

ALPHABETICALLY—continued

- 1. *Abdullah, H. H.*
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- 9. *Abdullah, H. H.*
- 10. *Abdullah, H. H.*

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

*The Assembly met in the Assembly Chamber, Shillong, at 11 a.m. on Thursday, the 22nd February, 1940.*

*Present*

The Hon'ble Mr. Basanta Kumar Das, Speaker in the Chair, the ten Hon'ble Ministers and 83 members.

**OATH OF ALLEGIANCE**

The following new members were sworn in :—

1. Babu Nirendra Nath Dev,
2. Mr. A. H. Ball,
3. Mr. A. F. Bendall,
4. Mr. W. R. Faull,
5. Mr. R. A. Palmer, and
6. Mr. A. Whittaker.

**PANEL OF CHAIRMEN**

**The Hon'ble the SPEAKER :** I now announce the names of the hon. members whom I have nominated to constitute a Panel of Chairmen for this Session :—

1. Mr. Arun Kumar Chanda,
2. Maulavi Abdul Bari Chaudhury,
3. Mr. F. W. Blennerhassett,
4. Srijut Rabi Chandra Kachari.

**COMPLAINT REGARDING ALLOCATION OF SEATS OF MEMBERS**

**Srijut GOPINATH BARDOLOI :** Mr. Speaker, Sir, before the business of the House begins I want to draw your attention to certain sitting arrangements of the House. It is always desirable to allot seats as far as possible according to party groups, but in this House we find that at least two of our members have been made to sit on the Government Benches. On the other hand two members of the Government party are taking their seats in the front benches and making other members of the Opposition sit behind them. I think this is an anomaly which could be avoided by some rearrangement of seats.

**The Hon'ble the SPEAKER :** I may tell the hon. Leader of the Opposition that the arrangement of seats that has been made is only tentative. Information was being received by the Assembly Office up to the last moment about the party affiliation of many members, and it was difficult for the Assembly Office to arrange the seats to the satisfaction of hon. members. The practice that I follow is well known to the House. Party Blocks are allotted and the seats in them are to be allotted by the party Leaders. If there is any dissatisfaction with regard to the arrangement of seats I would request the Leaders of the parties to have their Blocks demarcated and to allot the seats according to their own convenience and necessity. So, I would ask the Leaders of the different parties to consult among themselves and have the arrangement of seats altered if they like.



## QUESTIONS AND ANSWERS

### STARRED QUESTIONS

(to which oral answers were given)

#### Monopoly of Moallimship of the Haj-pilgrims

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY** asked :

\*1. Are Government aware that the Government of Hedjaj have granted the Monopoly of Moallimship of the Haj-pilgrims of the whole Province of Assam to a single person ?

\*2. Is it a fact that the Haj-pilgrims of Assam suffered a great deal of inconvenience for this monopoly system during the last Haj pilgrimage ?

\*3. Do Government propose to move the Government of India, President of the Calcutta Port Haj Committee and the Vice-Consul of the British Government at Jedda to communicate the grievances of the Assam Haj-pilgrims to Hedjaj Government and to ask them to abolish the monopoly system ?

\*4. Is it a fact that there is a provincial Haj Committee at Sylhet ?

\*5. Will Government be pleased to state the names of the office-bearers of this Haj Committee ?

\*6. Do Government propose to request the President of the said Committee to organise a Haj Conference in order to discuss the problems of the Assam Haj-pilgrims ?

\*7. Do Government propose to reorganise the Provincial Haj Committee and make it a strong and representative body ?

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

1.—It is understood that the Government of Saudi Arabia had contemplated extension of the "Taqrir" system under which pilgrims are assigned to select "Mutawwifs", but this has been modified so that in respect of Assam pilgrims only one-third will be allotted to a special Mutawwif in future while the rest are to be allowed to take Mutawwifs of their own choice. Moreover, the pilgrims from the district of Sylhet have been excluded from this "Taqrir" system.

2.—Government have received some representations to this effect.

3.—This Government represented the matter to the Government of India, at whose intervention the Saudi Government have modified the system as stated above and have issued a warning to the Mutawwifs concerned to the effect that they would lose their privileges and be punished if they abused their position. In the circumstances Government do not propose to pursue the matter.

4.—Yes.

5.—The statement giving the names and appointments of the members of the Assam Provincial Haj Committee, is laid on the table.



Statement referred to in reply to starred question No.5 asked by Maulavi Dewan Muhammad Ahabab Chaudhury at the Budget Session of the Assembly 1940

STATEMENT SHOWING THE APPOINTMENTS AND NAMES OF MEMBERS OF THE ASSAM PROVINCIAL HAJ COMMITTEE CONSTITUTED IN JANUARY, 1938 FOR 3 YEARS

NOMINATED MEMBERS

(SURMA VALLEY AND HILL DIVISION)

1. Senior Moslem Magistrate (including the Additional District Magistrate) posted at Sylhet Sadar—(Ex-officio Secretary of the Committee.)
2. Senior Moslem Magistrate posted at Habiganj.
3. Senior Moslem Magistrate posted at Silchar.

(ASSAM VALLEY DIVISION)

4. Senior Moslem Magistrate posted at Dhubri.
5. Senior Moslem Magistrate posted at Nowgong.

ELECTED MEMBERS.

(SURMA VALLEY AND HILL DIVISION)

6. Sylhet Sadar—Maulavi Azizur Rahman Muktear, Assistant Secretary.
7. South Sylhet—Maulavi Md. Abdul Waheb, Pleader.
8. Karimganj—Maulavi Hazi Shafiqul Hoque Chaudhury.
9. Habiganj—Maulavi Sayed Romjan Ali, M.A., B.L.
10. Sunamganj—Maulavi Md. Mofiz Chaudhury, Pleader.
11. Cachar—Khan Sahib Maulavi Rashid Ali Laskar.

(ASSAM VALLEY DIVISION)

12. Nowgong—Maulavi Abdul Kadir, B.L., Pleader, Nowgong.
13. Goalpara—Khan Bahadur Maulavi Abual Majid Ziaosh-shams, B.L., Pleader, Dhubri.
14. Kamrup—Maulavi Abdullah Nurul Haque, B.L., Advocate, Gauhati.
15. Sibsagar—Khan Sahib Maulana Syed Azizur Rahman, Sibsagar.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

6.—The desire of the hon. member will be conveyed to the Haj Committee.

7.—The Committee is reorganised after every three years. Efforts are always made to make the Committee a properly representative body.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Are Government aware of the fact that an All-India Haj Committee was held at Calcutta a few months ago?

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



**Proscription of certain Books**

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY** asked :

\*8. Will the Hon'ble Minister-in-charge be pleased to state —

- (a) Whether Government are aware of the fact (i) that a book named Shastibari Padma Purana by late Shastibar Dutta, Edited by Phanindra Chandra Das and Pandit Girish Chandra Das, and published by Phanindra Chandra Das of Koti Chand Library, Sylhet, in the year 1343 B. S., contains objectionable references in pages 68-70, to the members of the family of the Holy Prophet of Islam in obscene and filthy language ; (ii) that the books Bansidasi Padma Purana (pages 61-68) , compiled by Dwija Bansidas Bhattacharyya and published by Sitanath Roy and Sons, 337, Upper Chitpore Road, Bengal Roy Press Depository, Calcutta ; Radhanathee Padma Purana (pages 63-71) by late Radhanatha Roy Chaudhury, published by Probodh Chandra Mazumdar and Brothers, 22/5-B, Jhamapukur Lane, Calcutta ; and the Baishakavi Padma Purana (pages 80-89) by Raghunatha & 21 others, published by Amulya Ratan Banerjee, 30, Fakir Chand Chakravorty Lane, Calcutta, also contain such references and all of them are in circulation in the Province of Assam which are likely to incite communal disharmony between Hindu and Muslim communities in the Province ?
- (b) If the reply to question 8(a) above is in the affirmative, what steps Government have taken or propose to take to avoid bitter feelings arising out of these books between the two communities ?
- (c) If the reply to question 8(a) above is in the negative, do Government propose to examine the contents of these books and prescribe them ?

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

8.(a)—From time to time one or more of these publications have been brought to the notice of Government. There is little to show that in fact they have such currency in this province as to effect to any degree the relations between the communities. Passages have been brought to the notice of Government, which are coarse and in ill taste, besides being generally offensive to religious sentiment.

(b)—Government have secured the undertaking of the author and publisher of the first quoted publication to expunge the objectionable portions from any succeeding edition. The other publications emanate from Bengal ; the Government concerned has been addressed on the subject, and the reply received that the "Bansidasi Padma Puran" and the "Baishakavi Padma Puran" had been considered with the result that that Government had decided to take no action.

(c)—Does not arise.



Questions re conditions given by the Premier to His Excellency the Governor before the formation of the present Ministry

**Babu DAKSHINA RANJAN GUPTA CHAUDHURI** asked :

\*9.(a) Is it a fact that before the acceptance of office, the Hon'ble the Premier, gave certain conditions to His Excellency the Governor, as conditions precedent to his formation of the present Ministry ?

(b) If so, what were those conditions ?

(c) Which of them were accepted by His Excellency and which were not ?

(d) What was the strength of his party, before the Hon'ble Premier accepted his present office ?

(e) Is it a fact that his party was at that time, a minority party ?

(f) If so, did he state this fact to His Excellency, the Governor, when asked to form the Cabinet ?

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

9.(a) (b) (c) and (f)—For reasons which will be clear to the hon. member if he studies section 51 of the Government of India Act, 1935, Government are not prepared to discuss anything which takes place in an audience with His Excellency the Governor.

(d)—The Premier believed that he had the majority, but the question of actual support in the Legislature is a matter which can only be judged at the time of voting on a measure in the House.

(e)—No.

**Babu DAKSHINA RANJAN GUPTA CHAUDHURI**: May I know from the Hon'ble Premier under what clause of section 51 he refuses to reply to that question ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA**: I may refer my hon. friend to sub-section (4) of Section 51 which says : "The question whether any, and if so what, advice was tendered by Ministers to the Governor shall not be inquired into in any court".

**Babu RABINDRA NATH ADITYA**: Is it a Court, Sir ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA**: The Legislature is not a Court, but it is a representative body.

**Babu DAKSHINA RANJAN GUPTA CHAUDHURI**: May I make a submission to you, Sir ? Section 51(4) has no application with regard to my question, asking for information as to the conditions that he proposed to the Governor as Sir Muhammad Saadulla and not as Premier at the time. Over and above that my question does not relate to anything that happened between him as Minister and the Governor. Again, this is not an enquiry in Court.

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

**Babu DAKSHINA RANJAN GUPTA CHAUDHURI**: May I submit to you the question whether he is entitled to refuse to answer my question, Sir ?

**The Hon'ble the SPEAKER**: It will be useless for me to give a ruling on this matter having regard to what I had to say on the point on previous occasions. If Government refuse to answer a question, whatever may be the grounds of such refusal, I cannot compel them to answer it.



**Mr. FAKHRUDDIN ALI AHMED:** May I know from the Hon'ble Premier whether he made public statement to the newspaper representative that he had given certain conditions?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I did not make any statement, Sir.

**Babu RABINDRA NATH ADITYA:** If an answer is refused like that may I know if it would not be a breach of the privileges of the House?

**The Hon'ble the SPEAKER:** Government are always entitled to decide what questions are to be answered and in what manner they would answer the questions. And as I have very often told the House, I cannot compel Government to answer any question.

**Mr. ARUN KUMAR CHANDA:** May I know from the Hon'ble Premier, Sir, whether he gave certain conditions to the Government before acceptance of office or tendered what he calls advice to the Governor as a Premier.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I could not add anything to what I have already stated.

**The Hon'ble the SPEAKER:** I think it would be quite useless to put such questions as the Hon'ble Premier is quite adamant.

**Babu DAKSHINA RANJAN GUPTA CHAUDHURI:** What was the strength of his party at that time, Sir?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** It was a majority party.

(Starred questions Nos. 10—12 standing in the name of Maulavi Mabarak Ali were not put and answered as the questioner was absent.)

### Recommendations of the Retrenchment Committee

**Maulavi ABDUR RAHMAN** asked:

\*13.(a) Is it a fact that the Retrenchment Committee submitted their Report long ago?

(b) If so, has Government given effect to any of the recommendations made by the Retrenchment Committee since they got it?

(c) If not, why not?

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

13.(a)—The complete Report was submitted in February, 1939.

(b) and (c)—The present Ministry have had no time since they assumed office to examine the recommendations of the Retrenchment Committee. It is proposed to take up the matter immediately after the present sessions of the Legislatures are ended and it is hoped that a resolution containing the Government's decisions on the recommendations will issue before the next meeting of the Legislatures.

**Maulavi ABDUR RAHMAN:** As regards (a) I have been given a date when the Report was submitted. May I know from the Hon'ble Premier whether it was the Congress Coalition Ministry that was functioning at the time?



**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** It is well known to the hon. questioner himself that the present Government was not functioning at the time.

**Personal Assistant to the Inspector General of Civil Hospitals**

**Maulavi ABDUR RAHMAN** asked :

\*14. (a) Are Government aware of the fact that no Muslim Assistant Surgeon has ever been appointed by the Assam Government as Personal Assistant to the Inspector General of Civil Hospitals, Assam ?

(b) If so, why ?

(c) Is it a fact that Muhammadan Assistant Surgeons are available in the Province to fill up the said post ?

(d) Is it a fact that a Personal Assistant to the Inspector General of Civil Hospitals, Assam, will be appointed this year in place of the existing one ?

(e) If so, do Government propose to consider the desirability of appointing a Muslim Personal Assistant this time ?

**The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY** replied :

14. (a) —Yes.

(b) —The selection of Personal Assistant is ordinarily made on the suitability for the particular duties of the appointment and the persons appointed before appeared to be the most suitable for the purpose.

(c) —The post is ordinarily open to all suitable Assistant Surgeons—Muhammadan and non-Muhammadan.

(d) —Yes.

(e) —The claims of suitable Muhammadan officers will be considered along with those of others.

(Starred questions Nos. 15—29 standing in the name of Maulavi Muhammad Amjad Ali were not put and answered as the questioner was absent).

**Candidates for the Assam Civil Service**

**Mr. NABA KUMAR DUTTA** asked :

\*30. Is it a fact that the recommendations of candidates for the Assam Civil Service by the Public Service Commission have been based on the results of an examination ?

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

30.—Yes.

**Mr. NABA KUMAR DUTTA:** Are Government aware that even justice cannot be done through such an examination which does not afford an opportunity to students who specialise in particular subjects ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The hon. member is asking for an opinion. I am not prepared to give it.

**Mr. NABA KUMAR DUTTA:** Will Government take steps to hold regular open competitive examination in place of such examination ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** That is a question of policy of the Public Service Commission. I am not in a position to state anything on behalf of that Commission.



**Erosion of the river Brahmaputra at Dibrugarh****Mr. NABA KUMAR DUTTA** asked :

\*31. (a) Are Government aware of the devastating erosion of the river Brahmaputra at Dibrugarh ?

(b) If so, will Government be pleased to state, what steps are being adopted to check it ?

\*32. (a) Are Government aware that bandalling near the north bank of the Brahmaputra river by the Steamer Company is greatly responsible for the erosion at Dibrugarh ?

(b) If so, do Government propose to divert the current by bandalling the south bank of the said river ?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY** replied :

31. (a)—Yes.

(b)—None at present, since as stated by the Chief Engineer, Irrigation Department, Bengal, who, in response to a request from the Government of Assam advised on this problem in February 1937, money spent on anything other than *pucca* protection work is money thrown away. His estimate for this *pucca* protection work is approximately Rs.200 per r.ft. of bank protected giving a total of nearly 15½ lakhs for the 8,000 r.ft. of bank requiring protection.

**Mr. NABA KUMAR DUTTA :** Are Government aware of the fact that the Superintending Engineer, Mr. Cormack, went to Dibrugarh recently to see the erosion of the river ?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY :** Yes.

**Mr. NABA KUMAR DUTTA :** May I know what report has been submitted by the Superintending Engineer ?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY :** For the information of the hon. member I will read out from the report. "Inspection note of Mr. F. E. Cormack, Superintending Engineer, Northern Circle, on the Lakhimpur Division. 25th January 1940". "I again inspected the river erosion at Dibrugarh Town in company with members of the Erosion Prevention Committee. We also inspected the course of the river for several miles upstream. The Erosion Prevention Committee have erected bandals at two points upstream from the town in the hope of diverting the flow of water away from its present course. The utility of this is doubtful. The water is carrying no silt at present and so there is no question of forming sand banks at these points. The bandals are very frail structure and cannot possibly withstand the force of the current when the water begins to rise. I was informed that the depth of water at the eroding bank is over 30 feet. Any measures for river protection here, which would have any hope of success, would cost a sum out of all proportion to the object to be achieved. This fact has been reiterated by all previous inspecting officers. The Committee pressed for a Government grant for the purpose of placing bamboo cages along the bank similar to those which were constructed in a previous year. I understand that Chief Engineer was not satisfied with the results achieved by these cages on that occasion, and Executive Engineer was ordered to stop the work".

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY** replied :

32. (a)—No. The opinion of Government formed on the advice of their experts is that the bandalling done by the Steamer Company has not had the slightest effect one way or the other on the erosion of the south bank.

(b)—Does not arise.

**Mr. NABA KUMAR DUTTA:** May I know whose opinion was this ?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY:** Mr. Reid Shaw, the late Chief Engineer.

### **Digboi Firing Incident Enquiry Report**

**Babu HARENDRA NARAYAN CHAUDHURI** asked :

\*33. Will Government be pleased to state—

- (a) Whether Government sent for the original records of the Digboi Firing Incident Enquiry Report as submitted by Babu P. N. Das, Extra Assistant Commissioner, along with the records of the three private complaint cases relating to the Digboi firing on or about the 18th April 1939 night ?
- (b) If so, when ?
- (c) Whether the said Extra Assistant Commissioner sent these of his own motion at any time ?
- (d) If so, when and why ?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY** replied :

33. (a) and (c)—The reply is in the negative. The Deputy Commissioner, Lakhimpur, sent the records to Government on the 6th May 1939 of his own accord.

(b) and (d)—Do not arise.

### **Contract Works under the Public Works Department in Garo Hills**

**Mr. BENJAMIN CH. MOMIN** asked :

\*34. Will Government be pleased to state—

- (a) If Babu Janggin Lasker, M. B. E., of Garo Hills was a Contractor in the Garo Hills Public Works Department ?
- (b) If so, since when Babu Janggin Lasker, M. B. E., was disallowed to be a contractor under the Public Works Department, Garo Hills ?
- (c) Do Government propose to enquire why he was disallowed to have any contract works under the Public Work Department, Garo Hills ?



**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY** replied :

34. (a)—Yes.

(b)—Babu Janggin Lasker, M. B. E., has not been debarred from tendering.

(c)—Does not arise.

**Mr. JOBANG D. MARAK** : Did Government enquire how Mr. Janggin Lasker was again allowed to secure contract works of the Public Works Department in the Garo Hills ?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY** : Mr. Lasker was not debarred from tendering

**Mr. JOBANG D. MARAK** : Yes, he was debarred for a number of years. He was not allowed to take any contract from the Public Works Department. Did Government enquire why he was stopped taking contracts and why he has been again granted contracts ?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY** : Our information is that he was not debarred.

**Mr. JOBANG D. MARAK** : Will Government enquire if he was debarred and if so, why he was debarred ?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY** : We will enquire.

#### Opening of a *hat* at Bajamara in Garo Hills

**Mr. BENJAMIN CH. MOMIN** asked :

\*35. Will Government be pleased to state—

(a) Whether Government received any representation from the Nokmas of No. III Mouzas requesting to open a *hat* at Bajamara ?

(b) Whether Government has given any notice to the public in connection with the opening of the Bajamara *hat* in the Garo Hills district ?

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

35.(a) and (b)—Government understand that a representation was received by the Deputy Commissioner and that the proposed *hat* was actually advertised for sale but was not sold as it transpired later that the sale would affect prejudicially the neighbouring Rajabala *hat*.

**Mr. JOBANG D. MARAK** : Are Government aware that the Deputy Commissioner had already asked Rajabala people and the people in the vicinity that they should come to Tura and bid for the *hat* ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** : I am not aware, but if the hon. member requires I will enquire from the Deputy Commissioner,

**Appointment of Babu Sailendra Mohan as a Sub-Overseer to the  
Garo Hills district Fund Department**

**Mr. BENJAMIN CH. MOMIN** asked :

\*36. Will Government be pleased to state—

- (a) When one Babu Sailendra Mohan was appointed as a Sub-Overseer to the Garo Hills district Fund Department ?
- (b) His native village, district and the province from which he comes ?

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

36.(a)—On 9th March, 1938.

(b)—He comes from Janerdanpur village in Chittagong district of Bengal.

**Mr. JOBANG D. MARAK** : Outside the province ?

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

**Khan Bahadur Maulavi KERAMAT ALI** : May I enquire whether there was any candidate from the province ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI** : So far I understand from the record the man was officiating and he was found suitable.

**Khan Bahadur Maulavi KERAMAT ALI** : My question has not been answered.

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI** : Government have no information on that point.

**Visit of the late Hon'ble Minister for Industries to Mangaldai Sub-  
division and the number of Model Rearing Houses in the  
subdivision**

**Maulavi BADARUDDIN AHMED** asked :

\*37. Will the Hon'ble Minister-in-charge of Industries be pleased to state—

- (a) The places he visited in his last tour in the Mangaldai Sub-division ?
- (b) Whether it is a fact that there are only 7 Model Rearing Houses within a distance of 8 or 9 miles in the Mangaldai Subdivision ?
- (c) Whether it is a fact that there is only one Seed Examiner and Demonstrator for the whole Subdivision ?
- (d) If so, do Government propose to increase the number of Demonstrator to four there ?
- (e) The number of Model Farms in the Province of Assam ?
- (f) Whether Government propose to open some more Farms in the Province ?



- (g) If so, will Government be pleased to state whether they propose to open one such Farm in the Mangaldai Subdivision ?
- (h) The different duties of a Seed Examiner and Demonstrator and a Demonstrator in the Sericulture Department ?
- (i) The different scales of pay of these two sets of officers and that of the Weaving Demonstrators ?
- (j) The reasons for fixing different scales of pay for these officers ?

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

37.(a)—The late Hon'ble Minister for Industries visited Mangaldai town and Ranthali in his last tour in September, 1938.

**Maulavi BADARUDDIN AHMED** : What was the object of the Hon'ble Minister for visiting those places ?

**The Hon'ble Miss MAVIS DUNN** : He visited those places in the interest of Public Service.

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

- (b)—Yes.
- (c)—Yes.
- (d)—It is not possible to increase the number owing to paucity of funds.
- (e)—Two.
- (f)—Not immediately.

**Babu RABINDRA NATH ADITYA** : Does the Hon'ble Minister for Industries propose to start any model rearing farms in Shillong ?

**The Hon'ble Miss MAVIS DUNN** : There is no such proposal.

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

- (g)—Does not arise.
- (h)—The duties are practically the same such as Microscopical examination of Silkworm Seeds for elimination of diseases, sericultural propaganda work for increased production, giving technical help to rearers reelers and spinners in their rearing, reeling and spinning operations, popularising of up-to-date and time saving spinning and reeling machines, etc.
- (i)—Demonstrators—Rs.30—4/2—50.

Seed Examiners and Demonstrators—Rs.25—3/2—40.

Weaving Demonstrators—Rs.35—40—4/2—60.

(j)—The Sericultural Demonstrators and the Weaving Demonstrators enjoy the old scale of pay fixed by the Provincial Government and are paid from provincial revenues whereas the Sericultural Seed Examiners get a scale of pay approved by the Government of India and are paid from the Government of India grant. The latter are appointed on a temporary basis and will be entertained only so long as the schemes sanctioned by the Government of India continue.

**Principles of nomination of Jurors in Mangaldai Subdivision and sitting arrangements in the Mangaldai Court Building**

**Maulavi BADARUDDIN AHMED** asked :

\*38. Will Government be pleased to state—

- (a) The number of Jurors nominated from the Muslim and non-Muslim Communities from the Mangaldai Subdivision during the year 1939 ?
- (b) The principle on which such nominations are made ?
- (c) Whether any qualifications are required to make one eligible for a Juror ?
- (d) If so, what are those ?

\* 39 Will Government be pleased to state if it is a fact that both the Registration Office and the Civil Office at Mangaldai Court building sit in the same Court Room where the Extra Assistant Commissioner holds his court ?

\*40. Is it a fact that the room is too small to accommodate the two important offices ?

\*41. Are Government aware that the presiding officer of the court and the clerks of the offices concerned and the public are experiencing inconvenience in running their usual daily works there ?

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

38.(a)—Two Muslims and sixteen non-Muslims including 5 European planters nominated for 1939.

(b)—The list is drawn up according to the provisions of sections 319 and 321, Criminal Procedure Code.

(c) & (d)—It is endeavoured to select people of some education and an independent condition in life, and of judgment and experience.

39.—Yes.

40.—Yes ; the arrangement is admittedly unsatisfactory.

41.—Yes ; here as in other places building projects are delayed for lack of the requisite funds.

**Maulavi BADARUDDIN AHMED :** Will the Government make some provision to construct a building there ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI :** The project will be taken up as soon as the funds will be available for the purpose.

**Maulavi BADARUDDIN AHMED :** May we know when the funds will be available ?

**The Hon'ble the SPEAKER :** Can the Hon'ble Minister give any assurance ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI :** Government will look into the matter as soon as the funds are available.

**Maulavi BADARUDDIN AHMED :** May I take it that after the budget is passed, funds will be available ?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI :** The point is that the money could not be found this time, and we cannot say whether money will be available for the purpose next time.



**Mangaldai Government High School building****Maulavi BADARUDDIN AHMED** asked :

- \*42. (a) Are Government aware that the plinth of the building of the Mangaldai Government High School is still left *kachha* ?  
 (b) If so, will Government be pleased to state for how long this state of affairs has been continuing there ?  
 (c) Did the school authority bring this matter to the notice of the Government ?  
 (d) What will be the probable cost for making the said plinth *pucca* ?

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

42. (a)—Yes.  
 (b)—Since August 1933.  
 (c)—Yes.  
 (d)—Rupees 2,160.

**Khan Bahadur Maulavi KERAMAT ALI:** Was this grievance brought to the notice of the Government prior to this question being sent ?**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI:** If the hon. member is asking about the present Government, I may say that the reply is in the affirmative. I personally visited the school during my last tour to Mangaldai and the hon. member will be glad to learn that we have made some provision to remove this grievance.**Unlawful detention of an M. L. A.****Mr. JOBANG D. MARAK** asked :

- \*43. (a) Are Government aware that Mr. Karka Dalay Miri, M.L.A., was detained and held captive in an out-of-the-way tea garden and prevented from attending the Joint Session of the Assam Legislature held on the 3rd and 4th August 1939 as stated in an article published in the *Hindusthan Standard*, dated Saturday, the 9th September 1939, under the caption "Unlawful detention of Assam M.L.A. "?  
 (b) If so, do Government propose to enquire into the matter and take necessary steps against those who detained the said Mr. Karka Dalay Miri, M.L.A. ?

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

43. (a)—Government have no information except what is stated in the article quoted.  
 (b)—Government will make an enquiry if the hon. member concerned asks for this.

**Mr. JOBANG D. MARAK:** Mr. Speaker, Sir. I want to know whether Government will inquire as to why he was detained there.**The Hon'ble the SPEAKER:** The Hon'ble Premier has given his reply, and if the hon. member wants an enquiry to be made, Government are prepared to enquire into the matter.

**Maulavi ABDUR RAHMAN:** Sir, Government have no information whether the hon. member was detained but the question has been based on the paper publication. May I enquire of the Hon'ble Premier whether he is prepared to enquire how the paper authority got the information?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** No Sir, I am not prepared to enquire from the News paper authority because it is futile to ask them as they will not disclose their correspondence.

### Provision of playground for the Government High School, Tura

**Mr. JOBANG D. MARAK** asked :

- \*44. (a) Are Government aware that there is no suitable playground for the Government High School at Tura ?  
 (b) Are Government aware that there is also no public playground for the children in the Tura Town ?  
 (c) Do Government propose to remove these wants ?

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

44. (a)—Yes, the existing ground is not big enough.

(b)—Yes.

(c)—The provision of a playground for children other than those reading in the High School is the responsibility of the Town Committee concerned. So far as the question of extending the school playground is concerned, Government will consider it when funds become available.

### Custom obtaining in Garo Hills making the Maharis or Clansmen of an accused person responsible for liabilities incurred by the latter

**Mr. JOBANG D. MARAK** asked :

\*45. Will Government be pleased to state if they are aware—

- (a) That a legal procedure is still extent in the Garo Hills, viz., that of making the Maharis or Clansmen of an accused person responsible for liabilities incurred by the latter ?  
 (b) That the Garos, are against this practice and are anxious to abolish it ?  
 (c) Do Government propose to do away with this procedure forthwith ?

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

45. (a)—Government are aware that there is a custom obtaining among the Garos, which may be so represented,



(b)—Government have no reason to think so. They understand that only small minority has shown itself in favour of abandoning the ancient customs of the Garos, of which this is one.

(c)—It is not the policy of Government to interfere with the established customs of any people unless these offend against humanity or the progressive opinion of the people themselves demands a change.

**Mr. JOBANG D. MARAK:** Mr. Speaker, Sir. Did the Government receive our joint petition regarding this point on 20th July, 1939, requesting the Hon'ble Judicial Minister to move His Excellency the Governor to remove that practice immediately from there?

**The Hon'ble the SPEAKER:** Does this question arise from the answer?

**Mr. JOBANG D. MARAK:** Sir, I want to know whether the application was received by the Government.

**The Hon'ble the SPEAKER:** Does this question arise at all?

**Mr. JOBANG D. MARAK:** I want to know whether our joint petition was received by the Government.

**The Hon'ble the SPEAKER:** The hon. member is giving a new fact and the question with regard to this fact does not arise from the answer.

**Mr. JOBANG D. MARAK:** I am asking about this question.

**The Hon'ble the SPEAKER:** There was no mention about this fact in the original question.

**Mr. JOBANG D. MARAK:** Will Government please enquire about the practice?

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** If the hon. member insists, Government will be prepared to make an enquiry.

**Mr. JOBANG D. MARAK:** I want that an enquiry should be made.

### Suppression of telegrams by the Deputy Commissioner, Garo Hills

**Mr. JOBANG D. MARAK** asked :

\*46. Will Government be pleased to state—

(a) Whether a Deputy Commissioner can withhold private telegrams?

(b) If the answer to question 46 (a) above is in the affirmative, will Government be pleased to give the nature of private telegrams which are liable to be so withheld?

\*47. (a) Are Government aware that the Deputy Commissioner, Garo Hills, withheld two telegrams noted below?

“(i) To

His Excellency, Shillong.

Deputy Commissioner and Sub-Deputy Collector assaulted by military in football field. Apprehending public peace. Soliciting steps.

The 24th August 1939.

BENJAMIN MOMIN, M.L.A.”

(ii) “Assam, Shillong.

Deputy Commissioner and Sub-Deputy Collector badly assaulted by

military. Public tranquillity and safety endangered in Tura Town. Kindly depute Commanding Officer for needful.

*The 26th August 1939.*

**JOBANGMARAK."**

(b) Do Government propose to enquire into the said suppression of telegrams ?

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

46. (a) & (b)—Under the Indian Telegraph Rules, on a reference to the Chief Civil Officer in the locality, a telegram which appears to be of an objectionable or alarming character may be refused.

**Mr. JOBANG D. MARAK :** Will the Hon'ble Premier point out the objectionable words in my telegram for which the Deputy Commissioner can withhold it ?

**Mr. BAIDYANATH MOOKERJEE :** That question concerns No.47.

**The Hon'ble the SPEAKER :** The hon. member can ask that question.

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

47. (a)—Yes.

(b)—Government have already received full reports of the affair.

**Mr. FAKHRUDDIN ALI AHMED :** Is it a fact that the Deputy Commissioner was assaulted by the military people ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** The hon. questioner was an important member of the Cabinet of the time and he ought to have known the fact. The assault was reported in August 1939.

**Mr. BAIDYANATH MOOKERJEE :** May I enquire whether the Deputy Commissioner was assaulted by the military people or not ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** He was assaulted by a player of the Assam Rifles because he was handled by the Deputy Commissioner when the former was challenging the decision of the referee in a foot-ball match.

**Mr. FAKHRUDDIN ALI AHMED :** May I know by whom the enquiry was made ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** The enquiry was made at the instance of Government by the Officer, Commanding the Military there.

**Mr. FAKHRUDDIN ALI AHMED :** I want to know by whom the enquiry was made ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** By the Military Officer.

**Mr. FAKHRUDDIN ALI AHMED :** Is it a fact that the Officer the Military, who assaulted the Deputy Commissioner, made the enquiry ?



**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** The hon. member who was then in the Cabinet ought to know all these.

**Mr. FAKHRUDDIN ALI AHMED :** So far as I remember, I did not know anything of the assault ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** The incident took place in August, whereas we took office in November 1939.

**Mr. FAKHRUDDIN ALI AHMED :** Will the Hon'ble Premier be pleased to enlighten us why the telegram was suppressed by the Deputy Commissioner and what action have the Government taken in the matter ?

**The Hon'ble the SPEAKER :** The Hon'ble Premier said that whatever action was taken was taken on the Government report.

**Mr. BAIDYANATH MOOKERJEE :** May I know whether the telegram was objectionable ?

**The Hon'ble the SPEAKER :** It is a question of opinion.

**Mr. BAIDYANATH MOOKERJEE :** What is the opinion of the Hon'ble Premier ? I want a reply.

**The Hon'ble the SPEAKER :** It cannot be replied.

**Plying of a motor launch from Mankachar to Dhubri and vice versa**

**Mr. JOBANG D. MARAK** asked :

\*48. (a) Is it a fact that a motor launch is plying from Mankachar to Dhubri and *vice versa* ?

(b) If so, from what source Government have come to know this fact ?

(c) Will Government be pleased to state the name of the motor launch, or name of the Company, or the name of the proprietor of the motor launch ?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY** replied :

48. (a)—Yes.

(b)—By enquiry from the Deputy Commissioner, Goalpara.

(c)—Name of the motor launch—"Jalabindu".  
Name of the Company—"The Bengal Rivers Flotilla Co.".

**Mr. JOBANG D. MARAK :** May I know from what date to what date the motor launch plied ?

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

**Appointment of one Bishnu Proshad, an orderly of the Deputy Commissioner, Goalpara, as the Nazir of Gossaingaon Tahsil and Memorial from Process-servers of Dhubri for promotion to ministerial ranks**

**Maulavi GHYASUDDIN AHMED** asked :

\*49.(a) Are Government aware that one Bishnu Proshad, an orderly of the Deputy Commissioner, Goalpara, has been appointed as the Nazir of Gossaingaon Tahsi



(b) If so, will Government be pleased to state—

(i) The salary he was drawing as an orderly of the Deputy Commissioner, Goalpara ?

(ii) The present salary he is drawing ?

(iii) Whether he is domiciled in Assam ?

(iv) His educational qualifications, if any ?

(v) The name of the school in which he was educated ?

(vi) If he has any certificate showing his educational qualifications ?

(vii) The reason for his such promotion ?

\*50. Is it a fact that the process-servers at Dhubri submitted a memorial to the Government for their eligibility for promotion to ministerial ranks ?

\*51. (a) Is it a fact that the Government by letter No. 4286-93-F.(a), dated the 23rd December 1937 from the Deputy Secretary to the Government of Assam in the Finance Department to the Commissioner, Assam Valley Division informed the memorialists, the finding of the Government ?

(b) If so, will Government be pleased to state the contents of the letter referred to above ?

\*52. (a) Is it a fact that the said Bishnu Proshad was promoted after the letter referred to in question 51(a) above was received by the Deputy Commissioner ?

(b) If not, will Government be pleased to state the date when Bishnu Proshad was promoted ?

\*53. Are Government aware that there is a great discontent amongst the process-servers whose claims were ignored by the appointment of Bishnu Proshad ?

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

49. (a)—Yes.

(b) (i)—Rupees 17.

(ii)—Rupees 30.

(iii)—His father, who was an orderly peon of the Deputy Commissioner, had a house constructed on *Sarkari* land and is said to have lived in it for about 40 years. Bishnu Proshad has land under short lease, but no house. He was brought up by and lived jointly with his maternal uncle, who is domiciled.

(iv)—He read in a Middle Vernacular School and for two years in a High English School. Besides this, he is said to have studied privately. The Tahsildar, under whom he is serving, thinks that he comes up to a standard between the Middle English and High English School standards.

(v)—Dhubri Municipal School, and Saidpur High English School.

(vi)—The certificates are not available.

(vii)—The Deputy Commissioner considered him suitable for the post.

**Mr. NABA KUMAR DUTTA :** May I know whether Bishnu Proshad secured domiciled certificate ?

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

**Khan Bahadur Maulavi KERAMAT ALI :** When was the appointment made, please ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** I require notice of that question.

**Mr. NABA KUMAR DUTTA :** In view of the fact that he has not got the domiciled certificate, will Government please direct the Deputy Commissioner to dismiss him ?



**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** The Deputy Commissioner has already made the appointment, and if there were any objection to it, Government would surely make enquiry into the matter.

**Mr. NABA KUMAR DUTTA:** My question is—Will Government ask the Deputy Commissioner to dismiss the man?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** No.

**Mr. NABA KUMAR DUTTA:** May I know the reason for it, Sir?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Because the appointment has already been made.

**Mr. NABA KUMAR DUTTA:** Has not anybody questioned the appointment?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Nobody has questioned it.

**Mr. NABA KUMAR DUTTA:** Is it not a fact that Maulavi Ghyas-uddin Ahmed is now complaining about it?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** He is only enquiring about it.

**Mr. NABA KUMAR DUTTA:** Does it not amount to a question?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** No.

**Khan Bahadur Maulavi KERAMAT ALI:** Is it not a fact that any one who is not a Matric cannot be appointed to such a post?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** There is no such rule, Sir.

**Mr. NABA KUMAR DUTTA:** As complaints have been made on the floor of this House, will Government please ask the Deputy Commissioner to revise his order?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Are these questions only to elicit information, Sir?

**The Hon'ble the SPEAKER:** I have ruled in the past that any question to elicit information from Government is only permissible and that questions suggesting actions to be taken by Government are not permissible.

**Maulavi JAHANUDDIN AHMED:** May I know whether there was any advertisement of the post?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** I require notice of that question.

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

50.—Yes.

51. (a)—Yes.

(b)—As regards the eligibility of process-servers for promotion to ministerial rank, Government saw no objection to such promotion provided that this concession was to be used very carefully as they did not desire that the ministerial service should be filled with unfit persons.

52. (a)—Yes.

(b)—Does not arise.



**Maulavi GHYASUDDIN AHMED :** After receipt of this reply from the Government how is it that this Bishnu Proshad, who was only a peon, was appointed as a Nazir ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** Because the Deputy Commissioner thought him fit for the post.

**Maulavi GHYASUDDIN AHMED :** He was an ordinary peon !

**Khan Bahadur Maulavi KERAMAT ALI :** Do the Government propose to have this man discharged when he does not possess a domiciled certificate ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** The matter may be considered.

**Maulavi ABDUR ROUF :** Do the Government know that Deputy Commissioners have ceased to issue domiciled certificates ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** No, Sir.

**Maulavi ABDUR RAHMAN :** May I know the name of the Deputy Commissioner ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** Mr. Fletcher.

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

53.—Neither the Government nor even the Deputy Commissioner are aware of any discontent among the process-servers as a body.

**Maulavi ABDUR RAHMAN :** Is it a fact that the memorial which was submitted by the process-servers is sufficient indication for Government to understand that process servers as a class are discontent.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** That is a matter of opinion. Moreover this discontent is only because claims of some were not considered.

**Maulavi GHYASUDDIN AHMED :** If it is found that this Bishnu Proshad is not a process-server, will Government revert him to his former post ?

**The Hon'ble the SPEAKER :** This is a hypothetical question.

**Mr. JOBANG D. MARAK :** Do the Government propose to make an enquiry ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** I have already assured that Government will make an enquiry.

#### **Forest Establishment in the Mechpara Ward's Estate**

**Maulavi GHYASUDDIN AHMED** asked :

- \*54. Will Government be pleased to state—
- (a) When Srijut Banamali Das, now Sub-Manager, Forests, Mechpara Ward's Estate, retired as a Deputy Ranger under the Assam Government ?
  - (b) When he was appointed as a Sub-Manager of the said Estate ?
  - (c) What is his present age ?
  - (d) Whether he is physically fit to undertake the duties of a Sub-Manager of Forests ?



\*55. Are Government aware that one Promode Chandra Chakravorty, now a Deputy Ranger of the said Estate, was deputed to undergo a training as a Deputy Ranger at Karshiang before his appointment?

\*56. (a) Is it a fact that he was trained with the object of being appointed as a Sub-Manager, Forests, of the said Estate?

(b) If so, what prevented the Estate to give effect to this?

\*57. Is it a fact that the Manager and the Sub-Manager of the said Estate belong to the same district?

\*58. Will Government be pleased to state—

(a) How many Kanangoes and Amins have been maintained in 1938 and 1939 by the Mechpara Ward's Estate?

(b) How many of them are Hindus and how many are Muham-medans?

(c) How many of these have been discharged this year?

(d) What are the names of those Kanangoes and Amins who have been discharged?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied:

54. (a)—Srijut Banamali Das retired as a Ranger about April, 1933.

(b)—From 29th March, 1935.

(c)—57 years.

(d)—Yes.

Maulavi ABDUR RAHMAN: Is there not a rule that when a man retires he is presumed to be incapable of holding any more service?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Yes, Sir

Maulavi ABDUR RAHMAN: Is it not a fact that by giving such privilege to persons retired, the Government close the door to the un-employed youths?

The Hon'ble the SPEAKER: This is a question of opinion.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Moreover it is not a Government post. It is under the Court of Wards.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied:

55.—Yes. He was permitted to undergo the training at his own cost.

Maulavi GHYASUDDIN AHMED: Will Government appoint this Deputy Ranger to the rank of Sub-Manager?

The Hon'ble the SPEAKER: Such a question is not allowed.

Maulavi GHYASUDDIN AHMED: When Srijut Banamali Das retires, will Government consider the desirability of appointing this man?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: That is a hypothetical question.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied:

56. (a)—No.

(b)—Does not arise.

57.—Yes.

58. (a) and (b)—There were 3 Kanangoes and 13 Amins in the permanent staff and one Kanangoe and 4 Amins in the temporary staff for block survey in 1938 and the same number in 1939. The permanent



Kanangoes are Hindus and the temporary Kanangoe was a Muhammedan. Out of permanent Amins 9 are Hindus and 4 are Muhammedans. Out of temporary Amins 2 Hindus and 2 Muhammedans.

(c)—In view of financial stringency as well as gloomy prospect of crops and early flood this year Ekandaj survey work has been stopped and temporary staff consisting of one Kanangoe and 4 Amins have been discharged.

(d)—Tamijuddin Ahmed, Supervisor Kanangoe (1) Abdul Hayat Mia, Amin (2) Khyati Ram Kakati, Amin (3) Sistu Ram Dutta, Amin (4) Shirajuddin Ahmed, Amin.

**Transfer of certain cases filed in the Court of the District and Sessions Judge to that of the Additional District and Sessions Judge**

**Mr. ARUN KUMAR CHANDA** asked :

\*59. (a) Are Government aware that in contravention of the Government Notification No. 2325-G.J., dated the 18th April 1939, published in the *Assam Gazette* of the 19th April 1939, Mr. I. P. Barua, Additional District and Sessions Judge, Assam Valley, took upon himself the powers conferred by Section 135 to Section 139, Criminal Procedure Code, and transferred cases filed in the Court of the District and Sessions Judge to his own file and disposed of them?

(b) If the answer to question 59(a) above is in the affirmative, do Government propose to move the Hon'ble High Court to set aside the orders passed by Mr. I. P. Barua in an unauthorised capacity?

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

59. (a)—The question is not clear. The sections quoted have been enacted to deal with any unlawful obstruction or Public nuisance, etc., and cannot be interpreted to confer powers upon Additional District and Sessions Judges.

(b)—Does not arise.

**Public Works Department Ferries in the district of Cachar**

**Mr. ARUN KUMAR CHANDA** asked :

\*60. Will Government be pleased to state—

(a) The names of the ferries in the district of Cachar under the Public Works Department?

(b) What are the tolls for pedestrians and vehicles on each such ferry?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY** replied :

60.(a) —A statement showing the names of the ferries is placed on the Library Table.

(b)—A copy of the Schedule of tolls for the Surma Valley Public Works Department ferries is placed on the Library Table.

**Mr. ARUN KUMAR CHANDA** : Is it a fact that the Public Works Department rates are double the rates levied by the local boards?



**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY:** Public Works Department rates are given in the schedule that has been placed on the Library table.

**Mr. ARUN KUMAR CHANDA:** My question was if Public Works Department rates are double the rates charged by local boards.

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURY:** I am not aware of that, Sir.

### **Posts of Traffic Sergeants and Inspectors of Motor Vehicles**

**Srijut DEBESWAR SARMAH** asked :

\*61. Will Government be pleased to state—

- (a) The scale of pay of the Traffic Sergeants in Assam ?
- (b) What salary, the two Traffic Sergeants at Shillong and Dibrugarh respectively draw now ?
- (c) Whether it is a fact that over and above their salaries, they receive motor allowance and house allowance ?
- (d) If so, what amount do they draw now respectively ?

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

61. (a)—Rupees 150—5/2—200.

(b)—Rupees 150 each.

(c)—Yes.

(d)—Motor Car Allowance ... .. Rs. 50 per month.  
House Allowance ... .. Rs. 25 per month.

**Maulavi MUHAMMAD AMJAD ALI:** Mr. Speaker, Sir. For some unavoidable reasons, I could not arrive at this place before now. I had certain questions to ask in to-day's agenda. I should be obliged if I am permitted to ask them now.

**The Hon'ble the SPEAKER:** The hon. member very well remembers the ruling I gave some time ago. If an hon. member absents himself at the time his questions are called, these questions lapse, and the member will not be permitted to have them answered in the course of the session. The hon. member knows that. He could have authorised somebody to put the questions on his behalf. Therefore, I regret I cannot permit him to put these questions now.

**Maulavi MUHAMMAD AMJAD ALI:** With due deference to the ruling of the Chair, Sir, I may inform the House that I was on my way to Shillong and, as such, I could not come to the House. I had even no time to authorise somebody to put these questions.

**The Hon'ble the SPEAKER:** The hon. member could have anticipated all these before. Order, order. I have got notice of some adjournment motions.

**Adjournment motion on account of harassment of ryots in Pakhima, Kondoli and Singiapotoni mouzas in the district of Nowgong by Mauzadars and their staff by forcibly realising money for war without receipts**

**The Hon'ble the SPEAKER:** Order, order, I have got some notices of adjournment motions: The first one is standing in the name of Srijut Purna Chandra Sarma.



**Srijut PURNA CHANDRA SARMA :** I beg leave of the House to move an adjournment motion with regard to a matter of urgent public importance. The motion is, Sir,—

“That this Assembly do now adjourn to discuss a definite matter of urgent public importance and of recent occurrence to wit the harassment of ryots in Pakhimoria, Kondoli and Singiapotoni mouzas in the district of Nowgong by the mouzadars and their staff by forcibly realising money for war without receipts.”

Sir, during the last fortnight the mouzadars of these mouzas — immediately after the Hon'ble Ministers, who visited Nowgong, left the district — started collecting money from the ryots in the name of war without giving any receipts and they would refuse to accept land revenue until that was paid and thus harassing them .....

**The Hon'ble the SPEAKER :** Order, order, I would draw attention of the hon. member that this is a new fact which is now supplied and does not appear from the adjournment motion. The word is harassment. What sort of harassment was made the hon. member ought to have mentioned in the notice.

**Srijut PURNA CHANDRA SARMA :** The harassment is that they did not accept revenue from the people unless that money was paid; they forcibly realized money without giving receipt. That is the harassment, Sir, and it is mentioned in the latter part of my motion.

It is also of recent occurrence and is consternating people very much. They came to Congress Office and to ourselves in batches and complained about that. I personally saw the Deputy Commissioner, but I do not know what action he has taken so far because immediately after this I have come over here and to my knowledge no action has yet been taken.

**The Hon'ble the SPEAKER :** Have the Government got to say anything about this ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** The Government have absolutely no information regarding the alleged harassment. Government have issued no such instruction and this is the first time the matter has been brought to the notice of the Government. So I can only assure that an enquiry will be made and if such harassment is really proved, Government will take immediate steps. Beyond this assurance I cannot say anything.

**Srijut PURNA CHANDRA SARMA :** On the assurance given that no more harassment will be done to people, I beg leave of the House to withdraw the motion.

**The Hon'ble the SPEAKER :** The motion is not pressed.

**Adjournment motion on account of service of notice on public bodies and individuals in Sylhet directing them to apply for licence for taking out procession on the Independence Day.**

**The Hon'ble the SPEAKER :** The next motion is in the name of Mr. Chanda.

**Mr. ARUN KUMAR CHANDA :** I beg leave of the House, Sir, to move that—

“This Assembly do now adjourn for the purpose of discussing a definite matter of urgent public importance, to wit, service of notice on public Bodies and individuals in the district of Sylhet, directing them to apply for issue of license under the provisions of the Police Act for taking out processions in connection with the observance of Independence Day on the 26th January last”.



Mr. Speaker, Sir, this notice was an innovation because the Independence Day is being observed for nearly a decade now and in the past never any license was directed to be taken in connection with procession which are usually taken out on this day. On the last occasion, however, several Congress workers and leading men in the various Subdivisional towns as also in the town of Sylhet were served with this notice and this is a clear departure from the usual practice. I submit that this is an encroachment on civic liberty by the Executive and as such a matter of grave public importance.

**The Hon'ble the SPEAKER:** How is it urgent?

**Mr. ARUN KUMAR CHANDA:** Every inroad upon civic liberty would be urgent matter. To make matters worse, several persons are, I understand, being threatened with prosecution because licenses were not taken in accordance with the prevailing practice.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker Sir, as you have pointed out that the matter is not urgent so also it is not of very recent occurrence. It took place at least a month ago. But I will not take shelter under these technicalities. I am prepared to meet my friend and tell him that under the Police Act processions have got to be licensed and in this particular instance, the District Police Officer thought that for the preservation of law and order and in view of the strained feeling between the two major communities these processions ought to be regulated. There were certain infringement of that order and prosecutions were ordered. All that took place without the knowledge of Government and as soon as we came to know about it, we have stopped prosecutions.

**Mr. ARUN KUMAR CHANDA:** I am grateful to the Hon'ble the Premier for the fact that he has stopped prosecution realising that prosecution in the circumstances would be extremely unfair. But my submission is that any fantastic apprehension of the breach of peace would not be sufficient to warrant a departure from the usual custom. There is nothing to show that processions of this kind have led to any breaches of the public peace in the past.

**The Hon'ble the SPEAKER:** But the Government have taken certain action and, I think, have stopped prosecution.

**Mr. ARUN KUMAR CHANDA:** In view of the pronouncement made by the Hon'ble Premier withdrawing prosecutions, I do not like to press this motion, Sir.

#### Adjournment motion on account of mass encroachment by Mymensinghia immigrants in Pubchamaria Mouza

**Srijut BELIRAM DAS:** Sir, I beg leave of the House to the following adjournment motion:

"That this Assembly do adjourn for the purpose of discussing the following matter of definite urgent public importance, viz., the grave situation that has arisen on account of mass encroachment by the Mymensinghia immigrants in Pubchamaria Mauza on reserve land and lands occupied by Kacharis, Assamese Hindus and Moslems within the Line, without any action being taken by Government to prevent the same."

Sir, this is a matter of great urgency because it is still continuing and people have become panicky as they have been driven out of their fields and their paddies and mustards have been taken away and Government have up till now taken no steps. Government have received telegrams and petitions from the people and I understand three telegrams have been sent—one to



the Hon'ble Revenue Minister, one to the then Revenue Minister (Srijut Rohini Kumar Chaudhuri) and one to the Hon'ble Forest Minister as the representative of the Tribal community.

Sir.....

**The Hon'ble the SPEAKER:** I think this will do.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, for sometime past Government have been receiving several telegrams alleging encroachment on the line by the Mymensingh immigrants. These Government have been taking prompt action on these wires. These wires have been sent to the Deputy Commissioner, Kamrup for immediate action. He has been asked to maintain the line against forcible encroachment with firmness. The Government have not got any detailed report from the Deputy Commissioner as yet and only on the 15th of February last Government have again issued reminder to the Deputy Commissioner to submit the detailed report and the report has not been received as yet. So the Government is taking all action that is possible. On receipt of the Deputy Commissioner's report whatever is necessary will be done. With this assurance, I think, the hon. member will not press his motion.

**Srijut BELIRAM DAS:** I can inform the House that the Deputy Commissioner programmed to go to the locality on the 12th, 13th and 14th of this month to make a local enquiry. The people collected there in thousands to place their grievances before the Deputy Commissioner. But to their utter surprise the Deputy Commissioner went to the Chhaygaon Bungalow, and came back without sending any information to the people. The people on account of this have become most panicky and restless and taking advantage of the Deputy Commissioner not making local enquiry, the immigrants are coming in large numbers and have been occupying lands within Line and reserve afresh.

**The Hon'ble the SPEAKER:** It seems that Government have taken certain action.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Yes, Sir, enquiries will be made.

**Srijut BELIRAM DAS:** If Government take immediate action and direct the Deputy Commissioner to enquire and take effective steps as soon as possible and if I get a definite assurance from the Government that this will be done, I will not press the motion.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Will the hon. member kindly repeat what he has said. I was unable to hear him.

**The Hon'ble the SPEAKER:** The hon. member has given some facts which lead him to believe that the people are still asking for an enquiry and redress. He says that if he gets an assurance that the Government will order this to be done immediately he will not press his motion.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Due consideration will be given to what the hon. member desires.

**Srijut BELIRAM DAS:** If the Government takes immediate steps to see that an enquiry is made and the grievance is redressed at the earliest possible date, I may not press my motion.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** If the hon. member will take me into his confidence, I think, I will do all that is possible.

**Srijut BELIRAM DAS:** On this assurance I do not like to press my motion.



**Adjournment motion on the failure of Government to give protection to the lives and properties of the people of Habiganj town on the 19th February, 1940 against the disorderly conduct of a furious mob**

**Babu NIRENDRA NATH DEV:** Mr. Speaker, Sir, I beg to move—

“That this House do now adjourn for the purpose of discussing a definite matter of urgent public importance, namely, the failure of the Government to give protection to the lives and properties of the citizens of Habiganj Town on the 19th instant against the disorderly conduct of a furious mob consisting of about 12,000 Muhammadans.”

In the first place it is a definite matter of public importance in that the Government failed completely to give any protection to the people of Habiganj Town on the 19th February when a procession of some 12,000 Muhammadans passed through the whole town and indiscriminately assaulted any Hindu that they came across. Brickbats, sticks and swords were used indiscriminately against the persons and property of the Hindus. And it is an urgent matter in that it occurred only on the 19th instant, and I have placed this matter before the House at the earliest possible opportunity. It is a matter of public importance as it concerned the safety and the security of the lives and properties of the whole town of Habiganj.

**The Hon'ble the SPEAKER:** What was the extent of the damage to life and property?

**Babu NIRENDRA NATH DEV:** Several individuals were injured. Babu Chandrabende Das had a wound over his forehead, above the eyebrow; a Mistry has been severely assaulted and is lying in bed, and several other people and children were also assaulted. The Ramkrishna Mission temple has been damaged, and other buildings have also been damaged. Brickbats were freely hurled, and our veteran colleague, Babu Shibendra Chandra Biswas, with one leg lamed and the other on the threshold of the world beyond, could not even be spared. In view of all these, I think the matter is of very urgent importance, and I think you will kindly allow me to move my motion.

**Khan Bahadur Maulavi KERAMAT ALI:** On a point of information, Sir. May I enquire of the hon. mover whether any information was lodged with the Police, or any complaint filed in the Court?

**Babu NIRENDRA NATH DEV:** As to lodging the information before the Police, I may inform the House that the Subdivisional Officer himself was accompanying the procession, and he was present all along with the procession—in fact he was leading the procession, and when the Deputy Commissioner went to the locality he was met by the citizens of the town and told that it was the Subdivisional Officer himself who was responsible for all these affairs. So it was useless to go to the Police or to the Court for redress.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, as my hon. friend, the mover, is a new-comer to this Assembly I would draw his attention to the fact that adjournment motion is really a censure motion, but I would place all the facts before the House which will show that far from any condemnation being deserved, the Government ought to be commended for the prompt action which they have taken. I received a telegram on the 20th February purporting to come from the Swami in charge of the Ramkrishna Mission at Habiganj saying that the Ramkrishna Temple had been defiled. I immediately ordered a prompt enquiry by the Deputy Commissioner. I received his report on the 21st, from which it is clear that no more urgent or prompt enquiry could be



made. From what I have been able to gather from the report of the Deputy Commissioner, it is very unfortunate that on account of the presence of some unruly elements of both communities there has been friction for some time between them. I first received a wire from one of my hon. colleagues in this House that on the Saraswati Puja day the Muslim Mosque was defiled. In the telegram it was stated that a bomb was thrown in the Mosque. Since then I had an enquiry made, and the bomb turns out to be a cracker which some one from the procession might have thrown without realising that it may lead to serious trouble. With a view to discuss what has got to be done to prevent such occurrences the local Muhammadan leaders asked the Muslims to consider the question on the 19th which was the Mohurram day when the Muslims gathered in strength. It is unfortunate that the strength of the Muhammadan gathering was beyond all the imagination of any one. The local leaders thought that they may be getting about 2,000 people. But unfortunately, as my hon. friend, the mover, has stated, there was a big gathering of about 12,000 people or even more and nobody expected such a gathering. The police authorities had only 50 Constables who went with the procession and the Subdivisional Officer was also there to stop any breach of the peace, or whatever the hon. mover wants to call it.

**The Hon'ble the SPEAKER:** Acts of hooliganism.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I have a report from the Deputy Commissioner from which it appears that the first batch of Muslims were apparently worked up by an exciting speech made at the previous meeting. The report says that they rushed through the main road and back by the Bazar and back road, beating on the roofs of the houses in the narrow Bazar road, and throwing brickbats. The police force of some 50 men, and the Subdivisional Officer both Civil and Police, and the Subdivisional Treasury Officer, who were interspaced in the procession tried to stem the rush and keep them from attacking the Bazaar but were overwhelmed. There was a clash and some 8-9 Hindus and 6-7 Muslims were more or less injured but none seriously. The crowd were then induced to return to their villages. Subsequently the Hindus have complained vigorously to the Deputy Commissioner and represented to him that the Subdivisional Officer was pandering to the Muslim makers of trouble, which the Deputy Commissioner definitely believes to be untrue. There has been no further trouble.

I hope it is now very clear to hon. members that we have taken prompt action. It is quite true that there has been an unfortunate occurrence on the Mohurram day and the unexpected gathering of about 12,000 Muslims was too much for a police strength of about 50 who naturally were unable to control the situation for the time being. We are all sorry for this but the trouble arose on account of piece of hooliganism by some miscreant throwing a bomb on the mosque, on the occasion of the Saraswati Puja. Whatever the cause, we have taken prompt action and we shall try our best to prevent a recurrence.

**Mr. ARUN KUMAR CHANDA:** May I know who made that speech which incited the mob?

**The Hon'ble the SPEAKER:** That does not come in at all.

**Babu NIRENDRA NATH DEV:** The point is, Sir, this. The Subdivisional Officer came to know that there was some disturbance on the Saraswati Puja day. The question is, did he take any step to reinforce the police strength in connection with the celebration of the Mohurram day ceremony?



**The Hon'ble the SPEAKER:** This question does not arise at all now. The motion is "for failure of Government to give protection to the lives and properties of the citizens of Habiganj Town on 19th instant". What was done before or what could have been done afterwards does not arise directly from the motion.

**Babu NIRENDRA NATH DEV:** The Hon'ble Premier has raised the question of the mosque being defiled on the Saraswati Puja day. If that was the case it was the clear duty of the Subdivisional Officer to call the leaders of both the communities to device means for stopping this. Subdivisional Officer did nothing like that. Notice of this meeting was circulated on the 16th and broadcast throughout the subdivision. The Subdivisional Officer took no steps nor called the leaders of the communities to find out how to prevent the disturbance.

**The Hon'ble the SPEAKER:** It will have to be shown whether the fact of the circulation was brought to the notice of the Subdivisional Officer and whether he knew of it.

**Babu NIRENDRA NATH DEV:** The notice was widely circulated and it was the duty of the Subdivisional Officer.....

**The Hon'ble the SPEAKER:** That is not the correct position.

**Babu NIRENDRA NATH DEV:** He knew it and it was his clear duty to have given protection to the citizens and it was his duty also to call the leaders of both the communities

**Maulavi ABDUR RAHMAN:** May I know whether it was the duty of the Subdivisional Officer to give license to the Police Officers?

**Babu NIRENDRA NATH DEV:** Sir, all sorts of information was supplied to the Subdivisional Officer and our only grievance is that he took no steps for protection. I may read the notice that was circulated.....

**The Hon'ble the SPEAKER:** It is not necessary.

**Srijut GAURI KANTA TALUKDAR:** Sir, we would like to know what was the notice issued by the people because unless we know what it is we cannot follow the trend.....

**The Hon'ble the SPEAKER:** At this stage it is not at all necessary. I have heard the hon. member who has given notice of this adjournment motion and also the Hon'ble Premier. The definite matter to be discussed as stated in the motion is failure of Government to give protection to the lives and properties of the citizens of Habiganj Town on the 19th instant against the disorderly conduct of a furious mob consisting of twelve thousand Muhammadans.

From what has been said by the hon. mover who wants to move the motion, it appears that the failure consists in the fact that the subdivisional authorities failed to give protection to the citizens of Habiganj against the disorderly conduct of the furious mob consisting of 12,000 Muhammadans. Therefore, it is not a positive act of commission on the part of the subdivisional authorities against which a grievance is made. It is really an act of omission. The Hon'ble Premier has shown that with the resources at the disposal of the subdivisional authorities they tried their best to control it. It also appears from what has been said by the mover that the extent of damage to property and assault on persons was not so very great and it will be always a question of proof whether the subdivisional authorities really failed to protect the citizens and their property or they really did their utmost to prevent the mob from doing greater harm to the people than what was done. In this view of the matter I do not think that the matter is one which should be discussed by means of an adjournment motion. The motion is therefore out of order and I do not give my consent as required by the Rules. The motion stands disallowed.



**Adjournment motion on the Government order stopping eviction of immigrant trespassers into the lined areas in Barpeta Subdivision**

**The Hon'ble the SPEAKER :** The next motion is in the name of Srijut Ghanashyam Das.

**Srijut GHANASHYAM DAS :** Sir, I beg to move :

"That this House do adjourn to discuss a definite matter of urgent public importance to wit the recent order of the Government stopping eviction of immigrant trespassers into the Lined Areas in Barpeta subdivision and also into the grazing reserves".

Sir, in the Barpeta subdivision the Lined Areas and the closed villages and grazing reserves have been trespassed upon by the immigrants. Very recently the Subdivisional Officer of Barpeta went to make preparations to evict these trespassers. Then the Revenue Minister, the present Revenue Minister I believe, intimated the Subdivisional Officer, Barpeta, by a letter stating that all the eviction cases of the immigrants trespassers should be suspended. And a fresh list of trespassers should be made for the approval of the Government.

**The Hon'ble the SPEAKER :** The hon. member is not to argue the motion. He is only to show how this is urgent.

**Srijut GHANASHYAM DAS :** This order of the Revenue Minister is against the standing order of the Government and this order has emboldened the organised immigrant trespassers to break into the Lined Areas, closed villages and professional grazing reserves by thousands and this order has given an opportunity to the propagandists to encourage the immigrants to enter into the Lined Areas and grazing reserves by thousands saying that the Line System has been abolished by the Government and the grazing reserves have been opened and this order has made the Subdivisional Officer inactive in matters of eviction cases.

**The Hon'ble the SPEAKER :** How it is of urgent importance ?

**Srijut GHANASHYAM DAS :** It is very urgent ; because, it is a question of life and death to the indigenous people. It still continues. Unless it is urgently discussed and stopped by an order of the Government, the indigenous people will be nowhere, the Kachari people will be nowhere and the interest of the graziers will be nowhere.

**The Hon'ble the SPEAKER :** Now I would like to hear what the Hon'ble Minister has got to say.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** Mr. Speaker, Sir, this motion, I must say, is quite out of order because he has referred here to a recent order of the Government. I do not know what is his basis of information. Government has passed no order. But I do not want to stifle discussion on his matter on technical grounds. But I state the Government position in this matter.

In Barpeta there have been in the past many encroachments on the grazing reserves and the Assamese lines and a state of chaos and disorder has prevailed for a long time. The Line Enquiry Committee sat about two years back and the Report was submitted and it took some 14 months for the previous Government to consider that question. Just before they vacated office, on the 4th of November last they published a Government communique embodying their decision on the Line Committee's Report. The late Government did not take any action on the evictions till they came to a decision on the matter. So the evictions were stayed. After the publication of the Government Notification on the 4th of November, the Deputy-Commissioner submitted a list of encroachers and asked the Government for sanctioning these evictions. This letter reached the Government



1940  
on the 19th of January last. The Government have passed an order only on the 5th February last asking the Deputy Commissioner to go on with the evictions, but considering the hardship that will be caused to the encroachers who have been there for a number of years and also having regard to the inhuman treatment that was meted out to them sometime back on Rouf about Pukhripar eviction, the Government passed an order that those encroachers who have come to the reserves or into the Assamese lines since after 1st April 1937 will be immediately evicted. But as regards those people who have been on those reserves for a number of years prior to 1st of April 1937, the Government have directed that they should not be evicted until and unless land could be made available for them, and Government think that this is the only reasonable course that was open to them in view of the hardships that have been complained of in the past. I think it was the policy of the previous Government also not to disturb those people who have been in those reserves since before the 1st April 1937 and this is the policy of the present Government also. Government, as has been alleged here, has not stopped eviction. I may inform the House that the Deputy Commissioner, Kamrup, is going to evict the encroachers on the 24th February and he has been asked by me to see that these eviction proceedings are conducted under his personal supervision so that no inhuman treatment is meted out to the people nor any excesses committed by the Armed Police. The Government further direct that in carrying out the evictions, burning of houses and granaries should be scrupulously avoided. I think after hearing me the hon. member will have no ground to press the motion.

**Srijut GHANASHYAM DAS:** I have heard the Hon'ble Minister. But the Government order is there—whether that order was passed by the Saadulla Government or the previous Government. Once an order is written, it should be kept in tact. When the Hon'ble Mr. Rohini Kumar Chaudhuri was the Minister of Revenue, he passed an order that the immigrants squatting on the reserves since before 1st of April 1937 should not be disturbed. The Congress-Coalition Government order is that the professional grazing reserve should be freed. The order had been communicated to the Subdivisional Officer, Barpeta. He knows the order fully well. In view of that order of the Government what was the necessity for the present Hon'ble Revenue Minister to issue an order to the Subdivisional Officer, Barpeta that all the eviction cases should be suspended and a fresh list of the trespassers should be prepared for the approval of the Government.

**Khan Bahadur Maulavi KERAMAT ALI:** The Hon'ble Revenue Minister has already stated that no such order was issued.

**Srijut GHANASHYAM DAS:** I think, that he is not justified and Government is adopting a dilatory policy in matters of eviction cases.

**The Hon'ble the SPEAKER:** I have heard the hon. member who has given notice of this motion and the Hon'ble Minister-in-charge. From what has been said by the Hon'ble Minister-in-charge. From mover of this motion I hold that this motion is not in order. It proposes to discuss a matter which is related to a very big question, that is the question of Line System and from time to time Government have been taking certain actions in regard to the question. It appears from what has been said by the Hon'ble Minister that Government have formulated a certain policy and to discuss a question like this relating to that policy in the form of an adjournment motion is not in order. The policy should be discussed as a whole. Such piecemeal discussion of various matters pertaining to that policy by means of adjournment motions is not proper. The motion, therefore, stands disallowed.



Governor's message communicating allotment of days for the presentation of Budget, general discussion of Budget, Voting on Demands for Grants etc.

**The Hon'ble the SPEAKER:** I shall now announce the message from His Excellency the Governor regarding the allotment of days during the present budget session.—

“For the purposes of sub-section (1) of section 78, section 79, sub-section (2) of section 80 and section 81 of the Government of India Act, 1935, and in pursuance of Rules 13, 15(1), 16(1), 17, 18(1), 18(2) and 19 of the Assam Legislative Assembly Rules (Governor's) 1, Robert Niel Reid, hereby appoint the following days for the presentation to the Legislative Assembly of the Statement of Estimated Receipts and Expenditure of the province for the year 1940-41 and for the subsequent stages in respect thereof and for the presentation to the Legislative Assembly of the Supplementary Statement of Expenditure for the year 1939-40 and for the subsequent stages in respect thereof in the Legislative Assembly during its February-March Session, 1940, namely :—

Thursday, the 22nd February	...	Presentation of the Budget for the year 1940-41 in the Legislative Assembly.
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Saturday, the 24th February	...	1. General discussion in the Legislative Assembly. 2. Discussion, if any, of estimates of expenditure charged upon the revenues of the province, other than estimates relating to expenditure referred to in paragraph (a) of Sub-section (3) of section 78 of the Act.
Monday, the 26th February	...	
Tuesday, the 27th February	...	

Monday, the 4th March	...	Voting on Demands for Grants, in the Legislative Assembly.
Tuesday, the 5th March	...	
Friday, the 8th March	...	
Saturday the 9th March	...	
Monday, the 11th March (from 2 p.m.).	...	
Tuesday, the 12th March	...	
Thursday, the 14th March	...	
Friday, the 15th March	...	
Tuesday, the 19th March (from 3 p.m.).	...	

Monday, the 11th March (up to 1 p.m.,	1. Presentation of Supplementary Statement of Expenditure for 1939-40 in the Legislative Assembly.
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Tuesday, the 19th March (up to  
3 p.m.).

Thursday, the 21st March

1. Further Demands for Grants, if any.
  2. Discussion, if any, of Supplementary Statement of Expenditure charged upon the revenues of the province during 1939-40.
  3. Voting on Demands for Supplementary Grants for 1939-40.
- ... Placing of the authenticated schedules of authorised expenditure before the Assembly.

This order shall be subject to my revision, if necessary from time to time.

SHILLONG :

The 18th February, 1940

R. N. REID,

Governor. "

### **Allotment of days for private members' business by the Hon'ble Speaker.**

**The Hon'ble the SPEAKER :** I shall now announce the number of days allotted by me for private members business during the present session.—

In pursuance of Rule 17 of the Assam Legislative Assembly Rules, I hereby allot in consultation with the Hon'ble Prime Minister the following days for private members' business during the present session of the Assam Legislative Assembly, 1940.

Thursday, the 29th February

Friday, the 23rd February

Saturday, the 2nd March...

Monday, the 18th March...

Thursday, the 21st March

1. Private Members' Bills.

2. Private Members' resolutions.

Private Members' Bills and Resolutions (if time permits after disposal of Government business).

This order shall be subject to my revision, if necessary, from time to time.

### **Statement *re* course of Government business**

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :**  
With your permission, Sir, I desire to make a statement about the course of Government business during this Session.

2. The Government business which is to be taken up to-day and to-morrow is already shown in the day's agenda a copy of which has been placed on each member's table. I need not detail it again.



3. On the 1st and 2nd March, after taking the Assam Finance Bill into consideration, we propose to present the Select Committees' Reports on—

- (i) The Temporary Postponement of Execution of Decrees Bill, 1938,
- (ii) The Goalpara Tenancy (Amendment) Bill, 1939, and
- (iii) The Sylhet Tenancy (Amendment) Bill, 1939.

Hon. members will remember that these Bills were referred to the respective Select Committees by the House during the last Budget Session of the Assembly. We also propose to take up on these days the motions for introduction unless pre-published and consideration of the following Bills:—

- (i) The Assam Ministers' Salaries Bill, 1940.
- (ii) The Assam Amusements and Betting Tax (Amendment) Bill, 1940 ;
- (iii) The Civil Procedure (Assam Amendment) Bill, 1940 ;
- (iv) The Assam Commissioners' Powers Distribution (Amendment) Bill, 1940 ;
- (v) The Assam Land and Revenue Regulation (Amendment) Bill, 1940 ;
- (vi) The Assam Speaker's and Deputy Speaker's (Salaries and Allowances) Bill, 1940 ;
- (vii) The Assam President's Salary (Amendment) Bill, 1940 ;
- (viii) The Assam Embankment and Drainage Bill, 1940.

We further propose to take up on these days the motions for introduction of and eliciting public opinion on the following Bills:—

- (i) The Assam (Temporarily-settled Districts) Tenancy (Amendment) Bill, 1940, and
- (ii) The Assam Maternity Benefit Bill, 1940.

The Report of the Privileges Committee may also be presented and taken into consideration on these dates.

4. If the motions for taking into consideration of the Bills included in the agenda for the 22nd and 23rd February and 1st and 2nd March are accepted by the House on the respective days, we propose that those Bills be considered clause by clause on the 16th or 18th March and then to move that they be passed.

5. If the motions for consideration of—

- (i) The Temporary Postponement of Execution of Decrees Bill, 1938,
- (ii) The Goalpara Tenancy (Amendment) Bill, 1939 and
- (iii) The Sylhet Tenancy (Amendment) Bill, 1939,

as reported by the Select Committee, are accepted by the House, on the 1st or 2nd March, 1940, we propose that these Bills also be considered clause by clause on the 16th or 18th March and then to move that they be passed.

6. On the 21st March, after the Report of the Privileges Committee has been taken into consideration, item by item, and adopted by the House, Government will make a motion with regard to the acceptance of the offer of Babu Surujmal Jalan to rebuild the Tinsukia Hospital. After the disposal of these items we also propose to take up any Government business which may remain unfinished on previous days and any other unforeseen business of Government.



**Committee on petitions relating to Bills**

**The Hon'ble the SPEAKER:** Under Rule 112(1) of the Assembly Rules, I nominate the following members to constitute a Committee on petitions relating to Bills for the current session of the Assembly:—

1. Srijut Bishnu Ram Medhi.
2. Maulavi Syed Abdur Rouf.
3. Mr. D. B. H. Moore.
4. Srijut Rabi Chandra Kachari.

Under the rules the Deputy Speaker will be the Chairman of the Committee.

**House Committee**

**The Hon'ble the SPEAKER:** Under Rule 126 of the Assembly Rules, I nominate the following members to constitute a House Committee for the current session of the Assembly:—

1. Babu Rabindra Nath Aditya.
2. Maulavi Muhammad Amjad Ali.
3. Mr. A. F. Bendall.
4. Srijut Bideshi Pan Tanti.
5. Babu Balaram Sircar.
6. Maulavi Abdul Aziz.

**Governor's Assent to Bills**

**The Hon'ble the SPEAKER:** Information has been received from the Secretary to His Excellency the Governor of Assam that, under the provisions of section 75 of the Government of India Act, 1935, His Excellency the Governor has assented to the Assam Agricultural Income-tax Bill, 1939, which was passed in the last Joint Session of both the Houses and also the following Bills which were passed by both Chambers of the Assam Legislature:—

1. The Assam Ministers' Salaries Bill, 1938.
2. The Assam Municipal (Amendment) Bill, 1938.
3. The Assam Sales of Motor Spirit and Lubricants Taxation Bill, 1939.
4. The Assam Sales Tax Bill, 1939.
5. The Assam Amusements and Betting Tax Bill, 1939.
6. The Assam Motor Vehicles Taxation (Amendment) Bill, 1939.
7. The Assam Excise (Amendment) Bill, 1939.
8. The Assam Finance Bill, 1939 and
9. The Assam Commissioners' Powers Distribution Bill, 1939.

**Condolence on the death of Sir William Reid and Rai Bahadur  
Kanak Lal Barua**

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, with your permission before we take up the substantive item of business to-day, I would like to refer to two tragic occurrences which have taken place since we last met. I refer to the very tragic death by suicide of one of our Ex-Governors who for long was the Finance Member of the Assam Province namely late Sir William Reid. Perhaps my hon. friends of the House may have noticed in the Press that after the declaration of the war in September last when his house in the country was utilised for the purpose of accommodating the evacuated London children, he was so much depressed that he and his wife



and his beloved dog were found dead with a gun by their side. I had the good fortune of working with the late Sir William Reid for a long time. I met him from 1911 while I was a member of the then Assam Legislative Council and then I found him in 1924 as a Finance Member of the Executive Council. He had been in Assam for a long time and he did his best for the betterment of the province. It is but meet and proper that this House records a deep sense of regret at this tragic occurrence.

The next personality whose death we have got to mourn is the late Rai Bahadur Kanak Lal Barua who having entered Government service as an Extra-Assistant Commissioner rose by sheer dint of merit to a Listed post. After retirement, he devoted himself to public work and entered Council and was Minister for seven years. I had the privilege of working with him while I was in charge of Agriculture Department and he was the Head of the Department of Agriculture, Co-operative Societies and Industries. Then I have also had the privilege of working with him from 1929 to 1934 as Minister. In him Assam has lost a brilliant officer, a sound politician and an able administrator and, what is more, an erudite scholar. Every one knows of his research work in the ancient history of the province, and his big volume of the History of Ancient Kamarupa is a proof positive of the great labour that he undertook to make researches in antiquarian studies. I propose, Sir, that we should record our sense of sorrow in this House and convey our condolence through you to the bereaved members of the family and as a mark of respect, I would request you and the hon. members of the House to agree that there should be no session in the afternoon.

**Srijut GOPINATH BARDOLOI:** Sir, on behalf of the party I have the honour to represent, I associate myself with all that has been said by the Leader of the House regarding the late Sir William Reid and Rai Bahadur Kanak Lal Barua, two distinguished persons who were connected with the administration of Assam. I did not have the privilege of knowing Sir William Reid as an administrator of the province, but I had the opportunity of meeting him off and on in connection with my professional business. I found him always a nice and courteous gentleman. He was sometimes the Governor of the Province and now that he retired as Governor of Assam and is deceased under tragic circumstances we should associate ourselves with the expression of grief and sorrow at his death.

Regarding late Rai Bahadur Kanak Lal Barua, Sir, he had been our personal friend. Most of the members of this House knew him. He was reported to be a good Government officer. He is said to have had some hand in the administration in shaping out the policy under the Montford Reforms. But that is not exactly so much that drew us to him as his amiable disposition, his scholarly habit and his behaviour to all of us as a gentleman. Rai Bahadur Kanak Lal Barua's contribution to the revival of the history of Assam is indeed very great. Between the period of say 400 A.D. up to 1400 A.D., we have not had a very clear and connecting history of Assam. Through his efforts and labour and through his great researches into the domain of archæology and numismatics, he had built up a history which is complete, reliable and valuable contribution to the history of India as a whole. To such a very personality our homage is due; it is therefore with sincere sorrow that we associate ourselves with the motion that has been moved by the Leader of the House. I agree, Sir, that we should not be lagging behind in showing our respect to the memory of this great man and in agreeing to the adjournment of the House after 2 p.m.



**The Hon'ble the SPEAKER :** I fully associate myself with the sentiments that have been expressed by the Hon'ble Leader of the House and the hon'ble Leader of the Opposition, on this motion of condolence on the death of the late Sir William Reid and Rai Bahadur Kanak Lal Barua. I join the hon. members of this House in paying my humble tribute of respect to the memory of these great men. Sir William Reid was one of the ablest administrators who ever came out to handle the affairs of this province. I had the privilege of knowing him intimately as a member of the old Legislative Council when he was the Finance Member, and I can testify personally to the great ability displayed by him as the Leader of the then Legislature. He was sympathetic towards the aspiration of the people of this province and was a very courteous gentleman. It is really very deplorable that his death took place under such tragic circumstances.

Rai Bahadur Kanak Lal Barua was a gentleman to whom this province is indebted in various ways. His services to this province—firstly as a member of one of the highest services of Government, as a scholar and antiquarian, and as one of the Members of Government were indeed varied and distinguished. With very many beneficent activities of this province Rai Bahadur Kanak Lal Barua was prominently associated. By the death of such a man this province has indeed sustained a great loss although he has died full of years and honours. I feel that this loss will not be recouped. His memory will be long looked upon by the people of Assam with respect and gratitude. It is indeed meet and proper that as a mark of respect to his memory and to that of the late Sir William Reid the business of the House should be suspended for the day. But hon. members are well aware that we have got to go through a heavy programme of business and especially to-day the Hon'ble Finance Minister is to present the Budget estimates for the year 1940-41. I agree to suspend the business of the House after 2 p.m. as we cannot dispense with the presentation of the Budget which has been fixed for to-day. I, therefore, propose to dispense with the recess hour and ask the Hon'ble Finance Minister to forthwith start his speech presenting the Budget. I think the House will agree to dispense with the recess from 1 p.m. and I allow the Hon'ble Premier to present the Budget estimates and make his speech. I have been given to understand that his speech would be long one and may take more than an hour. So the House will stand adjourned for the day as soon as his speech would be finished.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** I will finish within one hour.

**The Hon'ble the SPEAKER :** Messages of condolence will be sent to the bereaved families. Before the Hon'ble Finance Minister begins his Budget speech arrangement for installing the microphone before him is to be made.

**Hon'ble Speaker's statement *re* microphone arrangement inside the Chamber.**

**The Hon'ble the SPEAKER :** Hon. members will, I think, remember that in the Budget Session of 1937, Hon'ble Maulavi Munawwar Ali, then, as an ordinary member of the House, raised a question about the defective construction of the Assembly Hall by a cut motion. He said that the acoustic of the Hall was so defective that almost all hon. members all along complained that they were not audible. The motion was, however, withdrawn on an assurance given by the Hon'ble Chief Minister. It is also complained that members are not always audible from the galleries.



Since the discussion in the House, the Secretary had been in correspondence with the Assembly Secretaries of some of the other provinces having special acoustic arrangements namely, United Provinces and Madras. The arrangement made in the United Provinces is very elaborate and must have cost a good deal of money. In addition to microphones, amplifiers and loud speakers both inside and outside the Hall, the United Provinces has also a process of 'Limpet Spray Asbestos' applied to the dome and upper walls, while the lower walls were treated with 'Celotax'. In Bengal also, microphones are used. The arrangement that appealed to me was that of Madras, where the acoustic of the Assembly Hall has been successfully improved with installation of 24 microphones in the Chamber manufactured by Messrs. General Electric Company, Limited, England. While attending the Madras Assembly with the Secretary last year, I found that no difficulty was experienced by any member in using the machines fixed at different convenient places. A loud-speaker was also placed outside the Chamber for facility of hearing by those who could not get entrance into the building for want of accommodation in the galleries.

After the Madras particulars were obtained in July, 1939, they were shown to the Chief Engineer who was also requested to advise on the matter so far as this Chamber was concerned. The Chief Engineer submitted a scheme amounting to Rs.5,000 odd, excluding the cost of installation and wiring, as prepared by the General Electric Company, Limited, Calcutta. The scheme would roughly include one amplifier, five loud-speakers and twelve microphones, including one table type microphone for the Chair. These details may, however, be settled later.

Government has, however, informed me that it is too late now for inclusion of the scheme in the Schedules of new demands for 1940-41. In the meantime, however, I consulted the Chief Engineer and the Electrical Adviser, and thought it advisable to have a trial demonstration with two microphones and three loud-speakers locally from one who deals with the General Electric Company's products in order to get the opinion of the House in the matter.

As a number of speeches will be made on the 24th, 26th and 27th in connection with the general discussion of the Budget, I have decided that the actual trial demonstration may be held with advantage on those dates. But as the Budget speech of the Hon'ble Finance Minister is of great importance, and as everybody is naturally anxious to clearly hear him, only one microphone has been installed to-day, as a special case, for that purpose. If the trial demonstration on these dates is found to be a complete success and if the hon. members feel satisfied that the scheme under contemplation would considerably improve the acoustic of this Hall, I propose to draw up a complete scheme after consulting the Chief Engineer and the Electrical Adviser for submission to Government as soon as I possibly can after the session is over.

During the general discussion of the Budget a member, who is called out to speak by the Chair, will take his stand, say, 18 inches away from the nearest microphone and deliver his speech. It will not be proper to go too near to, or stand too far away from, the machine.

I also want to draw the attention of the hon. members to the fact that during the general discussion of the Budget and in all other cases in which a time limit for speeches is fixed under the Rules or on occasions in which time limit is fixed by me, a warning bell will be given two minutes when such time limit is reached. As soon as the time limit is reached before the will be switched off on the dates on which the trial demonstration is held.



**Presentation of Budget for 1940-41 and Budget Speech of the Hon'ble Finance Minister.**

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAA-DULLA:** Mr. Speaker, Sir, I rise to present to the Assembly the Annual Financial Statement of the province of Assam for the year 1940-41 and the Budget Estimates for the same period which also include the revised estimates for the current year and the actuals for the year 1938-39 together with an Explanatory Memorandum all of which have been posted to hon. members on the 1st February 1940. Incidentally, I may mention that this is the seventh Budget which it has been my privilege to submit to the legislature in the province. I shall content myself as usual with concentrating attention mainly on the finances of the province, the amount of debt which the province has got to pay and the future commitments which I, as Minister in charge of Finance, am called upon to shoulder. If I do not follow in the footsteps of my predecessor of last year in treating the House to political polemics, I hope both he and the Hon'ble House will see the reason for it as I proceed further.

After the 1st April 1937, the date on which the provinces have started to function under the Government of India Act, 1935, any party coming to power binds itself by a solemn oath to administer the affairs of the province under that Act and it will be futile if after accepting office it says that it will not be bound by the Act, or does not derive the utmost advantage even under the limited scope of the Act. I find, Sir, that my hon. friend has blamed the British Government and the Government of India Act, particularly the Federation part of it, for all the ills that our country is prey to. It is true that every section of political India was agreed in rejecting the scheme of Federation adumbrated in the Act. But it would be grotesquely untrue to believe that the reasons that inspired each party to discountenance the scheme were identical. However preparations for the establishment of the Federation of India are for the time being suspended on account of the unfortunate war and we can utilise the hiatus to shape our requirements before the constitutional discussions are started again of not only every part of the Act but also of the policy and plans on which it is based.

As regards the Constitution Act of 1935 itself in so far as it has come into operation in India let me make my attitude clear. I yield to none in my condemnation of the Act for its various omissions and many of its misfits. But that is no justification for leading the country to a hunger-strike and asking her to deny herself the breakfast she is already partaking while the full dinner is cooking for her consumption in time. It is one thing to agitate for suitable alterations in the constitution and it is



entirely a different—shall I say pernicious—thing to stir up malcontents everywhere and capitalise the confusion for rallying support to subversive or political ends. Patriotism and a passion to serve the people are not confined to any one group or section of the people. There is an enormous amount of good work that lies ahead of us. But we must first know and understand our own aptitude and then only determine the kind of service that we can best render without adding yet another clog to the wheel of progress that the country should be making if she is to reach the goal destined for her.

I have no doubt that our political leaders are fully conscious of the great responsibility that has fallen on them and they will give me their unstinted co-operation and support in my earnest attempts to advance the best interests of the people of our province politically and economically.

Sir, anyone who has given some thought to the subject of Assam's finances cannot but come to the conclusion that her deplorable financial position is due among others to original causes such as her geographical position as a North-East Frontier province and her natural topography and the decimation of her population in the pre-British times on account of the Burmese invasions, the incursions by marauding raids from hill people within her present boundaries and her depleted population. The province is further peculiarly susceptible to frequent depredations by floods and earthquakes and her *per capita* expenditure on administration must necessarily be heavy on account of the fact that we have vast areas which do not contribute anything to our provincial coffers but, all the same, have to be maintained from our general revenues. There is also some unavoidable duplication of expenditure in having to keep up parallel highways by reason of the fact that the province is naturally divided into two Valleys intersected by mighty rivers. These and other cognate factors have baffled every administrator before and would continue to try the wits of every administrator hereafter unless there is a determination among our leaders to work out scientific methods for improving the prosperity of the country without prematurely urging the population to a fantastic sense of their rights.

The first essential, therefore, is to understand the true causes of her unhappy financial position in all their bearings and not to criticise as my hon. friend has done last year, the sincerity of purpose of those that have gone before him, remembering particularly that every handy short cut to ameliorate the condition of the masses, if it is not based on proper data, will only lead to the undoing of the material advancement of our province.



To add to our misfortunes, we were very hard hit by the Meston award at the time of the Montague-Chelmsford Reforms with the result that every depression in the market for agricultural produce reacted adversely on our provincial exchequer and a deficit budget was the consequence. Hon. members may remember that on account of the world-wide depression that set in in 1929 and which continued till last year, the province has had to face a continuous deficit budget on an average to the tune of some thirty lakhs of rupees each year. Had not the accumulated deficits from 1929 and the loan for development of communications being wiped out by the Niemeyer dispensation in the early part of 1937, the province would have started with a staggering load of debts which no financier, however brilliant he may be, could have tackled. Though we have not received our due share of help under the Niemeyer award, a subvention of Rs. 30 lakhs annually to put Assam on an even keel was still 50 per cent. short of the remedial recommendation of the Federal Finance Committee. Yet, we are thankful to this small mercy however inadequate as, in our difficult situation, there would have been no way to balance the budget excepting by entirely starving the nation building departments. Every one knows that the present constitution started in Assam with a legacy of a deficit of the previous year of over 30 lakhs. Now in the year of grace 1939, for my hon. friend to lay the blame of these deficits upon his predecessors only proves that either he has found no time to familiarise himself with the history and events in Assam leading up to the present financial situation or, for reasons of his own, he chose to ignore obvious facts.

All the same, he has not stopped from drawing amusing conclusions such as that the province has been left in a chaotic state of affairs which had affected the well-being of the people and the financial integrity of the province. I need mention only two items which will disprove the insinuation and substantiate the fact that had not his predecessors given their best consideration for the well being of the people the legacy of chaotic finance which he so vehemently deprecates would not have come into existence at all.

The Government of 1928-29 accepted the policy of a ten per cent. annual reduction in opium rations with a view to the ultimate extermination of the opium habit in Assam. This policy which definitely aimed at the moral, material and physical well-being of the people resulted in the Government having to sacrifice an enormous amount of its revenue. At page 20 of the Memorandum on the Budget Estimates, hon. members will



find that the opium revenue which stood at Rs.38,26,000 in 1927-28 fell to Rs.10,07,000 in 1938-39. In other words, due solely to that reform the loss in opium revenue has been considerable and last year the loss has gone up to the huge figure of Rs.28 lakhs.

Similarly, when the Government in past years found that the burden of land revenue taxation fell harshly upon the population on account of the world-wide depression, they introduced the system of remitting land revenue by three annas in the rupee. This scheme of relief to the cultivators was continued till 1936-37, when realising that the cultivators were not getting any profitable return from their agricultural produce, I increased the rate of reduction to 5 annas in the rupee. By this remission Government relieved the raiyats of the payment of a sum of over Rs.28 lakhs each year in land revenue. It will thus be clear that long before any other provincial Government in India thought of them, the Governments in Assam in the past have evolved schemes both for gradual prohibition of opium and for remission of land revenue which together cost them over half a crore of rupees annually; and this, may I remind my hon. friend, was done with the sole object in view of ameliorating, or to use his own hackneyed phrase for the well-being of the people of Assam. As a humble Member of that old Order of Administrators, I shall continue to be inspired in all my actions by the righteousness of the cause and I shall not allow myself to be deflected from my course by ill-conceived criticisms.

I am sorry to have made these preliminary remarks but I have no doubt that hon members would have realised by now that my hon. friend the late Finance Minister is not the *deus ex machina*, or the saviour of Assam's finances, a roll which he appropriated to himself.

To come now to the budget figures, it is customary to start with the actuals of last financial year. From the figures given along with the explanation at page 9 of the Budget Estimates, due to both receipts and expenditure being less than the budgeted estimates, the estimated closing balance of Rs.18,73,000 rose to Rs.27,24,000 in 1938-39.

Turning to the revenue estimates of the current year, *viz.*, 1939-40 there are considerable variations from the previous year with the result that the expenditure charged to revenue is higher than the estimated revenue by Rs.18,26,000. This deficit would have been reduced had there been any realisation under Agricultural Income-Tax up till now. As it is, the revised estimates have credited no realisations from this Act during the current



year. The previous Government made a last minute order to remit land revenue to certain class of *patta* holders by 50 per cent. The result of this concession will be a loss of some 12 lakhs in revenue of which Rs.3 lakhs will fall in this year and the remaining Rs.9 lakhs in the next year. I do not need to detail these variations as they are already explained in pages 9-11 of the Memorandum.

I will now discuss the Budget Estimates for 1940-41.

The estimates show a revenue surplus of Trs.4.98 ; but this is more apparent than real. Next year's budget estimates contain an item of Rs.10 lakhs receipt from the Agricultural Income-Tax which in the normal course would have been paid in the current year. But on account of the delay in framing and publishing the rules under that Act, no realisation seems practicable during this year. The figure of Rs.10 lakhs is again only a guess work as also the figure of Rs. 25 lakhs of income from the same source, as nobody knows what will be the yield from these sources : it may be higher or it may be lower. However, the budget has been framed on an anticipation of a sum of Rs. 25 lakhs as proceeds of the operation of the Agricultural Income-Tax Act in 1940-41. This sum of Rs.10 lakhs being non-recurring, next year's budget is really a deficit one.

On account of this state of the provincial finances the Ministry in spite of their best endeavours could not find funds for any very heavy list of new schemes. But in spite of the handicap they have done their utmost for an all-round betterment in developing the best interests of the country on suitable lines. The new schemes that have been adopted for inclusion in the next year's budget are printed from page 81 onwards of the Budget Memorandum and I shall advert to them further on.

On the basis of an opening balance of Rs.20,59,000 and a total receipt from revenue head of Trs.3,24,22 and a capital revenue of Trs.4,95,95, the total income of the province is estimated at Trs.8,40,76, while the total expenditure under all heads is put down at Trs.8,20,55 and a closing balance of Trs.20,21. Hon. members may remember that the previous Ministry passed various taxation proposals of which the tax on Agricultural Income, as already mentioned, is expected to bring an income of Rs.25 lakhs annually. This tax will of course fall mainly on the Tea Industry and the Zemindars of the province. To a certain extent also, the industrious and well-to-do peasantry will be touched. While I was recently at Nowgong, many of the actual cultivators complained to me that they have come in for assessment under this Act.



At the present moment the realisation of the Tax has been left to the Staff of the Central Income-Tax Department for which a lump sum contribution of Rs.15,000 per annum has to be paid to the Government of India. At the suggestion of the same Government we have to provide for a provincial Assistant Commissioner of Agricultural Income-Tax as they are apprehensive of the same officer doing central and provincial assessments, lest in a conflict of interest the Centre suffer. The Ministry is considering whether it would not be better to have a staff of their own and under their control rather than depend upon the Centre for the loan of the services of their officers which they reluctantly gave for one year only.

Coming to the head Land Revenue, it will be noticed that whereas the actuals of 1936-37 and 1937-38 brought in more than a crore of rupees as revenue, on account of the remissions granted by the earlier Governments and continued by my predecessors the Budget estimates an income of only Rs.86 lakhs from this source. It is a moot point whether spoon-feeding our cultivators is more beneficial to them than increasing the productivity of their soil by improved methods of cultivation, manuring and irrigation and drainage systems. The attention of the Ministry will be directed to a solution of this question before remissions for the year 1941-42 are decided upon. It has been reported from various districts that the small amount which the poorer section of the cultivators are getting by way of remission has not indeed helped them to become thrifty and save that amount, on the other hand there has been a rise in the price of agricultural produce of most of the staple crops during the current financial year.

Another factor in this connection which has to be borne in mind is the willingness of the so-called backward people in certain districts to submit themselves to further taxation for the purpose of the spread of education. This clearly indicates that the question of remission has got to be looked into afresh.

✓ The vexed question of the Line System and the settlement of lands for immigrants still continues to be a thorny problem. The last Government had published a resolution enunciating their policy on the Line System a short while before their resignation. The present Government have come to understand that their decision has not satisfied either party concerned, the immigrants or the local people who want protection, the question has, therefore, to be considered afresh and a policy which will make necessary provision for safeguarding the interests of indigenous people requiring protection and at the same



time provide room for settling the landless immigrant population as recommended by the Line System Enquiry Committee, will be formulated.

I now come to the head Provincial Excise. Hon. members will bear with me if I tarry a little on this subject. The Congress Coalition Government whose creed is prohibition and who would have liked to see prohibition of all excise articles in the province being enforced, did start as an experimental measure total prohibition of opium in the two subdivisions of Dibrugarh Sadr Southern Bank and Sibsagar. We have been told that even without the total prohibition of opium, under the original 10 per cent. reduction of rations system the province would have been free of registered addicts in about four years' time. With the introduction of the accelerated reduction of rations the time is expected to be shortened by half. That is to say, with the present rate of reduction which was inaugurated by the late Government and continued by the present Ministry, the desideratum of an opium free Assam may be achieved without a costly prohibition scheme. The previous Ministry intended to cure all opium addicts from their evil habit in the two subdivisions mentioned above within two years. For a better appreciation of the exact position I may give hon. members a few relevant figures. By the promulgation of this prohibition scheme the total estimated drop in opium revenue in the year 1939-40 is Rs.3,70,000; and the estimated expenditure on prohibition by way of additional staff is Rs.70,650. Or, the prohibition in those two subdivisions alone is costing the province very nearly  $4\frac{1}{2}$  lakhs of rupees annually.

The number of addicts, I mean the registered consumers in Sibsagar and Dibrugarh subdivisions is respectively 3,724 and 6,426; and the total quantity of smuggled opium seized was 14 seers 68 tolas in Sibsagar and 87 seers 74 tolas in Dibrugarh within a period of about 9 months. The number of smuggling cases detected within the same period was 191 and 433 respectively for Sibsagar and Dibrugarh. On the question of the success or otherwise of the prohibition scheme inaugurated by the Congress Coalition Ministry last year I cannot do better than quote the remarks of Rai Bahadur Durgeswar Sarma, the officer selected by the Congress Coalition Ministry to carry on the work. In a note dated the 10th February 1940, he says "the success is more or less a guess work. But continuous work for some years will certainly bring the situation to a steady and satisfactory position. The habit of a nation formed through centuries cannot be set right overnight. The present success in Sibsagar is near about 70 per cent. and in Dibrugarh



it is between 40 per cent. and 50 per cent.” Again during his inspection tour of the two subdivisions in January last Rai Bahadur stated as follows with regard to the position in Sibsagar : “ There has been a rise in consumption in Nazira, Sonari and Town liquor shops to a great extent. As they are localities where opium addicts are in abundance, the inference is that the increase is due to the opium addicts taking to liquor. On the whole the increase is by 12·4 per cent. during the months from April to December last.” Speaking of Dibrugarh subdivision he estimates the increase in consumption during the same period at 12·9 per cent. and says “ This increase is attributed mainly to some opium addicts taking to liquor as the next available substitute. I endorse this observation from my personal experience which I have been able to gather by looking into the state of things in a few interior liquor shops, and also by questioning people at random.”

Another baneful effect of this forcible stoppage of opium rations in these two prohibition areas has been the appreciable increase in *ganja* smoking. The Excise Commissioner says of Sibsagar “ This year there has been increase in the consumption of *ganja* by about 29 per cent. during the 9 months from April to December last ..... I think, it is true that some opium addicts who have been deprived of their rations have taken to *ganja* as the next available substitute ”. With regard to Dibrugarh also a similar state of affairs has been described when he notes that “ This year during the 9 months up to December the consumption of *ganja* has come to 27 maunds 18 seers against 26 maunds 26 seers of the previous year. The increase is not really very great but at any rate it ought to be attributed to the very same reasons for which the consumption of liquor has been rising.....At the close of the year it is expected that the increase in *ganja* consumption will be quite appreciable”.

These remarks of the Officer in charge of Prohibition on the practical working of the scheme are very elucidating and instructive. If the scheme had not thrown the door open to smugglers and if the opium addicts were giving up their habit and not creating other problems to Government by drinking liquor or smoking *ganja*, the expenditure on the total prohibition scheme however great would have been worthy indeed. But it is a very debatable proposition whether opium addicts could ever be successfully weaned away from their habits inasmuch as opium is a habit-forming drug and addicts are known to



suffer from excruciating pangs if they are deprived of their ration and medical science has not yet discovered any remedy to help these miserable men. Expert scientific opinion is very definite that unless there is unconditionally a firm will to be cured, any apparent cure that may have been effected "will not be lasting and thus efforts of curing addicts wasted". It must be remembered that the total number of registered opium consumers in the province at the end of 1939 was 17,720. Unless, therefore, we are prepared to risk the possible extermination out of this world of inveterate addicts, the utmost that an insistent moralist could do is to follow the wiser policy of trying to save the younger generation from falling a prey to the deadly evil. Despite these facts, however, the present Ministry has decided to continue the experiment for another year and this decision of course means the expenditure of another 4½ lakhs of rupees if not more.

I may, in passing, mention here that as Leader of the Opposition, I stated during the last Budget session that with the money thus thrown away the province could have been provided with about 4,000 primary schools.

The Congress Coalition Ministry had also thought of introducing prohibition of liquor and other exciseable articles; and to this end, they had a Bill introduced in the Upper House which the Council passed with certain amendments. In view of the fact that there are immense difficulties due to the presence of 16 lakhs of labour population in our Tea estates and in their neighbourhood who take, and sometimes illicitly brew, *pachwai* and also on account of the presence of over 6 lakhs of Hill population who also are in the habit of drinking liquor, the prohibition of such an article will require a tremendous preventive staff which is beyond the competence of the present day finances even if we can ignore the loss of a very considerable amount of revenue. The receipts from country spirits at the end of the year 1938-39 stood roughly at 18¾ lakhs. The present Ministry has, therefore, been reluctantly compelled not to proceed with the said Prohibition Bill.

Hon'ble members will also remember that last year the then Hon'ble Finance Minister solemnly assured us that all his proposals and schemes were "based on the principles of mitigating the burden of the peasants, giving relief to the poor classes and promoting such useful and progressive objects as will be conducive in raising social and material level of the masses. There is groaning poverty, ignorance, and disease in the rural areas. It has been a persistent complaint that our masses have long been crying in the wilderness unheard and uncared for for



relief in all these directions. In full recognition of that complaint of long neglect we feel that their cries require an immediate response from Government". But when it came to deeds and he introduced and hurried through various so-called measures of relief, it is now found that far from relieving the burden of the poorer class of the people it is those very people that have eventually to share the burden of taxation. On the other hand it is the present Ministry that realised the additional burden upon our litigant section of the peasantry and did not renew the enhanced Stamp and Court-fees Acts of 1936. It is well known that although it is the Mahajan that pays at the first stage the court fees payable on a suit or a petition, ultimately this is thrown upon the judgment debtor who belongs to the poorer section of the people to bear the burden of those costs. The enhanced stamp fees also often deterred the peasant class from seeking due justice from the oppression by the rich.

This act of the present Ministry will give relief to the extent of about Rs.2 lakhs to the poor section of the people.

Let me now deal with the Forest Budget. Among the revenue producing departments in the province Forest used to take the third place in the past, Land Revenue and Excise being the first two. In our Forests, both Classed and Unclassed, Assam has got a substantial and potential source of revenue. But to get the best out of this source very judicious exploitation and careful conservance of the Forests are essential which can be done only by adopting the working plan system and continuous regeneration works. At one time revenue under this head had reached the peak of Rs.30 lakhs but on account of the world-wide depression the revenue from this department of the years ago had dwindled to nearly Rs.14 lakhs. With the slight improvement of the prices of agricultural produce, there has been an upward tendency in revenue income from our forests. The actual realisation in 1938-39 was Trs.16,69. But on the basis of the past nine months calculation of royalty, etc., the Budget Estimate has been placed at Rs.18 lakhs. I have, however, every hope that if the present upward trend in the market prices continues we can safely expect a lakh, or at least half a lakh, more revenue in the coming year.

This department was some years ago administered by two Conservators in the province. On account of the extreme necessity for economy, one Conservator's post was kept in abeyance. Experience has since shown that it is physically impossible for one officer to keep close watch on all forest operations throughout the province. The experiment of affording the Conservator relief by giving him a Senior Officer



R 77 D

of the Indian Forest Service as Personal Assistant was tried during the last few years. This Officer was delegated with certain powers of inspection although he had no controlling authority. This however has proved neither efficient nor economical. Only last year the allowance to the Personal Assistant was increased by Rs.50 by the then Government and he got Rs.200 per month allowance. It has been found that under the present arrangement the province is actually losing on the whole. Hon. members may remember that under the Lee concessions to Covenanted Officers an overseas allowance of £30 per month is given to them but as soon as an officer is appointed as the Head of the Department the overseas pay is reduced to £13. Now if the Personal Assistant to the Conservator who gets £30 as overseas pay is appointed a Conservator the allowance will be reduced to £13 only. Moreover, the additional allowance of Rs.200 a month which he is paid now will be saved. From calculation, it has been found that under the existing circumstances with Mr. Harrison, I.F.S., on deputation with the Government of India if the post of the Personal Assistant to the Conservator is abolished and the province reverts to the previous arrangement of having two Conservators who will be put in charge of definite circles, the province will save on the average about Rs.22,000 annually.

I have already stated that the present system of inspection by the Personal Assistant has not proved as efficient ; for, oftentimes the Conservator does not feel inclined to look through somebody else's glasses and decides to revisit the same areas to gather personal knowledge where he thinks that the inspection notes of the Personal Assistant is not exhaustive, or shows some defects in the working of the forests. In this way double travelling allowance has to be incurred for the same work done by two officers.

Further to this saving in money there is the advantage of having two full fledged Conservators with sufficient powers and time to look into our forest system and suggest measures for improving forest revenues. From experience in other places, we have every reason to hope that a carefully planned exploitation of our forest wealth is sure to result in progressive increase of our forest revenue.

In consideration of all these factors, therefore, we have agreed to revive from the next financial year the Second Conservator's post and discontinue the services of a senior officer as Personal Assistant.

The operations of the Forest Utilisation Officer have been scrutinised and it has been decided to continue the post which has certainly done much to extend the trade in Assam products and may be expected to do more in the future.



Another small scheme in the Forest Department is the creation of a junior cadre of Range Clerks which hon. members will find detailed at page 83 of the Budget Memorandum. The idea behind this scheme is to relieve forest officers for more important work of conserving and improving the forests by employing routine clerks for clerical duties.

On the expenditure side a slight increase will be noticed for works, improvement and extension of forests and also in salaries of establishment. Part of this increase is due to the reduction of the number of days of free labour by forest villagers from 10 to 5 ; the additional work has got to be done by outside labour.

Of the Registration Department, all I need mention is that the development of trade and the improvement in the economic condition of the people has increased transactions of registerable documents. Therefore, a slight increase in the receipts has been budgeted. On account of the tremendous number of documents that are coming in for registration in the Nowgong Sub-Registry, immediate help by way of appointment of another Sub-Registrar in the Nowgong district has become imperative. Government is also considering another proposal, viz., that of transferring the special Sub-Registrar at Silchar to Nowgong, but no final decision has been reached yet.

Hon. members will do well to read the explanatory notes under Grant No. XI at page 27 of the Memorandum of the Budget Estimates, i.e., Receipts under and Charges on account of Motor Vehicles Taxation Act. The Police Department has been entrusted with all duties connected therewith including the duties of realising the tax amounting to nearly 4 lakhs on Motor Vehicles. The expenditure on this account is only some Rs.35,000. With the coming into force of the much more complicated Indian Motor Vehicles Act of 1939, it will be necessary to set up provincial and regional transport authorities; but observance of strict economy has compelled us to husband our resources and it is hoped to carry out the much more complicated provisions into effect with no appreciable increase in expenditure. The willing co-operation of the Police Department to this end must be acknowledged with satisfaction.

Hon. members will find on the expenditure side a new item of Trs. 2,01 under the head "Other Charges". As explained at page 28 of the Memorandum the surplus receipts from motor taxation after compensating the local boards for the loss of their revenue under the new dispensation, will be paid to them as their share of communication grants. They will receive annually a further sum of about Rs. 1,00,000 for expenditure



on local board roads but this year's provision of Rs.1,60,000 includes arrears of previous years. I had initiated formerly a project for having a parallel system of communication to our trunk roads from this fund and I am glad that a scheme for developing our communications from the receipts of the Motor Taxation spread over eight years has been sanctioned.

Adverting to the next grant No. 8, other Taxes and Duties, the principal income of about three lakhs is derived from the taxation measures passed last year at the instance of the Congress Coalition Government. The tax from the Amusements and Betting Tax Act (Act VI of 1939) is expected to produce in the current year a sum of Rs.32,000 while in the budget the estimated receipts have been put down at Rs.47,000 or an increase of Rs.15,000. My hon. Friend the then Finance Minister estimated a yield from this taxation at about a lakh and half. Almost the entire proceeds from this Act is realised from our cinema goers. Those that frequent the cinemas would have seen that some 90 per cent. of our cinema audience come from the poorer section of the people who patronise the last class of these shows. These people turn to the cinema house for a slight recreation after their day's toil and our friends of the late Ministries felt no qualms in adding to the burden of these people for the sin of their hankering after some relaxation.

The other item of receipt is from the second taxation measure namely taxes imposed on motor spirit and lubricants by the Assam Act IV of 1939 which is expected to yield Trs.2,60. Here again it was dinned into our ears that this tax will fall only on owners of private cars and that the poorer section of the travelling public will benefit by the income thereby derived. But alas, how soon we are disillusioned ! This taxation measure has hard hit the motor transport business which has sprung up throughout the province and the bus services have transferred the burden to the broad shoulders of the poor travellers by appropriate increase in their fares.

Yet another taxation measure, which has however not found place in the budget provisions is the sales tax on what are called luxuries. Hon. members may remember that our late Finance Minister wanted to impose an *ad valorem* tax on sales of motor cars, gramophones, wireless sets, and at one time even on watches. The Act was passed in due course by the House for taxing sales of motor vehicles, cycles, etc., in the face of protest from the then Opposition who pleaded that such an Act would only have the effect of diverting trade in those articles to the neighbouring province of Bengal where such an imposition was



not in vogue. Better sense must have prevailed upon the late Ministry and they have taken no further action to enforce such improvident proposals.

Hon. members will have doubtless noticed that the taxation measures including the Agricultural Income-Tax, far from benefiting and easing the burden on the poor peasantry who form the bulk of our population have hit them most. Already the price of tea has gone up and consequently the price of the poor man's drink that exhilarates but does not inebriate is increased. Similarly the Zemindars are sure to find out means of transferring from their shoulders the burden of this taxation on the tenant classes.

Next I come on to the Public Works Department Budget. The provision for an Embankment and Drainage Division for which provision of a sum of Rs.66,105 has been made, comprises of Rs.20,905 under Civil Works and another sum of Rs.45,200 under 18B.—Navigation, Embankment and Drainage Works. The details of this scheme will be found at pages 31, 84 and 85 of the Budget Memorandum. Suffice it to say here that when this branch of our Public Works Department gets going we will have sufficient material and data to evolve some scheme of relief from the problem of recurring floods.

We have provided a sum of Rs.10,000 in this connection to take up small works of irrigation or drainage which in the Assam Valley goes by the name of the *dong* system. The word *dong* reminds me of what my hon. predecessor of last year had to say about the establishment of an Irrigation Department. He said: "The recent and previous floods with consequent drain on provincial finance, in addition to the miseries caused to the flood stricken people, have clearly demonstrated the necessity of taking up the scheme and work in right earnest for saving the people from such catastrophies. The ultimate cost of this project is likely to be huge but we shall ungrudgingly make provision for it realising fully that the gain to the cultivators will be much more than the entire outlay on the scheme. While provision for this purpose must wait the preparation of a comprehensive and well-planned scheme, we propose to take up this scheme on a small scale and provide for construction of *dongs* and bunds in selected areas. A sum of Rs.15,000 has been provided for this purpose in the budget and it is proposed to increase the provision later by an additional grant of Rs. 35,000 making a total of half a lakh. We propose to begin the work from next April". It is needless for me to say that I will have at least the blessings of my predecessor in



providing for this Embankment and Drainage division. But the pity of it is that in spite of his definite promise to begin work in April 1939, and in spite of the fact that the provision of Rs. 15,000 was there nothing has been done by him to implement the promise he so fluently made by utilising the provision of Rs. 15,000, not to speak of increasing the provision to Rs. 50,000.

Next year's budget shows also a marked increase in the provision for better road projects. Against the current year's provision of over Rs. 5 lakhs, provision for more than 16½ lakhs has been made in the next year's budget. The increase is due to more new projects selected by the Communications Board and approved by the Government of India having been taken up for improvement from the Petrol Tax Fund.

In this connection I must mention the voluntary submission by the great Tea Industry to a special cess for communications. The Communications Board have recommended in their meeting held in September 1939 a two years' programme of projects amounting to Rs. 2,71,000 and a sum of a lakh and a half has been provided in the next year's budget under this head.

The only other provision for improving our system of communications is from the surplus of the proceeds of the Motor Vehicles Taxation Act already adverted to after distribution of Compensatory grants. Both the local board roads as well as the provincial roads will benefit from this fund. Some reference to this will be found at page 65 of the Memorandum where it will be noticed that improvement of village roads also has now been included. A provision of Rs. 55,000 has been made in the next year's budget from the Government of India's Grant for economic development of rural areas. The provincial Government also intend to increase their Communication grant to local bodies by another quarter of a lakh of rupees.

Turning to the Head General Administration, Grant No. 11, there is some increased provision due to the following causes. On account of the War, a special officer has been entertained for dealing with Defence files particularly control of prices and Press Censorship. There has been increased provision for Ministers' salaries as the present Ministry and their Party Members feel that the standard of salaries laid down by the Congress High Command is impossible of application, specially in a costly place like Shillong. A Bill will be laid before the House providing a salary of Rs. 750 with Rs. 125 for House and Conveyance allowance each for Hon'ble Ministers



excepting the Prime Minister who on account of his heavier responsibility is to be given a salary of Rs.1,750 and the same allowance of Rs.125 for House rent and conveyance.

Hon. members will find that provision has also been made for a Private Secretary to the Hon'ble Premier who in the wider interest of the province must be relieved of a great deal of work of a routine nature that now falls on him. The province has a right to expect that its Prime Minister engages himself in such important activities as evolving schemes which would benefit the people and keeps himself in touch with the needs and aspirations of the people and generally concert measures to improve the economic and political condition of the masses. If the major portion of his time will, however, be taken away in such engagements as seeing every type of visitor at any time of the day and reading and disposing of huge correspondence, the majority of which are irregular he will not be in a position to give of his best to the major interests of the country and to the disposal of important and immediate files requiring decisions on questions of policy which a Prime Minister alone can settle in consultation with his Colleagues. Further, there is the not unimportant consideration of the effect on his health of the continuous strain inflicted on him by the huge number of visitors and the staggering heaps of correspondence that accumulate every day. I am, therefore, compelled to ask for supplies for a Private Secretary to the Hon'ble Prime Minister and I may inform hon. members that such Private Secretaries are being entertained by the Premiers of different provincial Governments in India.

Another item in this connection to which attention of hon. members has to be drawn is the provision for Parliamentary Secretaries. Parliamentary Secretaries are entertained in all responsible Governments where the Parliamentary system of Government has been adopted. In all the Congress administered provinces of India the Government entertain such Parliamentary Secretaries. These posts serve a double purpose. The first one is of paramount political importance, viz., to train up a set of people who may become future administrators of the province and such officers may give relief to the Minister by serving as a sort of liaison and acquainting the Minister on the one hand and the constituency on the other with their respective points of view. Incidentally, here in Assam we have many groups with special needs and requirements who have got seats in the Legislature but not a seat in the Cabinet. To members of such groups the posts of Parliamentary Secretaries are of special significance in as much as they

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may get a position in the Government whom they could keep well posted with the requirements of the interest they represent.

The present Ministry also intend to establish a Publicity Department for Assam. The necessity for such a department is obvious and it is of the utmost importance for any democratic Government to keep the people correctly informed of its activities. The department will function also to correct false and mischievous propaganda when any section of the Press resort to such methods. That such a department is essentially necessary is also borne out by the fact that some Congress Ministries like the late Congress Government in Madras created a special department and a portfolio of a Ministry of Public Information ; in Bengal, the Government have got a Director of Public Information with a weekly organ of its own ; a similar publicity department exists for the Central Government ; and a Ministry of Public Information has been created and functions for the British Parliament.

Turning now to the next Head, Grant No. 12, Administration of Justice, I cannot but point out to the huge expenditure incurred by us as our share of the cost payable to the Calcutta High Court, an institution over the administration of which we have absolutely no voice. We shall have to pay any amount which the Bengal Government demands as our contribution in any particular year for the upkeep of the Appellate Section of the Hon'ble High Court. As an instance in point, if hon. members will turn to page 37 of the Budget Memorandum they will find that although the Budget provision of the current year is a sum of Rs.1,15,000 which is a normal figure in view of the actuals of the year 1938-39, the revised had to make provision for Rs.2,01,000 on account of the demand from the Bengal Government. It is time that this province had its highest Tribunal and, as I have already mentioned in earlier years, such an institution, instead of being a drag on our finances will prove to be a financially sound proposition.

Germane to this, is the question of having our own Judicial Services. This subject had engaged my attention when I was Premier before and a scheme was well-nigh completed for this purpose. At present our Munsifs and Sub-judges for the district of Sylhet and the District Judges throughout the province are loaned to us by the Bengal Government, and in the recruitment of these officers we have no voice. We have not only to pay their salaries while they serve in Assam but we have also to bear a portion of their leave pay and pensionary charges after they retire. More often than not these officers are from the other province than Assam. If we had a service



of our own it will be manned by children of the soil and help us to relieve unemployment problem of our educated youths to some extent. The Ministry will take up this matter in the near future.

Of late, Jail Reform has been receiving a greater share of publicity though many schemes such as the juvenile jails, etc., are still awaiting provision of funds. All that we intend to do is to introduce a number of minor reforms at a cost of Rs.10,000, half of which will be recurring. A small provision of Rs.500 has been made as a contribution to the Discharged Prisoners Aid Society, an institution which is doing useful work in helping released convicts to start on some useful avocation in life and to reform them from their criminal proclivities.

From the figures under Grant No.14, Police at page 40 of the Budget Memorandum, hon. members will find that the Police Department threatens to take its turn in becoming the Cinderella of the Departments. But it will have to be borne in mind that in War time this is the department which carries a great strain. When the international situation and the internal conditions change, as no doubt they may, it may be impossible to avoid an expansion. It is hoped however that the present era of internal peace will continue and if expenditure on security measures is entailed, it will be possible to show conclusively that it is due to the War and fit to be met from Defence appropriations and not due to conduct of the people of this province.

I am, however, pained to have to mention here that this hope of mine may be frustrated by the actions of some miscreants who have been responsible for attempted sabotage in railway lines operating within the province. I had had reports of three such attempts within the last three months but luckily for all concerned no serious accident has been reported as a result of these dastardly attempts. So far no clue whatever has been found of the miscreants and one theory has been propounded that it may have been due to jealousy amongst the gangmen themselves. But no credence can be placed upon what is only a theory unless and until it is well substantiated. These occurrences, however, put us on our guard and if these or other similar crimes repeat in the future more stringent steps shall have to be taken and I would be compelled to come before the House for strengthening the Criminal Investigation Department. For the present I am watching developments and I shall try to keep within the present budgetary provision.



As regards Assam Rifles, from the explanation submitted at page 41 of the Memorandum under the head Special Police, hon. members will find that on account of the decision of the Government of India as regards sharing the receipts from rations and the debits for pensions this province has got to bear the burden of a further Rs.27,000.

The only new scheme under Police is a small item for converting the Sachna outpost into an independent police station details of which will be found at page 90 of the Budget Memorandum. The area which this outpost had to serve is huge and the communications round about among the most difficult in Assam. The conversion is proposed to be carried out with the minimum cost possible.

Other badly needed schemes and the Police Training School have still to be put off.

Now I come to Education. This is a subject which rightly demands our foremost attention, for in Education lies the salvation of our people. It is superfluous for me to expatiate at this stage on the needs and advantages of our having a University of our own. But I may point out that with the change in the medium of instruction adopted by the Calcutta University with which our education institutions are affiliated the time is propitious and the necessity greater for the establishment of such a University. The present Ministry hope that before long they will be able to place before the public a carefully thought out scheme for the establishment of University for Assam.

Within the limitations of time and money, we have tried to work out schemes for a uniform development in all branches of Education within the province. For Collegiate Education we have provided funds for the affiliation of the Cotton College in Biology and of the Murarichand College in Botany with all the necessary concomitants. The record number of students that are now receiving education in these Government Colleges needs coaching and it is proposed that the post of the 10 temporary tutors should be made permanent and a new post created for the Department of History.

Connected with the programme of development of College Education and helping private colleges with grants-in-aid, provision has been made for helping a purely Girls' College at Gauhati with a sum of Rs.4,600. Assamese has now become the language of instruction in all Secondary Schools in the Assam Valley and the girl students coming up to study in the Lady Keane College at Shillong are finding difficulty for want of a Professor of Assamese language. To remedy this defect it is



proposed to appoint a Professor of Assamese in that College and a provision of Rs.600 has been put in as a grant to this College for that purpose.

Other provisions have been made for developing education in its secondary stage. Under the University Regulations teaching of Elementary Science and Geography in High Schools for boys and girls has become necessary and provision has been made for such teaching in the Government schools. The difficulty, however, of private schools making similar arrangements was realised and a provision of Rs.24,900 has been made for teaching these subjects in the aided High Schools also. A further provision of Rs.3,060 finds a place in our new schemes for training of Geography teachers for such schools.

It is extremely necessary to bring private High and Middle English Schools under the grant-in-aid list so as to ensure better teaching and discipline and a sum of Rs.25,000 is provided for this purpose.

For the development of female education it has been decided to raise the status of the Sunamganj Girls' Middle English School to that of a High School and a provision of Rs. 3,366 has been made for the purpose.

The Mission Girls' High School at Silchar is shortly going to be discontinued by the present authorities. For the convenience of the public of Cachar for giving their girls English Education, Government propose to maintain this school and the Training and Practical Classes attached thereto on an aided basis ; and for this purpose a sum of Rs. 650 has been provided. Provision is also made for the Girls Middle English School in Sherkawn in South Lushai Hills.

For the last 15 years we have had only one Lady Officer serving as Assistant Inspectress of Schools in the province. With the growth of Female Education and the increasing number of High and Middle English Schools for Girls, the single Inspectress is unable to devote the time necessary for inspecting all these schools. A second post of Assistant Inspectress of Schools has, therefore, had to be provided for.

The Middle English Schools have been a problem for the province. Hon. members may remember that in order to cope with the demand for English Education various local boards had started such institutions with Board funds and Government aid. But under the Local Self-Government Act the Boards have been given the charge of only Vernacular Education. An audit objection was raised and the Boards were consequently obliged to withdraw their support for their



Middle English Schools. Government have felt it necessary to come to the aid of such schools and to raise them to the status of High Schools in suitable places. Provision has, therefore, been made (1) for raising the status of one of the Middle English Schools at Jowai to that of a High School, (2) for maintenance grants to ten Middle English Schools in the Habiganj subdivision in the cases of which the local board has had to discontinue its help, and (3) a similar grant to the public Middle English School at Haflong.

It is also proposed to start a Government Middle English School and a Technical School at Mokokchang in the Naga Hills.

A small building grant of Rs.1,500 is proposed for the Kokrajhar Aided High School, an institution which has been established by the community for spreading Education amongst tribal people. The buildings require extensive and immediate expansion.

In this connection, hon. members may remember that my hon. friend the late Finance Minister when introducing his budget last year, announced on the floor of the House that "a sum of Rs.10,000 generously promised for five years by Mr. G. D. Birla for the education of the schedule castes and tribal people". It now transpires that there was a misapprehension of the exact position and his statement in the House was rather misleading. For, in a letter dated the 26th January 1940 enclosing "a cheque of Rs.2,500 representing another instalment", Mr. G. D. Birla points out that he had only promised "a sum of Rs.10,000 for one year and not Rs.10,000 per annum for 5 years". For a confirmation of this assertion we are referred to the correspondence that passed on the subject but my office has not so far been able to trace the correspondence. Be that as it may, our thanks are due to the generous donor for the sum he has kindly contributed towards the laudable object of spreading education amongst the backward classes.

Sir, on the highly important question of primary education the present Ministry fully realise the immediate need for the expansion of activities of our primary education system even before they can formulate their own scheme for removing illiteracy from the province. To this end they have proposed a further grant to local bodies of half a lakh of rupees in the next year. For a long time past no grants have been made to Municipalities and Town Committees for expansion of Primary Education within their areas. We have proposed to give them a sum of Rs.13,000 in the next year. The Government Aided Mission Primary Schools in the Khasi and Jaintia Hills have



been taken over by Government and a sum of Rs.1,100 has been provided in the Budget for additional teachers for those schools. Further, it is proposed to take over six primary schools in the Mikir Hills area.

Increased grants in aid to the Mission to run primary schools in South Lushai Hills and the maintenance grant for a Bengali Primary High School at Sadiya have also been made.

A special officer has been appointed to work out the preliminaries in connection with mass literacy campaign and a lump provision of Rs.10,000 has been made pending settlement of details. In the opinion of the present Ministry the scheme proposed for mass literacy campaign by the previous Government will not produce the desired result and it would be too much to expect our educated unemployed youths to undertake, initially at his own cost, to make people literate with the ultimate idea of being rewarded with a sum of four annas per each adult he so educates. But so long as our scheme is not ready and until it is worked out in full detail, we are proposing to carry on with the scheme for mass literacy drive propounded by our predecessors. When the details of our own scheme have been settled it may be necessary for us to come before the House with a supplementary demand for the cost of that scheme.

For the development of education amongst the boys of the schedule, tribal and *ex-tea* garden labour classes, a sum of Rs.3,492 has been provided for the creation of certain primary Middle Vernacular and Middle English special scholarships.

Provision has also been made for the preparation of Mikir text books, for grants for purchase of books, for circulating libraries, for grants to the Hindusthani Prachar Samiti, to the Sreehatta Sahitya Parishad and the Muslim Sahitya Sangsad at Sylhet.

While providing for the general scheme of education, the Ministry had not lost sight of our indigenous culture and the need to encourage learning in Sanskrit. The monthly grant to the newly started Sanskrit College at Nalbari is proposed to be raised from Rs.50 to Rs.125 a month.

Previous Governments of Assam, barring the last one, used to make provision for the spread of Madrassa education recognising the genuine demand for such education amongst the Moslems of the province. The present Government, therefore, has proposed a sum of Rs.10,000 for expansion of Madrassa education and a non-recurring grant of Rs.2,500 has been made for the Madrassa building at Shillong which is the only institution where the medium of instruction is Urdu.



The activities of the Education Department has grown by leaps and bounds and the Director of Public Instruction has been pressing Government to appoint an Assistant Director of Public Instruction for giving him relief. It has been felt that if the Director of Public Instruction is tied to his office at Shillong for nearly all the year round he cannot do much touring and supervision and suggest methods for improvement of education in our schools and colleges. Therefore, Government have provided a small sum of Rs. 3,600 for giving him a much needed relief by the creation of the post of an Assistant Director of Public Instruction.

I have touched only a few of the items of the proposals for developing our system of education and the provision made in the next year's budget by means of the schedule. Details of all the schemes will be found at pages 91 to 100 of the Budget Memorandum.

Coming next to the Grant No. 19 Medical, I am sorry to say that no decision is possible on the burning question of starting a Medical School at Sylhet as yet. Hon. members hailing from the Surma Valley have been insistent in their demand for establishing a school for which very costly buildings had been put up many years ago. They are, however, also aware that the question of medical education in the province was referred to a Committee by the previous Government. The Committee was presided over by the present Inspector-General of Civil Hospitals, Colonel Phipson, and besides seven other medical gentlemen there were three of our members of the Legislative Assembly in it. The agenda forwarded by the Government of Assam to the Committee was as follows :—

- (1) To consider the resolution adopted by the Conference on Medical School Education held in Delhi on the 7th and 8th November 1938 in relation to the present position and future requirements of medical education in Assam.
- (2) To consider by what means the standard of medical education in the Berry-White Medical School can be improved and the practicability or otherwise of raising it ultimately to University standard.
- (3) To consider the possibility of establishing a Medical School at Sylhet and what part it should play in the general scheme of medical education in the province.
- (4) To make recommendations to Government with the object of evolving a settled policy on medical education.



The Committee sat at Shillong on the 27th and 28th November 1939 and their proceedings have been received by the present Government very recently. The sum total of the recommendations of this Committee is that the standard of medical education should be such as shall satisfy the requirements laid down by the Medical Council of India and the recommendations of the Conference of Medical School of Education held in India is that the standard of equipment and training of Medical Schools should be raised to those required by the Medical Council of India. In short, this recommendation tantamounts to saying that the education imparted in our medical institutions should be of the College Status and not of the School grade. It has not been possible for the Ministry to consider the Report of our Provincial Committee as yet; and without carefully considering the recommendations it will not be possible to start any new institution for medical education in Assam. I can, however, assure the House that every aspect of the matter will receive careful consideration of the Government, as soon as possible after the sessions of the Legislatures are over.

It is well known that the buildings meant for the proposed medical school at Sylhet have been utilised for some years back as a hospital. In order to provide 16 additional beds for indoor patients, necessary arrangements in the existing examination hall of the building have to be carried out and provision, both recurring and non-recurring, is proposed in the next year's budget for carrying out this scheme.

The only other item under Medical Department that needs mention is about the subsidised dispensaries, the scheme of which was started in 1938 during my Ministry. Although provision was made for opening 27 such subsidised dispensaries in rural areas only 15 could be opened and I am sorry to find that 3 have since been closed as the Doctors in charge found it impossible to carry on with a subsidy of Rs.25 only. A resolution to increase the subsidy to Rs.35 a month and the initial cost for medicine and apparatus to Rs.300 will be laid before the House by my Hon'ble Colleague the Minister in charge of the Medical Department. I have every confidence that the House will accord its approval to the proposed increase. This increased provision had already been contemplated by the previous Ministry as well. If we are to provide medical treatment in the interior villages such a provision is a prerequisite.



Hon. members are also familiar with the state of affairs of the hospital at Tinsukia. I am glad to mention that a Marwari gentleman, Babu Surajmal Jalan, M.B.E., has generously offered to rebuild the Tinsukia hospital and a resolution for the approval by the House of his terms will be moved by Government at a later stage in this session.

I may also mention that the appointment of a Leprosy Officer has been sanctioned for five years and the officer will be deputed to receive necessary training at Chingleput in the Madras Presidency.

Of the Public Health Department the only thing that needs mention is the increase of Rs.21,000 under the head Establishment which is due to the provision for 10 additional Sub-Assistant Surgeons and 9 peons recently sanctioned to cope with the epidemic work. The War in Europe, as is well known to us, has caused a shortage of most medicines in India. It is feared that there may be scarcity of quinine as well, a medicine which is extensively used to combat malaria. The Government of India have offered to help us to purchase quinine from some source and we have decided to buy 2,000 lbs. of quinine at Rs.18 a pound.

I find from his speech introducing the Budget last year, that the then Finance Minister mentioned that "The Director of Public Health is working out proposals, for reorganisation and expansion of the department's work but meanwhile, the Minister in charge is considering whether the best way in which to spread knowledge of Public Health matters and arouse interest would not be to introduce concentrated effort in comparatively small areas which will serve as a model as has been done in Madras and some other provinces". The Finance Department tells me that no such scheme was ever submitted to them for scrutiny during the time of the previous Ministry. Nor is any such scheme pending examination before them now.

I am sorry to have to draw attention of hon. members to the recrudescence of *Kala azar* in an epidemic form in certain localities notably in the Golaghat subdivision. Every endeavour is being made to afford treatment to the affected people and a scheme will function soon.

Assam is an agricultural country and our Agricultural Department is trying to popularise improved methods of cultivation, namely rotation of crop, manuring and pump irrigation in various centres of the province. But our fields are too wide and we require more field workers to popularise the methods in the countryside. For next year extra provision has been made for the entertainment of 10 more Agricultural Demonstrators in



certain rural areas and another two demonstrators for improvement of agriculture in the Mikir Hills. We wish we had the funds to provide more for demonstration and seed farms in different parts of the province. At present we have to carry on with only four such farms throughout the province of which three are paddy farms and only one specialises in sugarcane.

The Ministry has taken in hand the work in connection with the rural uplift scheme which I had initiated in my previous Ministry days. It is curious to find that though a sum of Rs.25,000 was provided in the current year's budget for the Model Village Scheme, nothing whatever was done by the previous Ministry to translate into action the ideas conceived by them. My Hon'ble Colleague the Minister in charge of Agriculture has already started work of Model Villages, appointed a special Rural Reconstruction Officer temporarily for two months of the current year and opened centres both in the Surma Valley and in the Brahmaputra Valley. It is our intention to open as many as 35 centres ; but owing to shortness of time and other pre-occupations in preparing the provincial budget and other matters relating to the sessions of both the Legislature, I am afraid we may not be able to start all the centres but a sufficient number will be opened and put in working order before the year is out and suitably trained people will be available to carry on the work for the next year. The budget for next year repeats the current year's provision of Rs. 25,000 to enable the scheme to be continued.

While dealing with the Navigation Embankment and Drainage grants, I pointed out that a sum of Rs.10,000 has been provided for benefiting the agriculturists in irrigation and drainage works in suitable areas. This I am sure will help the cultivators to some extent.

The Hon'ble Minister of Agriculture is contemplating a scheme for training local unemployed youths in scientific and improved methods of Agriculture on the lines in vogue in Japan. The salient features of the scheme, though it is not complete yet, are the training of youths on commercial lines. The idea behind the scheme is to train up a set of ten boys on an area of about 50 acres, 35 of which should be suitable for paddy and jute, etc., while the balance would be suitable for winter crops such as potatoes, groundnuts, English vegetables and sugarcane. The soil is to be ploughed by means of tractors and Disc Harrows and a bloc capital of about Rs.10,000 will be necessary for implements, as well as for a side line in dairy and poultry. Working expenses of all kinds, including seeds, fertilisers and wages of the students and the running cost of the



machinery will be another Rs.7,000. It is expected that from the second year such an institution will be self-supporting and from the third year some profits are expected to accrue. Much of the details of the scheme has yet to be worked out but I am mentioning this now only to give hon. members an idea of the lines in which the Ministry of Agriculture is tending.

The working of the Veterinary Department is rather complicated on account of the dual charge as between the Government and the local boards. Hon. members may know that the bulk of our Veterinary Assistants are employed by the local boards with a contribution (two thirds of the cost) from Government. In spite of insistent demands from our cultivating classes it has not been possible for the local bodies to entertain more officers. There is also a dearth of trained men from the province to fill up any vacancy that occurs. In order to have the children of the soil trained in the veterinary science, 10 additional stipends are being provided for, tenable at the Bengal Government College for next year.

The worth of the Veterinary Department has been realised by our peasantry after long years and the department is getting to be very popular. But with only one Veterinary Surgeon for an area as big as half a subdivision, continuous veterinary aid in the dispensaries is impossible as the Surgeons have got to travel very far into the interior. To provide some sort of attention and treatment on repeat cases at least, the system of entertaining Veterinary Field assistants was introduced last year though the idea was conceived long ago. We are providing for the appointment of 17 more Veterinary Field Assistants.

As regards the Co-operative Department, I am very sorry to inform the House that the co-operative movement in this province is in a moribund condition. Due to extreme hard times through which our peasantry has passed during the last ten years, the Rural Co-operative Societies have not been able to function properly or to pay up their dues to the Central Banks. In certain places Central Banks are in a tottering condition while the apex bank also is not in a position to help as it has not been able to get realisations from the Central Banks of outstanding debts. How far and to what extent Government can come to the aid of these banks is engaging the attention of the Department. It is hoped that the situation will right itself if the peasantry realise good prices for their agricultural produce. In order that our Co-operative Inspectors might find sufficient time to devote on organisation work, it is proposed to entertain a separate audit staff of 9 Assistant Auditors for



proper audit of the accounts of the Societies. The Inspectors who were formerly burdened with the duty of auditing also will get relief and find time for the work of organisation and enthuse new spirit so as to make the movement really useful.

The co-operative movement was initially started to provide cheap credit for productive purposes and benefit of our cultivating classes. But unfortunately they are found to utilise this credit to over-burden themselves with debts of various kinds chiefly due to extravagant expenditure on unproductive social functions. The debt of our cultivating classes has been variously estimated some years ago to be between 25 and 30 crores. To give some relief to this staggering load of debt, Government in the Revenue Department has started Debt Conciliation Boards so that the creditor and the debtor may come to some amicable settlement between themselves and thereafter live in amity and avoid unnecessary litigation charges which ultimately fall upon the debtor. At present we have 5 Debt Conciliation Boards functioning, 3 in Kamrup and 2 in Sylhet. The present Boards are doing good work and are becoming popular. It has been decided to constitute six more Boards for Dhubri, Barpeta, Nowgong, Sunamganj, Karimganj and Maulvi Bazar.

At present the Chairman of these Boards is a Government official namely the Sub-Deputy Collector. In the case of the new Boards it is proposed to have non-official Chairmen in all places.

A sum of Rs. 40,000 has been provided in the Budget for opening new Debt Conciliation Boards. In the Report of Land Revenue Administration of the Surma Valley and Hill Divisions for the year 1938-39 the following finds a place: "The Debt Conciliation Board of North Sylhet is working well. The number of cases instituted was 1,983, the amount involved being Rs. 6,25,882. The number of cases disposed of was 1,698 during the year under report".

In the Department of Industries, which is really Cottage Industries, as big Industries are outside the scope of this department in Assam, certain schemes are proposed to be introduced next year to give the people a subsidiary source of income. One scheme is for fish culture as a cottage industry for which luckily we have a man available trained in Madras at Government expense. The other small scheme is to train our educated youths in the manufacture of *ghee*. The trade in *ghee* in Assam is entirely in the hands of Nepalee graziers and Marwari traders.



It is ascertained on enquiry that quite a decent living can be made by manufacturing and selling *ghee* which involves only a small initial outlay. In both these cases we are proposing to start on a very small scale. But if the country at large takes kindly to them sufficient funds for encouraging our youths will be found as the need arises.

Another small provision under this head has been made and that is the training of 2 students in Kanchrapara workshops of the Eastern Bengal Railway. Youths of the province are not able to find employment in the railways operating in the province with their headquarters outside inasmuch as we have not got students trained in their workshops. In order to help these youngmen to get into railway employment this small provision has been made.

I have been so far speaking of our efforts to bring in an all round improvement in our nation-building departments within the short space of time at our disposal and within the limitations of a deficit budget. But I must inform the House that the province is still in debt to the tune of half a crore of rupees. The genesis of this debt and the provision for a sinking fund will be found explained at pages 32 to 34 of the Budget Memorandum. Shortly stated, the province will have Rs.50 lakhs of Treasury Bills outstanding on the 31st March 1940. I am glad to inform hon. members that after my personal discussions and special pleading, Sir James Taylor, Governor of the Reserve Bank, kindly secured for us these Treasury Bills at  $2\frac{1}{2}$  per cent. interest only as against 3 per cent. at which it was borrowed by my predecessor Government. And this in spite of the fact that the rate of interest in the money market has gone up on account of better investment field owing to the War. In order to meet this demand we propose in the next budget to take a loan of Rs.50 lakhs if and when the Reserve Bank advises us that the time is opportune to float such a loan. Till then, it may be that we shall have to continue as now on Treasury Bills. But to meet the Treasury Bills that will fall due at the end of the current financial year, further Treasury Bills shall have to be issued early in April next year and we propose to borrow by this means a sum of Rs.40 lakhs. A further sum of Rs.15 lakhs has to be borrowed in order to carry us through lean months of the year from September to December.

In order that the province can repay this debt without obstructing the natural development of our activities for providing amenities to the rural population, we propose to start



a sinking fund ; and the Budget provides Trs. 1,85 for this purpose. In case a loan is floated, to maintain a healthy level of prices of our debentures in the money market a depreciation fund of Rs. 75,000 has also been provided.

This state of affairs cannot continue long and we should devise ways and means to wipe off our debt and start with a clean slate. One way of improving our finances is the method of retrenchment and the other way is by finding ways of adding to our resources.

As regards Retrenchment, the present Ministry has not been able to deal with the recommendations made by the Retrenchment Committee as yet. Hon. members are aware that the last sitting of the Retrenchment Committee for about a week was held in the beginning of last year and the recommendations of the Committee were with the previous Finance Minister for ten months before he resigned in November. But no orders were issued on the various matters which if given effect to would have brought in some saving and relief to the province.

I may here refer to a statement made by the then Finance Minister on the floor of the House last year. He said "While the recommendations of the Retrenchment Committee are being examined by us in detail, which I may inform the hon. members, will be accepted by Government as far as they are found practicable and workable, we have decided to make a reduction in the rates of daily and travelling allowances. Orders in this connection, which have already been passed by me, will bring us a saving in the vicinity of one and a half lakhs." This definite statement was made in this House early in March 1939. But the Finance Department has informed me that the revised travelling allowance rules, which were approved at a Government meeting held on 27th May 1939, in broad outline were issued in detail in Notification No.4429-F.A., dated 28th July 1939, to have effect from the 1st August 1939, that subsequently at a meeting held on the 11th August 1939, that then Government decided to hold the new travelling allowance rules in abeyance pending further consideration, that orders were issued accordingly and all departments were asked to submit any recommendations concerning cases of hardships which arose under the revised rules within one month and that despite reminders, the last replies from the departments were only received during the Christmas holidays. All the replies so far received are against the new rates and give complaints of



great hardships with concrete cases. These replies have not yet been put up to me and are being tabulated in office. This and other retrenchment matters will be considered by this Ministry soon after the session is over.

Sir, economic upliftment of the masses, literacy drive, healthy conditions of living, the discovering of ways and means to improve our finances, and other equally important matters that make for general prosperity in the province could all be brought about only by a carefully planned administration of the country. But how slowly or how fast these could be realised must naturally depend upon the spirit of friendship and co-operation which all hon. members as patriots bring to bear upon these great and vital questions. There is no place for egotism in true public service if our ideal in reality is the prosperity and happiness of not only the present generation but also of our coming generations. Let us not confuse the imagination of our understanding people in the countryside by promises which with the best will in the world could not be fulfilled in a trice; and let us adopt a tone of moderation and practicalism in all that we prescribe, without working out measures of relief in a fit of piety only and find confronted when the time comes for action, not being able to implement them. It is always good to do better than we are tempted to promise and any sporadic solution to better the conditions of our people does not serve to mitigate their miseries although any one will admit that it is the best means of rousing their aspirations and causing them greater discontent and discomfort.

In conclusion, Sir, I feel that I have taken quite a long time this year with my speech presenting the budget. But as I found there were points in my predecessor's speech that required elucidation, I took this occasion to explain them in their proper perspective and also plead for the co-operation of hon. members in making the proposals of the present Ministry a success. The Finance Department has tried to clarify all important matters in the explanatory note. Still if any hon. member wants further information on any detail, I am ready to help him. Mr. Jones, the Deputy Secretary, will also be available in the Secretaries' room of the Assembly Chamber to help hon. members if necessary.

With these remarks I beg to present to the House the Budget Estimates of the province of Assam for the year 1940-41.



**Statement by the Hon'ble Speaker *re* general discussion of the Budget and voting on demands for grants**

**The Hon'ble the SPEAKER:** Hon. members have come to know that His Excellency has allotted the 24th, 26th and 27th February for the general discussion of the Budget. It will be somewhat difficult for me to fix a time limit, if necessary, for speeches until and unless I know how many members desire to take part in the discussion on a particular day. I would therefore request the leaders of party groups to give the names of their party members who desire to speak on the subject on different dates to the Assembly Department before 4 p.m. to-day. Hon. members are aware that the Hon'ble Ministers will have to give replies on the last day, *i.e.*, on the 27th. The speeches of as many members as possible should therefore be finished on the first two days in view of the fact that sufficient time must be given to the Hon'ble Ministers for replies on the last day.

Before we disperse for to-day I would like to draw the attention of hon. members to rule 16 of the Assembly (Governor's) Rules. Under sub-rule (1) of this rule, His Excellency has already allotted certain days for voting on demands for grants. Subject to this limit and to the limit prescribed by sub-rule (2) of rule 16, it will be for the House to fix specific dates for discussion of particular demands and specific hours for discussion of any one demand.

In order to facilitate matters and to expedite work, I have already drawn up a draft time-table on the lines of last year's table as far as practicable, and suggest that, as was done last time, the leaders of the various parties may meet at a conference in my room to-morrow, say, at 1-30 p.m., to discuss the time-table prepared by me and to come to a definite understanding in the matter. I should point out here that the sitting hours of the Assembly even on days on which the Demands for Grants, both original and supplementary, have to be taken up, have been reduced, under Assembly (Governor's) Rules 16(4), by one hour.

I should also draw the attention of hon. members to the time limit imposed by Assembly rule 100 for giving notices of motions to refuse or reduce any demand for grant. It must be borne in mind that sufficient time must be given to the Secretary to examine the cut motions and to prepare, print and circulate the lists in good time to the members. There will of course be no time for the motions to go through any process of admission. The question whether any motion is out of order or not will be left to be decided on the floor of the House.

**Adjournment**

The Assembly was then adjourned till 2 p.m. on Friday, the 23rd February, 1940.

*Shillong,*  
*The 9th March, 1940.*

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