, I quite agree with my hon. friend Mr. Mookerjee that two colonies, one for the Assam Valley and the other for the Surma Valley, for lepers, should be established. Both the diseases, *viz.*, *kala-azar* and leprosy, are contagious diseases. So, these colonies should be at some distance from the towns. Of course, I cannot agree with Dr. Terrell in one point, that is, the colonies are to be established within or in the vicinities of towns. In the Tura town, Sir, we have two institutions, one for *kala-azar* and the other for leprosy. Government purchased a plot of land, which belonged to a certain Nokma, at Rs. 500 and established a colony for the lepers. The lepers in that colony make certain articles, *e.g.*, baskets, bamboo mats, etc., which are useful to the public, and they come to the *bazar* freely to sell them. This is a very dangerous practice, Sir. I referred the matter to the Deputy Commissioner, but the Deputy Commissioner took no action for stopping the lepers to come to the *bazar* freely. These lepers visit fish



shops and touch with their hands dry fish and other food-stuffs. This is very dangerous as the disease is a very contagious one. So, Sir, I fully agree with Mr. Mookerjee that there should be segregation camps or colonies far away from the towns, in some suitable place so that there may be no possibility of endangering public health.

With these few words, Sir, I support the resolution moved by Mr. Blennerhassett.

**Mr. D. B. H. MOORE:** Mr. Speaker, Sir, my object in supporting the motion is to add my plea also for the thousands of lepers in this province, who, shunned by their fellowmen and socially ostracized, are suffering a degree of mental and physical torture which I think is appreciated by too few. As far as is known there are no records of the exact number of lepers in Assam at the present time, and I propose very briefly to give certain figures to show that this problem of leprosy in Assam is not only extremely serious but is getting worse.

In 1925 the Government of Assam instituted a leprosy survey which was continued until 1928 when lack of funds prevented the work proceeding any further. During this period, the survey was conducted in five districts, and in these five districts no less than 11,720 lepers were located and diagnosed at the cost of little over one lakh of rupees. In 1931 when the census was taken, those same five districts yielded a return of 3,843 lepers, that is to say, one-third of the total number which had definitely been located and diagnosed up to 1928, three years previously. In other provinces in India where similar surveys had been carried out, the same discrepancy in returns at the census occurred, leading to the recorded opinion of the census authorities that the number of leprosy cases disclosed in the 1931 census was between one-third and one-tenth of the true figures. The reasons for this I need not elaborate as they are very ably set out elsewhere in the Indian Census Report. In the case of Assam, the Census Superintendent estimated that, in his own words, "there are at the very least 20,000 lepers in Assam". If any hon. member should doubt the accuracy of the statement I would refer him to page 263 of the Census of India Report, Part I, Volume I. Between the years 1921 and 1931 the number of leprosy cases recorded at the Assam Census rose from 110 per hundred-thousand to 115 per hundred-thousand and it would be a fair assumption that the figures for 1940-41 will show a further increase. It is certainly unlikely that they will show any decrease. Working on the above census figures for a recorded population of  $9\frac{1}{4}$  millions for the whole of Assam, we have an increase from 10,171 in 1921 to 10,637 in 1931 actually recorded in the census, as against an estimate of the Census Superintendent of at least 20,000. From 1939, the Report of the Public Health Department shows that 4,275 cases of leprosy were treated in asylums, wards, colonies and the various hospitals and dispensaries out of a recorded number of 10,637 and a more probable number of 20,000; and of these 4,000 cases treated, only 1,068 were treated at asylums, hospitals, wards and colonies, of which if I am right in saying, there are six excluding the Mission.

These figures prove my contention that quite apart from the facilities for treatment of the disease, segregational facilities are hopelessly inadequate, and it is the problem of segregation which I wish to draw particular attention to. The only satisfactory solution of this problem appears to be the extension of existing colonies and the opening of new ones—a point which was raised by my friends Mr. Mookerjee and Mr. Marak. That this problem is a major one, no one can deny, nor can it be denied that magnificent work has been done, so far as finances have permitted, by



the Government and more particularly by the missionary organisations at Jorhat and Silchar to whom due tribute should be paid. But more must be done if the sufferings of these thousands are to be alleviated. In the light of the experience of the years 1925 to 1928 it is quite clear that the expense involved in a detailed survey of the entire province will be completely prohibitive. But there are other ways in which this problem can be tackled and a solution obtained. Here I desire to pay a tribute to my friend, Mr. Goldsmith, who spoke on this subject so ably the other day. He urged increased Government help financially to these institutions and organisations which are doing such magnificent work on behalf of the lepers, either with or without Government aid, and to this suggestion I lend my most sincere support.

The problem of segregation is the problem that requires immediate and effective action. We have been told that Government have a scheme in hand. We would only ask that any such scheme may be put into action with as little delay as possible and worked with initiative and enthusiasm, and perhaps more important, backed up by every rupee that can be spared for this purpose. By such action Government will be performing a great public service and will earn the gratitude of perhaps twenty thousand unhappy beings to whom life under existing circumstances has little or nothing to offer.

**The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTI:** On a point of information, Sir. Just now I have heard from the hon. member who has just sat down that Government has got a scheme in hand regarding treatment of leprosy cases. The other day I mentioned that Dr. Santra has just finished his tour in this province. He has visited the wards and asylums and Government is awaiting the report of that officer. As soon as that report will be available, Government will have to consider it and then formulate their scheme.

**Mr. C. GOLDSMITH:** Mr. Speaker, Sir, I am in full agreement with the views expressed by Mr. Moore. I should also thank him for making a reference to me. But there are other departments also as Education and Industries which require like overhauling and improvement. Now we had got cut motions and budget speeches and discussions on Bills. I think the Government must have assured the hon. members regarding all the grievances and all the difficulties in the various departments.

As regards this resolution I do not know if the hon. mover simply wants this resolution to be discussed. But if it is meant to be a censure motion, as it appears to be, and Government also regard it as such, in that case I cannot support it. I do not know what the position is. In motion speaks of overhauling the administration of Public Health, which means that the administration is defective and that the Government, which has been sleeping over the question all this time. If the Government takes it as not a censure motion but only as one which brings to notice defects therein which Government should note and try to remove, then I can support it. I think it would be better if the Hon'ble Minister will clear the position.

**Maulavi MUHAMMAD AMJAD ALI:** Does the Hon'ble Minister-in-charge take that view of the matter, viz., that the passing of this resolution would mean a censure motion on the Government? I think the Hon'ble Premier in his reply will make it clear.



**Mr. F. W. BLENNERHASSETT:** Mr. Speaker, Sir, I think the prerogative of expounding whether my motion was to censure the Government or not for their laxity in this matter should rest with me. But I should like to say that I had absolutely no intention of moving a censure motion as such, for had I wanted to I would have chosen the proper place and time to do it. I would like to think that it should have been clear from my speech that the responsibility not only lies with this Government but with Governments of the past. I then proceeded to criticise this Government for not taking legislative steps to clear up what we regard as very unnecessary evils in this province which legislation could avoid. I want to make it quite clear here, Sir, that there is no question of a censure motion as such. I trust the purpose of my resolution has been served in that I have made it clear that defects are revealed by successive annual reports on the Public Health Department. That is my motive, Sir.

Now, I should like to thank very much all hon. members who have supported this resolution.

The Hon'ble Minister has referred just now to a reply which he made the other day on a cut motion concerning the Public Health Act as part of my suggestions. Well, Sir, I am now in a position contrary to the one I found myself in the other day where I had no right of reply. Now I say to the Hon'ble Minister that I do not consider that democracy comes into this question at all. I do not consider that a local body should be entrusted, in the very nature of their organisation, with the performance of duties which devolve upon the Provincial Public Health Department. There may be other Acts, Sir, which the local bodies may take advantage of, but the fact is that the Public Health Department Report reveals the fact that the local bodies are not taking heed of these Acts nor take advantage of them, and it is in order to get over that and strengthen their arm that our suggestion to inaugurate provincial legislation was ever advanced.

The Hon'ble Minister has also referred to the question of the increase of staff. My humble submission is that, before they consider the increase of staff, they should consider the amalgamation of the local bodies' staffs together with the Public Health Department's staff and consider reorganisation on those lines. I entirely agree that re-organisation of the entire department is absolutely necessary. But I do not agree, Sir, that re-organisation without legislation will ever combat the evils that we have referred to. For instance, I repeat again that in regard to the question of any anti-malarial scheme which may be initiated, I maintain that without legislation no amount of re-organisation alone will do the trick.

Sir, the Hon'ble Minister also made mention of hospitals for treating segregation and infectious diseases. He said that accommodation exists in Local Board and other dispensaries for isolation, but all I have done is to quote from the Annual Report.

Sir, as regards food adulteration all that I suggested was that Government should strengthen the legislation to put an end to it. The Local Board Chairman, after all, is a member of the community, and for the most part a non-official, and he cannot be expected to do much without provincial legislation.

Regarding propaganda, I am very glad that the Hon'ble Minister realises the necessity of it. I did not say that it did not exist, but I said that the magic lantern propaganda should be extended, so that it should be better known.



With regard to accommodation for lunatics, I do not think the extension of the Tezpur Mental Hospital by 26 beds is sufficient ; thank you, Sir, for half a loaf.

I do not think it is necessary to spend Rs.27,500 for a steriliser to sterilize patients' clothing and if the Hon'ble Minister will see me outside afterwards I shall be pleased to suggest a very much cheaper method to him.

Finally, funds are not required for legislation, and I do urge once more on the Government the necessity of introducing provincial legislation which will put the whole thing right. Short of that we cannot do anything.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :**  
Mr. Speaker, Sir, it is quite in the fitness of things that Mr. Blennerhassett should move this resolution as he comes from an area where the activities of the Public Health Department are more manifest on account of the depredations of *kala-azar*. We are all—(the Ministry—) obliged to those hon. members who have enriched this debate by various suggestions for improvement of what Mr. Blennerhassett very aptly described as the heritage of health and strength of the future generation, but in the short space of time that we have to-day it is very difficult to deal with—if I may be permitted to use the expression—this omnibus resolution. I thought, Sir, that this omnibus will be a double-decker, but I find that it is a treble-decker. We heard quotations from the Report on the Public Health Department from the mover ; we have quotations from the Report on the Medical Department by Mr. Mookerjee, and, finally we have quotations from the Report on the Jails Department by Dr. Terrell, and I see that this treble-decker has room on the roof to carry the handbags of the passengers. And finally we had a reference to the Census Report of Assam by Mr. Moore.

Sir, Assam, like other provinces, has been liable to various scourges, but it appears that *kala-azar* is its pet begy. I do not thereby say that Assam is not infested or infected by contagious diseases like cholera, small-pox, and tuberculosis, not to speak of that fell disease—malaria. But we should see what steps the successive Governments have taken to combat the inroads of these diseases. I must thank Mr. Moore who referred to the efforts of the Assam Government of a decade ago when there were surveys of *kala-azar*, there were surveys of leprosy, which on account of the world-wide depression had to be stopped in 1928 before it could be finished, but a survey of the 5 districts gave valuable data about the spread of leprosy. To combat cholera, the Government started the manufacture and free distribution of bacteriophage which has got such a wide repute that bacteriophage was indented from Assam by distant Governments like that of Egypt. In short, Sir, we have been doing our level best to combat every kind of disease. Thanks to the preventive measures taken by the timely use of bacteriophage, the inroads of cholera which had made its home in the Habiganj Subdivision and in Nowgong district, are things of the past. By this I do not mean to say that cholera has altogether disappeared—we have sporadic cases now and then, but the disease in its epidemic form has practically disappeared from almost the entire province. We are trying our best to combat with *kala-azar*, and have carried on the traditions of the Government of Assam of the past in this respect, and it is noteworthy that in spite of deficit budgets, the Governments of Assam of the past never spared any expenditure of money for treating *kala-azar* cases with the famous medicine Ureastibamine. I remember, Sir, that in my childhood



*kala-azar* used to decimate portions of Assam in a cycle of about 10 years, but since the use of this antimony preparation in an injection form, the mortality from the disease has been reduced to a small percentage. We have been carrying on with this treatment all these years, but last year we were surprised to hear that this medicine had failed to re-act in most cases in the Golaghat area. We requested the inventor Sir Brahmachari to come himself or to send some reliable authority to make an examination on the spot, to see why his medicine was not re-acting. He sent an agent who took some material from here, the result of which we have not yet heard.

I was personally responsible for sending our Director of Public Health to the area so that the public feeling of panic may be allayed and in order to cope with the situation, four more treatment centres were opened in that subdivision and a big hospital with one hundred beds was started in Golaghat. So the Government is taking every step possible to combat the disease and we are glad to hear that the progress of the disease has been arrested and we hope that in a few months' time there will be a substantial decrease in *Kala-azar* cases in that subdivision.

Sir, the more educated and enlightened people get the better chance of hygienic and sanitary conditions prevailing in the locality and it is well illustrated in the death rate per mille which has been quoted by Maulavi Maqbul Hussain Chaudhuri. I find that better educated and the richer community of the Hindus have the least mortality which is only 17, whereas both the Christians—probably Indian Christians of whom the Hill people form the large number, as well as the Muslims come second with a death rate of 20 point something. But the death rate is highest amongst those who are called 'others', that is 33, which category probably includes *ex-tea* garden coolies and other settlers like the Nepalese graziers and Nunias and so forth. Their death rate is highest on account of their living conditions. Hon. Dr. Terrell mentioned that there is a large number of tuberculosis patients in Shillong and my information is to the effect that the greatest percentage of such cases is among the Gurkhali people who live in a very packed condition with burning fire in unventilated sleeping rooms. It is on account of this living condition that their lungs are affected. The large number of cases in Shillong and neighbourhood is confined to this community. So Government has been attempting to do what little they can by way of propaganda. My hon. friend Mr. Blennerhassett has a just cause to doubt how far our propaganda has been effective. I remember, Sir, only a few years back—probably three years ago—there was a big exhibition under the patronage of Lady Reid which remained open for about a fortnight in these very Assembly precincts where every kind of education for prevention of diseases, every advice of sanitary living, nursing of the sick and maternity rooms were given and exhibited for the benefit of the people. But unfortunately, Sir, we have not had the same amount of attention and enlightenment as was expected. Though time and often, lectures are given in places where people can go free and which are meant for indigent people, the large percentage comes from the educated Indian society.

I have not touched about small-pox. But probably it will be surprising to many members of this House that in certain section of the people chiefly in the Assam Valley, there is a religious prejudice against it. We have in the Assam Valley a sect of Hindus which goes by the name of Mahapurushiya, who are the followers of the great reformer, Sankar Dev, a branch of the Vaishnavic cult of the Hindus, who refuse to be inoculated on religious grounds. Barpeta town is the stronghold of this cult. Here the people suffer most from small-pox. But they refuse to take



vaccination. In spite of the fact that we have an Act, the Vaccination Act, on account of our constitution of the province into Excluded and Partially excluded areas and included areas, this Act does not apply in certain areas. Only the other day, I had to intercede personally with His Excellency the Governor for the extension of the Births and Deaths Registration Act and the Vaccination Act to a part of the Nowgong District, Hojai, where we want to work an anti-malarial scheme. So the difficulty in the way of the Government to have legislation, even after having legislation passed in both the Chambers of the Legislature of the Province, is that the extension of such Acts to certain areas is not dependent upon the Ministry.

Mr. Blennerhassett was perfectly justified and correct in saying that public enemy No. 1 in Assam is malaria, and one hon. member has quoted figures that out of the death rate about 75 per cent. is attributed to this fell disease. The Assam Government have done their level best to combat this disease. But I must be frank and admit that their efforts in this behalf cannot compare with the superb efforts of the great tea industry. They have got a better control and greater advantage inasmuch as they have to work in a limited area, and to deal with a population upon whom they have a greater control, whereas the province consists of 77,000 square miles of sparsely populated areas where it is difficult for Government to start effective anti-malarial measures. I need only cite the example of Nongpoh. About ten years ago Nongpoh, a place just half way between Gauhati and Shillong, was the most malaria affected place throughout the province barring of course Haltugaon and Kachugaon in the Forest areas of the Goalpara District. Anti-malarial measures adopted by the Government in these places for the benefit of their officers but ultimately for the benefit of the people living in those areas have practically made Nongpoh a malaria free part and has also greatly enhanced the living condition in Kachugaon and Haltugaon. By mentioning the living stations only, I do not want the hon. members to infer that these three has been rivetted only to those places. We have got a subordinate staff of the Public Health Department who are called disinfectant carriers, but whose duty is to spray malaria producing pools with oil which has been proved to be the only death dealing mixture to kill the larvae of mosquitoes laden with malaria germs.

My hon. friend Mr. Mookerjee with his usual charity was good enough to point out that even our Inspector-General has criticised that at a particular period of the year, the quinine supply in our dispensaries and hospitals becomes so dwindled that the dispensaries are compelled to make so poor a mixture of quinine, and that it becomes non-effective to make the disease. He is perfectly correct there, for quinine cannot be had in the market in very large quantity unless we pay a very high price. The quinine which is indented by the province on the recommendation of the Inspector-General of Civil Hospitals since some years ago becomes inadequate in certain years. In order to guard against such deficiency, the Provincial Government is trying to secure adequate supply of Java quinine for the next four years. Mention was made about the maternity benefit by the same hon. member who twitted Government by saying that while you are hurrying with a Bill for a maternity benefit by saying labour, why should you not have a maternity benefit for the tea population? There is some amount of loose thinking in this argument.



**Mr. BAIDYANATH MOOKERJEE :** On a point of personal explanation, Sir, I did not say anything about any Bill. I said that Government should do something about maternity welfare of the province.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** There is no necessity for any personal explanation. I noted my friend's statement down. Maternity Benefit Bill is meant for a people who may be compelled to work in a state of advanced Such a scheme for the general mass of people who need not work in such a state is needless.

**Mr. BAIDYANATH MOOKERJEE :** By opening maternity welfare centres that can be done.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** If my hon. friend says that we should open centres for giving lectures or for helping in maternity advice, then I should say that we are perfectly prepared to do so.

Now as regards leprosy, we have done our level best. As was mentioned by Mr. Moore, fine work has been done by Government as well as by the Missions who had colonies of their own. Government have their asylums in the Hills where it is very much rampant. Government have helped Missions that started work for lepers. Government also helped the Municipality like Gauhati which started leper homes. There is also a leper colony at Sylhet. What we have done, I must admit, is not the maximum that could be done ; probably we are dealing with thousand cases whereas according to the census figures there may be at least 10,000 cases. Whatever may be the opinion of Mr. Mullan, the Census Superintendent, I do not think, the figure was in the neighbourhood of 20,000.

For all these matters, Sir, a suggestion has been made that we should tighten the operation of the Food Adulteration Act or Pure Food Act and that we should look into the question of subsidised dispensaries and that we should also start cinchona cultivation at Government farms and should also help private enterprise. In this connection I may mention here for the information of my hon. friend Mr. Mookerjee that a private party headed by the Maharaja of Mymensingh had applied for a big area in the Manipur Hills for starting cinchona cultivation. Government will give their best consideration to this matter.

**Mr. BAIDYANATH MOOKERJEE :** And also to other applicants ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** Yes, I am just stating the policy which Government is following in this matter. Then Sir, it has been stated that the Pure Food Act is not being acted up to on account of the high fee charges for analysis. This is a question which will be taken into consideration.

Lastly, Sir, it has been very rightly pointed out that the provision for lunatics is not adequate. Those who have visited the lunatics' asylum at Tezpur must have known that Government have done their best as far as possible under the limitations of funds to give best treatment that can be availed of to these unfortunate people. Suggestion has been made that there is no room for expansion there and therefore another asylum should be started in the Surma Valley. That suggestion, Sir, will receive the serious attention of the Ministry.

Now, Sir, I will mention about one thing and that is about the want of training institutions in the province of Mid-wives, Nurses and *Dais*. There is no legislation about the registration of nurses. My hon. friend will be glad to know that Government has been considering about introducing a Bill for the registration of nurses which will lay down the qualification of the nurses as in other parts of India. The only question that



deterred Government so long, was the small number of nurses that we have got in this province ; barring the few that we have in Shillong and round about Shillong, and as I mentioned in another place the other day that Khasi girls take to nursing as ducks take to water, nursing is not taken as a profession by the other components of the Indian Society in the province. If the very small number of nurses that we have got, has to be brought under a qualifying standard and registered, the availability of registered nurses will be so small that instead of this piece of legislation being a boon to the country, probably it may have the effect of debarring the quite qualified nurses, not being registered, from taking to that profession. Now I may point out that a Bill is being drafted and we will see whether it will be to the best interest of this province to bring it before the House and have it passed.

The question of stiffening of the Acts for better statistics and better hygienic conditions will receive our best consideration.

My hon friend the mover suggested the appointment of a woman Assistant Supervisor for maternity and child welfare work, as it has been said that four other provinces have already entertained such an officer. We will see whether we can appoint any woman Assistant Surgeon for the purpose. I am sorry to inform the House that we have not got a Women's Branch of the Medical Service in Assam and we have very few qualified lady M.Bs. But the suggestion will be taken into serious consideration, because for the present we have got in Shillong itself a lady M.B. who is an Indian Christian and who has served in a similar capacity in the jute industry in Bengal and she has got experience. I am told by my Hon. Colleague, the zealous Khasi champion, that there is a Khasi lady M.B. also.

Sir, the only question that remains to be touched is tuberculosis which was stressed by three hon. members, and I agree with my hon. friend Dr. Terrell in what he has said. I listened to the lecture by that authority on tuberculosis, Dr. Freemodt Muller, which he delivered in the Government House and after hearing him, the Ministry decided in the to the aid of the Tuberculosis Association and hon. members to come that we have provided a decent sum for starting a tuberculosis hospital and a clinic in Shillong.

Sir, one last word and that is to our shame that in spite of the money that Government spent for pure sources of drinking water not only in towns but also in the rural areas, the insanitary and unhygienic methods of our living have polluted almost all such sources of supply. What can we expect from the rural areas, where enlightenment has not pierced the dark cloud of ignorance, while the conditions which my hon. friend Mr. Blennerhassett mentioned are such in the urban area in Golaghat ? Everywhere we find the same conditions. Buckets and platforms have been placed near the pure sources of water-supply, but nobody uses the platform or the buckets. Everyone would break through the fence and in spite of the platform, and the buckets, would go into the water knee deep and collect water. Let us hope that we shall have the support of every member of this House in our efforts that they should preach the gospels of hygiene and the extreme necessity of keeping the sources of drinking water free from pollution in all their constituencies and every one will try their best to educate the people in that respect.

Sir, I have touched on all the points that have been raised during the discussion and I crave the indulgence to claim that our attention has been drawn not only by the reports which have been quoted but also by the very forceful speeches of the different hon. members. If we are given a chance to work on those ideas, some tangible results may come out in the future.



**The Hon'ble the SPEAKER:** Does the hon. member press his resolution?

**Mr.F.W. BLENNERHASSETT:** After having heard what the Hon'ble Prime Minister has said, I do not wish to press my resolution to the vote. We take the assurance that the Ministry will take speedy steps to rectify the defects that have been pointed out.

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

### Adjournment

The Assembly was then adjourned till 11 a.m., on Thursday, the 27th March 1941.

Shillong,

The 7th June, 1941.

A. K. BARUA,

Secretary, Assam Legislative Assembly.



**ASSAM LEGISLATIVE ASSEMBLY  
GOVERNMENT OF ASSAM**

**GOVERNOR OF ASSAM**

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

**MEMBERS OF THE COUNCIL OF MINISTERS**

1. The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA, M.A., B.L., in charge of Home Department.
2. The Hon'ble Srijut ROHINI KUMAR CHAUDHURI, B.L., in charge of Education Department.
3. The Hon'ble Maulavi MUNAWWAR ALI, B.A., LL.B., in charge of Agriculture and Veterinary Departments.
4. The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY, B.A., in charge of Medical and Public Health Departments.
5. The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY, B.L., in charge of Judicial and Local Self-Government Departments.
6. The Hon'ble Dr. MAHENDRA NATH SAIKIA, L.M.P., in charge of Excise Department.
7. The Hon'ble Maulavi ABDUL MATIN CHAUDHURI, B.L., in charge of Public Works Department and of Labour.
8. The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN, M.A., B.L., in charge of Finance, Revenue and Legislative Departments.
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