

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

The Assembly met at the Assembly Chamber, Shillong, at 11 a.m. on Thursday the 26th November, 1942.

PRESENT

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

QUESTIONS AND ANSWERS

SHORT NOTICE QUESTIONS AND ANSWERS

Railway accident between Chhatian and Shahaji Bazar Railway Stations

Mr. BAIDYANATH MOOKERJEE asked :

1. Will Government be pleased to state—

- (a) Whether it is a fact that there has been a serious railway accident in the early morning of 11th November 1942 between Chhatian and Shahaji Bazar Railway Stations on the Bengal and Assam Railway (A. B. Zone) in the subdivision of Habiganj ?
- (b) If so, what was the cause of the accident ?
- (c) How many persons were killed and how many were wounded ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

1. (a)—Yes.

(b)—The engine with seven carriages got derailed and capsized due to the permanent way having been tampered with.

(c)—10 persons were killed and 40 injured.

Mr. BAIDYANATH MOOKERJEE : May I know who made the enquiry and arrived at the conclusion that the line was tampered with.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : It was the local officer.

Mr. BAIDYANATH MOOKERJEE : Who was the local officer ; whether the Government Railway Officer or the Railway local officer ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : The Additional District Magistrate of Sylhet held an enquiry into this accident.

Mr. BAIDYANATH MOOKERJEE : Is it a fact that the train was running at a very high speed at that time ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Probably so. Government is not aware of that.

Maulavi ABDUR RAHMAN: May I know from the Hon'ble Minister what he means by the words 'tampered with'?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: It was an act of sabotage.

Babu KAMINI KUMAR SEN: What was the nature of the sabotage, Sir?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Fish-plates were removed.

Babu KAMINI KUMAR SEN: Is it not a fact that a mail train passed through this line half an hour ago?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Sabotage must have taken place during the interval between the passing of the down mail and the coming of the up mail train.

Maulavi ABDUR RAHMAN: Was the interval only half an hour?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It was about 1½ hours.

Mr. BAIDYANATH MOOKERJEE: Is it a fact that the train was running very late?

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

Mr. BAIDYANATH MOOKERJEE: Will Government kindly make an enquiry about it?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Is there any relevancy of this question, Sir?

The Hon'ble the SPEAKER: Yes, there is some relevancy. It has been alleged that the train was running at a very high speed.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: All this information which is being supplied to the House by my friend Mr. Mookerjee will be placed before the Railway Department that is enquiring into the matter.

Mr. BAIDYANATH MOOKERJEE: In this connection may I request the Government to make a note that there are many curves at that place?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: It is a straight line. That is our report.

Babu KAMINI KUMAR SEN: The Hon'ble Minister replied that the Additional District Magistrate also held an enquiry. Were there two enquiries? If so, who made these enquiries?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: I referred to the enquiry made by the Additional District Magistrate only.

Babu KAMINI KUMAR SEN: May we know, Sir, why this simple fact was withheld from publication for so long a time?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: The matter was reported to the Government first. Of course our Department came to know a little later.

Maulavi ABDUR RAHMAN: How did they come to the conclusion that there were only 10 deaths?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: That is the report, Sir.

Maulavi ABDUR RAHMAN: Is it a fact, Sir, that some injured persons subsequently died in the hospital?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: It might be, Sir.

Maulavi ABDUR RAHMAN: Can the Hon'ble Minister deny that some 70 persons died and about 170 were injured?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: I am not in a position to deny this.

Mr. BAIDYANATH MOOKERJEE: May we know the date of the report that was sent to the Government?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: The report is dated 21st November.

Babu KAMINI KUMAR SEN: May I know if at the instance of Government this information was withheld from publication so long.

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

Maulavi ABDUR RAHMAN: May I know from the Government whether Government contemplate to pay proper compensation to the relatives of the persons who died?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: I do not think the question arises because payment of compensation will lie with the Central Government.

Maulavi ABDUR RAHMAN: Will this Government move the Central Government to see their way to pay such compensation?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: This will be done.

Maulavi ABDUR RAHMAN: Is it a fact that among those who died there were many labourers coming from the Noakhali side?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Government are not aware of that.

The Hon'ble the SPEAKER: The simple question will be to ask the names of the dead and injured.

Maulavi ABDUR RAHMAN: May I know whether Government will please make a sifting enquiry as to the nature of the accident and regarding the persons who died—whether they all come from the labour class and whether their heirs may be paid regular compensation.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: The Hon'ble Premier has already assured that such an enquiry will be made.

(Short notice question No. 2 standing in the name of Maulavi Abdur Rahman was not put by the questioner on the floor of the House.)

Imposition of Collective Fines

Srijut ROHINI KUMAR CHAUDHURI asked:

3. Will Government be pleased to state—

(a) The total amount of collective fines imposed on the inhabitants in Assam up to the 31st October, 1942 since August last specifying separately the areas affected thereby?

(b) The nature of the offence or offences for which fines were imposed on each occasion?

(c) The total amount of collective fines realised up to the 31st October 1942?

(d) The number of persons in affected areas exempted from payment of collective fines up to the 31st October, 1942 classifying according to community to which they belong?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

3. (a)—A statement has been placed on the Library table.

(b)—A statement has been placed on the Library table.

(c)—Government have no details for this date, but save in Kamrup the bulk of fines which had been imposed up to a few weeks before had been collected. In Kamrup there has been greater delay in collection than elsewhere.

(d)—Government are obtaining this information in respect of all fines.

Srijut ROHINI KUMAR CHAUDHURI : May I ask the Government to let me know, what, according to their information, is the total amount of fine collected ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I am not in a position to give that information to my hon. friend: On receipt of his question I have tried to collect the information, but it is not ready.

Mr. BAIDYANATH MOOKERJEE : May we know why in this particular case replies to (a) and (b) have been shown separately ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : In the first question the total amount of collective fines is wanted and in the second question the nature of offence for which fines were imposed is wanted. So the answers are given separately.

Mr. BAIDYANATH MOOKERJEE : In both (a) and (b) the reply is just the same. As we find always in such cases replies are given in one, but in this there has been a deviation. I want to know why ? Is there any special reason for that ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : There is no special reason.

Srijut ROHINI KUMAR CHAUDHURI : What is the total amount of collective fines ? I could not find it in the statement placed on the Library table ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I don't think I can give the total amount.

Srijut ROHINI KUMAR CHAUDHURI : My question was—what is the total amount of collective fines imposed ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I am sorry, due to an oversight individual items shown in the list has not been totalled.

Srijut ROHINI KUMAR CHAUDHURI : What I want is the total amount of the fines imposed.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Only the total has not been made, but in each case the amount of fine has been stated.

Srijut ROHINI KUMAR CHAUDHURI : May I know why in Kamrup there has been delay in collecting the fine ? Is it on account of economic reason ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The Deputy Commissioner says there are propaganda against payment of fine by certain people.

Srijut ROHINI KUMAR CHAUDHURI : In what portion of Kamrup, whether on the North Bank or the South Bank there has been great delay in collection ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The whole area.

Srijut ROHINI KUMAR CHAUDHURI : Will Government be pleased to forward the information to me when collected ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I will do so, Sir.

Extension of the period of operation of the Assam Temporary Postponement of Execution of Decrees Act, 1941

Srijut ROHINI KUMAR CHAUDHURI asked :

4. Will Government be pleased to state whether they propose to bring forward any amending Bill before the Assembly extending the period of operation of the Assam Temporary Postponement of Execution of Decrees Act, 1941, which expires by the end of the current year ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

4.—In view of the provisions of the proviso to section 1 of the Act, no amending Bill for the purpose suggested by the hon. member is necessary. Government are making enquiries as to the desirability of extending the Act after its expiry.

Srijut ROHINI KUMAR CHAUDHURI : Do the Government propose to come to a decision on this point before the period expires ?

The Hon'ble Srijut RUPNATH BRAHMA : Certainly so.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURI : Mr. Speaker, Sir, I put a short notice question but I find the question has not been put before the House with answer.

The Hon'ble the SPEAKER : The replies have not been received.

Mr. JOBANG D. MARAK : I also sent some questions regarding forest matters and they were received by the Secretary, but the questions are not coming before the House.

The Hon'ble the SPEAKER : That will be looked into afterwards.

STARRED QUESTIONS

(to which oral answers were given)

Shortage of small coins in the District Treasuries

Mr. A. WHITTAKER asked :

*41. (a) Are Government aware that considerable inconvenience to the general public and to industrial concerns in particular is being caused by the shortage of small coins in the District Treasuries ?

(b) Will Government be pleased to state the reasons for the continuance of this shortage ?

(c) Will Government be pleased to state the reason why an indent submitted to the Currency Officer, Calcutta, by the Treasury Officer, Darang, on the 6th October and marked "Very Urgent" was not complied with by the end of October ?

(d) Do Government propose to take action in such matters and if so, in what form, to prevent recurrence of such delays?

*42. (a) Will Government be pleased to lay on the table a statement showing the authorised Treasury balances in all districts of Assam?

(b) Do Government propose to issue instructions that a minimum of 60 per cent. of these balances should be maintained in coins of lower denomination than one rupee?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI replied:

41. (a)—Complaints to this effect have been received from some districts.

(b)—One of the main reasons is that tea gardens, who used to rely on *Kayas* for their supplies, suddenly fell back on the treasuries when the *Kayas* left the district. The others are that the Bengal Police have not always been able to supply treasure escorts immediately they were wanted and that the Currency Officer, Calcutta, has not always been able to meet in full the unprecedented demands from Assam?

(c)—Government are not aware of the reason, but immediately they became aware of the fact that a wire was sent to the Currency Officer who replied that Rs.70,100 in nickel coins was sent on the 5th November, 1942 and that half rupees and one-fourth rupees worth Rs.1,50,000 would be sent with notes.

(d)—Government have taken up the matter with the Deputy Governor of the Reserve Bank of India.

42. (a)—Government are not prepared, for obvious reasons, to publish the figures but can assure the hon. member that the normal balances have been substantially increased where necessary.

(b)—The requirements of small coins vary in different districts and Government do not consider the suggestion is practicable or the proportion suggested is reasonable. If it were adopted in Darrang, for instance, the treasury would have to stock Rs.3,60,000 in small coins, for more than they require in proportion to larger notes.

Mr. A. WHITTAKER: Are Government aware, Sir, that this stringency is still continuing?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Government are aware of the fact.

Maulavi MUHAMMA MAQBUL HUSSAIN CHAUDHURI: Are Government aware that tradesmen are accumulating all the small coins?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: It is believed to be so.

Mr. A. WHITTAKER: Are Government aware that there is a black market in small coins and if one is prepared to pay a small commission any amount of small coins will be available?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: That may be so.

Mr. A. WHITTAKER: Are Government prepared to do anything to meet the situation?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I think it may bring some good results if a little bit of propaganda is done by the hon. members.

Mr. A. WHITTAKER: May I suggest that the best propaganda would be to replace a large proportion of one rupee notes with one rupee coins?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: To the extent that it is available.

Price control measures

Mr. A. WHITTAKER asked :

*43. Will Government be pleased to state—

(a) Whether the District Officers and the Shillong Secretariat have
(i) the data and (ii) the ability and the necessary training to attempt price control measures ?

(b) What steps have been taken during the last two years to improve the collection of statistics of price movements of staple commodities in Assam ?

(c) Whether it is the function of any officer to collect statistics of the cost of living ?

(d) If so, what are the qualifications of that officer ?

*44. (a) Will Government be pleased to state the date on which they first placed orders with suppliers outside the Province for food-stuffs to be imported to Assam on Government account ?

(b) Do Government propose to publish any accounts for the trading in such commodities between the date of placing the first order up to the date of appointment of Messrs. Steel Brothers, Limited, as Government Contractors for the supply of food-stuffs ?

(c) Have Government made any profits on these trading transactions ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

43. (a) (i)—It is not clear what the hon. member means by data. The price control measures started under the instructions of the Government of India.

(ii)—The control of prices is mainly done by the Deputy Commissioners of the districts who are members of the Indian Civil Service and also senior members of the Assam Civil Service and it is assumed that they have got the ability, though they have got no special training for the purpose. It is considered that the Secretariat now have the ability to attempt price control measures since there is a better distribution of staple foods which tends to stabilise prices. As regards the Secretariat having the "necessary training" it can be said that the Secretariat now have 6 months' experience in price and food control.

(b)—The Marketing Departments of this Government ordinarily keep statistics of price movements of staple commodities as far as practicable.

(c)—No officer is particularly appointed for this purpose.

(d)—Does not arise.

44. (a)—The date is 13th May 1942

(b)—Government do not propose to publish the accounts, but a summary of expenditure and realisation from consumers will be given to the House.

(c)—Government charge a cess on all articles of food-stuffs purchased on Government account to meet the loss and damage of consignments and also the overhead charges. This cess will also be utilised when Government have to sell on a falling market, i.e., salt bought now amounting to 4½ lakhs will in a probability have to be sold at a loss as all districts, in the monthly returns to Steel Brothers, have stated that they need no more salt now.

Re Editorial comments under the caption "Judge or a Kazi" in the "Sylhet Chronicle"

†**Babu NIRENDRA NATH DEV** asked :

*45. (a) Has the attention of Government been drawn to the editorial comments under the caption "Judge or a Kazi" in the "Sylhet Chronicle", dated the 28th September 1942 alleging that the District and Sessions Judge of Sylhet hears lawyers while enjoying a "Gorgora" in his chamber and that almost in every month he either goes on circuit to Silchar or undertakes inspection tours to subdivisions in such a way that it means a drain on the public Exchequer ?

(b) Will Government be pleased to state whether they have made any enquiry into the matters referred to therein ?

(c) If so, do Government propose to publish the result thereof ?

(d) If not, do Government propose to hold an enquiry into the matter ?

*46. Will Government be pleased to state—

(a) Separately the number of circuits held at Silchar by the different Judges who held the office of the District and Sessions Judge of Sylhet and Cachar during the years 1937, 1938, 1939, 1940, 1941 and up to the 30th September 1942 along with the name of each of them stating the number of days spent in each circuit by each of them ?

(b) The amount of halting and travelling allowances drawn and the outturn of works done by the District and Sessions Judge, Sylhet, in each circuit during the years 1937, 1938, 1939, 1940, 1941 and up to the 30th September 1942 ?

(c) The rates of daily halting allowance admissible to the District and Sessions Judge for his circuits when the circuit is restricted to 10 days or less and when it exceeds 10 days ?

(d) The number of sessions cases that have been committed to the Court of Sessions at Silchar from the 1st September 1941 to the 30th September 1942 with dates of commitments and dates of hearing ?

*47. (a) Will Government be pleased to state the number of days spent by each of the different Judges who held the office of District Judge, Sylhet and Cachar in his inspection of Sadar and Subdivisional Courts in Sylhet and Cachar during the years 1937, 1938, 1939, 1940, 1941 and up to the 30th September 1942 ?

(b) Do Government propose to ascertain on reference to the Hon'ble High Court and state—

(i) The maximum number of days that may ordinarily and reasonably be necessary for the inspection of a single Munsifi at any subdivision of Sylhet, and

(ii) Whether any prolonged inspection was necessary or justifiable in consideration of the notes of inspection recorded by the District Judge of Sylhet in 1942 ?

†The question was put by babu Bipin Behari Das on authorisation in the absence of the hon. member.

(c) If on the said enquiry the answer to the question 47(b)(ii) above be in the affirmative, will Government be pleased to state the names of stations inspected by the present District Judge, Sylhet and Cachar and the special reasons thereof?

*48. (a) Is it a fact that the District Judge of Sylhet has issued instructions to all judicial officers in the district to decide cases in a particular manner under particular circumstances if there be any lapse on the part of any party or his pleader under the present circumstances prevailing in the country?

(b) If so, what are those instructions?

(c) Will Government be pleased to state—

(i) Whether those instructions were issued with the previous approval of the Hon'ble High Court?

(ii) If not, why?

*49. Will Government be pleased to state—

(a) Whether it is a fact that the District and Sessions Judge, Sylhet, has ordered the ministerial officers and process-servers serving under him to guard the Civil Court buildings in the district?

(b) If so, whether such patrol duties by day or by night is part of the duties of such officers, enjoined by the Government and whether such system prevails in any other Government Office in the Province?

(c) Whether the approval of the Hon'ble High Court and the Government was taken to have such works done by the clerks and peons?

*50. Is it a fact that service of processes for sometime past has been kept in abeyance by the District Judge of Sylhet?

*51. (a) Will Government be pleased to state whether it is a fact that the present District Judge of Sylhet employs peons and menials of his office other than his orderlies for performance of private and domestic duties in his house?

(b) If so, why?

*52. (a) Are Government aware that the present District Judge, Sylhet, more than once went out on inspection tour with his family?

(b) Is it a fact that his personal expenses had to be provided by his subordinate staff of those places which he inspected?

The Hon'ble Srijut RUPNATH BRAHMA replied:

45. (a)—Yes. Very recently.

(b)—No.

(c)—Does not arise.

(d)—A report has been called for from the District Judge and on its receipt Government will decide what steps to take.

46. (a), (b), (c) & (d)—A report has been called for from the District Judge.

47. (a)—A report has been called for from the District Judge.

(b) (i) & (ii)—Government do not consider that any useful purpose would be served by asking the Hon'ble High Court for an opinion on these matters.

(c)—Government have however called for a report on this from the District Judge.

48. (a), (b) & (c)—Government have called for a report from the District Judge.

49. (a), (b) & (c)—Government have called for a report from the District Judge. Government have however issued instructions to all Heads of Departments that they are responsible for the safety of their office buildings, a responsibility which has been enhanced under recent circumstances, and that they can call upon their office staffs to any extent that is reasonable to take part in keeping a proper watch on the safety of the buildings and records.

50, 51 & 52.—Government have called for a report from the District Judge.

Maulavi ABDUR RAHMAN: May I enquire when did Government receive these questions?

The Hon'ble Srijut RUPNATH BRAHMA: I cannot say exactly on which date the questions were received. The hon. questioner best knows it.

Maulavi ABDUR RAHMAN: Can the Hon'ble Minister say when did the Government call for the report from the District Judge?

The Hon'ble the SPEAKER: The hon. member knows that a long vacation intervened, and the Courts opened only on the 11th November last.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: As regards questions 52(b) it is a very serious charge: "Is it a fact that his personal expenses had to be provided by his subordinate staff of those places which he inspected?"

The Hon'ble Srijut RUPNATH BRAHMA: As soon as we receive the report, we shall look into the matter.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURI: Was the District Judge asked to send his reply to this question by wire, as the charges are very serious against his conduct?

The Hon'ble Srijut RUPNATH BRAHMA: That was not done perhaps.

Maulavi ABDUR RAHMAN: Have not Government seen the series of notes and editorials published in the Sylhet Chronicle for the last few months against the conduct of the District Judge?

The Hon'ble Srijut RUPNATH BRAHMA: The reply is already there that it was brought to the notice of Government very recently.

(Starred questions Nos. 53-56 standing in the name of Maulavi Mabarak Ali were not put and answered as the questioner was absent)

Price of seeds given as loan to agriculturists

Babu LALIT MOHAN KAR asked:

*57. Will Government be pleased to state—

(a) The total price of seeds that were given as loan to agriculturists after the flood of 1940 in the Surma Valley?

(b) Whether they are aware that crops for which the said seeds were utilised were destroyed by a subsequent flood?

(c) If so, do Government propose to write off the whole amount of the loan or any part thereof?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

57. (a)—It is presumed that the hon. member refers to the flood of 1941, as there was no flood in 1940. Rupees 29,500 was allotted for seed loans to the Deputy Director of Agriculture, Sylhet, and Rs.40,000 to the Deputy Commissioner. The actual amount spent by the Deputy Commissioner is not known, but the Deputy Director of Agriculture reported an expenditure of Rs.26,374-3-9. The Deputy Commissioner, Cachar, reported a cash distribution of Rs.6,000 for purchase of seeds.

(b)—No subsequent flood was reported to Government after that of 1941.

(c)—Does not arise.

Mr. BAIDYANATH MOOKERJEE : Is it not a fact that on two occasions there were floods in the district of Sylhet ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Not in 1940.

Mr. BAIDYANATH MOOKERJEE : May not be, but in 1941, there were two floods.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : But the questions relate to 1940.

Mr. BAIDYANATH MOOKERJEE : Then what was the necessity of replying about the floods of 1941 ? When the Government have replied these questions on the basis of 1941 floods, the question becomes pertinent whether the loan that as given on the first occasion had been of any use to the cultivators as there was a second flood. Government admit that there was a second flood ; so the question is quite clear, though the answer is not given.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : The answer states "it is presumed that the hon. member refers to the flood of 1941" and the replies have been given on that presumption.

Babu KAMINI KUMAR SEN : But the question is, if the loan which was given in 1941 lost its utility by a subsequent flood, are Government prepared to write off that loan ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : The fault lies with the hon. questioner ; he ought to have made his questions more clear ; in that case Government would have come forward with proper replies.

Babu KAMINI KUMAR SEN : I think the question is now quite clear, and the Hon'ble Minister in charge has answered on the presumption that the year referred to was 1941 and not 1940.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : I require notice of this question ; I cannot answer it off hand.

Mr. BAIDYANATH MOOKERJEE : Will the Government be pleased to state why the amount spent by the Deputy Commissioner is not yet known to the Government ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : The figures have not been reported yet, and there is no time to get the information from the Deputy Commissioner.

Mr. BAIDYANATH MOOKERJEE : It seems that the money spent in the year 1941 has not been reported to Government even at the very far end of 1941.

The Hon'ble the SPEAKER : It may be so ; the Hon'ble Minister says that.

Grant of special pay to Police of all ranks in the Lakhimpur district**Maulavi ABDUR RAHMAN** asked :***58.** Will Government be pleased to state—

- (a) Whether it is a fact that the police of all ranks in the district of Lakhimpur have been granted special pay ?
- (b) Why the same consideration has not been made applicable in case of other essential services ?
- (c) Whether the special pay or allowance is proportionate to the salary ?
- (d) Whether Government propose to withhold any such special pay or allowance from those who are in receipt of a certain minimum salary ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

58. (a)—Yes.

(b)—The Police Department is subjected to a special strain by the circumstances, and the responsibilities of officers and men are increased by the war emergency to an extent which is not common to other Government servants than the Police, or to other parts of the Province.

(c)—Yes.

(d)—The special pay is subject to certain maxima.

Maulavi ABDUR RAHMAN: Is it not a fact that the officers in other ranks have got the same responsibility under the same set of circumstances in particular areas of the province ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have already answered, Sir. For my hon. friend's benefit I will again read the answer "the Police Department is subjected to a special strain by the circumstances, and the responsibilities of officers and men have been increased by the war emergency to an extent which is not common to other Government servants than the Police".

The "National War Front"**Maulavi ABDUR RAHMAN** asked :***59.** Will Government be pleased to state—

- (a) The objects for which the 'National War Front' has been started ?
- (b) The manner in which the Province has been divided for the purpose ?
- (c) The manner in which the work is being organised ?
- (d) Whether it is a fact that paid organisers, assistant organisers and other workers have been appointed for the purpose ?
- (e) If so, by whom they were appointed ?
- (f) The names and experiences of those who have been appointed as such in Sylhet district ?

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

59. (a)—To do everything that is possible to maintain public morale to strengthen the war resistance of the people, to eradicate everything that tends to undermine moral, and in particular fifth-column activity, loose or defeatist talk, thought and writing ; to inculcate faith in India's destiny, courage and endurance ; to consolidate the will of the country to offer united resistance to Nazism and Fascism in every form, until they are overthrown.

(b)—The division of the province is not in accord with the intentions of the Front, but in order to simplify the extension of activities over the vast area of the province two Organizers have been appointed who operate mainly in the two main valleys. In each of the Divisions the organization is by ordinary districts and subdivisions

(c)—The scheme aims at enlisting the interest of leading men in all communities, who will come forward and show the people a lead in various branches of activity like publicity, public meetings, efforts in the schools etc. Another and perhaps the most important part of the work is the establishment of village defence parties which will do their utmost to provide for the security and well-being of their areas in all circumstances.

(d)—The scheme provides for organisers for districts, and it was contemplated that these would be paid. So far as the Assam Valley is concerned the names of gentlemen who would be suitable as paid organizers are being considered by the Provincial Leader, the Hon'ble Premier, and his colleagues ; the Surma Valley does not at present propose to have paid organizers, and is working with honorary organizers. Latitude is given to districts to propose assistant officers within their budget provision, if they so desire. Leaders and sub-leaders work on an honorary basis, and only expenses may be paid.

(e)—Does not arise, at this stage. They will eventually have to be appointed with the approval of the Provincial Leader.

(f)—Does not arise.

Maulavi ABDUR RAHMAN : With reference to (c), Sir, I heard the Hon'ble Minister to say that it is proposed to organise Village Defence Parties. May I enquire whether the village defence parties which will be organised will be paid any sort of remuneration towards any expenses which they may have to incur ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY : This point is still under the consideration of Government, Sir.

Maulavi Muhammad MAQBUL HUSSAIN CHAUDHURY : Is it not a fact that some members of the Defence Committee have joined subversive movement ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY : It is not a fact to our knowledge, Sir.

Maulavi ABDUR RAHMAN : Is it not a fact that for want of kerosene oil the volunteers so organised cannot have their regular patrol duty at night ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY : Government have no such information, Sir.

Maulavi ABDUR RAHMAN : Will Government take it from me that the volunteers always make such a complaint ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: Yes, Sir, if the hon. member says so. Then we shall most probably ask for a report from our National War Front Organiser.

Maulavi ABDUR RAHMAN: Will Government issue a circular to all Officers to supply adequate kerosene oil to the heads of the Village Defence parties to enable them to go out at night?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: It will be considered, Sir, after we have consulted our War Front Organisers.

Maulavi ABDUR RAHMAN: Do Government propose to supply any kind of uniform to these volunteers?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: The matter is still under the consideration of the Government, Sir.

Maulavi ABDUR RAHMAN: Am I to understand that there is no definite scheme before the Government as to how the Committees are to function?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: Definite schemes there were, but as regards uniforms the matter is still under consideration of the Government, and no definite decision has been arrived at yet.

Maulavi ABDUR RAHMAN: May I know whether it is the Provincial Government who is to draw up this scheme for the duties and responsibilities of these Village Defence Parties?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: No, Sir, it is the Central Government who have drawn up the scheme and the Provincial Government are working on behalf of that Government.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: May I know what policy the Government follow in making these appointments?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: Nominations are made by the District Authorities, and they send them to the Government.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: May we know whether Communal ratio is followed in making appointments and whether Muslims are underrepresented.

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: It is very difficult to give a reply offhand.

Maulavi ABDUR RAHMAN: May I know if Government have any information that there is an apprehension amongst the villagers that if volunteers are organised to these defence parties, they may ultimately be forced to join the military?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: Government have no information.

Maulavi ABDUR RAHMAN: May I know whether Government have any such contemplation?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: No, Sir.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Do the Government follow the communal ratio in making these appointments?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: Yes, Government are following that ratio.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Is it a fact that the ratio is not being followed in the case of Muslims?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: I have already replied that the communal ratio is being followed, Sir.

Mr. BAIDYANATH MOOKERJEE: Is it not a fact that under the present regime the grievances are being redressed with a vengeance?

Mr. KAMINI KUMAR SEN: May I know how long it will take to organise a village defence party for every village?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: It depends upon the circumstances and the people wishing to join the National War Front.

Maulavi ABDUR RAHMAN: Do Government contemplate to help the volunteers with some sort of weapons?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: So far as our information goes, we have already provided them with lathis (Laughter.)

Maulavi ABDUR RAHMAN: I heard the Hon'ble Minister to say that one organiser has already been appointed for the Assam Valley. May I know his name and address?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: We have not said one organizer has been appointed, but one National War Front Organizer has been appointed.

Maulavi ABDUR RAHMAN: The same thing? May we know his name?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: Dr. Surjya Kumar Bhuyan, who was formerly a senior Professor in the Gauhati College.

Maulavi ABDUR RAHMAN: May we know on what remuneration he has been appointed?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: On Rs.1,000 a month.

Maulavi ABDUR RAHMAN: What was his former pay, Sir?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: His pay most probably was Rs.800, Sir.

Maulavi ABDUR RAHMAN: Sir, with regard to the Surma Valley whether Government are going to follow the same procedure as has been followed in the other valley?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY: Yes, Sir, it is under the consideration of Government and the Provincial Leader.

Introduction of platform tickets in the Shillong Motor office

Mr. BAIDYANATH MOOKERJEE asked:

*60. Will Government be pleased to state—

- (a) From when platform tickets have been introduced in the Shillong Motor office of the Commercial Carrying Company?
- (b) Whether the system of introducing platform tickets was in the original terms of the license?

- (c) Whether they are aware that the passengers' tickets are collected in the buses before they reach the Shillong Motor Station?
- (d) If so, what are the reasons for introducing such platform tickets?
- (e) Whether Government are aware that no platform tickets are required for the Europeans?
- (f) If so, why?
- (g) Do Government propose to discontinue the system of issuing such platform tickets?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

- 60. (a)—From 8th June, 1942.
- (b)—No.
- (c)—Government have no information.
- (d)—To prevent over-crowding of the station yard by non-passenger public.
- (e) Government have no such information.
- (f)—Dose not arise.
- (g)—The matter is under consideration.

Babu KAMINI KUMAR SEN: Was the system introduced with the permission of Government, Sir?

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

Control of prices on commodities

Mr. BAIDYANATH MOOKERJEE asked :

*61. Will Government be pleased to state—

- (a) Whether attention of Government has been drawn to the Editorial note of "Jugashakti" dated the 15th September 1942 with the head-line "পণ্য মূল্য নিয়ন্ত্রণ আইনের মাগলায় কেলেকারী"?
- (b) Is it a fact that the Judge in his judgment remarked regarding one paper Exhibit 8 as follows :—
 "It does not appear to have been entered at its proper place in the list of documents proved by the prosecution. It is curious that this document (Ext. 8) is mentioned in between the list of documents proved by the defence. The learned Advocate appearing on behalf of the appellant argued that the manner in which this document has found its place in the record is highly objectionable. I believe it was somehow smuggled into evidence after the trial"?
- (c) Do Government propose to enquire into the matter and take steps against the Magistrate concerned?

The Hon'ble Srijut RUPNATH BRAHMA replied :

- 61. (a)—Yes.
- (b)—According to the article in the paper, it is so.
- (c)—Government do not propose to take any action, as the information available is not sufficient to proceed further in the matter,

Mr. BAIDYANATH MOOKERJEE: As regards (c), Sir, to which available information the Hon'ble Minister is referring?

The Hon'ble Srijut RUPNATH BRAHMA: From the article referred to in the question.

Mr. BAIDYANATH MOOKERJEE: If Government do not think it sufficient for making any further enquiry, will they care to collect further information?

The Hon'ble Srijut RUPNATH BRAHMA: I do not think, Sir, that any good will come out of the enquiry as the case was tried in the court.

Civil Disobedience Movement

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY asked:

*62. Will Government be pleased to state—

- (a) The nature and extent of damage done to private and public properties in different places in the province of Assam by the unruly lawbreakers during the last week of August and in the month of September, 1942, after the Civil Disobedience Movement was started by the Congress organisation?
- (b) The number of occasions on which the police were compelled to open fire?
- (c) The number of lives lost and the number of persons injured as a result of firing?
- (d) Whether it is a fact that the Congress volunteers gave proper notice, in the shape of printed handbills to each officer in authority that they would resort to acts of sabotage?
- (e) If so, what steps were taken by Government to check the acts of sabotage beforehand?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

62. (a)—A statement has been placed on the Library table. The loss caused is still under enquiry.

(b)—Three times.

(c)—Nine killed and ten injured, of whom three died later.

(d)—No.

(e)—Does not arise.

Additional professorship in the department of Islamic studies

†**Babu NIRENDRA NATH DEV** asked:

*63. Will Government be pleased to state—

- (a) Whether it is a fact that an additional professorship was retained in the Department of Islamic studies after the transfer of Professor Abul Lais and that Maulavi Abul Fazl Syed Ahmed was promoted to that additional professorship?

†The question was put by Babu Bipin Behari Das on authorisation in the absence of the hon. member.

- (b) Whether Sanskrit and Bengali and Assamese are considered as three Departments or one Department in Government Colleges in Assam?
- (c) The number of students reading Bengali, Sanskrit and Assamese in the Murarichand College, Sylhet, and the number reading Arabic, Persian and Urdu in the same College?
- (d) If it is a fact that the said Maulavi Abul Fazl has had a further promotion and that Maulavi Ishaque Ali is officiating as a Professor in the Murarichand College, Sylhet?
- (e) If so, how many people have been superseded by Maulavi Abul Fazl and Maulavi Ishaque Ali respectively?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied:

63. (a)—Yes.
- (b)—Sanskrit, Bengali and Assamese are still treated as one department.
- (c)—
- | | | | | |
|---------------------------|-----|-----|-----|-----|
| Bengali Vernacular | ... | ... | ... | 501 |
| Bengali (Second language) | ... | ... | ... | 34 |
| Sanskrit | ... | ... | ... | 107 |
| Assamese | ... | ... | ... | 16 |
| Arabic | ... | ... | ... | 38 |
| Persian | ... | ... | ... | 111 |
| Urdu | ... | ... | ... | 1 |
- (d)—Maulavi Abul Fazl Syed Ahmed was holding a post in Class I of the Assam Educational Service at the time of appointment as Assistant Director of Public Instruction for Muslim Education which is also borne in Class I of the same Service. So, his appointment is not a case of promotion, but a case of transfer from one post to another. The reply to the latter part of the question is "Yes".
- (e)—None.

Sunamganj Government Jubilee High School

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY
asked:

*64. Will Government be pleased to state—

- (a) How many students of the Sunamganj Government Jubilee High School absented themselves from their classes on the 31st August, 3rd, 5th and 7th September 1942 and on the subsequent working days till the 15th September 1942?
- (b) How many of the absentee students were Hindus and how many were Muslims?
- (c) Is it a fact that the students of the said School created disturbance in court premises, obstructed Magistrates, the Munsif, Officers, Lawyers and litigant public from attending courts and discharging their lawful duties during working hours in the 1st and 2nd week of September 1942?

(d) If the answers to questions (a) to (c) be in the affirmative, what action has been taken by Government against those students ?

(e) If not, why not ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

64. (a) & (b)—The number of students who were absent on the days referred to is given in a statement laid on the table.

STATEMENT REFERRED TO IN REPLY TO STARRED QUESTION No.64(a) AND (b) ASKED BY MAULAVI MUHAMMAD MAQBUL HUSSAIN CHAUDHURY AT THE NOVEMBER SESSION OF THE ASSEMBLY, 1942.

Dates	Number of students who were absent	
	Muslims	Hindus
31st August 1942	29	178
3rd September 1942	24	245
5th September 1942	23	216
7th September 1942	22	231
8th September 1942	20	231
9th September 1942	21	232
14th September 1942	13	225
15th September 1942	13	208

(c)—No reports of any such disturbances have been received from any officials or non-officials.

(d)—So far as (a) and (b) are concerned action was taken according to the rules. For (c) the question does not arise.

(e)—Does not arise.

Assam Lower School Service, Selection Grade, High School Cadre

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY asked :

*65. Will Government be pleased to state—

(a) How many posts are there in all in the Assam Lower School Service Selection Grade, High School Cadre ?

(b) How many of them are held by Muslims and how many by Hindus?

(c) What are the criteria of promotion to these posts?

(d) The principles followed in making selection to these posts?

*66. Will Government be pleased to state—

(a) (i) On what principles, (ii) at what age, (iii) at the completion of how many years of service and (iv) from what dates :—

(1) Babu Probbhat Chandra Sen, (2) Srijut Benudhar Das, (3) Srijut Lakshmiram Nath, (4) Babu Basanta Kumar Datta, (5) Srijut Kashiram Barman, (6) Srijut Adya Nath Sarma, (7) Babu Brojendra Kumar Bhattacharjya, (8) Srijut Chandra Ballav Goswami, (9) Miss Kanaklata Bhuiyan, (10) Babu Prafulla Chandra Sen, (11) Babu Bipin Chandra Datta, (12) Babu Dhirendra Kumar Guha, (13) Srijut Bhagaram Das, (14) Babu Romesh Chandra Das, (15) Srijut Dhairyya Nath Chowdhury, (16) Babu Gojendra Chandra Bhattacharjya, (17) Babu Rohini Mohan Chowdhury, (18) Srijut Komolanath Sarma, (19) Srijut Ram Krishna Chowdhury and (20) Babu Raman Chandra Deb, were promoted to the Selection Grade of the said Cadre?

(b) Whether Government make differential consideration between the Hindus and the Muslims in making promotions to the said Selection Grade Post?

(c) Who nominates officers for promotions to the said grade?

(d) Who were the nominees of the Inspector of Schools, Surma Valley and Hill Districts in connection with promotions to this grade last time?

(e) Whether a Muslim headed the list of nominees and a Hindu was the second in the list from the Surma Valley last time?

(f) Whether the second nominee got promotion overriding the claim of the first nominee?

(g) If so, what were the considerations for promoting the second nominee in preference to the first nominee?

(h) Whether the age and the length of service counted in this case of the second nominee's promotion?

(i) If so, why then Srijut Kashinath Barman, Srijut Chandra Ballav Goswami, who were junior in age and length of service to the first nominee, were promoted on previous occasions ignoring the claim of the first nominee in question?

*67. Will Government be pleased to state—

(a) (i) On what principle, (ii) at what age and (iii) at the completion of how many years of her service the promotion of Miss Kanaklata Bhuiyan to the Selection Grade was made?

- (b) Whether there is any provision in the existing rules of the Education Department for preferential treatment to women teachers in connection with their promotions ?
- (c) If the answer to (b) above be in the negative, on what consideration Miss Kanaklata Bhuiyan was promoted to the Selection Grade ?

*68. Will Government be pleased to state—

- (a) Whether any nomination was called for by the Director of Public Instruction, Assam, from the Inspectors and Inspectress of Schools for filling up the vacancy in the Selection Grade caused by the retirement of Babu Romesh Chandra Das ?
- (b) Whether there was any special note by the Inspector of Schools, Surma Valley, recommending the case of the first nominee ?
- (c) What is the present age and length of service of the first nominee in question ?
- (d) Whether there is any special reason for which the case of the first nominee was ignored ?
- (e) Whether it is a fact that no principle whatsoever—age, efficiency, or length of service—is followed in the cases of Muslim Officers, and that their cases are always ignored ?
- (f) Whether Government propose to call for the records and take immediate steps to review the matter ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN
replied :

65. (a)—22.

(b)—4 by Muslims, 18 by Hindus.

(c) & (d)—Seniority and merit. Other things being equal preference is given to those who will retire earlier.

66. (a) (i)—The hon. member is referred to the reply given to questions 65 (c) and (d).

(ii), (iii) & (iv)—The hon. member is referred to pages 43-44 of the list of officers, 1941, a copy of which is placed on the library table.

(b)—No.

(c)—Divisional Inspectors of Schools and the Principal, Government Madrassah, Sylhet.

(d)—Maulavi Yeakub Ali, Babu Ram Dulal Das.

(e)—Yes.

(f)—The second nominee was promoted as he was senior to the first both in length of service and age.

(g)—He was considered more suitable for promotion, both on the grounds of seniority in age and length of service and in merit.

(h)—Yes.

(i)—Srijut Chandra Ballav Goswami was senior to Maulavi Yeakub Ali both in age and length of service and Srijut Kashinath Barman was promoted on the grounds of special merit as a teacher of the Normal School, Jorhat, though he was junior to many officers.

67. (a)(i)—The same principle as stated in 65 (c) and (d).

(ii)—40.

(iii)—20.

(b)—No.

(c)—Does not arise in view of reply to question No. 65 (c) and (d)

68. (a)—No.

(b)—No.

(c)—46 and 24 years respectively.

(d)—No.

(e)—No.

(f)—Officers who feel aggrieved can always make representations to Government through proper channel and they will receive due consideration.

Muslim employees in Assam Government Press

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY asked :

*69. Will Government be pleased to state—

(a) The total number of Muslim employees in the Assam Government Press ?

(b) The number of appointments due to the Muslim in the Press establishment according to communal representation ?

(c) The total number of posts in each category of the Reading Branch of the Press, viz., Readers, Revisers and Copyholders ?

(d) The total number of appointments held by the Muslims in each of the above posts ?

(e) The total number of appointments respectively in the Upper and Lower Grades of the Clerical branch of the Assam Government Press ?

(f) The number of appointments held substantively in the Assam Government Press by the Muslims in the Clerical Branch both in the Upper Grade and in the Lower Grade respectively ?

(g) The total number of posts of compositors in the Permanent establishment of the Press ?

(h) The total number of posts of compositors substantively held by Muslims in the Permanent Establishment ?

(i) Do Government propose to balance the communal quota by appointing Muslims in the Assam Government Press ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

69. (a)—Forty-six.

(b)—Sixty.

- (c)—Readers—7, Revisers—2, Copyholders—7.
 (d)—Reader 1, Copyholders 2.
 (e)—Upper Grade 5 *plus* 1 Head clerk, Lower Grade 9.
 (f)—Upper Grade—Nil, Lower Grade 2.
 (g)—Thirty.
 (h)—Two.

(i)—The Press is a technical Department and qualified candidates from Muslims are given preference to others. Last year the number of appointment held by the Muslims was 40 and this has been increased to 46 this year, from which it will be seen that the matter has already engaged the attention of the Superintendent.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Sir, is it not a fact that the number of posts, shown in the latest printed establishment roll, held by Muslims is 40 and not 46?

The Hon'ble Srijut RUPNATH BRAHMA: I want notice, Sir.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Will the Government please call for the information?

The Hon'ble Srijut RUPNATH BRAHMA: That I think is entirely a new question.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: No, Sir, it is not.....

The Hon'ble the SPEAKER: The Hon'ble Minister has supplied some facts and the hon. member was asking whether that fact was correct or not.....

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: No Sir, my question is whether the Government will call for the information.

The Hon'ble Srijut RUPNATH BRAHMA: Yes, Sir.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Sir, is it not a fact that the communal quota of the Muslim is 60.5 and not 60?

The Hon'ble Srijut RUPNATH BRAHMA: I think the matter may be examined. But so far as I have got the information the figure is 60. But if the hon. member says that it is 60.5, I do not know on what authority he has given this figure. I may look into the matter again, if he so desires.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Is it not a fact, Sir, that recently in a vacancy a non-Muslim was appointed instead of a Muslim?

The Hon'ble Srijut RUPNATH BRAHMA: It is also entirely a new question.

The Hon'ble the SPEAKER: If the hon. member was in possession of all these facts he ought to have framed his question in the light of those facts instead of contradicting him.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: As regards (i) the reply given by the Hon'ble Minister is vague. Does the Hon'ble Minister propose to give a definite reply?

The Hon'ble Srijut RUPNATH BRAHMA: The reply is quite clear. The Muslims are given preference to others according to communal representation.

Maulavi ABDUR RAHMAN: With regard to (a), Sir, the question was "The total number of Muslim employees in the Assam Government Press". The reply was "Forty-six", whereas the questioner has denied by saying that the number is only 40.

The Hon'ble Srijut RUPNATH BRAHMA: That question will be looked into again.

Picketing by Congress volunteers in Sunamganj and other towns in Sylhet District

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY
asked :

*70. Will Government be pleased to state—

- (a) Whether it is a fact that vigorous picketing was going on in Sunamganj and other towns of the district of Sylhet, by the Congress volunteers during the 1st week of September, 1942, preventing officers and court going public from attending courts, and teachers and students from attending schools?
- (b) Whether any action was taken by the authorities to help those who intended to attend courts and schools?
- (c) Whether it is a fact that a considerable number of students attended the Government Jubilee High School, Sunamganj, on the 3rd September 1942 and that the teachers including the Headmaster did not attend school till after 4 p. m. when the picketers withdrew?
- (d) Whether the teachers in a procession headed by the Headmaster went to the school and signed the teachers attendance register showing that they attended school regularly, on 3rd September 1942?
- (e) Whether one of the Extra Assistant Commissioners of Sunamganj, held his court in a building other than the court building, on the 3rd September, 1942?
- (f) If so, what was the reason thereof?
- (g) Whether the Congress volunteers are daily parading the streets of Sunamganj and other towns of the district of Sylhet defying the orders under the Defence of India Rule with slogans tending to show their adherence to the Axis Powers?
- (h) If so, what action has been taken by the authorities in the matter?
- (i) Whether the law-abiding public are not allowed to hold meetings without permission?
- (j) Whether the Superintendent of Police, Sylhet, was assaulted by the Congress volunteers?
- (k) Whether the seat of the District and Sessions Judge of Sylhet and Cachar districts was occupied by a woman volunteer and that he could not hold court on a day after the picketings were started?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA
replied :

70. (a)—There was peaceful picketing, but it did not prevent officials and the public from attending the courts. Some students absented themselves from schools.

(b)—Adequate police arrangements were made to see that no one was obstructed, but police help was not necessary, and nobody asked for it.

(c) & (d)—No.

(e)—No.

(f)—Does not arise.

(g)—There were unlawful processions of young students on some days during the middle part of August and early September, but the slogans of the processionists did not signify adherence towards the Axis Powers.

(h)—Any person of importance taking part in such processions was prosecuted and some have already been convicted. Cases against others are pending. Some of the processions were also dispersed.

(i)—Yes, except religious meetings.

(j)—Yes.

(k)—Government understand that a woman occupied the Judge's seat when he was not in his court. They have no information that he was prevented from occupying his court on any occasion when he wished to do so.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Is it a fact, Sir, that the woman was occupying the chair of the District Judge during office hours, i.e., from 11 a.m. to 5 p.m.?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir, the report is that the lady in question did not occupy the seat during that hour. She came before the office hours of the court, i.e., sometime about 9 or 10 a.m. and she was there for an hour or so. That is the report we have got.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Is it not a fact that while the woman was occupying the seat, the District Judge was standing in the verandah?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: He was in his chamber.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Enjoying his "hukka".

Maulavi ABDUR RAHMAN: Could the District Judge perform his duties on that day?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: According to the report, he did perform his duties on that day in his chamber.

Maulavi ABDUR RAHMAN: How the woman was removed from the chair of the Judge, whether she left it out of her own accord?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am told she left it out of her own accord.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Did she sign any record?

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

Re affairs of the Sunamganj Government Jubilee High School

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY asked:

*71. Will Government be pleased to state—

(a) The number of applications for admission of boys that was rejected by the Head Master, Sunamganj Government Jubilee High School, during the current session?

- (b) Of these applications, how many were of Hindus and how many of Muslims ?
- (c) How many were of sons and wards of Government officers and how many of those of private persons (Hindus and Muslims to be shown separately) ?
- (d) Whether it is a fact that Maulavi Farrukhmond Ali Chaudhury, Post Master, Sunamganj, and Maulavi Sowabullah, Nazir, Civil Court, Sunamganj, applied for admission of their sons into the said school and their applications were rejected by the Head Master ?
- (e) If so, what were the reasons thereof ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

71. (a), (b) & (c)—The applications for admission of boys, which are rejected are returned to the guardians after recording the reasons for refusal in each case on the body of the applications and for this no record is kept in the office. All the boys who were found eligible for admission to the Sunamganj Government Jubilee High School during the current session were admitted except in Classes V and VI, where the number of boys exceeded the prescribed limit caused by the promotion and detention of boys at the very beginning. Applications for admission to Classes V and VI, therefore, were not entertained by the Headmaster.

(d) & (e)—Maulavi Farrukhmond Ali Chaudhury, Sub-Postmaster, Sunamganj and some other gentlemen applied direct to the Inspector of Schools, Surma Valley and Hill Districts for admission of their sons and wards to Classes V and VI of the school, but these were rejected on the ground stated in reply to question No. 71(a), (b) and (c). No application was received from Maulavi Sowabullah, Nazir, Civil Court, Sunamganj.

Burmese Civil Servants

Maulavi ABDUR RAHMAN asked :

*72. Will Government be pleased to state the number of Burmese Civil servants now employed in Assam ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

72.—None.

Appointment of Assistant Director of Public Instruction

†**Babu NIRENDRA NATH DEV** asked :

*73. Will Government be pleased to state—

(a) If it is a fact that Maulavi Mahibulla, a Professor of the Cotton College, Gauhati, has been appointed Assistant Director of Public Instruction ?

(b) If so, how many officers of the Education Department have been superseded by him ?

†The question was put by Babu Bipin Behari Das on authorisation in the absence of the hon. member.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

73. (a)—Yes.

(b)—Five.

(Starred question No. 74 standing in the name of Maulavi Mabarak Ali was not put and answered as the questioner was absent.)

Munshibari Ward's Estate

Mr. BAIDYANATH MOOKERJEE asked :

*75. Will Government be pleased to state—

(a) The amount that has been collected in the Bengali year 1347-48 by the Munshibari Ward's Estate, under the Kamalganj Thana ?

(b) The income and expenditure of the said Estate in the year 1347 and 1348 B.S. ?

(c) The amount of debt of the said Estate and how they propose to clear up the debt if there be any ?

(d) Why the *ex*-Manager of the said Estate, Babu Satish Chandra Roy Chaudhury was dismissed ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

75. (a)—The question is not quite clear. For the purpose of accounts, a whole Bengali Calendar year is treated as a financial year. The collections during Bengali year 1347 and 1348 B.S. were as follows—

1347 B.S.	Rs.6,683-15-9
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1348 B.S.	Rs.10,506-6-5
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(b)—Year	Income	Expenditure
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1347	6,683-15-9	5,185-4-1
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1348	10,506-6-5	7,797-2-7
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(c)—Debt...Rs.95,000 (approximately). No Scheme for repayment of debt has yet been made.

(d)—*Ex*-Manager Babu Satish Chandra Roy Chaudhury was not dismissed. He retired due to old age.

Re Political Prisoners

Srijut ROHINI KUMAR CHAUDHURI asked :

*76. Will Government be pleased to state—

(a) The names of those members of (i) the Assam Legislative Assembly, (ii) the Assam Provincial Congress Committee and (iii) of the Office bearers of the District Congress Committee in Assam who have been arrested, detained or sentenced to imprisonment or fine?

(b) The dates on which they were arrested, tried and convicted?

(c) The places where they were arrested, detained after arrest and the jails where they are now confined?

(d) The charges for which they were arrested, detained after arrest and convicted?

(e) The names of members who have not been tried on any specific charge yet?

*77. Do Government contemplate immediate release of those aforesaid members against whom no definite charge for which they can be tried in a court of law has been formulated and who have been already detained for more than two months?

*78. Will Government be pleased to state if any one of the aforesaid members participated in any subversive political activity after the Congress Committees were declared to be unlawful associations?

*79. (a) Is it a fact that Dr. Harekrishna Das, retired Civil Surgeon, was arrested on the 9th August last and is still under detention?

(b) If so, will Government be pleased to state on what charge he has been arrested and whether he will be tried therefor?

*80. (a) Will Government be pleased to state (i) the names of persons detained in Assam who have been granted allowances by Government during period of detention, (ii) the amount of such allowances and (iii) the date from which these allowances are being paid?

(b) If no allowance has yet been paid, will Government be pleased to state the reasons for not doing so?

*81. Will Government be pleased to state whether the persons who have been detained in Assam without trial were arrested under orders of the Government of India or of the Provincial Government?

*82. Will Government be pleased to state—

(a) Whether the privileges of writing letters, interviewing relations and friends and of reading newspapers were given to these prisoners from the date of their detention?

(b) If not, why not?

(c) Under whose orders such privileges were withheld?

(d) What are the relevant rules on the subject?

*83. Will Government be pleased to state—

(a) The total number of persons arrested in Assam, with their names and addresses, in connection with the mass political movement since August last?

- (b) Who amongst them have been tried in a Court of law and convicted ?
- (c) What were the sentences passed on them ?
- (d) Whether the rest will be tried ?
- (e) If so, when ?
- (f) If not, how long will they be detained ?

*84. Will Government be pleased to state—

- (a) The names of places and dates on which firing was resorted to on crowd, procession or public assemblages in the Province either by Police or Military since August last ?
- (b) The reasons for such firing ?
- (c) Whether any Magistrate was present on each occasion of such firing ?
- (d) The total number of persons killed and injured due to such firing or lathi and bayonet charges ?

*85. Will Government be pleased to state—

- (a) Whether any Police or Military Officers or any Government servants were killed or injured by mobs or any individual during August, September and October 1942 ?
- (b) If so, what are their names and the date on which and disturbances in connection with which they were killed or injured ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA
replied :

76. (a) to (e)—Three lists have been placed on the Library table.

77.—Government will consider the question of releasing persons under detention if they are satisfied that the latter are prepared to abstain from any aid or encouragement to unconstitutional action and therefore to dissociate themselves entirely from the Civil Disobedience Movement in all its aspects.

78.—Yes.

79. (a)—Yes.

(b)—He is detained under the Defence of India Rule 26(1)(b) which does not involve a charge.

80. (a)—A family allowance of Rs.25 per mensem each has been sanctioned for Maulavi Tayebulla, Sriyut Padmadhar Chaliha, Mrs. Subhasini Devi, wife of Kedar Nath Bhattacharji and Mrs. Hemada Sundari Devi, wife of Sriyut Chanchal Kumar Sarma, and Rs.20 per mensem to Sriyut Gurudayal Dutta. In addition, a sum of Rs.7 per mensem as personal allowance has been sanctioned for Mrs. Subhasini Devi, Mrs. Hemada Sundari Debi, Sriyut Gurudayal Dutta, and for Miss Uma Debi and Miss Leela Dutta. All allowances sanctioned are to take effect from the date of the individual's detention in jail.

(b)—Government have undertaken enquiries into each case where application has been made and are issuing instructions for the payment of allowances on the reports as they come from day to day. Where no application has been made, Government are not aware of the reasons.

81.—Orders in such cases were passed either by the Provincial Government or by the District Magistrate.

82. (a)—The privileges of correspondence and interviews were not granted in the first instance but are now being granted on certain conditions.

(b)—Government were not prepared to allow persons to use the security of the jails as a cover for organising unlawful activity.

(c)—Under the orders of the Provincial Government.

(d)—The rules have been under revision and will shortly be issued.

83. (a)—According to the latest information available the total number of arrests is 1,552. The names and addresses are not available in the Secretariat.

(b)—The number of convicts is 627.

(c)—The sentences ranged from admonition to imprisonment for a period of 2 years and a fine of Rs.1,000. Government have not full particulars.

(d)—Government are unable to say, as it depends in many cases upon the discretion of the District Magistrate whether any person is prosecuted, or continues to be detained.

(e)—Does not arise.

(f)—It is not possible to say at present. Much depends upon the possibility of a recovery of sense on the part of those who have attempted to plunge parts of the country into disorder.

84. (a)—A statement has been placed on the Library table.

(b)—As the facts in many cases are likely to come before the courts, Government are not prepared to make a statement.

(c)—Not on all occasions.

(d)—The number of persons killed as the result of firing is 20. Sixty seven persons, including 26 of the police force, are believed to have been injured in the course of these clashes.

85. (a)—Two Military Officers and 26 members of the Police force have been injured, some seriously.

(b)—Government see no useful purpose in disclosing details of this nature, especially as the names are incomplete in the records.

Srijut ROHINI KUMAR CHAUDHURI: It is very difficult for me, Sir, to put supplementary questions when all the Questions Nos. 76—85 have been put together.

The Hon'ble the SPEAKER: Then I shall allow the hon. member to put supplementary questions as he likes; because these are very important questions. And I wish that they should be answered within the short time of few minutes of the question hour that is yet at our disposal.

Srijut ROHINI KUMAR CHAUDHURI: Sir, with regard to question 77 does the release of those persons who have been detained depends on their own action or on the action of others who are outside the jail?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: On a point of information, Sir, can any supplementary questions be allowed after 12 O'clock?

The Hon'ble the SPEAKER: I said two minutes more would be allowed as we sat two minutes later. We have got two minutes only.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: As I said, Government will consider the question of releasing persons under detention if they are satisfied that the latter are prepared to abstain from any aid or encouragement to unconstitutional action and therefore to dissociate themselves entirely from the Civil Disobedience Movement in all its aspects.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Supply of Foodstuffs in the Province

Mr. E. H. S. LEWIS asked :

38. Will Government be pleased to state—

- (a) Whether they are aware of the increase in pilferage on the Railways in particular of foodstuffs coming to this Province ?
- (b) If so, whether representations have been made to this effect in proper quarters and with what result ?
- (c) If not, do Government propose to represent the matter to proper quarters ?

39. Will Government be pleased to lay on the table a statement of the present position regarding the supply of food articles in the province which are not produced in Assam ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

38. (a)—No.

(b)—Does not arise.

(c)—Does not arise.

39.—A statement is given below showing the monthly order of foodstuffs placed with Government buying Agent Messrs. Shaw Wallace and Company, Calcutta :—

Salt	...	...	...	...	111,000 mds.
Sugar	...	...	...	...	23,500 mds.
Arhar Dal	...	...	...	...	8,030 mds.

Masur Dal	...	14,770 mds.
Other dals	...	2,000 mds.
Gram	...	2,700 mds.
(Only for Nowgong and Lakhimpur.)		
Mustard Oil	...	4,000 mds. (Only for Sylhet and Cachar)

and some flour and ata for the Province which are left to Shaw Wallace's flour Department which has a good knowledge of the Assam's trade.

Total population of the Province

Maulavi NAZIRUDDIN AHMED asked :

40. Will Government be pleased to lay on the table a statement showing :—

- (a) (i) The total population of the Province ?
- (ii) The population of different communities including the Scheduled castes, valley by valley, and
- (iii) The percentage of Government services held by each community, valley by valley ?
- (b) Do Government now propose to appoint officers in all Departments according to the quota of each community, valley by valley ?

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

40. (a) (i) and (ii)—These have already been published in the Gazette. For convenience of reference a copy of the provincial communal table has been placed on the library table.

(iii)—The return for June 1942 is now in process of collection.

(b)—Yes, save that Government do not at present propose to make a valley distribution of the Tribal Plains population. Government propose to give their attention to the detailed working of the established policy after the session.

Dhubri-Fakirganj Ferry Service

Maulana ABDUL HAMID KHAN asked :

41. (a) Will Government be pleased to state whether any condition was laid down by them specifying the kinds of boats that should be used in the Dhubri-Fakirganj Ferry Service ?

(b) If so, what was that condition ?

(c) Is it a fact that the ferry service is now conducted with small country boats ?

(d) At what hours during which the ferry should ply according to the terms of the contract ?

(e) Are Government aware that the timings are not observed at all ?

(f) What steps do Government propose to take to remedy the irregularities in connection with the Dhubri-Fakirganj Ferry Service ?

The Hon'ble Khan Bahadur Maulavi SAYDUR RAHMAN replied :

41. (a)—Yes.

(b)—A steam vessel approved by the Commissioner of Divisions in accordance with the Chief Engineer's Notification No. 210-C., dated the 10th September 1928.

(c)—Yes.

(d)—Dhubri-Fakirganj—

Morning time—8-30 a. m.

Evening time—3-30 p. m.

Fakirganj-Dhubri—

Morning time—10-30 a. m.

Evening time—4-30 p. m.

(e)—Timings are observed but sometimes it is not punctual due to weather conditions and other reasons.

(f)—Does not arise.

Rural Uplift Scheme

Maulana ABDUL HAMID KHAN asked :

42. Will Government be pleased to state—

(a) What are the achievements up till now of the Rural Uplift Scheme of the Province and if they have come up to expectation ?

(b) The names of places where the different Rural Uplift Centres of the Province are situated ?

(c) The amount of money spent for each of them from the beginning ?

(d) The works that are being done at the different centres ?

(e) The works done by the Organiser of the Ghagmari Centre from the time of his appointment ?

(f) Whether it is a fact that Government was requested several times to give training to the Organiser of the Ghagmari Centre ?

(g) The steps that were taken by Government in the matter ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

42. (a)—The most striking success which has been achieved is the awakening of a spirit of dignity of labour and better living in the minds of the villagers who are gradually realising that by self-help and co-operation they can improve the lot of the village life. The best example will be found in most of the centres where the people are ungrudgingly co-operating with the departmental staff in various activities such as clearing jungles by the roadside, repairing roads, renovating tanks, repairing bamboo bridges, digging drains, bunding fields, etc.

Details are given in the Annual Reports of the Department.

(b)—A list of centres is given below :—

SURMA VALLEY

District	Subdivision	Centres
Sylhet	North Sylhet	Tajpur Bhadeswar Jaintiapur Sherpur Biswanath.

District		Subdivision		Centres
Sylhet	...	South Sylhet	...	Kamalganj Kulaura Singkapan.
Sylhet	...	Karimganj	...	Beanibazar Gangarjal Bahadurpur.
Sylhet	...	Sunamganj	...	Jagannathpur Jamalganj Pagla Polash.
Sylhet	...	Habiganj	...	Nabiganj Shaistaganj Banisichung.
Cachar	...	Silchar	...	Narsingpur Buribail Chandrapur. 21.

UPPER ASSAM VALLEY

Sibsagar	...	Golaghat	...	Naharani Bamunpukhuri.
Sibsagar	...	Jorhat	...	Majuli Khongia.
Sibsagar	...	Sibsagar	...	Samaguri Betbari.
Nowgong	...	...	...	Bhotaigaon Rupahi Barpujia Rahmaria.
Lakhimpur	...	Dibrugarh	...	Madarkhat.
		North Lakhimpur	...	Naobaissa. 12.

LOWER ASSAM VALLEY

Goalpara	...	Dhubri	...	Rangjuli Kharmuza Ghagmari Kokrajhar.
Kamrup	...	Gauhati	...	Rampur Goral Rangiya Digheli Khetri Kamarkuchi Howli Goreswar.
Kamrup	...	Barpeta	...	Marka.
Darrang	...	Tezpur	...	Lehugaon Ketekibari Behali.
Darrang	...	Mangaldai	...	Banglagarh. 17.

(c)—The information could not be collected in detail in time for this Session. The approximate sum is Rs.600 per centre for the year in which it is started and Rs.250 per annum to continue the work.

(d)—The average programme of the Rural uplift centres is as follows:—

1. *Comm'n Hall*.—Monthly meetings, lectures, posters on the walls, charts and maps showing work already done in the centre, work to be done, etc.
2. *Agriculture*.—Seed bank, fruit nursery centre, land improvement activities, etc.
3. *Live-stock*.—Breeding bulls, stud goats, fodder demonstration, etc.
4. *Medical*.—Small dispensary at the centre.
5. *Public Health*.—Sanitation, such as ventilation by making windows in houses, drainage of villages, construction of latrines where necessary, water supply, etc.
6. *Cottage industries*.—Communal looms and training classes for spinning, weaving, etc.
7. *Education*.—Day schools for boys and girls and night schools for adults.
8. *Organiser's practical work*.—Constructing roads, repairing and widening existing roads and paths, making bamboo bridges, clearing jungles around the villages, clearing drainage channels, improving irrigation channels, digging tanks for providing good drinking water, etc.

(e)—Details of two years' work done in the Ghagmari Centre are given below:—

Name of centre	Year	Items of work	Brief account of work done
Ghagmari ...	1940-41	Grafts and seedlings of different variety.	61 planted.
		Betelnut seeds ...	500 planted.
		Seeds distributed ...	10 mds. paddy.
			2,000 sugarcane setts.
	1941-42		2 mds. <i>rabi</i> crops.
			3 packets tobacco.
			1 mile.
		Repair and construction of roads.	
		Jungle clearance ...	1 jungle.
		Medical relief ...	400 cinchona pills distributed.
		Grafts and seedlings of different variety.	59 planted.
		Seeds distributed	28,000 sugarcane setts.
			1 md. 20 srs. potato.
			1 md. 12 srs. jute seeds.
		Educational activities	4 night schools opened.

In both the years improvement of communication and sanitation was taken up in all the centres. Industrial and educational activities were also kept at the forefront of the programme. The present Organiser was appointed in this centre on 1st March 1940.

(f) and (g)—Training was given to the Organiser on the following subjects for 6 weeks from 15th July to 24th August, 1940. The period of training however differs in certain areas:—

- (i) Veterinary, (ii) Public Health and Medical, (iii) Sericulture, (iv) Weaving, (v) Co-operative Societies, (vi) Literacy Campaign, (vii) Propaganda, (viii) Farm work and (ix) Office work.

“Grow More Food” Campaign

Maulana ABDUL HAMID KHAN asked:

43. Will Government be pleased to state—

- (a) The names and addresses of the contractors from whom seeds were purchased by them under the “Grow More Food” Campaign this year in the province?
- (b) The prices paid to each of the said contractors for the different kinds of seeds?
- (c) Whether Government satisfied themselves that the seeds in each case were in a germinating condition?
- (d) Whether they are aware that in many cases the seeds did not germinate or the plants withered away after germination?
- (e) The amount of different seeds that were distributed for one bigha of land?

44. Will Government be pleased to state—

- (a) The area of the Lakhipur, South Salmara and Mankachar Thanas of the Goalpara district and the Thanas in the plains portion of the Garo Hills district?
- (b) The amount of various seeds that were distributed in the above-mentioned areas?
- (c) The names and addresses of persons to whom different kinds of seeds were distributed in the abovementioned areas together with the quantity of each kind of seeds so distributed to them and the total Bighas of land each of them possesses?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

43. (a)—Seeds were purchased at all possible sources from hundreds of people after efforts to obtain them from Bihar, the United Provinces and the Punjab had failed. The largest purchase was made in Bhairab.

A list containing the names and addresses of the suppliers will be laid on the Library table, if it is received from the Deputy Director of Agriculture, Lower Assam Valley, during this Session of the Assembly.

(b)—Market rates were paid to the suppliers. Prices paid to each of them will be shown against their names in the list referred to in reply to question No. 43(a) above.

(c)—Yes.

(d)—No.

(e)—According to seed rate of crop.

Names of thanas	Area in sq. miles.
44. (a)—Lakhipur ...	266·8
South Salmara ...	271·6
Mankachar ...	61·4

Information regarding the area of the thanas in the plains portion of the Garo Hills district is not available at present and cannot be obtained before the end of the Session.

(b) & (c)—Reports from the officers concerned have not been received as yet, as distribution has only just finished.

Campaign of agitation in Assam Valley against Bengalee immigrants

Maulana ABDUL HAMID KHAN asked :

45. (a) Are Government aware that a regular campaign of agitation is being carried out in the present situation in the Province caused by the War by certain section of the Assamese people by distributing hand bills and by other means for driving away the Bengalee immigrants from the Assam Valley ?

(b) If so, what steps, if any, have been taken or Government propose to take to give protection to the immigrants ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

45. (a)—There was some propaganda to this effect in May and June last and some leaflets were distributed but it has since died down and been forgotten.

(b)—The question no longer arises.

Mechpara and Bijni Raj Wards' Estates

Maulavi MUHAMMAD AMJAD ALI asked :

46. Will Government be pleased to state—

(a) Whether Mr. Jacob's report regarding the working plan of the Mechpara Wards' Estate was given effect to ?

(b) If so, from which date ?

47. Is it a fact that Mr. Jacob, I. F. S., recommended an independent Chief Forest Officer to be appointed for the Mechpara Wards' Estate ?

48. (a) Is it a fact that Mr. Jacob, I. F. S., disapproved and definitely suggested not to appoint the Chief Forest Officer, Bijni Raj Wards' Estate, to the post ?

(b) If so, why the Chief Forest Officer, Bijni Raj Wards' Estate, was appointed to the post against Mr. Jacob's recommendation ?

49. (a) Is it a fact that the Divisional Forest Officer, Garo Hills Division, was also the Chief Forest Officer, Mechpara Wards' Estate, before appointment of the Chief Forest Officer of Bijni Raj Wards' Estate as Chief Forest Officer of Mechpara Wards' Estate ?

(b) If so, why the Divisional Forest Officer, Garo Hills, was replaced by the Chief Forest Officer, Bijni Raj Wards' Estate ?

(c) Will Government be pleased to state the special grounds for appointing the Chief Forest Officer, Bijni Raj Wards' Estate, to the job ?

(d) Is it a fact that the Divisional Forest Officer, Garo Hills, who was also the then Chief Forest Officer, Mechpara Wards' Estate, was asked in that connection to come and demonstrate marking of green selected sal trees as suggested by Government and on his failure to come, the Chief Forest Officer, Bijni Raj Wards' Estate, was appointed for the purpose?

50. Will Government be pleased to state—

(a) When and at what pay the post of the Chief Forest Officer, Bijni Raj Wards' Estate, was advertised?

(b) Whether the scale of his pay has undergone revision since then?

(c) If so, on how many occasions and on what consideration the revision was made in each case?

51. Will Government be pleased to state—

(a) The annual income of the Bijni Raj Wards' Estate from Forests?

(b) What is the annual income of the Mechpara Wards' Estate from forests?

(c) The number of officers and the staff maintained by each of these Estates for Forests and the salaries paid to them?

(d) Whether the question of giving time scale of pay to the other officers like the Assistant Manager, Sub-Manager, Habraghat, Sub-Manager, Khutaghat, Superintendent and Additional Superintendent, Bijni Raj Wards' Estate was considered when revising each time the scale of pay of the Chief Forest Officer, Bijni Raj Wards' Estate?

52. Will Government be pleased to state—

(a) Whether they have received a number of representations from the tenants of the Mechpara Wards' Estate affected by the last flood for relief in their distress?

(b) Whether it is a fact that high and untimely flood of the Brahmaputra river damaged their standing crops in the low lying portion of the Mechpara Wards' Estate from the village Balamari to Fakirganj?

(c) Whether Government propose to ascertain the extent of damage thus caused and the area involved in the last flood?

(d) The steps, if any, that have till now been taken to remove their distress?

(e) Whether the Manager, Mechpara Wards' Estate was approached by flood-affected tenants for gratuitous relief and supply of seeds.

(f) Whether the Manager went out personally to see their distressed conditions?

(g) If so, how many days the Manager was out on tour for this purpose and with what effect?

53. Will the Hon'ble Minister in-charge be pleased to lay on the table a copy of the Manager's tour diary for the months of July and August 1942?

54. Will Government be pleased to state—
- Whether the post of the Head Clerk, Mechpara Wards' Estate, was recently advertised for appointment?
 - The respective educational qualifications, age, previous experience and home district of each of the candidates that applied for it?
 - Whether any of the candidates previously officiated in the post of the Head Clerk in Mechpara Wards' Estate?
 - If so, whether he has been given this appointment?
 - If not, what was the reason for not appointing him to the post?
55. Will Government be pleased to state—
- Whether the person appointed as Head Clerk, Mechpara Wards' Estate was a subordinate to Srijut Haripada Banerjee, the Head Assistant of Bijni Law Branch?
 - Whether Srijut Haripada Banerjee was also one of the candidates for the post?
 - If so, what is the reason for such a supersession?
 - The special qualifications and previous experience of the person appointed in the post?
56. (a) Whether it is a fact that the Forest Coupes in the Bijni Raj Wards' Estate are sold in monopoly rights by public auction to the intending purchasers?
- (b) If so, whether the monopoly fee is realised before or after issue of permit for the coupes?
57. (a)—Is it a fact that a large amount of monopoly fees is in arrears?
- (b) Is it a fact that the bidders of the coupes were given permit and timbers were disposed of?
58. Will Government be pleased to lay on the table—
- The list of permit holders whose monopoly fees was realised after one year (*i.e.*, expiry of the scheduled time) from the date of the issue of the permit, since 1343 B.S. to 1349 B.S.?
 - The list of those whose timbers were disposed of before the realisation of monopoly fees between 1343 B.S. and 1349 B.S.?
59. (a) Will Government be pleased to state whether previous sanction of Government was taken for introduction of a new scheduled rate within Bijni Raj Forests?
- (b) If so, whether such sanction was taken for 1349 B.S. before introduction of the new rate within the Bijni Raj Forests by the Chief Forest Officer?
- (c) If not, why?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN
replied :

46. (a)—No, not in full.
(b)—Does not arise.

47 & 48.—Mr. Jacob recommended the appointment of a trained Government Forest Ranger with experience in the Government Sal Forests of Assam. As the Forest Department was unable to spare such an officer, the Chief Forest Officer of the Bijni Raj Wards' Estate was appointed, as he was acquainted with the Assam Forests.

49. (a)—Yes.

(b) & (c)—In the best interests of the Estate.

(d)—Government have no information.

50. (a)—The post was not advertised but Mr. Kaith was appointed on the scale of Rs.150—300 per mensem.

(b) & (c).—The pay was revised once in 1937 in view of the officer's good work and his responsibilities.

51. (a) & (b).—The information is given in the Annual Report on the administration of the Court of Wards' Estates, a copy of which is supplied to the hon. member.

(c)—

BIJNI :—One Chief Forest Officer on Rs.175—175—200—15—
20
290—15—355—15—410—450 per mensem.
2

One Range Officer on Rs 50 per mensem. Six Foresters on Rs.30—1—40 per mensem each. Twenty-four Guards on Rs.15 per mensem each. One Chaprasi for the Chief Forest Officer on Rs.11 per mensem. One Forest Clerk on Rs.40 per mensem. One Muhorer on Rs 30 per mensem.

MECHPARA :—

Post	No. of post	Scale of pay
(a) Permanent Staff		
Forest Sub-Manager	1	Rs. 5 70—120
Deputy Rangers	2	1 4 50—70
Forest Clerk	1	2 2 20—35 effi- 3 ency bar. 3
Foresters	3	40—50 3 1
Senior Forest Guard	1	30—40 6 Fixed pay 25
Forest Guards	17	1 16—20 4 1
Forest peons	2	12—16 5

Post	No. of post	Scale of pay
<hr/> (b) <i>Temporary Staff</i> <hr/>		
Fire-watchers for 5 months in a year.	6	Rs. 12 per mensem each.
Boatmen for 6 months in a year (And one boat at Rs.3 per month for the same period.)	2	Ditto.

(d)—The question of granting a time scale of pay to all the employees of the Estate was considered in 1939, but was dropped in view of the heavy financial liability which the Estate could not afford.

52. (a)—A few petitions were received.

(b)—No information regarding this particular area was received, but it was reported that areas on the south bank of the Brahmaputra had been affected by flood.

(c) & (d)—The Deputy Commissioner made necessary enquiries in the areas affected and granted relief where necessary.

(e) (f) & (g)—Government have no information.

53.—The tour diaries of the Manager are not forwarded to Government.

54 & 55.—Government have no information. The appointment rests with the local officers.

56. (a)—Yes.

56. (b) & 57 (a) & (b)—Government have no information.

58. (a) & (b)—The information is not before Government and Government do not consider it necessary to call for it.

59. (a) & (b)—Yes.

(c)—Does not arise.

Expenditure in connection with the prosecution of the War

Babu KAMINI KUMAR SEN asked :

60. Will Government be pleased to state—

(a) Whether any expenditure has been or is being met from the Provincial Revenues for the purpose of prosecution of the War ?

(b) If so, what is the nature and extent of such expenditure ?

(c) Whether the salaries of those officers of the Province whose services are utilised for helping in the prosecution of the war are paid for by the Central Government ?

(d) Whether the cost of those materials and implements belonging to the Provincial Government but used for such purpose is paid for by the Central Government ?

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

60. (a)—No, except that, as the hon. member is aware, a grant of Rs. one lakh was made with the vote of the Legislature to H. M's Treasury for the prosecution of the War. Necessarily the War has had considerable indirect effects upon provincial expenditure, but every case is rigidly scrutinised in order that charges which can be interpreted as properly payable by the Central Government as being intended for the purposes of prosecuting the War are submitted to that Government for acceptance.

(b)—Does not arise.

(c)—Yes.

(d)—Yes.

Re: Communist prisoners

Babu KARUNA SINDHU ROY asked :

61. Will Government be pleased to state—

(a) When, how and where Radharanjan De, a communist prisoner, detained in the Sylhet Jail, displayed his political activities for which he was arrested ?

(b) The name of the officer who reported against him ?

(c) Whether the widowed mother of the aforesaid prisoner applied for Government allowance to maintain herself and her minor children ?

(d) If so, what decision has been made by Government ?

(e) Whether it is a fact that the Subdivisional Officer, Sunamganj, recommended for the grant of permission of holding a meeting by the aforesaid prisoner in the Jagannathpur Thana Area just before his arrest ?

62. Will Government be pleased to state whether they propose to constitute a committee of non officials and officials (excluding police officers) to enquire into the causes of arrests, conviction, detention, internment and externment of communists of the province of Assam and to submit a final report to Government finding out whether the communists are strugglists or anti-strugglists in the present political movement ?

63. Will Government be pleased to state—

(a) Whether it is a fact that Asutoh Sen, a communist, who has been interned at Sylhet town, has to attend the Sylhet Thana once a day ?

(b) If so, why such orders have been passed in his case ?

(c) Whether they propose to lessen the number of his attendance to the Thana from once a day to once a week ?

(d) If not, why not ?

64. Will Government be pleased to state—

(a) Whether it is a fact that Surya Moni De, a communist, was arrested at Srimangal on the 1st November 1942, while leading a procession with posters in which anti-fascist slogans were written ?

(b) Whether he was subsequently let off and the posters were confiscated ?

(c) What are the reasons for the confiscation of posters ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

61. (a)—He was arrested on the 5th June 1942. The arrest is understood to have been in the jurisdiction of Jagannathpur Police Station and to have been on account of his propaganda in favour of sabotage.

(b)—Government are not prepared to disclose the names of their officers who have discharged particular duties such as this.

(c)—Government have received no such representation.

(d)—Does not arise.

(e)—Government have no information but have enquired.

62.—No.

63. (a)—Yes.

(b)—Because of his prejudicial activities.

(c) & (d)—Government are prepared to enquire the views of the district officers ; and are already awaiting a report from the Police Department.

64. (a), (b) & (c)—Government have no information, but have enquired.

Opening of Aerodromes or Aeroplane landing grounds in Sylhet district

Babu KARUNA SINDHU ROY asked :

65. Will Government be pleased to state—

(a) The number of aerodromes or aeroplane landing grounds which Government have opened or contemplate to open in the district of Sylhet ?

(b) The names of places where aerodromes or landing grounds have been opened or are going to be opened in the district of Sylhet ?

(c) The names of persons whose land has been acquired or going to be acquired by Government for making aerodromes or landing grounds in the district of Sylhet ?

(d) Whether compensation has been given in kind or in cash to persons whose land has been acquired ?

(e) The amount of compensation given to each person whose land has been acquired ?

(f) Whether paddy fields with ripe or half-ripe paddy has been acquired ?

(g) Whether the ripe or half-ripe paddy was given to the owner of land or taken by Government ?

(h) Whether arrangements have been made to give land to those persons whose paddy fields have been acquired ?

(i) How many bighas of land have been acquired in each district of the province up till now for this purpose ?

(j) How many bighas of land have been given as compensation in each district ?

(k) Whether the lands acquired will be returned to their owners when the war ends ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

65. (a) & (b)—The information being of military importance cannot be supplied.

(c)—The requisitioning or acquisition of such lands is done by the Collector as Agent of the Central Government and not of this Government. The information is not available.

(d)—In cash.

(e), (f) & (g)—The information is not available.

(h)—The Deputy Commissioner is trying to find land on which to settle the persons whose land has been requisitioned.

(i) & (j)—The information is not available.

(k)—Yes, if it is no longer required by the Central Government.

Bye-election in place of late Srijut Rajani Kanta Barua

Babu KARUNA SINDHU ROY asked :

66. Will Government be pleased to state why bye-election has not yet taken place in the Constituency of late Rajani Kanta Barua, who died in June 1942 ?

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

66.—Necessary steps to hold the bye-election are now being taken.

Recommendations of the Partially Excluded Areas Conference

Maulavi MUHAMMAD ABDUS SALAM asked :

67. Will Government be pleased to state—

(a) What actions they have taken on the various recommendations of the Partially Excluded Areas Conference ?

(b) What was the intention of Government in holding such a conference ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

67. (a)—The recommendations have not been given effect to, owing to changes in Ministry, the subject bristling with complicated legal questions and reference being necessary not only to the Crown Representative at the centre and also to the Secretary of State

(b)—The intention of the then Government was to bring the laws of administration of justice in the Partially Excluded Areas to the same lines as the plains portion of the Province.

Enforcement of certain sections of the Civil Procedure Code in Shillong and Partially Excluded Areas of the Province

Maulavi MUHAMMAD ABDUS SALAM asked :

68. (a) Will Government be pleased to state whether they have taken any action to enforce sections 60 and 61 of the Civil Procedure Code in Shillong and in the Partially Excluded Areas of the Province ?

(b) If not, why ?
 (c) Do Government propose to take immediate steps to remove anomalous position with regard to attachment of salaries of Government servants stationed at Shillong ?

(d) If not, why ?

69. (a) Will Government be pleased to state since when they are considering the question of enforcing the Civil Procedure Code and the Jurisdiction of the High Court in Shillong and in the Partially Excluded Areas of the Province ?

(b) What results they have achieved so far and what action they have taken in the matter ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

68. (a) & (b)—No such definite action has been taken but the matter is being examined and considered by the Government. The provision of sections 60 and 61 of the Civil Procedure Code are embodied in the "Rules for the Administration of Justice and Police in the Khasi and Jaintia Hills" published with Notification No.2618-A.P., dated the 29th March 1937, under the powers conferred by section 6 of the Scheduled Districts Act, which Notification continues valid under the Adaptation of Laws Order, and applies to the Partially Excluded Areas of the Khasi and Jaintia Hills and the British portion of Shillong. The hon. member's attention is invited to Rule 34 of those Rules. It will be noted that the substance of section 61 finds place in Rule 34, proviso (b). With regard to the Garo and Mikir Hills, Government are not aware of any urgent need for the inclusion *in extenso* of the provisions of those sections in the Rules applying, to those areas. The hon. member's attention is invited to Rules 33 and 32 respectively of the Rules there applicable, and the protection they afford to judgment-debtors.

(c)—Government propose to take early steps in the matter.

(d)—Does not arise.

69.—As stated in reply to question No.68 (a), (b) and (c) the matter being examined by the Government.

Declaration of Assam as a "War Zone"

Maulavi MUHAMMAD ABDUS SALAM asked :

70. (a) Have Government declared Assam as a war zone ?

(b) If not, why ?

(c) Do Government propose to move proper authorities to declare Assam as a war zone in view of Japan's recent assault on Assam ?

(d) If not, why not ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

70. (a)—No.

(b)—The hon. member does not indicate what is implied by the term "war zone". Government have issued such instructions as are appropriate to the situation of Assam in respect of the War, but have not used the term "War Zone".

(c)—No.

(d)—For the reasons given in reply to question (b).

Distribution of seeds in connection with the "Grow-more-food" campaign

Maulana ABDUL HAMID KHAN asked :

71. Will Government be pleased to state—
- (a) How many maunds of seeds and of what variety were distributed to the people in connection with the "grow more food" campaign in different areas of the province?
 - (b) How many maunds of seeds were sold in cash and how many on credit in different areas of the province? (To be shown area by area.)
 - (c) The total expenditure incurred in that connection for purchasing seeds for each thana?
 - (d) Whether the Deputy Director of Agriculture, Lower Assam Valley, or the Inspector of Agriculture, Dhubri, visited the areas where seeds were distributed to ascertain whether a particular seed was suitable for a particular area?
 - (e) Whether the officers mentioned in question (d) above ever visited the Dhubri South Bank area for the purpose?
 - (f) The names of Agricultural Inspectors in charge of Dhubri South Bank at that time?
72. (a) Will Government be pleased to state whether it is a fact that seeds were distributed carelessly?
- (b) If so, who were responsible for this carelessness in distribution of seeds?
73. (a) Will Government be pleased to state the areas and population of Lakhipur, South Salmara and Mankachar thanas of the Goalpara District, and the Thanas in the plains portion of the Garo Hills District?
- (b) What facilities have been given to the people of these Thanas to grow more food?
74. (a) Are Government aware that 'garia' paddy seeds were not supplied in time to the people of the Dhubri South Bank area?
- (b) Is it a fact that a large amount of seeds distributed by Government did not germinate?
- (c) If so, do Government propose to refund the price of those seeds?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

71. (a) & (b)—The information is not available at present as the reports to this effect have not been received from the Deputy Directors of Agriculture as yet.

(c)—The information cannot be given as distribution was not based on thanas.

(d)—Yes.

(e)—Yes.

(f)—Babu Benoy Krishna Dhar was the Agricultural Inspector, Dhubri which included the South Bank.

72. (a)—No.

(b)—Does not arise.

73. (a)—*Thanas*

Area in square miles

Population

Lakhipur ... 266.8

81,391

South Salmara 271.6

89,847

Mankachar 61.4

39,671

The information regarding the thanas in the plains portion of the Garo Hills District is not available at present and cannot be obtained during the Assembly Session.

(b)—The hon. member's attention is invited to the reply given to question No. 71 (a) & (b) above.

74. (a)—Yes. The delay could not be avoided as there was no control over transport difficulties caused by war conditions.

(b)—No such reports have been received by Government.

(c)—The Grow More Food Campaign Schemes include allowance for failure of crops when recovery of seed advances is to be made.

Removal of Congress Flag from the Gauhati Local Board Office building

Srijut ROHINI KUMAR CHAUDHURI asked :

75. (a) Is it a fact that the Congress Flag hoisted over the Gauhati Local Board Office some four years ago was recently removed under the verbal orders of a Military Officer in the absence of the Chairman and without any reference to him ?

(b) If so, will Government be pleased to state under what authority and by virtue of which rule or law the Military Officer took recourse to this action ?

(c) Are Government aware that subsequently under orders of the Chairman of the Local Board, Gauhati the Flag was re-hoisted ?

(d) Is it a fact that a reference has been made by the Chairman through the Deputy Commissioner to the Provincial Government for an opinion whether the interference with the hoisted Congress Flag was lawful or not ?

(e) If so, what direction has been given by Government ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

75. (a)—It was so reported by the Chairman of the Gauhati Local Board.

(b)—The hon. member is referred to the Government notification published in the Extraordinary *Assam Gazette* dated the 10th August 1942 declaring the Congress Associations as unlawful, and as such, the hoisting of a flag connected with those associations, on the building of a Local Board which receives grants from Government was no doubt considered undesirable.

(c)—The Chairman of the Local Board has reported accordingly.

(d)—Yes.

(e)—Government are not prepared to disclose the instructions issued to their officers.

Distribution of Kerosene in Sylhet District

Maulavi ABDUR RAHMAN asked :

76. (a) Are Government aware that consumption of kerosene in the district of Sylhet has been strictly restricted by the authorities ?

(b) If so, why ?

(c) Are Government aware that the present system of distributing kerosene among the general public in the district of Sylhet is unsatisfactory ?

(d) Will Government be pleased to state on what basis kerosene is distributed at Habiganj ?

(e) Are Government aware that license issued for distribution of kerosene in the subdivision of Habiganj is disproportionate ?

(f) Are Government aware that the quantity of kerosene supplied to the public in Habiganj subdivision is very small ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

76. (a)—Yes.

(b)—Due to the fall of Burma and in view of the change in the shipping situation there is an imperative need for conserving the supplies of kerosene to the maximum extent possible. The Government of India, therefore ordered the Oil Companies to restrict the bulk supplies of kerosene to the extent of 50 per cent.

(c)—Distribution of kerosene oil is regulated by permits issued to the shop-keepers. These have the effect of ensuring that every area gets some share of the supply however small. In some cases Village Defence Committees have further distributed the supplies among the consumers. The system is working fairly satisfactorily. Special permits are issued for kerosene oil for industrial purposes, Government Institutions and the monthly quota covered by such permits is reported to the Burma Oil Company.

(d)—In rural areas of Habiganj Subdivision one tin of kerosene oil is distributed to hundred families and in urban areas $2\frac{1}{2}$ *powas* per family monthly.

(e)—The question is not clear. Permits have been issued in all Chowkidari Circles, covering the quota allotted to the subdivision of Habiganj.

(f)—Yes, this is all over the district on account of the reduction of supply by the Oil Companies.

Number of ministerial posts in the Office of the Director of Public Instruction, Assam

Srijut RABI CHANDRA KACHARI asked :

77. Will Government be pleased to state—

(a) The total number of ministerial posts in the office of the Director of Public Instruction, Assam, showing how many of them are permanent and how many are temporary ?

- (b) The number of such posts held by each community showing how many of these according to the population basis of 1941 Census each of the following communities are entitled to—(i) Surma Valley Caste Hindus, (ii) Surma Valley Scheduled Castes, (iii) Surma Valley Muslims, (iv) Assam Valley Muslims, (v) Assam Valley Caste Hindus, (vi) Assam Valley Scheduled Castes, (vii) Tribals—Hills and Plains?
- (c) The total number of such appointments both temporary and permanent made upto 31st October, 1942 since 1st January, 1940 stating the community from which such appointments have been made?

78. (a) Is it a fact that the Director of Public Instruction, Assam, advertised a post few months ago to be filled up from among the candidates of Plains Tribals?

(b) If so, will Government be pleased to lay on the table a statement of applicants of this community?

(c) What is the name of the person who has been appointed in this post and to which community he belongs?

79. (a) Is it a fact that one Srijut A. C. Das, a Scheduled Caste clerk has left Director of Public Instruction's office on getting promotion to the rank of Sub-Registrar?

(b) Has any body been appointed to the vacancy thus caused?

(c) If so, what is the name of that person and to which community he belongs?

80. (a) Is it a fact that one Babu Nirod Ranjan Chakravarty of the Surma Valley Caste Hindu has been appointed in the office of the Director of Public Instruction, Assam, this year?

(b) Is it a fact that the Surma Valley Caste Hindus were over-represented before the appointment of Nirod Babu?

(c) Is it a fact that the Director of Public Instruction is making this man permanent?

81. (a) Will Government be pleased to furnish a statement of persons who are officiating in the Lower Division Cadre in the Director of Public Instruction's office since January 1941 stating the community to which each belongs?

(b) Is seniority taken as a criterion for filling up permanent vacancies?

(c) If not, why not?

82. (a) Will Government be pleased to state whether it is a fact that there is a standing order of Government that all appointments whether permanent or temporary should be made according to communal representation?

(b) If so, do Government propose to take any action against the Director of Public Instruction, Assam, for not obeying that order?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN
replied:

77. (a)—39. Permanent 37

Temporary 2

(b) and (c)—A statement in each case is laid on the library table.

73. (a)—Yes.

(b)—A statement is laid on the library table.

(c)—Babu Nirode Ranjan Chakravarty. A Surma Valley Hindu.

79. (a)—Yes.

(b)—Yes.

(c)—Maulavi Tayeb Ali. Assam Valley Muslim.

80. (a)—Yes.

(b)—Yes.

(c)—Not yet decided.

81. (a)—Babu Nirode Ranjan Chakravarty (Surma Valley Hindu).

Srijut Saroda Kanta Sarma (Assam Valley Hindu).

Srijut Jagonath Das (Assam Valley Hindu).

Srijut Madhab Chandra Das (Assam Valley Hindu).

Maulavi Tayeb Ali (Assam Valley Muslim).

Srijut Brahmanda Pathak an Assam Valley Hindu officiated for some time and has since left.

Srijut Nameswar Pegu Miri (Tribal Plains) officiated in the lower division for some time.

(b)—Seniority is one of the criteria.

(c)—Does not arise.

82. (a)—There is a standing order that in future no appointment should be made, except as a purely temporary arrangement, from any community which has already secured its proportionate number of posts, without the orders of Government.

(b)—Government will inquire into the matter and see that the standing order is properly followed reviewing cases as may be necessary.

Number of Ministerial posts in the Office of the Director of Public Instruction, Assam

Maulavi MUHAMMAD ABDUS SALAM asked :

83. Will Government be pleased to state—

(a) The total number of ministerial posts in the office of the Director of Public Instruction, Assam, showing how many of them are permanent and how many are temporary ?

(b) The number of such posts held by each community showing how many of these each of the following communities are entitled to according to population basis of 1941 census—

(i) Surma Valley Caste Hindus, (ii) Surma Valley Scheduled Castes, (iii) Surma Valley Muslims, (iv) Assam Valley Muslims, (v) Assam Valley Caste Hindus, (vi) Assam Valley Scheduled Castes, (vii) Tribals—Hills and Plains ?

(c) The total number of such appointments both temporary and permanent made upto 31st October 1942 since 1st January 1940 stating the community from which such appointments have been made ?

84. (a) Is it a fact that the Director of Public Instruction, Assam advertised a post few months ago to be filled up from among the candidates of Plains Tribals?

(b) If so, will Government be pleased to lay on the table a statement of applicants of this community?

(c) What is the name of the person who has been appointed in this post and to which community he belongs?

85. (a) Is it a fact that one Srijut A. C. Das, a Scheduled Caste Clerk has left Director of Public Instruction's Office on getting promotion to the rank of Sub-Registrar?

(b) Has any body been appointed to the vacancy thus caused?

(c) If so, what is the name of that person and to which community he belongs?

86. (a) Is it a fact that one Babu Nirod Ranjan Chakravarty of the Surma Valley Caste Hindu has been appointed in the office of the Director of Public Instruction, Assam, this year?

(b) Is it not a fact that the Surma Valley Caste Hindus were over-represented before the appointment of Nirod Babu?

(c) Is it a fact that the Director of Public Instruction is making this man permanent?

87. (a) Will Government be pleased to furnish a statement of persons who are officiating in the Lower Division Cadre since January, 1941, stating the community to which each belongs?

(b) Is seniority taken as a criterion for filling up permanent vacancies?

(c) If not, why not?

88. (a) Will Government be pleased to state whether it is a fact that there is a standing order of Government that all appointments whether permanent or temporary should be made according to communal representation?

(b) If so, do Government propose to take any action against the Director of Public Instruction, Assam, for not obeying that order?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied:

83 to 88.—The hon. member is referred to the replies given to unstarred questions Nos. 77 to 82 asked by Srijut Rabi Chandra Kachari during this Session of the Assembly.

Matriculation scholarship for the natives of Jaintia

Maulavi MUHAMMAD ABDUS SALAM asked:

89. Will Government be pleased to state—

(a) On what considerations the Matriculation scholarship reserved for the natives of Jaintia was awarded to the son of a clerk of the office of the Sub-Registrar of Gowainghat in 1941?

(b) Whether Government received any protest against such an action?

(c) What is the distinction between the terms "native" and "settlers" ?

(d) Do Government propose to award the scholarship reserved for the natives of Jaintia to the sons of hereditary natives of Jaintia henceforth ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

89.(a)—According to rules on the subject and after necessary enquiry.

(b)—Yes.

(c)—Hon. member is referred to Chamber's 20th Century Dictionary.

(d)—Government do not consider any change necessary at present in the existing rules.

Assam Lower School Service, Selection Grade, High School Cadre

Maulavi MUHAMMAD ABDUS SALAM asked :

90. Will Government be pleased to state—

(a) How many posts are there in all in the Assam Lower School Service, Selection Grade, High School Cadre ?

(b) How many of them are held by Muslims and how many by Hindus ?

(c) What are the criteria of promotion to these posts ?

(d) The principles followed in making selection to these posts ?

91. Will Government be pleased to state—

(a)(i) On what principles, (ii) at what age, (iii) at the completion of how many years of service and (iv) from what dates (1) Babu Probhat Ch. Sen, (2) Srijut Benudhar Das, (3) Srijut Lakshmiram Nath, (4) Babu Basanta Kumar Datta, (5) Srijut Kashiram Barman, (6) Srijut Adyanath Sarma, (7) Babu Brojendra Kr. Bhattacharyyee, (8) Srijut Chandra Ballav Goswami, (9) Miss Kanak Lata Bhuiyan, (10) Babu Profulla Ch. Sen, (11) Babu Bipin Ch. Datta, (12) Babu Dharendra K. Guha, (13) Srijut Bhagaram Das, (14) Babu Romesh Ch. Das, (15) Srijut Dhairyyanath Chaudhury, (16) Babu Gojendra Ch. Bhattacharyyee, (17) Babu Rohini M. Chaudhury, (18) Srijut Kamalanath Sorma, (19) Srijut Ramkrishna Chaudhury and (20) Babu Raman Ch. Dev were promoted to the Selection Grade of the said Cadre ?

(b) Whether Government make differential consideration between the Hindus and the Muslims in making promotions to the said Selection Grade posts ?

(c) Who nominates officers for promotions to the said grade ?

(d) Who were the nominees of the Inspector of Schools, Surma Valley and Hill Districts in connection with promotions to this grade last time ?

(e) Whether a Muslim headed the list of nominees and a Hindu was the second in the list from the Surma Valley last time ?

(f) Whether the second nominee got promotion overriding the claim of the first nominee ?

(g) If so, what were the considerations for promoting the second nominee in preference to the first nominee ?

(h) Whether the age and length of service counted in the case of the second nominee's promotion ?

(i) If so, why then Srijut Kashinath Barman, Srijut Chandra Ballav Goswami, who were junior in age and length of service to the first nominee, were promoted on previous occasions ignoring the claim of the first nominee in question ?

92. (a) Will Government be pleased to state—

(i) On what principle, (ii) at what age and (iii) at the completion of how many years of her service, the promotion of Miss Kanaklata Bhuiyan to the Selection Grade was made ?

(b) Whether there is any provision in the existing rules of the Education Department for preferential treatment to women teachers in connection with their promotions ?

(c) If the answer to (b) above be in the negative, on what consideration Miss Kanaklata Bhuiyan was promoted to the Selection Grade ?

93. Will Government be pleased to state—

(a) Whether any nomination was called for by the Director of Public Instruction, Assam, from the Inspectors and Inspectress of Schools for filling up the vacancy, in the Selection Grade caused by the retirement of Babu Romesh Chandra Das ?

(b) Whether there was any special note by the Inspector of Schools, Surma Valley, recommending the case of the first nominee ?

(c) What is the present age and length of service of the first nominee in question ?

(d) Whether there is any special reason for which the case of the first nominee was ignored ?

(e) Whether it is a fact that no principle, whatsoever age, efficiency, or length of service is followed in the cases of Muslim Officers and that their cases are always ignored ?

(f) Whether Government propose to call for the records and take immediate steps to review the matter ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN
replied :

90, 91, 92 & 93.—The hon. member is referred to the replies given to starred questions Nos. 65 to 68 asked by Maulavi Muhammad Maqbul Hussain Chaudhury during this Session of the Assembly.

Arrest of Mr. A. K. Chanda, M.L.A.**Babu KARUNA SINDHU ROY** asked :

94. Will Government be pleased to state—

(a) When and where Mr. A. K. Chanda, M.L.A., was last arrested ?

(b) What was the charge against him ?

(c) Whether he committed any subversive political Act ?

(d) Whether there was anything in his writings and speeches to prove that he supported the present political movement ?

(e) Whether he was arrested on the report of the present Deputy Commissioner of Cachar ?

(f) Whether the present Deputy Commissioner of Cachar attempted to deprive Mr. Chanda of his membership of the Silchar Municipality after his due election in that body in 1941 ?

(g) Whether the present Deputy Commissioner of Cachar behaved badly with Mr. Chanda in the trial while he offered Satyagraha in February 1941 and scored out "Mr." from before his name in his judgment ?

(h) Whether the present Deputy Commissioner of Cachar when he visited the Silchar Jail in April 1941, remarked to Tarapada Bhattacharya a 'B' division political prisoner, just after the release of Mr. Chanda due to illness that Mr. Chanda was very fortunate ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

94. (a)—In Calcutta during the month of August 1942. The exact date is not known.

(b)—He was arrested under rule 129 of the Defence of India Rules with a view to detention under Rule 26(1)(b) which does not involve a charge.

(c) & (d)—The object of his arrest and detention, as of that of many other political leaders, was in order to prevent him from taking part in the subversive activities of the political party to which he belonged.

(e)—Yes, but the Deputy Commissioner was acting on the instructions conveyed to him by Government.

(f)—Yes, under an erroneous impression of his duties after Mr. Chanda had been convicted of an offence under the Defence of India Act.

(g) & (h)—Government have no information.

Re : Supply of sugar for consumption in Assam**Mr. F. W. BLENNERHASSETT** asked :

95. Will Government be pleased to state—

(a) Whether they are aware of the extreme dissatisfaction over the supply of sugar available for consumption in Assam ?

- (b) How much sugar has been imported by them, month by month, since Government began trading in this commodity ?
- (c) What effective steps have been taken by (i) the Section 93 administration, (ii) the present Ministry, to improve the position in respect of the supply of this article in the Province ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

95. (a)—Yes.

(b)—Government have the following figures of despatch of sugar upto 31st October 1942. Some is still in transit but the bulk of this has arrived.

Month	Sugar
June 1942...	120 tons.
July 1942...	1,481 „
August 1942	56 „
September 1942	286 „
October 1942	847 „

Government also purchased 500 bags (approximately) 1,375 maunds of sugar for Shillong from the black Market in Calcutta during October.

(c) (i)—Government placed monthly orders for 23,500 maunds of sugar with their purchasing Agent—Messrs. Shaw Wallace.

(ii)—Due to dislocation of transport in the country, particularly in Bihar whence we get our supplies, sugar was not coming in. The present Government is making all possible efforts to get supplies and sugar is moving to Assam very much better now.

The Sugar Controller for India has issued permits to the following sugar factories for the supply of an aggregate quantity of 3,500 tons of sugar to Assam and Assam States during the months of December 1942 and January 1943 :—

1. Narkatiaganj	1,200 tons.
2. Pursa	200 „
3. Majhulia	600 „
4. Riga	600 „
5. Motipur	200 „
6. Ryam	700 „

The consumption of Assam and Assam States for the quota year beginning on the 1st December 1942 has been provisionally fixed at 11,000 tons. Permits have been issued for a quantity substantially more than the average quota for two months. This has been done to enable the Government of Assam to build up reserve stocks of sugar to meet possible difficulties in the future due to restricted transport.

Removal of Garo Foresters and Forest Guards from services

Mr. JOBANG D. MARAK asked :

96. (a) Is it a fact that the Divisional Forest Officer, Garo Hills is taking steps to remove the Garo Foresters and the Garo Forest Guards from their services ?

(b) If so, do Government propose to call for reasons for his doing so ?

97. Will Government be pleased to state whether Proviso (ii) of Rule 5, at page 150 of the Assam Forest Manual, Volume I, is still in force ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

96. (a) & (b).—Government have no such information. A report has been called for.

97.—Proviso (ii) of Rule 5 as amended by correction slips Nos.30 and 32, at page 150 of the Assam Forest Manual, Volume I, is still in force.

Congress National Flag

Srijut ROHINI KUMAR CHAUDHURI asked :

98. Will Government be pleased to state—

(a) Whether the Congress National Flag has been banned and its carrying by persons or its hoisting on houses has been declared illegal ?

(b) On how many occasions in Assam since the middle of August last Congress National Flags were either pulled down from buildings and houses or forcibly snatched away either by Military or Police Officers and their subordinates ?

(c) The names of places where and the dates when such incidents took place ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

98. (a)—No order to this effect has been published. The All-India and Provincial Congress Committees have however been declared unlawful associations.

(b) & (c).—Government have not the information desired.

Veterinary Field Assistants

Maulavi NAZIRUDDIN AHMED asked :

99. Will the Hon'ble Minister in charge of the Veterinary Department be pleased to state—

(a) Whether Government propose to pay the coolie charge of the Veterinary Field Assistants ?

(b) If not, whether Government propose to make provision either (i) for the payment of coolie charge of the Veterinary Field Assistants or (ii) for increase in their travelling allowance ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

99. (a)—No.

(b) (i)—No.

(b) (ii)—The Veterinary Field Assistants are getting a fixed travelling allowance of Rs.5 per mensem each. The question of an increase in the fixed travelling allowance is under consideration now.

Civil Defence Department

Maulavi NAZIRUDDIN AHMED asked :

100. Will the Hon'ble Minister in charge of Civil Defence be pleased to enquire and state—

(a) What is the strength of the various employees in different branches of the Civil Defence Department ?

(b) How many appointments were made in different Cadres, to be shown community by community ?

(c) Whether it is a fact that people from outside the Province were taken in and deputed for training as A. R. P. officers ?

(d) If so, why ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

100. (a) A statement is placed on the library table. This statement concerns the A. R. P. staffs and does not include Fire Brigade, Salvage and Mortuary Services which are controlled by the Inspector General of Police although strictly Civil Defence matters. The statement does, however, include the strength of certain extra police recruited in Lakhimpur District for Civil Defence.

(b)—This has been included in the statement.

(c)—Yes. Mr. Walden, a Burma Forest Officer is A. R. P. Officer at Dibrugarh, and Mr. Hughes Hughes, an officer of the Indian Police, Assam, is A. R. P. Officer at Gauhati. Two candidates who are residents of Sylhet, although their native homes are in Bengal, were also deputed for training, with other candidates from Assam.

(d)—Mr. Walden (whose services are temporary only) was strongly recommended by the Government of Burma, having done well during air raids in that province. Mr. Hughes-Hughes is a serving officer of the Indian Police who had been trained in A. R. P. work and was spared by the Inspector General of Police. The two other candidates had served Government as Evacuation Officers in connection with Burma refugees, and were recommended by the Refugee Administrator.

Persons killed and wounded due to firing by Civil or Military Police

Babu KARUNA SINDHU ROY asked :

101. Will Government be pleased to lay on the table a statement showing—

- (a) The number and names of persons killed and wounded due to firing by Assam Civil Police or Military Police or regimental soldiers or any other Government officers from the 9th August 1942 up till now ?
- (b) The number and names of persons killed and wounded due to lathi charge by Assam Civil or Military Police during the said period ?
- (c) The names of places where the aforesaid persons have been killed and wounded ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

101. (a), (b) & (c)—A Statement is placed on the Library Table.

Externment of Mr. Hemanta Kumar Gupta, Shillong representative of the Associated Press, etc.

Srijut ROHINI KUMAR CHAUDHURI asked :

102. Will Government be pleased to state—

- (a) Whether it is a fact that Mr. Hemanta Kumar Gupta, Representative of the Associated Press of India and the *Hindusthan Standard* in Shillong, was served with an order at about 9-15 A.M. on the 12th of September last to leave Shillong before 5 P.M. on the same day ?
- (b) Whether after the aforesaid order was served only about two hours were available before the next Service Vehicle was due to leave Shillong for Sylhet ?
- (c) Whether it is a fact that Mr. Gupta requested the proper authorities to allow him to stay on till the next available motor bus left Shillong for Sylhet in view of the practical difficulties stated in his letter ?
- (d) Whether it is a fact that no reply to this request was communicated to Mr. Gupta but instead he was arrested on that day a few minutes after 5 p.m., and subsequently convicted ?
- (e) The reasons for which he was ordered to leave Shillong ?
- (f) Whether the request contained in Mr. Gupta's letter referred to above was interpreted as disobedience of the Government order ?
- (g) If not, what were the reasons for his conviction ?

- (h) Whether Mr. Gupta was given reasonable facilities for defending himself ?
- (i) What was the time that elapsed between submission of charge sheet against him and his trial and conviction ?
- (j) Whether it is a fact that while an under-trial prisoner, Mr. Gupta was brought from jail on foot to the Court house through crowded streets under handcuffs and tied round his waist with ropes ?
- (k) If so, what was the reason for such action ?
- (l) Under whose orders Mr. Gupta was handcuffed and tied with ropes ?
- (m) Whether it is a fact that Mr. Gupta's trial was to take place in the Court as usual but in the eleventh hour it was decided to hold it within the jail precincts at Shillong ?
- (n) If so, what was the reason for such a decision ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

102. (a)—Yes.

(b)—Yes.

(c)—It is understood he sent a letter to that effect, but the Deputy Commissioner did not receive it until after his arrest.

(d)—Yes, but his conviction was not on the same day.

(e)—On evidence that his activities were prejudicial under the Defence of India Act.

(f)—No.

(g)—He was convicted for disobeying the order to quit the Khasi and Jaintia Hills.

(h)—Yes.

(i)—There was no charge sheet in this case.

(j)—Yes.

(k)—Under-trial prisoners are normally bound when moving between the Jail and the Court. There is always an apprehension of an attempt at escape or rescue in these crowded streets. Government were only moved in the matter subsequently by a brother pressman and suitable orders were passed by them.

(l)—No special orders were given. The procedure was ordinary routine.

(m)—Yes.

(n)—It was considered that a trial in the ordinary court might give the case unwarranted notoriety.

Re: Congress Flag

Srijut ROHINI KUMAR CHAUDHURI asked :

103. (a) Is it a fact that in the month of September last a certain Military Officer tried forcibly to snatch away a Congress Flag from a person in a peaceful procession in Kampur and on latter's resistance, the said Military Officer ordered the Officer in charge of Kampur Police Station to fire on the crowd ?

(b) Is it a fact that the Officer in charge of Kampur Police Station was suspended by the Inspector-General of Police and proceedings were drawn up against him on a charge that he disobeyed orders of the said Military Officer?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

103. (a)—There was no such incident in the month of September, 1942.

(b)—There is no such Police Station as Kampur in Nowgong district.

Shillong Government High School

Srijut RAM NATH DAS asked :

104. (a) Is it a fact that Srijut Kabi Chandra Mahanta, a senior Assistant Master of the Shillong Government High School, has been appointed Sub-Inspector of Schools, Gauhati, in the leave arrangement of Maulavi Abdur Rahman, Deputy Inspector of Schools, Gauhati?

(b) Is it a fact that the said Srijut Kabi Chandra Mahanta has already put in more than 20 years' service as a school master?

(c) Is it a fact that by this transfer he has been put above all other Sub-Inspectors of Schools in the Assam Valley Division in regard to seniority?

(d) Will Government be pleased to state the special reasons for which this officer has been brought over to the inspecting line?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

104. (a)—Yes.

(b)—Yes.

(c)—No.

(d)—He was considered specially suitable for improving the methods of teaching in Primary Schools and fit for performing the duties of a touring officer as Sub-Inspector.

Externment of Mr. H. K. Gupta, Shillong, representative of the Associated Press, etc.

Babu KAMINI KUMAR SEN asked :

105. Will Government be pleased to state—

(a) When was the externment order served on Mr. H. K. Gupta, Shillong, representative of the Associated Press, "Ananda-bazar Patrika" and the "Hindusthan Standard", to leave Shillong?

(b) What was the time allowed in the said order for his leaving the station?

- (c) When the last bus for Sylhet, the native district of Mr. Gupta, was timed to leave Shillong ?
- (d) Whether it is a fact that an application was submitted by Mr. Gupta after the receipt of the said order for extension of time till the next day so as to be able to go by the next available bus ?
- (e) If so, what was the reason for rejection of the said application ?
- (f) Whether it is also a fact that Mr. Gupta was brought to the Deputy Commissioner's Court at Shillong with hand-cuff and also a rope tied on his waist ?
- (g) If so, under whose order this treatment was meted out to Mr. Gupta and what was the reason thereof ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

105. (a), (b), (c), (d), (e), (f) and (g)—The hon. member is referred to the replies to unstarred question No 102 by Srijut Rohini Kumar Chaudhuri, M.L.A.

Firing by Police or Military during Civil Disobedience Movement

Babu KAMINI KUMAR SEN asked :

106. Will Government be pleased to state—

- (a) The names of places, where firing was resorted to, by the Police or Military during the last three months ?
- (b) The reason for such firing on each occasion ?
- (c) The names and designations of officers who gave the order for fire ?
- (d) The number of casualties caused thereby ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

106. (a) to (d)—A statement is placed on the Library table.

Names of M. L. As. detained under the Defence of India Rules

Babu KAMINI KUMAR SEN asked :

107. Will Government be pleased to state—

- (a) The names of M. L. As. who are now detained under the Defence of India Rules with the period of their detention and the class in which they have been placed ?
- (b) The names of M. L. As. convicted since August last with the nature of their conviction, the class in which they have been placed and the specific offence for which they were convicted ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

107.(a) & (b).—Two statements are placed on the Library table. The classes in which political prisoners are placed are decided by the Magistrates who try the cases and Government have not had sufficient time to collect this information. The security prisoners are in the higher divisions, while convicted persons according to the classifications made by Magistrates. In some cases Government interfered and raised some M. L. As. to the higher division.

Censoring of Assembly Proceedings by the Press Adviser

Srijut ROHINI KUMAR CHAUDHURI: Sir, before the proceedings of to-day begin I want to make a statement. Since I made a complaint about censoring of the speeches made on the floor of this House I have come to understand that my speeches criticising the Air Raid Precautions Department in the matter of cutting trenches, etc., have also been censored. My question which was replied to on the 20th November about Roha Aided High School also has been censored. I request the Hon'ble Minister who has control over the Officer to see that the proceedings in this House are not censored in this way.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It is not for me to say anything. The Hon'ble Speaker has ruled the other day that so far as the official proceedings of the Assembly are concerned nothing could be censored.

Srijut ROHINI KUMAR CHAUDHURI: There are two things. First of all there is publication of the proceedings in the Gazette. About that the Hon'ble Speaker has ruled definitely that the proceedings will be published. The proceedings which have been censored by the Press Adviser will not be published in the press. So my request to the Hon'ble Premier is to see that the proceedings of this House may not be censored by the Press Adviser.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am too much occupied in the session. I have no time to consult the Press Adviser in this matter, Sir. Moreover this is the last day of the Session and I assure my hon. friend that his suggestion will be borne in mind for future Sessions.

The Assam Debt Conciliation (Amendment) Bill, 1942

The Hon'ble the SPEAKER: Now Maulavi Abdur Rahman is to resume his unfinished speech.

Maulavi ABDUR RAHMAN: I was telling the House the other day that the proposed amending Bill has sought certain modifications in the existing law and I was mentioning that the Government has sought to amend the existing section 8 of the Debt Conciliation Act of 1936 and some modifications of section 13 also have been sought with some other minor modifications. Experience has shown that some comprehensive changes in the existing Act of 1936 are essentially necessary and I shall have welcomed the proposed Bill more had it been a bit comprehensive. However, I have got the occasion to be on the Select Committee and I will express my opinion there and all sorts of modifications that are necessary will be brought there to be looked into by the Select Committee. With these words, I support the motion brought by the Hon'ble Minister in charge of the Bill,

Maulavi ABDUL BARI CHAUDHURY: I wish to speak a few words on the motion for referring the Assam Debt Conciliation (Amendment) Bill to a Select Committee. We are glad, Sir, that Government have realised the difficulties that are being experienced in the working of the Debt Conciliation Act. But I am sorry to note that the few sections that have been sought to be amended by this Bill, will not solve the difficulties. The Act will remain virtually what it is even after the proposed amendment.

From the contents of the Bill, it appears, that no serious attempts have been made to amend the Act to give it a real status. This Bill, if passed, will not make the Debt Conciliation Boards more effective bodies. I am constrained to say that it is a careless piece of legislation and the clauses are rather shabbily drafted.

Sir, it is no use quarrelling with the Hon'ble Minister in charge for what he has not provided in the Bill. I shall try to examine the clauses in detail.

First of all I will take clause 3 of the Bill which intends to amend section 8 of the Parent Act. This has been considered to be the only substantive and operative clause of the Bill. My friend, hon. Maulavi Abdur Rahman has already expressed some amount of jubilation over this amendment. I will presently show that there is little room for such jubilation.

Section 8, sub section (2) reads as follows:

"Every debt of which a statement is not submitted to the Board in compliance with the provisions of sub-section (1) shall be deemed for all purposes and all occasions to have been duly discharged."

By the present Bill, we wish to add the following words after the sub-section "and any property of the debtor in possession of such creditor shall be released within 15 days from the date of passing of such order". The original section provided that if the statement of debts is not submitted as required under sub section (1), all such debts shall be deemed to be discharged. The amendment goes a step further. It lays down that mere submission of the statements of debts will not do.

The creditor must be present personally or by an authorised agent. In the alternative, not only every debt owing to him shall be discharged but all properties of the debtor that may be in his possession shall be released within 15 days of such order. By this amendment, the Bill seeks to compel the attendance of the creditor, otherwise to restore possession of immovable properties perhaps in cases of usufructuary mortgages to the debtors. So far it is pleasant reading.

But there is a big proviso after sub-section (2) of section 8 which will nullify all the good intentions of the Hon'ble Minister-in-charge. The proviso is as follows: "Provided that, if a creditor proves to the satisfaction of the Board that the notice was not served on him and that he had no knowledge of its publication, the Board may revive the debt on application made within 30 days of the date on which he first had knowledge of the order of discharge."

The hon. members will realise that it is in open conflict with the provisions of clause 3 of the Amending Bill. Not only that, it will create anomaly and further complication in this matter which is already complicated. According to the proviso, all doors are not shut to the creditors. Even after the Board has passed an order of discharge, he may appear, not within 30 days

of the order but within 30 days of the day on which he gets fir t knowledge of this order of discharge. And this proviso is going to stand even after the amendment. Viewed in the light of this proviso, this new brovision made in clause (3) loses all its meaning. As a matter of fact, it will prove redundant.

I will explain the matter further by a concrete example. Suppose a creditor did not appear before a Conciliation Board nor did he submit a written statement. The Chairman of the Board verified the return of the notice and passed an order of discharge of all debts against him. He further ordered that all land held in mortgage by the creditor against this particular debtor would be released within 15 days of the order. Let us suppose that the debtor is a clever man and to avoid a riot, he seeks the help of law and with an agent of the Government he goes to take possession of the land under the creditor. What will be the result? Will not the creditor say "I had no notice of the case against me. The return received by the Chairman is perhaps a fabrication. Any way, I take your coming here as notice and under the proviso to section 8, I will appear before the Board and file a written statement".

So the net result is that the mandatory order of releasing the land within 15 days is successfully sidetracked and the whole proceedings gets a new ease of life.

If the Hon'ble Minister-in-charge wanted to make it a substantive and operative clause, the first proviso to section 8 should have been repealed or omitted.

Then again, it is vague—how this order of release is to take effect? Who will put the debtor in possession? Will he be required to apply to the Civil Court? In that case, the new provision shall have the same meaning as sub-section 2 of section 8. If it is to be done by the Deputy Commissioner, it ought to have been mentioned in the body of the Bill.

Now, we will try to see what is provided in clause 4 of the Bill. The Parent Act intends that on agreement arrived at between the parties it will be deemed to be a decree of a Civil Court. No doubt, this provision gives a great status to the agreement arrived at in a Debt Conciliation Board. The clause seeks to omit the words "and it shall then take effect as if it were a decree of a Civil Court". I admit, Sir, that I am at a loss to understand this omission. Surely it will effect to a great extent the dignity of the Boards, and give incentive to the parties to violate the terms of the agreement.

Now let us understand clause 5 of the Bill. This clause seeks to amend section 13 of the Act. In the Parent Act, it is provided that if a debtor defaulted to pay any amount under the agreement, it would be realised as an arrear of land revenue. Sub-clause (1) seeks to replace it by the words "under the procedure laid down in section 69 of the Assam Land Revenue Regulation, 1886."

The procedure contemplated by section 69 of this Assam Land and Revenue Regulation is by itself fraught with great hardship and there is a great scope for misuse and extortion by local officers. In all fairness, it should not have been invoked to replace the common law of the land.

In comparison with sub-sections 3 and 4 of section 13, sub-clause (iii) does not make a good reading. Nor does it improve upon the meaning intended by the original section. To my mind it appears that this section should not have been disturbed.

The clauses 2 and 6 are too formal to receive any serious consideration. Sir, I am conscious that the Hon'ble Minister of Education is performing

rather a thankless task in sponsoring this Bill before the House, in the absence of the Hon'ble Revenue Minister. I would appeal to him in all humility to drop this Bill and afford a chance to the Government to come forward with a more comprehensive piece of legislation, so that there may not be any further need of the Bill standing in my name which has already been introduced.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Mr. Speaker, Sir. I rise to make a few observations on the Bill that has been introduced by the Hon'ble Minister of Education. My hon. friend Maulavi Abdul Bari Chaudhury has lucidly explained the defects of the Bill and I want to touch only one point, *i.e.*, the present Bill is silent over the power of the Boards with regard to giving awards. In section 15(1), the Board is given the power to issue certificate in the case where a creditor does not come to any agreement even when a reasonable offer is given to him. But at the same time, by sub-section (2) of section 15, that power is taken away because that sub-section says that certificate may or may not be accepted by the creditor. It means that even when a Board issues a certificate under sub-section (1) of section 15, the creditor may seek relief in a Civil Court against the debtor who filed a case in the Debt Conciliation Board and in respect of which the Board issues a certificate. The Deputy Commissioner of Sylhet Mr. G. P. Stewart issued a circular letter to the Chairmen of the Boards showing the nature of issuing certificates under sub-section (1) of section 15. What he said is that if a certificate issued by a Board is rejected by a Civil Court, the position of the Board becomes precarious and in that event no creditor will agree to come to a settlement before the Board. So the Chairmen of the Boards should issue certificates only in very special cases and that with sufficient caution. The present Bill does not remove this defect of section 15 and therefore the Bill though it seeks to amend section 8, is not up to the mark. It is useless to speak anything about the Bill which we gave notice of and which Maulavi Abdul Bari Chaudhury has introduced. We tried to remove many of the defects of the Act and if this Bill could be drafted in consultation with some of the Chairmen of the Boards, I think, some defects could come to the notice of the Hon'ble Ministers. With these few observations, I resume my seat.

Maulavi BADARUDDIN AHMED: Mr. Speaker, Sir, I rise to support the motion. The Government member in charge of the Bill, by this motion, wants to amend the Bill. I believe some of the provisions are sound and it will solve some difficulties. The intention of the Act when it was passed was that between the debtor and the creditor, the Chairman will try to settle matters amicably, and it was the intention that through inducement everything will be settled. It was not the intention of the Legislature, when the Act was passed, that the creditor must be forced by the Chairman to come to a settlement. This has been still retained in the Bill. Again when a settlement was arrived at between the parties—the debtor and the creditor—the intention of the legislature was that it should be given effect to and the amount should be realised as arrear of land revenue and when the arrear of land revenue is to be realised it should be realised under some provisions of the Assam Land and Revenue Regulation; but no where in the Act that has been mentioned. Now the Hon'ble Minister has provided in the Bill that where there will be an amicable settlement between the parties, the dues will be realised under the provisions of the Land and Revenue Regulation.

Previously, there was an anomaly. It was this—that when the party will come to an amicable settlement, it was provided in sub-section (1) of section

13 of the Debt Conciliation Act that while the decision will be arrived at by an amicable settlement between the parties and the decision is registered by the Chairman of Board it will have the same effect as a decree as if it were a decree under the Civil Procedure Code. But there is no law that a decree of the Civil Court can be executed in a revenue court. This is the anomaly in the present Act. By deleting this portion, this anomaly will be removed. So, this will help to a great extent the Chairmen of the Boards to give effect to the Act and at the same time the intention of the Legislature will be served.

With these few words, I support the motion.

Mr. BAIDYANATH MOOKERJEE: Sir, I rise to oppose the motion. My hon. friend Maulavi Abdul Bari Chaudhury has minimised my work, Sir. He has fully explained that the present Bill will practically be of no use—because there are many other defects in the Act and if they are not removed, it will be simply waste of our time. The intention is quite good—I admit it, but the performance is hopeless.

With a great deal of hesitation, I beg to point out a few defects in the Act which I hope will not be misunderstood either by the Government or my hon. friends so as to call me a misfit. Sir, the other day, you were good enough to request the hon. member to withdraw such a remark. But, Sir, I myself admitted that I am really a misfit in this House. There are other misfits like myself in the world. If consistency is a vice and therefore disregarded and disrespected, in that case, I may be called a misfit. Sir, I am not willing to consider my conscience and opinion as marketable commodities like many others and that is why I am called a misfit, Sir. I admit then that I am a misfit and I feel proud to be called a misfit for that. Sir, I heard that I had no right to say anything about the poor people because I was a representative of the exploiters of the poor. Sir, sitting under the strong arms and wings of exploiters like myself it was not befitting for the hon. member to pass such remarks. Everybody knows who is who.

Sir, the root cause of the utter failure in the application of the Act is that the Government in appointing the members of the Board do not take proper or any care. I shall cite one or two instances which will convince all the hon. members present here. Sir, can anybody ever conceive that when an Act has been enacted in order to give relief to the poor agriculturists, a Bank was also a party as a debtor and applied before a Board and that petition was entertained. Afterwards at the intervention of the District Judge the petition was rejected. Cases over Rs. 5,000 are also sometimes entertained.

Maulavi ABDUL BARI CHAUDHURY: Are we discussing the Bill, Sir?

Mr. BAIDYANATH MOOKERJEE: Sir, I am opposing the motion that this Bill be referred to a Select Committee. So, I am showing why no purpose will be served by sending this Bill to a Select Committee. Sir, if Government cannot stop all these high-handed actions of members, what is the use of passing this amended Bill. It will be, as it has already been stated by two hon. members who spoke before me, of no good. Sir, I think, this is not the opportune moment that such a Bill should be pressed through. As in other cases Government requested the hon. private members to postpone their Bills for the next session and as suggested by my hon. friend Mr. Maqbul Hussain Chaudhury in this case to consult

some of the Chairmen of the Debt Conciliation Boards in the matter let Government come forward with another amending Bill so that all the defects that have been found out from practical experience of the members of the Boards may be removed and that the legislation may be of real help to the poor. I again repeat my appeal that in appointing members the Government should be very careful because we hear many ugly remarks about the members. In the present Act, Sir, the power that has been given to the Board is very great. I refer to section 18 which runs as follows:—"No appeal or application for revision shall lie against any order passed by a Board". When such power has been given it is the moral duty of the Government to see that the right man is at the right place (*hear, hear*). Sir, there are many honest and sincere workers for whom I have got full respect, but there are others who should not be there. It may be said from the Government side that there must be some weaklings somewhere in every Department. It may also be said that we have criticised some of the Government servants too; among the Government servants also there are persons against whom we are saying many things; but there is very great difference between these two classes of officers. So far as permanent Government servants are concerned they have got a bright future before them and they are to depend on this for their livelihood; but in the case of these officers who are temporary ones they do not care for their future. If these members are not found to be honest and sincere it will be really very bad for the poor peasants for whom my hon. friends are always crying on the floor of this House. If the members are allowed to go on with the idea of "make hay while the sun shines" the sooner the Act is repealed the better for all concerned. I hope that my appeal will receive due consideration and in future the appointments will be made with great caution. With these words, I oppose the motion.

The Hon'ble the SPEAKER: I hope the Hon'ble Minister will now reply.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Mr. Speaker, Sir, those hon. members who have thought it fit to oppose this motion, I am afraid, have done so from an imperfect understanding of the whole situation. This Assam Debt Conciliation Act was based on the Central Provinces and Berar Act and it has been working for the last five years. During the working of these five years, we have received reports from the Chairmen of Gauhati and Sylhet Debt Conciliation Boards about some defects in its working and basing on the experience gained in the working of the Debt Conciliation Boards we have come forward with this Bill with certain amendments so that the Boards might work with better results. All the hon. members who have opposed this motion oppose it on the ground that amendments proposed are not sufficient to make the working of this Act more successful. Their case is that they have got nothing to say so far as the amendments are concerned, but they want that certain other amendments should also be made in this Act.

Mr. BAIDYANATH MOOKERJEE: This is not the opportune moment I said.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: My hon friend Maulavi Maqbul Hussain Chaudhury is himself the Chairman of the Sunamganj Debt Conciliation Board. He has been there over a year. But may I ask him if during his tenure of office he submitted any report to the Government bringing to the notice of the Government any defects in its working?

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: While I submitted the last annual report I pointed out all the defects.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: We are not aware of that. The report had not been seen by me.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: I am sorry.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: So we had no materials before us for adding any other amendments to this Bill. My hon. friend Maulavi Abdul Bari Chaudhury is probably thinking of his own Bill.

Maulavi ABDUL BARI CHAUDHURY: No, Sir.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: He has pointed out certain defects in the clauses of the Bill. I will take up those defects one by one.

He refers to clause 3. According to him section 8 should not be amended in the manner suggested by us. He has taken exception to the fact that the proviso which is at the end of section 8 is in direct conflict with the amendment proposed by us. Sir, this is a matter of interpretation and I beg to differ from him in this respect because this proviso is essentially necessary and should be in every enactment. This only provides for a revival of any case. The proviso only provides for the revival of a case when a notice is not served on the opposite party against whom an order had been passed. Sir, when such a notice is not received by the opposite party and he comes to know of any order passed against him it is up to him to come to the court and revive the case. That proviso should, I think, remain and the retention of that proviso does not in any way affect the provisions in the amendment proposed here. I don't see how this proviso will be in conflict with the amendment proposed, because the proviso says that if the creditor does not make his appearance, the Chairman will pass an *ex-parte* order against him and order for the release of the property in his possession. But when the execution of that order will be taken against him he will come to know about it. The original order will be stayed, and this provision exists in every law, Sir. So, how will this proviso affect the working of the proposed amendment? The matter will be delayed, of course, as the order of release will not be given effect to unless the revival petition is disposed of.

Then, Sir, about clause 4, my hon. friend takes exception to the omission of the words "it shall then take effect as if it were a decree of the Civil Court". Now, you will see that such a provision is unnecessary and does not fit in with section 13(4). It is provided in the latter section that only when an agreement has ceased to exist the money may be recovered by execution under the Civil Procedure Code.

Maulavi ABDUL BARI CHAUDHURY: Is an agreement a decree?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Yes, that used to be a decree before, but we have omitted that word now.

Maulavi ABDUL BARI CHAUDHURY: Why?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Because the latter provision in section 13(4) makes it unnecessary. The Act does not appear to lay down what is proposed if decree under section 12(2) cannot be executed until it has ceased to be a decree. Section 12(2) is therefore of no assistance in the present case; the question of execution of decree and applicability of order 21, rule 16 does not arise in this case. So, it has been sought to omit that provision.

As regards clause 5, Sir, for the words "as an arrear of land revenue" the words and figures "under the procedure laid down in section 69 of the Assam Land and Revenue Regulation, 1886" shall be substituted. Sir, my hon. friend Maulavi Badaruddin Ahmed has already replied to that argument. The difficulty is this, Sir. The dues under this Act are not dues to the Government, and so they cannot be called "revenue". Clause 5 of the Act therefore specifically provides that section 69 of the Regulation will apply to such order. I think on account of the absence of this provision any order passed by the Deputy Commissioner might be challenged in a law court; so, in order to make it more clear we have put in a new provision that it should be done under section 69 of the Assam Land and Revenue Regulation.

So, Sir, as I said before, none of the clauses have been seriously disputed. It is not denied that these provisions are necessary, and I can say, Sir, that these provisions have been made just to make the working of the Debt Conciliation Boards more effective and successful. No piece of legislation is perfect, Sir, and legislations are made perfect only by experience and by stages. So, if some hon. members think that there are still defects in the Act itself, then it will be up to them to come forward with further Amending Bills. But that is no argument for throwing away this Bill altogether or this is no reason for Government to desist from proceeding with this Bill further. Government have felt the necessity of making these provisions now, and for the benefit of the debtors, and it is surely an improvement on the existing Act. So, better have half a loaf than no bread at all.

Of course, my hon. friend Maulavi Abdul Bari Chaudhury has always got his own Bill in mind. I can assure him that when his Bill will come before the House, we will consider it from all standpoints. Probably he is anticipating that Government will oppose his Bill...

Maulavi ABDUL BARI CHAUDHURY : No, I would drop my Bill if the Ministry could make more effective and comprehensive provisions.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Therefore, Sir, I do not see any reason whatsoever for not sending this Bill to the Select Committee.

The Hon'ble the SPEAKER : Order, order. I am going to put the motion to the vote of the House.

Before I do so it is necessary for me to make certain observations in view of what has been said in the debate on this motion by several hon. members. There has been a request made to the Hon'ble Minister to withdraw this Bill because this is not the opportune time for sponsoring such a measure. Perhaps the hon. members making this request mean that the House is a depleted one. It, however, appears to me from the debate that has taken place that objection to this Bill is taken on the ground that the provisions made are not comprehensive enough to remove all the defects. Now, it is not denied that the provisions that have been made will not be sufficient for the purpose of removing those defects which Government want to remove. It has not been denied either that if these defects are removed, then the law that is going to be enacted will not be for the benefit of the people, and what particularly appears to me is that this legislation is really not a contentious one like those which have been postponed for the next Session. This Bill only lays down some provisions of a procedural nature, and I do not think, having regard to the provisions made, it can be said that the Bill is of a contentious nature. Therefore I am going to put the motion to the vote of the House.

The question is that the Assam Debt Conciliation (Amendment) Bill, 1942, be referred to a Select Committee consisting of the following members :—

- (1) The Hon'ble Revenue Minister.
- (2) Maulavi Abdul Bari Chaudhury.
- (3) Maulavi Mahammad Maqbul Hussain Chaudhury.
- (4) Maulavi Badaruddin Ahmed.
- (5) Maulavi Naziruddin Ahmed.
- (6) Maulavi Namwar Ali Barbhuiyan.
- (7) Srijut Rabi Chandra Kachari.
- (8) Babu Kamini Kumar Sen.
- (9) Maulavi Abdur Rahman.
- (10) Babu Kalachand Roy.

Five members to form a quorum, and the Select Committee to submit their Report by the 28th February, 1943.

The question was adopted.

Motion re Expunging of speeches from the Assembly Proceedings

Mr. A. WHITTAKER : Mr. Speaker, Sir. May I intervene at this stage with a motion ? I am sorry to ask for the indulgence of the House to consider a matter which has already been considered by the Hon'ble Speaker. On looking through some of the speeches made in this Assembly, and particularly speeches made by members of my own group, I think it is possible that inadvertently information has been revealed in those speeches which would be of direct advantage to the enemy. I would therefore like to move this motion for the consideration of the House—

“That this House approves of the expunging by the Hon'ble Speaker from the records of the proceedings of any information about the civil defences and communications in Assam which might be of use to the enemy”.

This, Sir, I think is a non-contentious matter, and I hope you will agree that it is necessary. It has no relation whatever to my hon. friend Mr. Rohini Kumar Chaudhuri's views regarding censorship. It is a matter entirely for the protection of the members of this House and for all our constituents, and I think that is sufficient to secure the House's approval.

The Hon'ble the SPEAKER : Has any hon. member any objection to this motion being moved at all or to its being taken up by the House now ?

Srijut ROHINI KUMAR CHAUDHURI : Mr. Speaker, Sir, I object to this motion being taken up at this stage, or being taken up at all in the course of the day.

The Hon'ble the SPEAKER : The hon. member objects to the motion being taken up during this session, or being taken up at all ?

Srijut ROHINI KUMAR CHAUDHURI : In the course of this session.

I do not understand why this motion has been brought before the House. It has taken us all by surprise. I do not think that any statement has been made in the House which might be taken advantage of by the enemy. If this is adopted it will be to attribute a degree of responsibility on the hon. members to which we cannot submit. Besides, the Hon'ble Speaker is here, and if any such speech had been made, certainly he would have pulled us up.....

The Hon'ble the SPEAKER: The Rules do not provide that any speech which may be giving facts which may be useful to the country at war with India should be prevented from being made.

Srijut ROHINI KUMAR CHAUDHURI: My objection is on the score that I have not been convinced of the necessity of moving this motion at this stage. I have not had an opportunity of discussing the matter with the hon. mover, and I do not see any reason why such a motion should be allowed.

Mr. A. WHITTAKER: May I quote one example, Sir? During discussion about the system of warning against air raids in the Dibrugarh Subdivision information was given about the operation of that system and its efficiency. I submit, Sir, that if this information is not expunged from the records it might be of use to the enemy—in fact, in an exaggerated view it might be an invitation to the enemy to take advantage of any deficiencies in the warning system. That is the only kind of information I wish to see expunged, and I trust that with this explanation my hon. friend Mr. Chaudhuri will withdraw his objection.

Srijut ROHINI KUMAR CHAUDHURI: I am still in the same doubt, Sir. It will be a long time before the proceedings will appear in the Gazette. Will the enemy wait till these proceedings are published in the Gazette? If the enemy has any spies here he will know whether the proceedings are published or not. Also these papers are loosely placed. Will the enemy wait till they are published in the Gazette? Of what practical use will it be to expunge all this from the proceedings?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, I welcome this move on the part of my hon. friend Mr. Whittaker, for certain members of his party spoke about the defects in the warning system that were revealed during the last enemy raids in the Dibrugarh area. In my opinion the motion is necessary whatever my erstwhile colleague thinks about it. He thinks that by the appearance of this statement in the proceedings of the House, the enemy cannot take any advantage because the air raids in those places are an accomplished fact. But at the same time, I do not see any objection to expunging the information because keeping it in the proceedings will not be of any great value to the public in general. The only point that is troubling me is your statement, Sir, that the Rules do not provide for expunging of such matters from the proceedings once a statement is made on the floor of the House. There have been cases, Sir, when you have very readily expunged certain portions.....

The Hon'ble the SPEAKER: What I mean is this, that the Rules do not provide for the curtailment of the freedom of expression of members by stopping any hon. member giving out such informations in his speech as may be of use to the country at War with India. That is what I mean.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: What I was driving at was that at some earlier period.....

The Hon'ble the SPEAKER: When some defamatory statements were made, they were expunged and that also with the consent of the House.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: At some earlier period you very readily ordered them to be expunged. I believe, Sir, that whatever the Rules provide or do not provide, the Speaker, as a custodian of the rights and privileges of the members, has got the discretion, with the approval of the majority of the House, to follow a particular course. In the present case, I think, you have the right to take the sense of the House, and if the majority of the House is of the opinion that

the statements made on the floor of the House which are likely to be availed of by the enemy, or which are likely to affect the morale of the people of the province, and that they should be expunged, to direct that they be expunged.

Maulavi ABDUR RAHMAN: Mr. Speaker, Sir.

In this connection I would like to say a few words. I understand that full discretion has been given to the Chair as to which portions of the speeches are to be retained and which are to be expunged so I do not see what objection there can be to accept the motion. If the speech which may be of help to the enemy is kept in the proceedings it will be of no use to the general public, but at the same time we apprehend that it may be of some use to the enemy. So I think, such speeches should be expunged.

The Hon'ble the SPEAKER: Will the hon. member restate his motion?

Mr. A. WHITTAKER: Sir, the terms of my motion are—

“That this House approves of the expunging by the Hon'ble Speaker from the records of the proceedings of any information about the civil defences and communications in Assam which might be of use to the enemy”.

The Hon'ble the SPEAKER: I would suggest to the hon. mover to add the words “of this House during this session” after the word “proceedings”.

Mr. A. WHITTAKER: Yes, I agree, Sir. May I substitute ‘during the November Session’? It reads thus:

“This House approves of the expunging by the Hon'ble Speaker from the records of the proceedings of this House during the November Session of any information about the civil defences and communications in Assam which might be of use to the enemy”.

The Hon'ble the SPEAKER: Then I am putting the motion:—

Motion moved: “That this House approves of the expunging by the Hon'ble Speaker from the records of the proceedings of this House during the November Session of any information about the civil defences and communications in Assam which might be of use to the enemy”.

The question was adopted.

Adjournment

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

After lunch

Statement made by the Hon'ble Prime Minister on the political situation and economic condition of the Province

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:

Mr. Speaker, Sir, the other day when a request was made from different quarters of this House that I should make a statement on the political situation and economic condition of the province, I readily agreed, for if by my narration of events I can, in any way, bring to sense those people who, I may say, being misguided, in the name of freedom and independence, are committing wanton destruction of life and property and if by placing before the House, what little the Ministry is doing for bettering the economic condition of the people and meeting the food situation of the province, I can prove the solicitude of Government for the people, I think

my labour will be amply rewarded. In my opinion, Sir, both these matters, *viz.*, the political atmosphere of the country and the economic situation in the province, are centered round the war. I hope, therefore, hon. members of the House will give me a little latitude if I want to put a historical background to what I want to state before them.

At the time when war was declared in September 1939, we had in India the Constitution functioning in every province. In six of the provinces there were Congress Ministries. In Assam, we had a Congress Coalition Ministry functioning. On the plea that India was dragged into this world-wide conflagration without consulting the wishes of her people, the oldest political organisation decided to withdraw their Ministry from functioning in the provinces where they had a majority, and in consequence the Assam Congress Coalition Ministry also resigned.

It was stated that this was an imperialist war, that India had nothing to gain by joining in it and the people of India had no desire whatsoever to take part in this global war. In my humble opinion the history of the war was lost to the leaders of political thought coming from the great organisation, the Congress. It is pertinent to ask whether Poland wanted to have any war, whether Czechoslovakia did not try her best to avoid a war. Similarly, all the smaller States which were neighbours of the mightily armed Germany did not force any war. It was the lust of the Nazi powers for aggrandisement, a plea in the euphemistic term, "Lebensraum" that set ablaze the powder magazine in Europe and which since has enveloped all the corners and all the continents of the world. The Congress party, having withdrawn from administering the provinces, declared that they must have a right to express their opinion against the war, and consequently against all war efforts. While a party in India was of this opinion and vigorous propaganda was going on in the country to establish what was called the right of speech, the Eastern partner of the Axis powers started a hurricane blow against the mighty strength of America and England. At that time of the swift and spectacular victory of Japan who reached the borders of Assam, a slogan and political propaganda was started of "quit India", or, in other words, Britain was asked to leave the shores of India bag and baggage and a policy of 'non-violent resistance, to the aggressive Japan was proclaimed by the 'High Command' of Congress. I appeal to all reasonable men, to all politicians, whether that was the opportune moment to start this agitation when the enemy was not only at our gate, but her air force had struck on the soil of India and her maritime forces had bombarded the eastern sea-board of southern India. Whatever may have happened to other parts of India, I can boldly say that but for the preparations that were made by the British Government to strengthen the defences on the eastern side of Assam, Assam probably would have been overrun in the same swift way by Japan, as they did in Malaya and Burma. If anything had saved Assam from Japan's domination, it was the military preparedness and army efforts. In my opinion, I say in all humility, it was the bounden duty of all inhabiting the province, to strengthen the hands of the military by extreme war efforts, to keep the enemy out of Assam. While Britain and, therefore, India was in busy preparation for a great struggle, while the military strategy needed all available transport for carrying military equipments and the army to Assam which necessitated limiting transit of civil supplies, when the inhabitants of Assam were on the point of starvation, barring rice, of all other food commodities, the great Congress organisation thought of defiance to constituted authority by convening their momentous but disastrous session of August 1942. The heads

of the Central Government which contain not only tried executive officer but numbers of Indian politicians whose patriotism cannot be challenged in any way, had no other alternative but to detain as security prisoners the leaders of the Congress agitation. I am not standing here to defend the policy inaugurated by the Viceroy's Executive Council, but I must say that it was a hateful task for all Indians. Whatever may be the secret instructions which were alleged to have been issued by some powerful members of the Congress, we have the draft resolution of the All-India Congress that was to be passed in that meeting. Some say that the Congress had no hand in subsequent events in the provinces or in the different parts of India, others say that it is a preconceived and well organised plan on behalf of the Congress to paralyse the civil administration so that the British Government may be compelled to transfer all the powers to a National Government formed in India. I am one of those who think that National Government is essentially necessary at this critical juncture of India, but it must be truly national. Sir, all over India, but I am concerned with Assam alone, a whirlwind campaign of sabotage, of incendiarism, of cutting telegraphic wires, of dislocating railway system of transport was started. A week after the arrest of the leaders of Congress, the same orgy of violence commenced in or rather reached Assam and I find from reports that the first act of sabotage and incendiarism was started from the 18th of August. Since then I will relate the progress made by this agitation. On an earlier occasion, I had said that I cannot believe this wave of violence, this whirlwind of crimes started under instructions from the Congress organisation, but certain coincidences cannot but force me to the conclusion that whatever may be the official attitude of the Congress, some of the Congress leaders and under their instructions, the rank and file of the Congress members and their *santisenas* are heavily involved in this civil disobedience movement. There may be differences of politics and different approach to the Indian freedom movement, but there can be no gainsaying that by the present movement of destruction and damage we have not in any way advanced the cause of independence for India. I wish that every reasonable individual, every thinking man and woman in India, will calmly consider whether India's cause for freedom and independence has in any way been augmented by the present movement whether started by the Congress or by the hooligans or the sympathisers of the Congress. Thus, Sir, in India there has been a clash of ideology and controversy of ideals among the politically minded people of India—one section believing that the best way to get freedom and independence for India is by paralysing the present administration, by thwarting every war effort and by wresting illegally powers of the executive in the provinces. On the other hand, the majority of Indian opinions tend to the belief that if we render our proper share of help to the Allied Nations in this gigantic warfare and if India can prove by her valour and sacrifice that she deserves a place in the comity of Nations, she must put all her weight in producing an army fully equipped to meet any aggression whether it comes from the East or West. In this clash of ideology, there is a great danger that there may arise a kind of Civil Warfare amongst the people of India; in that case, it will be a very fateful day for India. May God save India from such a catastrophe.

Having given this background to the conditions of politics in India at the time when we took office, I have got now to relate what path my predecessors followed, I mean, the administration of

suspended constitution and thereafter, the Ministry wanted to take Germane to these narrations is the attempt of the Government to help the people in maintaining their economic stability. When the main line of Railway transport was breached by floods in June last, it was found that the normal trade channels were dried up. On account of the panic and exodus from certain parts of Assam being bombed by the Japanese in the month of May last, the population was faced with a dire shortage of necessities of daily food. Salt, sugar and Dal, etc., all had to be imported from outside the province but in spite of the best attempt made by the then authorities, the consignments trickled into the province in such small quantities that owing to shortage of supply, salt in certain areas was sold at Re. 1 per seer. I should better place certain figures which will prove to the hon. members what was attempted and what was achieved by the scheme of Government buying supplies for the province. The hon. members are aware that this Ministry took office on the 25th of August, but the figures that I will place before them will be from the beginning of this operation by Government, i.e., sometime in May up to the 31st of August, 1942. The commodities that were available to the province through Government Agency were Salt, Arhar Dal, Masur Dal, Kalai Dal, Sugar, Ghee, Mustard Oil, Rice, Flour, Atta and Cloth. From the figures which have been supplied to me by the Chief Controller of prices, I find, that the food-stuff received from the 1st June to August consists of over 1 lakh 11 thousand bags and over 1 thousand and 7 hundred drums of Mustard oil of a total value of over 14 lakhs of rupees. The cash recoveries in treasury (because Government sold it to the people) was over 11 lakhs 55 thousand and odd. There was a balance in stock and the value of this stock was about 4 lakhs of rupees. What further efforts the Ministry made in this line will be evident when I give the following figures. This refers only to the food-stuff that was purchased through Messrs. Shaw Wallace and Co., who are the purchasing Agent of the Government of Assam. I will give the quantities of commodities imported into the province. The consignments despatched and bills already submitted up to the 6th November, 1942 were of a total of 43 lakhs 66 thousand and odd. The following quantities were imported;—Salt—3,87,625 maunds, Arhar Dal—12,182 maunds, Masur Dal—42,156 maunds, Khesari Dal—500 maunds, Gram Dal—490 maunds, Kolai Dal—1,000 maunds, Gram—10,594 maunds, Sugar—57,208 maunds, Ghee—120 maunds, Mustard Oil—1,527 maunds, Flour and Atta—21,159 maunds, and Cloth—692 bales.

We have got information that the following goods have been despatched but the bill of cost has not yet been submitted for them. Salt—over 53,850 maunds, Sugar—10,031 maunds, Arhar Dal 500 maunds, Masur Dal—over 4 thousand maunds, Gram—4,990 maunds, and Cloth 120 bales. These two categories cost the Government of Assam over 50 lakhs of rupees. Besides these Sir, we have got some more food-stuff purchased but not despatched. These are as follows—Salt—5,24,500 maunds, Sugar—67,500 maunds, Arhar Dal—1,500 maunds, Masur Dal—7,500 maunds, and gram—1,000 maunds. The cost of these items is little more than 38 lakhs of rupees. So, the total amount invested by the Government of Assam stands at the huge figure of 88 lakhs 64 thousands of rupees.

The figures that I have now submitted before the House would clearly show what great importance, this Ministry have laid upon keeping

food supply supplied to the province. It has been the endeavour of the Ministry not only to buy monthly supply but also to keep at least a reserve of three months' stock so that in case there be again a breach in the main line of communication, the province will not be denuded of the much needed commodities.

It may be argued that in spite of this huge effort on the part of Government, people have not derived the same benefit, because there is still heavy profiteering going on in certain parts of the country. As I stated the other day, I recall this with shame that there is a set of people amongst us who want to take advantage of the hopeless situation so far as food grain is concerned; they are taking advantage of the ignorance of the people. I appealed to each member — I appeal again, that whenever they come across such cases of high profiteering, they should bring it to the notice directly of the District Authorities or to the notice of the Government, so that immediate steps may be taken for the amelioration of the condition of the people and for seeing that all the food-stuffs that are necessary may be available at a reasonable price to the people in the country-side.

I place these figures in all humility, not to show that we have done this or that, but I was requested by my friend, the Leader of the European Group to place before the House the figures of the importation of food-stuffs for the convenience of the people of the province.

Sir, now reverting to the political situation in this difference of ideology about administration, those who wanted to work the constitution, who wanted progress being dependent on constitutional methods, were pitted against the action of those, whom, I cannot but call, the wreckers, not only, of the constitution but also the wreckers of peace, prosperity and life of the people of Assam. I do not say, Sir, that these were committed with any preconceived or preconcerted plan, but on a careful analysis of the happenings, I have come to the conclusion that events point to very astute brains behind all this movement. I am just giving my conclusions from an analysis of the crimes that have been perpetrated in the name of patriotism and I will try to prove each conclusion of mine by certain overt acts and fulfilling thereof.

I find, Sir, that the sabotage is mainly directed on impeding war efforts and undermining Government by destruction of its property. These outrages have occurred sporadically in various parts of the province, and in some cases indicate the use of skilled personnel. They have failed, but have involved considerable loss to the general public in the shape of the death of many innocent persons and of impeding the movement of their food supplies. These overt acts have led to the occurrences, some of which have been mentioned this morning in reply to certain questions that the attempt on wrecking trains was by removal of fish plates and by placing boulders and obstructions on the permanent way; and in case of land transport by burning of bridges and destruction of some others which could not be burnt. All these can have but one result, that is to place a handicap in quick military movement which may have to be transported hurriedly should the enemy launch an invasion on the province.

Side by side with these, attempts in various places have been made to interfere with telegraphic and telephonic communication. Wires have been cut in various places to disconnect telegraphic communication from the province to outside wherefrom military help may have to be rushed. The Miscreants find that whenever wire is cut, Government agencies of the Telegraph Department repair it immediately. Therefore, later, it has

been the practice of these saboteurs to cut away a length of hundred or two hundred yards of wires, so that repairs may not be done quickly. Three serious attempts at killing people by wrecking trains may be in the memory of all hon. members. One such attempt—I am not mentioning the minor ones—was about the middle of last month when a train laden with passengers was sought to be derailed by removal of fish-plates near a bridge. Various people—I should say innocent people who were travelling by that train received serious injuries—both military officials and civilian population. Then there has been a serious attempt on the Surma Mail only a few days ago, over which we had a large number of supplementary questions this morning. According to Government report ten persons were killed and four times that number had received very severe and serious injuries. Probably my hon. friends are not aware that two nights back another dastardly attempt was made and successfully made by these cowards who are marauding throughout the country in the name of acquiring independence, by removing fish-plates and caused derailment of a train very near Gauhati, and here both the engine driver and the fire man died on the spot and four Indian troops of rank and file status were killed outright. It was only on the evening of 24th, this occurrence took place. There has been as many as 38 stretcher cases and the number of slightly injured can be counted in much more numbers. It is a pity, Sir, that in spite of these reckless interference on the permanent way leading to the disorganization of train communication which has caused death of various people—innocent people—and injury to a very large part of the civil population, we have hardly ever heard either in the Press or on the platform any condemnation of these dastardly outrages. I appeal in the name of chivalry, fairness and justice that each hon. member of this House who has thought it fit to attend this session, thereby showing that they want to have a constitutional Government, would be bold enough to declaim such nefarious activities and in their own spheres see that no sympathy, no popularity is gained by these acts.

Then, Sir, the next conclusion that I have arrived at is that there have been efforts to establish the authority and prestige of the Congress party by a programme of processions and meetings in defiance of the authority and in certain places by trying to run a parallel system of Government. It is in pursuance of this part of the programme that the unfortunate happenings mentioned to the House by my hon. friend Mr. R. K. Chaudhuri took place, namely the incidents leading up to the firing in Gohpur and Dhekiajuli in the Darrang district and in Berhampur in the Nowgong district, and in a place near Patacharkuchi in the Kamrup district.

While I am at this point it will be better if I place before the House the reports from our district authorities giving information about the unfortunate happenings in these places. I have to rebut the story which was told to the House by my hon. friend Mr. R. K. Chaudhuri on the general discussion of the budget. I will not go into the minor affairs because I have hardly any time to do so, but I will place a little detail of the four occurrences where firing by police took place.

I will start on the Dhekiajuli occurrence. That it was a part of pre-conceived plan will be evident from the fact that occurrences in both these places—Dhekiajuli and Gohpur—took place on the same day and about the same time. On the 20th September 1942, at 4.45 P.M., a large crowd of persons—*Santi Senas* and others—approached the Dhekiajuli Police

Station. In the Deputy Commissioner's report I find, Sir, that the mob consisted of over five thousand people. Some of them carrying Congress flag entered the Police compound and endeavoured to hoist Congress flag on the Police Station. They were ordered to leave the compound and as they disobeyed, the Officer-in-charge directed that the mob should be dispersed by lathi charge. The leader then trespassed into the compound and called upon the crowd to attack the police and seize the Police Station. The Officer-in-charge then ordered a lathi charge. Still the mob persisted in their attack and injured several police including the armed section, whereupon the Officer-in-charge ordered firing in the air. Despite the firing of some rounds, the mob persisted in their attack. The Officer-in-charge then ordered a second firing in which six of the mob were killed on the spot and a number injured. It is believed that apart from one of the injured who died in hospital some others who were in critical conditions must have subsequently died. But Government have not got the complete information. The case is still under enquiry by the Deputy Commissioner and in spite of our asking him by wire to send immediately the report of his conclusion it is unfortunate that we have not received it up till now.

The Gohpur incident is on a par with this. It was on the 20th September 1942 at 2 P. M. that a large mob of over one thousand approached and entered the Gohpur Police Station compound. The Officer-in-charge warned them that they were making an unlawful assembly and therefore he ordered dispersal. But the mob did not obey his order and entered the compound and overpowered some of the constables. Then one constable fired a shot in the air without effect. The crowd appeared to have stopped for a moment ; but one group who had been equipped with kerosene and ladder attempted to set fire to one of the buildings. Then firing had to be resorted to and three or four persons received injury, whereupon the crowd withdrew. The facts are likely to come before the court and Government are not in a position to make any further statement. One girl is understood to have died subsequently of wounds.

The case of Berhampur in the district of Nowgong was related by the same hon. friend. The Government record is to this effect:—

That although the Berhampur Congress camp was taken possession of by Government under section 17-a) of the Criminal Law (Amendment) Act, report was received that on the 16th September 1942, a mob of five thousand has come to that camp probably with a view to take back possession. Hearing this the Deputy Commissioner sent Mr. Ruse, I. C. S., with the Deputy Superintendent of Police Mr. Barua and Captain Finch of the Gurkha Rifles, to see what was happening there. The leader of the crowd was one Pratap Chandra Sarma, B.L., who was asked by those officers to speak to the crowd to disperse peacefully, as the crowd had become restive on the appearance of this deputation. It is reported, Sir, that that gentleman tried his level best to get a hearing, but the crowd had reached such a mood that they refused to hear even their own leader, and actually assaulted Mr. Ruse, I.C.S., and the two military officers, Captains Finch and Montgomery, the latter of the Assam Rifles. After these three officers were assaulted, the unlawful assembly had to be dispersed by force. During the firing that ensued, three persons were shot dead and six wounded, one of whom unfortunately a lady, died not at the spot but next day.

Srijut ROHINI KUMAR CHAUDHURI: May I know who ordered the firing in this case ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:
Probably Mr. Ruse, the I.C.S

I will place two more incidents, Sir, of this nature and close this pitiful episode. The first one is of Patacharkuchi. It is reported, Sir, that on the 25th September 1942, an armed mob of about 1000 strong, some armed with lathis, attacked the Officer-in-charge of the Police Station and two armed-branch constables in between Jalah and Nityananda villages with a view to rescuing three prisoners who had been arrested. The police party was surrounded and the release of the prisoners was demanded. On the Officer-in-charge's refusal, the mob assumed a threatening attitude. The Officer-in-charge warned the mob repeatedly to disperse. An attempt was made to seize the rifle of a constable. The Officer-in-charge, seeing that his warning was useless and fearing physical assault and forcible release of the prisoners, ordered a constable to fire a shot overhead as a warning. This was done, but it had no effect on the crowd, who persisted in menacing the police party. In this difficult situation the Officer-in-charge decided to open fire on the crowd, and ordered the constables to fire one round each at the crowd. Again soon after that, at Rehabari, the same police party was surrounded by the rowdy mob who tried to snatch away the prisoners when the Officer-in-charge had to open fire. The same thing happened at Nityananda when the same Police Officer was compelled to open fire. After all these incidents, the arrested persons were brought to the Police Station. During this struggle between a very small police force and a big menacing crowd only two people were killed and two injured, in spite of three firings at three different villages. This clearly demonstrates, Sir, that the police did not fire with a view to kill people, but purely in self protection ; otherwise a determined police firing would have caused a greater number of casualties.

Then, Sir, the unfortunate incident at Kokira village where a poor villager and a lance naik of the military lost their lives has been put before the House by my hon. friend Mr. Chaudhuri. I mentioned that day that his version of the story was substantially correct. It is extremely unfortunate that two precious lives were lost, but it could not possibly be helped under the circumstances.

The last case of police firing occurred at a place called Ramfulbilhat in the Goalpara district. In this case, insidious propaganda had turned the heads of many Bodo leaders of the simple Bodo community, who were incited to claim that it was their land and that this was their *raj*. Simple as these people were, they were led to believe in these exhortations and the mendacious incitement of the band of destructors. In the report of the Deputy Commissioner we find that to the beat of drums and shouting of slogans "our land, our Raj" the crowd fell upon the innocent shop-keepers, killed one, and severely assaulted another, no less a person than a kabuli shop-keeper, destroyed property to the extent of Rs.30,000, and the only police guard at the place was an armed constable, who, probably in self-defence, had to fire and one man was killed. From the report it appears that it was a wanton case of destruction by an infuriated crowd which was over 1000 strong. Here also one innocent life was lost by the action of the miscreants, and one in the mob was killed by police firing.

I need not, Sir, place before the House all the smaller incidents, for earlier in the morning, in reply to certain questions, Government have laid on the library table, the total number of cases, and the hon. members will be able to come to their own conclusion whether there has been a wanton, deliberate and dastardly, but calculated, attempt at paralysing Government in every case.

Sir, when the holding of processions and meetings originally began, the authorities sought as far as possible to avoid interference with activities of an apparently constitutional nature. But these methods rapidly assumed the character of a demonstration intended to over-awe the people and the district staff; they were used as a cover for nefarious activities of individuals who distinctly aimed at encouraging lawlessness, and they brought about an atmosphere in which law and order were liable to be disregarded. The process culminated in a serious market looting in one area where substantial damage was done and one shop-keeper lost his life, though this outbreak of lawlessness probably had a political object.

When these overt and subversive activities began to increase, action had to be taken to suppress them, and when all other methods of suppression failed, a system of collective fines had to be adopted. This attempt at reintroducing the principle of citizenship and the collective responsibility of the villagers for the protection of life and property of the Civil Administration as well as of private persons has now been challenged on the ground of communal partiality. I refute that aspersion, for I have given discretion to the district authorities to exempt Hindus, Marwaris, Scheduled castes and Muslims who have openly declared their hatred and contempt for these acts of sabotage and incendiarism; also Government servants as a class, though there have been various cases where the relations and wards of Government servants have been known to have taken part in these demonstrations, have been exempted. I have also given instructions to the Deputy Commissioners to use their sense of responsibility and proportion to limit the amount of the fines on a standard principle within the means of the villagers who may have to pay them. I have also given discretion to them after having imposed these fines, to suspend the realisation, to give a period of grace to the villagers to show that they are repentant and that they have undertaken to safeguard Government, semi-Government, private and their own property. The amount of collective fines and the instances for which they had to be levied have been placed before the House this morning and therefore, I am not going to repeat those figures. The subversive actions that I have mentioned, i.e., attempts to seize schools, to seize police stations, to burn public buildings, to supplant the lawfully established forces of law and order, would have led to an enormous loss of life and property had the Police not done their duty. The campaign against Government servants has taken the form of threats conveyed in anonymous communications, the destruction of their property, assault and ignominious treatment of helpless menials, etc. As an example I may state the case of the killing of a pony which had been loaned by a mauzadar to a Police officer conspicuous for his courage and devotion to duty. All these methods were tried to undermine their loyalty, but it goes to the credit of our public services that it had little or no effect upon them. The length to which such propaganda has gone may be gauged by one specific instance:—a circular supposed to have been issued by the Bengal Provincial Congress

Committee, which had been cyclostyled at some place, was sent out to Government officials, including my humble self—I received it only yesterday in the name of Assam Provincial Congress Committee. The post mark shows that it was posted in an interior village of Kamrup—Chandkuchi—which my hon. friend Mr. Rohini Kumar Chaudhuri knows well.

Srijut ROHINI KUMAR CHAUDHURI: Chandkuchi?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes. This is supposed to be a reprint of a most secret circular which is alleged to have emanated from the Government of Bengal on the subject of instructions regarding the withdrawal of Government officers and removal of Government servants in the event of an enemy invasion. I will read only two sentences from this anonymous letter. "The circular itself will show the utter incapacity of the British to defend the country. They are more concerned with running away after applying their scorched earth policy. Indians now serving the Government must resign to save their lives. Our countrymen must be prepared to resist this British menace. Issued by the Assam Provincial Congress Committee, October 1942." Many such letters were received earlier, but I think this one instance will show to what length insidious propaganda has gone.

The measures taken by Government to deal with the disturbances have naturally been confined primarily to the preservation of life and property. The Police Force has had to be reinforced to establish guards, and has been implemented by patrols and guards from the Military, and the protection of public property has been secured by the application of Collective Fines, Ordinance where damage has been done, and measures have been taken to ensure public co-operation in the protection of public property by this means. District Officers have been authorised to make use of these measures to enforce prompt enforcement of justice. The leaders of the Congress Party, who were considered to be a danger to public safety from their acts, from their exhortations and encouragement of the actions of the party, have been detained, or are placed under restrictions. At the same time, Government have made clear their readiness to relax such precautions in the case of those who are willing to give an undertaking to abstain from subversive activities. I may state, Sir, that all these steps for the preservation of law and order, for the protection of life and property of the innocent and law-abiding people had to be resorted to by Government. In spite of actions taken by Government, these acts of sabotage—small and big—are still continuing. In order to give an idea how in spite of every measure taken by Government, hooligans are carrying out their plan of mischief and destruction. I will place a diary of sabotage for a fortnight. This is the latest security intelligence report for the period from 2nd November to 17th November—just a fortnight. I have selected this haphazardly because I received it on the 23rd and I thought that in order to appraise the House of the happenings in the country, it will be as an eye-opener about the trend of political life of the province:—

GOALPARA—

Night of 2nd and 3rd November.—Two bamboo bridges on main road were burnt near a certain village. Attempt was made to burn the Inspection Bungalow at a certain place.

5th night.—Attempt was made to burn the Hindu hostel of a secondary school at Dhubri.

10th and 11th night.—Attempt was made to set fire on a bamboo bridge on a road about 28 miles out of Dhubri.

DISTRICT OF KAMRUP—

3rd November.—Boulders were placed on the railway lines and some sleepers were removed from the line.

7th November.—12 Public Works Department cars loaded with gravels etc., were stopped by women volunteers.

Night of 8th and 9th.—They burnt some articles meant to be handed to the military. That was contractors' property that was burnt.

9th November.—Building of Barpeta High School was set on fire.

9th to 12th and 13th.—Two Government revenue buildings were burnt.

Night of 13th and 14th.—Sub-Deputy Collector's Office and the Price Control Office at Gauhati were burnt.

Others were small affairs but this is a big loss to Government and I will show later on how this was a great loss to the public, who will suffer in consequence.

LAKHIMPUR—

Night of 2nd and 3rd November.—A third attempt was made to burn the Government High School.

NOWGONG—

Night of 8th November.—Forest bungalow was burnt.

Night of 9th and 10th November.—Attempt was made to take away files, hack-saws, sulphur, etc., from a tea estate, as these would come handy in removing fish-plates and doing other mischiefs.

SIBSAGAR—

Night of 1st and 2nd November.—The bungalow belonging to a Manager of Titabar was burnt.

Unfortunately I am the victim of this sabotage. Probably, Sir, according to the miscreants the Premier is responsible for all these arrests and so his property ought to be damaged. That was done, Sir, in the absence of the Manager who was at Gauhati on the night of occurrence. I am not sorry for the burning of the house but it contained all medical store for the labour force. I am afraid, Sir, I shall not be in a position to replace this medical store and therefore the labourers will suffer.

Then the military cable was cut in the same vicinity. The Middle English School at Amguri was completely burnt, a private girls' school was also burnt. Five hundred bundles of thatch were burnt in the same area. Same night 2nd or 3rd November a branch post office at Dimow was burnt, 12 miles out of Sibsagar. A Middle English School between Titabar and Golaghat was burnt.

Night of 3rd and 4th.—At Desangmukh a building was burnt, a primary school at Amguri was burnt, building of a school in a village near Titabar was burnt, a forest beat house was burnt.

5th November.—Attempt was made to set fire to a Post Office near Sibsagar. Telegraph wires were cut near Amguri.

November 6th and 7th.—Attempt was made to burn a ganja shop near Gaurisagar.

November 8th.—Telegraph wire was cut near Sibsagar.

November 9th and 10th.—A Post Office was burnt near Golaghat.

November 10th or 11th November.—Two schools near Teok were burnt.

Night of 11th and 12th November.—A school at Golaghat was burnt.

In Sylhet the most noteworthy occurrence is the derailment of Surma Mail about which we have heard this morning. There were other acts of sabotage.

Night of 2nd and 3rd November.—Telephone wires on the Sylhet-Shillong Road were cut.

6th November.—Telegraph wires interfered with at Baniachong. A Branch Post Office in Sylhet town set on fire too. Then on 8th and 9th night police station buildings and some officers' quarters at Biswanath were burnt.

9th November.—Telegraph wire was cut between Kulaura and Brahmachal.

Sir, from this definite report everyone will realise that this nuisance of burning of village schools, of middle English Schools, of Government schools and other Government properties, this hopeless attempt at interfering with communication and telegraphic lines must cease, if the people are to live in peace and under law and order. Therefore, Sir, I have got no hesitation in saying that every measure that Government have taken so far is at my own responsibility and I am not ashamed of (*hear, hear*) the steps taken. Every loyal citizen must come to the aid of Government to see that law and order prevail. Every hon. member of this House, instead of crying hoarse at the so-called excesses of the few instances of police firing or *lathi* charges, ought to cry from the top of their voices against this ruthless and senseless destruction of property carried in the name of fighting for freedom and independence.

Sir, my history of the economic situation will not be complete if I do not mention the land revenue remission which the Ministry has proposed. Every one knows that the 93 Administration had withdrawn 50 per cent. of the revenue remission granted by previous Ministries and rent rolls or "dowls" were being prepared accordingly. But in the first week of September the Ministry restored 50 per cent. of the cut with the result that the public at large will get for the current financial year a 75 per cent. reduction of what it was a year ago and another revision of the rent roll has to be made. Every one knows that these rent rolls are prepared in the Sub-Deputy Collectors' offices. It is with a vengeance that the benefit of remission that will accrue to the people should be lost to them, that is by their inability to pay the reduced revenue by the 31st March 1943, saboteurs have concentrated in every place in burning the records of the Sub-Deputy Collectors' office. The records of the rent rolls which are there in most cases have been burnt down and it will take a long time again to reconstruct these records by a reference to the headquarters and by reference to mouzadars with the result that the preparation of the rent rolls will be delayed and those who have been doing this incendiarism in the name of helping the poor people is only putting obstacles before them and these poor people who have a chance of obtaining the very "bigger",—according to the words of the hon. critics,—benefit that I proposed to give them in the shape of land revenue remission, may not be able to utilize it.

There is yet another aspect to this case of sabotage. Each act of sabotage is an attempt at crippling our war efforts which is a direct incentive to the enemy to invade Assam. If it has not got the power of crippling the British Government or the local administration, it can have the effect of lowering the morale of the people (*hear, hear*). Well, Government cannot sit idly but try with all the powers that they have got, to keep up that morale and that can be done by what is popularly known 'suppression', i.e. these collective fines. I am not here to challenge anyone who says that with the guilty, some innocent people had been saddled with fines. I am fully alive to this aspect of the matter. But in spite of my earnestness or

wish not to impose any repression, I have been compelled to use all these powers to re-establish law and order in the Province. There cannot but be murmuring, there cannot but be grievances and therefore the dissatisfaction amounted to disaffection of the established order of Government, if we do not take measures to stop these acts of sabotage, which help the enemy in both ways, i.e., we incite him to believe that the vast population of India are dissatisfied with the present Government and therefore will rise to a man when the enemy invades Assam, thereby enemy invasion may be accelerated a dire catastrophe to India. On the other hand, such lawlessness has got the effect of bringing defeatist mentality to the people who should be heartened at this time and whose steadfastness and courage has extorted the admiration of the great American people. I therefore humbly beseech every hon. member of this House to give their earnest support to Government and help them in bringing in a revolution in the feelings of the people and specially of that band of marauders who are causing this havoc in the country. I am fully alive that if my hon. friends use their influences in their particular localities and areas we can suppress 75 per cent. of this hooliganism.

I started by saying, Sir, that I am not one of those who believe that at this time when India is faced with a ruthless and desperate enemy, when the province of Assam is right in the forefront and bearing the brunt of an attack, if it were, that India was governed by her own people and by a national Government where every component of the great population of India will be represented in their proper and just share. It is not for me to plead the cause of the Congress leaders being set at liberty and allowing them a chance to come into contact, if possible, to form a national Government with the other great political organisations, both of Hindus and Muslims. But speaking on provincial politics, I issued an appeal at the very first moment of my assuming office that we should give up all our petty jealousies, we should rise to a man to fight our common enemy and also those who are engaged in serious working as Fifth Columnists within the province. I repeat the same offer again to the hon. members of the House and, had the Congress party been here, to them also, that if they want to fight this lawlessness, this absurd and insensate orgy of destruction of life and property, if they are willing to strengthen the hands of the Cabinet I make this offer solemnly on the floor of this House that if the different groups or different parties in this Legislature will send the name of one of the leaders to be incorporated in the Cabinet I will be the first person to welcome such a gesture.

The Hon'ble the SPEAKER: Order, order. There is no motion before the House in connection with which the Hon'ble Premier has made this statement. But, as has already been settled, there will be a debate on this speech, as the intention of the House is to consider the political situation in the Province from the different stand points of the hon. members. The hon. members, will be, therefore, quite at liberty to start and carry on a general discussion on the speech just as they do on the Budget Estimates.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, may I be permitted to speak on one more point for the information of those hon. members who criticised that Government, especially the Ministry, had taken at the face value reports from the police? I can say that in each case of firing Government ordered a special enquiry and the cases of Gahpur and Dhekiajuli are still under enquiry by the Deputy Commissioner whose report is awaited. Further, we had a report, a very complete report, about the unfortunate firing at Patacharkuchi where the Deputy Commissioner deputed Mr. Dumbrek, I.C.S., and Maulavi Nurul Gani, Extra Assistant

Commissioner, to hold a joint enquiry and according to their report the police firing was more than justified.

Mr. A. WHITTAKER: On a point of information, Sir. May I know whether the business of the House will be finished to-day or it will be going on till to-morrow or day after?

The Hon'ble the SPEAKER: The hon. members know that to-morrow we have got private members business and that day after to-morrow, Government business. The only outstanding Government business is the placing of the authenticated schedule for expenditure before the House. Now, I must inform the hon. members that His Excellency, the Governor has modified his order which fixed 28th as the day for placing the authenticated schedule of expenditure before the House. In modification of that order he has directed that the authenticated schedule of expenditure be placed to-day. Then there will be no Government business outstanding and the only business which remains to be transacted is the business of the private members, *i. e.*, some resolutions to be taken up to-morrow. Now, if hon. members who have those resolutions agree that they are not going to move them, then the business of the House may be finished to-day. I do not know how the hon. members who have got resolutions want to do; but I am ready to sit some hours more after 4 p.m. if it is the intention of the House that the session should end to-day.

Maulavi ABDUL BARI CHAUDHURI: Most of the resolutions are in my name, Sir. I will not insist those resolutions to be discussed to-morrow, but one thing I would like to add that there are two very important resolutions in my name. One is for the constitution of a Price Control Committee. I would ask the Hon'ble Prime Minister to give due consideration to it and the next resolution is regarding the constitution of a Madrasa Education Committee. I would request the Hon'ble Education Minister that adequate steps be taken for the formation of the committee.

The Hon'ble the SPEAKER: There is another hon. member who has got a resolution and he is Maulana Abdul Hamid Khan.

Maulana ABDUL HAMID KHAN: Mr. Speaker, Sir, আমার একটি প্রস্তাব আলোচনার জন্য নির্ধারিত ছিল। রমজান মাসে সমস্ত স্কুল কলেজ সম্পূর্ণ বন্ধ রাখার জন্য এই প্রস্তাব আনা হইয়াছিল। এ সম্বন্ধে মাননীয় শিক্ষা-মন্ত্রী কি বলেন তাহা জানিতে পারিলে ভাল হয়।

The Hon'ble the SPEAKER: আপনার আর একটি প্রস্তাব আছে। সে সম্বন্ধে কি করিবেন?

Maulana ABDUL HAMID KHAN: যদি next session এ এই প্রস্তাবটির আলোচনার সুযোগ দেওয়া হয় তাহা হইলে ভাল হয়।

The Hon'ble the SPEAKER: কোন প্রস্তাবটি?

Maulana ABDUL HAMID KHAN: পাকিস্তান প্রস্তাব। আরও একটি প্রস্তাব আছে। এই দুইটি প্রস্তাব next March session এ আনয়ন করিবার ইচ্ছা করিতেছি।

The Hon'ble the SPEAKER: আপনি নিশ্চয় আনয়ন করিতে পারিবেন।

Maulana ABDUL HAMID KHAN: নোটিশ ছাড়া যদি হয়।

The Hon'ble the SPEAKER: নোটিশ ছাড়া হয় না।

Maulana ABDUL HAMID KHAN: আমি আশা করি গভর্নমেন্ট অনুমোদন করিবেন।

The Hon'ble the SPEAKER: পরিষদের নিয়ম অনুযায়ী নোটিশ ব্যতিরেকে কোন প্রস্তাব আগামী session এ আনা যাইতে পারিবেনা।

Maulana ABDUL HAMID KHAN: গভর্নমেন্ট অনুগ্রহ করিয়া যদি এই প্রস্তাব আগামী session এ নোটিশ নাদিয়া উত্থাপন করিতে অনুমতি দান করেন তাহা হইলে ভাল হয়। কালকে এই প্রস্তাব উত্থাপনের কথা আছে।

The Hon'ble the SPEAKER: আগামী কল্যের জন্য আমাদের কোন কাজ না থাকলে আমার মনে হয় দুই ঘণ্টার মধ্যেই এই অধিবেশনের কার্য শেষ হইতে পারিবে। এই অবস্থায় আপনি কি চান, পরিষ্কার করিয়া বলুন।

Maulana ABDUL HAMID KHAN: মাননীয় শিক্ষামন্ত্রী মহোদয় স্কুল কলেজের বন্ধ দেওয়া সম্পর্কে কি করিবেন তাহা জানিতে পারিলে ভাল হয়।

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: এই প্রস্তাব সম্বন্ধে আমরা বিবেচনা করিয়া যাহা হয় একটা স্থবিচার করিব।

Maulana ABDUL HAMID KHAN: সঠিক করিয়া বলিলেই ভাল হয়।

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: এই session হইয়া গেলে আপনার সঙ্গে আলাপ করিয়া একটা ব্যবস্থা করিব।

Maulana ABDUL HAMID KHAN: এই প্রতিশ্রুতিতে আমি আমার প্রস্তাব উত্থাপন করিবনা।

The Hon'ble the SPEAKER: তাহাহইলে আপনি কোন প্রস্তাব আনিতে চাহেন না?

Maulana ABDUL HAMID KHAN: না।

The Hon'ble the SPEAKER: Then it comes to this then that we have no business for to-morrow. I arranged all the questions that were to be answered to-day, to-morrow or day after to-morrow to be answered to-day. They have all been replied to except two starred questions. So if we can finish this debate by this evening there will practically be no real business for to-morrow. As I gather that it is the general desire of the House that the session should be concluded to-day, we should endeavour to finish this debate even by sitting late hours this evening.

Mr. BAIDYANATH MOOKERJEE: After hearing the Hon'ble Premier and specially his appeal to the hon. members present, in this House, I think I shall be failing in my duty if I do not mention a few points which I consider to be vital and relevant and I hope the Hon'ble Premier will take note of them. Sir, the other day the Hon'ble Premier himself said that because we have got no daily newspaper of our own and also due to undeveloped publicity methods in our Province the public do not get the real news promptly and what is more they do not know even about the activities of their own Government. Sir, in his speech he has blamed some of us for having criticised the Government on the basis of the news which he says are unfounded, but I think, it should have been better on the part of the Hon'ble Premier to remember that this cannot but be so, because we have got no agency, excepting wild rumours, through which we can expect to get proper information, essential for our purpose as public men. Sir, the Hon'ble Premier has made it clear from official records with him what is actually going on, in this province. But, Sir, how we, the people are to know what is the real position in the country and what the Government have done or are doing in these matters. Sir, the appeal will be of little use unless we are apprised of the real situation. Sir, after hearing the Hon'ble Premier now we find that there were many acts of sabotage which should be condemned by all reasonable and fair men but where was the opportunity of knowing all these before? We get news, it may be said, from interested quarters about the military and police excesses but what did Government do to inform the public about the real situation? We only heard that due to firings so many persons died but we did not know what were the causes that led to these firings. Sir, it is very simple and all the hon. members will realise it very easily that news of deaths under such circumstances circulate very quickly, but we do not get any news why the deaths took place—due to forced firings or not. So, we request the Government to move in a manner so that members of this House whose assistance the Hon'ble Premier just now asked for, may know the real situation. Sir, the news agencies that are functioning in Assam here do not get adequate facilities which they can reasonably expect. As for example, Sir, all the news agencies had their telephone connections before, but now we understand these telephone connections have been withdrawn by orders of Government. If the news agencies who serve our own needs are deprived of these facilities, will it be fair on our part to expect that they should do full justice to our requirements? Sir, two days ago, we saw in the *Statesman* that even the Editor of that paper, under *Occasional Notes* was compelled to remark that it would be some sort of Nazism to deprive people of the use they make of their radio sets. The Deputy Commissioners have been empowered to confiscate the wireless sets if they consider it necessary. Sir, if these remarks had come from an Opposition member, Government could possibly have explained it away as mere destructive criticism, but what are we to say about the Editor of the *'Statesman'*? Sir, we must get all possible assistance from the Government and I can assure that Government will also get all possible help from us in return (clap from the European group). Sir, as the Hon'ble Premier appealed to all the hon. members present here, I also appeal to him that he should rise up to the occasion; and forget that he belongs to any particular community. I think, Sir, that a Premier of a province should in all fairness consider himself as representing not only any particular community but all the classes and communities of the province. I think, most of the troubles will disappear if he can trust both the supporters of the Government

as well as the members of the Opposition and acts on their advice. In that case, I think, the desired effect for which he appealed to us may be achieved. Sir, if we do not know the real situation how are we to apprise our constituencies? Sir, when there are other nine Members in the Treasury Bench, the Hon'ble Prime Minister can well afford to devote his entire energy in tackling this problem.

I like to mention another point in which I am at one with him that the real culprits should be punished at any cost. Sir, when he feels for the innocent persons who suffered as victims of various acts of sabotage, I also join with him but along with it I also feel for those who are being penalised for no fault of their own, in the shape of paying collective fines, etc. Sir, it may be said that these acts are due to the activities of some miscreants of the locality concerned; but I would like to say that it may be quite possible that in some cases, the people of the locality did not know anything about the evil intention until after the crime is perpetrated by some outsiders, who may run away thereafter under cover of darkness. So, I think, in maintaining law and order, there should not be any breach of it from the Government side.

Sir, I thought that the Hon'ble Premier will enlighten us about the activities of the Government in the matter of protecting the inhabitants of this province but he did not say anything about it. As regards the food-stuffs he enlightened us about the steps taken by the Government and the figures quoted by him are rather encouraging but as regards the other point mentioned above, we did not hear anything so as to assure us of our safety. Sir, the Hon'ble Premier said that as 75 per cent. of the Congress people are caste Hindus, he has come to the conclusion that the caste Hindus are the sympathisers of this movement which is responsible for these acts of sabotage.

Mr. A. WHITTAKER: When did the Hon'ble Premier say this, Sir?

The Hon'ble the SPEAKER: Yes, he said this on a previous occasion.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:

I did not say 75 per cent. but I said 95 per cent. (*Laughter.*)

Mr. BAIDYANATH MOOKERJEE: Thanks to Mr. Whittaker for his intervention because I have now got the actual figure. Sir, I could not conceive of the idea that the Hon'ble Premier would go so far as to say that because 75 per cent., now I hear 95 per cent., of the Congress men are caste Hindus therefore the caste Hindus are sympathisers of this movement alleged to have been sponsored by the Congress and as such they are supposed to be culprits and hence they should bear the burnt of the punishment. It is really painful to hear this sort of argument from the Hon'ble Premier. I hope after hearing my appeal he will try to change his opinion and will think in calmness whether he should not revise his impression that 95 per cent. of the caste Hindus are sympathisers of this movement.

Mr. A. WHITTAKER: Sir, I understand the Hon'ble Premier said that 95 per cent. of the members of the Congress were Hindus. Was not that so?

The Hon'ble the SPEAKER: Yes, but it was not said that they were all supporters of the movement.

Mr. A. WHITTAKER: Yes, Sir.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I said that 95 per cent. of the members of the Congress are from the caste Hindus.

Mr. BAIDYANATH MOOKERJEE: The arguments that I have advanced still stand equally strong.

The Hon'ble the SPEAKER : He said 95 per cent. of the Congress members come from the caste Hindus.

Mr. BAIDYANATH MOOKERJEE : Therefore these activities are the results of the Congress movement.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The official resolution is not for sabotage. But there are certain Congress leaders who said that Government should be paralysed at all cost.

Mr. BAIDYANATH MOOKERJEE : Only for the activities and speeches of some Congress leaders whether the caste Hindus as a whole should be penalised is also a point which the Hon'ble Premier would kindly consider and I hope my appeal will not go in vain.

Sir, as other hon. members want to take part, I resume my seat

Srijut ROHINI KUMAR CHAUDHURI : Mr. Speaker, Sir, at the very outset, I must say that we are surely thankful to the Hon'ble Prime Minister for giving us an authenticated account of the sabotage committed in this province. Up till to-day the public were really in the darkness as to the correctness of the rumours which we heard from time to time about various acts of sabotage committed. So, I take this opportunity, on behalf of my party, to denounce most emphatically and most unhesitatingly the acts of sabotage that have been perpetrated in different parts of the province. We are convinced that these acts of sabotage only remove us farther and farther from the goal of independence for which we are all striving. We hear that houses and buildings have been burnt ; office buildings have been burnt ; bridges constructed by the Government have been damaged. All these things have to be repaired and shall be repaired. Who will bear the cost ? It is ourselves—it is the poor rate payers, it is the poor raiyots of Assam who will have to repair the bridges and re-erect the houses. Furthermore, Local Board buildings and Pathshalas have been reported to have been burnt by these saboteurs. Who will suffer most from that ? It is our own people who will suffer, and, therefore, everyone should curse these acts of sabotage.

Sir, while I decry these acts of sabotage and say that such acts should not be supported by any one in the name of independence and freedom, similarly I would also decry the action of those Government officials and the action of the Government who on the plea of punishing and preventing sabotage would try to pound and oppress the innocent people. Sir, my Hon'ble friend, the Prime Minister, has rightly said that it is up to us, the men who are representing the public in various capacities in this House and outside, to do acts of propaganda to remove this sabotage evil from the country. But he also ought to know the difficulties and disabilities under which we are suffering. We have not got facilities of movement ; we have not got facilities as other members of the Government or the members of the League or of the Congress have. They have a number of supporters. It is up to Government while moving round the country to address their supporters which must be a large majority in the province ; otherwise they would not have been there (*Ironical cheers*). It is for them to explain to the people and invite us at such gatherings if organised. Unless and until they show that example, it is very difficult for us to do anything of the kind. I noticed that during the brief space after acceptance of the office, the Ministry had gone round on tour. I hope, but I am not sure, that they have tried their best to explain to the people, the evils of sabotage movement, but we have not received any report in the press of speeches made by any Hon'ble Minister to that effect.

Sir, my Hon'ble friend, the Prime Minister, has said in substance that vigorous action is to be taken against all those who are responsible in any way for lawlessness, so that war effort might not be impeded. It is unfortunate in the country that the two great political organisations, namely, the Congress as well as the Muslim League are very lukewarm in their war efforts. The Congress have definitely laid down that while they will not embarrass war effort, they will not take any active part in helping it. Similarly, the Muslim League have stated very plainly that they are not behind the war effort. So much so that with the present Prime Minister at the head of the Cabinet, this province had to go without any representation in the Defence Council for nearly 11 months or more and very recently my friend Mr. Hirendra Chandra Chakravarty, who neither belongs to the Congress nor, I think, to the Muslim League, had taken upon himself the responsibility of attending the Defence Council.

In this state of things, I on my own behalf and on behalf of my party, can definitely say that we had offered to do all that we could in order to help the war effort—we stated that distinctly to Government, but Government did not care to reply to that letter of mine or accept any co-operation from us.

Now, Sir, in this debate, we non-officials including the Prime Minister are very seriously handicapped. The Government have got to look with the eyes of their officials. They get the report only from those officers against whom accusations of overjealousness and carelessness are made. On the other hand we have no definite report. Any attempt which is made to carry on non-official investigation is put down immediately. I know definitely that some non-official gentlemen went to Tezpur in order to find out the truth of the report of Dhekiajuli and Gohpur incidents. But that effort was put down and the Deputy Commissioner stopped them. So, Sir, while we cannot give the version of an eye witness, we cannot as well accept a statement which is made by the Hon'ble Prime Minister in regard to these incidents. It would be, therefore, very much desirable to have a non-official or mixed inquiry to find out the truth of these incidents. With this object in view I had tabled a motion for the formation of a committee, but that motion could not be discussed because the Hon'ble Prime Minister refused to give his consent to discuss. I would ask the Hon'ble Prime Minister again to consider the whole situation in the light of the facts which I have already revealed before the House in my budget speech and to see whether it would not be desirable to have an impartial enquiry made. It will very much enhance the prestige of the Government, it will help Government in quieting down the wild rumours that are afloat. I have ascertained by private discussion with several members of the House that they are also of opinion that an impartial enquiry would be very desirable in these circumstances and would be very much helpful too. Sir, I had already placed before the House the report of the incidents as I received it. Now I cannot vouchsafe the strictest accuracy of those information. But I have very reliable information as regards the Goalpara incident and I am in a position to challenge the correctness of the statement which has been made by the Hon'ble Premier. At least for the incident of Nidhan Rajbansi there cannot be any shadow of justification. This incident took place in a village called Kokira. A constable was deputed for realising collective fine of Rs.8 from one Nidhan Rajbansi of this village. The latter was unable to pay in cash and thereupon the constable seized the only pair of plough bullocks. As he was taking them away, the man protested saying that it was his only

pair of plough cattle. On that the constable abused him and he returned it. The constable then beat him with a *lathi*. It is quite untrue to say that the latter used a *dao*. No *dao* injury was found on the constable's person. This took place during the day.

At night at about 11 o'clock the Subdivisional Officer on his way back from Dudhnai got the report of the occurrence and went to the spot with two lorry loads of armed sepoy and two European Officers. He found that the man was inside the closed doors of the house with a light burning. He was asked to come out which he refused. On that the house was surrounded and the firing was ordered by the Subdivisional Officer. One European officer opened fire. Six shots were fired and some bullets hit the man inside on the knee joints and he fell down with profuse bleeding. One of the bullets pierced the walls in the opposite and struck a sepoy standing outside the wall, killing him instantaneously. At this the door was opened by force and several sepoy went in and pierced the man with bayonet as they do the wild boars and he died. Both the dead bodies were brought. The man's body was postmortemed. The sepoy's body was buried with honour whereas the man's postmortemed body was returned to his relatives.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: May I know the source of hon. member's information?

Srijut ROHINI KUMAR CHAUDHURI: This has been given by my hon. friend Maulavi Amjad Ali. He heard it from persons who saw the occurrence.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: He is not an eye witness.

Srijut ROHINI KUMAR CHAUDHURI: This is the report I have received. The points are whether there was seizure of the property in the day or no., whether any incident took place at night. There could not be seizure of the bullocks at night. If the seizure had taken place during the day and if there was an altercation between the man and the constable he could have been hauled up and tried. Then, Sir, the collective fine must be supposed to have been already realised because a pair of plough bullocks would cost more than Rs. 80. If that is so what justification the Subdivisional Officer and those sepoy or armed police had in visiting the man's place at about 11 o'clock at night? These facts can be very easily ascertained whether the seizure of the bullocks took place during the day or whether an incident in which the sepoy and Nidhan were killed took place during the night. If there was seizure in the day there could not be any justification for the incidents at night. But why should these have taken place? So my request to the Hon'ble Premier is that if the facts are as stated, then the officer who is responsible for killing this man ought to be tried for murdering a man like this in his capacity as a public servant.

I also mentioned the other incident of Goalpara before this House. The report I have received from Maulavi Amjad Ali who was in the town that day is this. That was on the 25th September. 25th September was observed as certain day throughout whole of Assam. On that day a procession of about 27 Satyagrahis with only 4 or 5 Congress flags in hand started from the Dharamsala of Goalpara town and paraded through the principal streets. No slogan was shouted and there was no crowd following it. When they were near the Assam Club, the Subdivisional Officer, Superintendent of Police, Inspector of Police and the Officer in charge started with a posse of Constables, half of whom were armed with guns and bayonets and the rest

with *lathis* met them and tried to snatch away the flag which the processionists refused to part with. The Subdivisional Officer without giving any time to disperse, ordered *lathi* charge. It is not known whether order for bayonet charge was given. But both bayonet and *lathi* were used as a result of which the Satyagrahis fell on the ground and the drain. About 9 or 10 were injured and six had to be taken to hospital of whom 3 were in a precarious condition. It was circulated that they were dead. A lot of people went to see them in hospital. Drinking water was asked for by the injured people but it was refused.

In this case also I do not find any justification for the action taken by the Subdivisional Officer and the Superintendent of Police.

The procession was allowed to parade in the streets of the town. The processionists came to the spot from where they were to break up by themselves when the police started this. What justification can there be for such an incident?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Will the hon. member please give me the date of this occurrence?

Srijut ROHINI KUMAR CHAUDHURI: 25th or 20th of September. My hon. friend says 25th, but he is not so sure.

Now, as regards Patacharkuchi, I have received a report from a person who was present in the locality at the time. His report is that the occurrence took place on the way to Patacharkuchi thana, not in the thana itself. On that day there were meetings at three places, Rehabari, Nityananda and some other village. In the meetings in two places, which were attended by the second Officer of the thana as well as by the Assistant Sub Inspector of Police, there was not much row, the meetings were dispersed peacefully. But in this place where the Officer-in-charge went he used force and dispersed the assembly, and after dispersing the assembly he came to the thana. It is reported that he saw some people on the way squatting on the road; in the belief that those people were about to attack him he ordered to fire. He fired himself and the constable also fired at the mob causing these deaths. These people, who were killed, returned from the meeting and were about to go back to their homes when the incident took place.

Then, Sir, I want to say something about the Congress flag. I wanted to know definitely whether the use of the Congress flag was banned. Government have replied to three questions of mine, but nowhere have they definitely stated that the use of Congress flags was banned.

As regards the Roha incident, it was admitted in reply to a question which was placed on the table the other day, that military officers had actually taken part in compelling the teachers to remove the flags; whether the teachers were assaulted or not, the Government do not say, but my definite allegation was that the teachers were assaulted by a military officer. And I have it from my hon. friend Mr. Dhirsing Deuri, who was present at the time the incident took place, that the military officer, in whose car there was also the Magistrate Mr. Ruse and his wife, when he saw the flag flying got down from the car and played this heroic part of assaulting the teachers and making one of them to get on the roof to bring down the flag. Now what justification and what authority has this military officer to take this action? I want to know, is there any general direction from the Government of this province that any military officer or any Government servant, whenever they find any Congress flag anywhere, will be justified in beating the inmates of the house or of the car where a Congress flag is hoisted,

or assault or even kill the person who uses the Congress flag? I want to know, is there any such direction from the Government or not? If there is no such direction, what authority had this military officer, in the presence of, and in connivance of an officer of this Government, to commit this gross act of barbarism? It is a very painful day for me, Sir, to hear the Hon'ble Premier justifying this action on the part of the military authorities. Not only this incident, Sir; even after this incident, even after this officer had been reported to have apologised to the teachers on the ground that he did not know that they were teachers, even after that what happened at the Gauhati Local Board office? As the Hon'ble Prime Minister himself knows, the Congress flag was hoisted at the Gauhati Local Board office some four or five years ago, and the flag was there all the time. After election of a Congress member as Chairman of the Board, the flag was hoisted there. But in broad day-light, without giving any intimation to the Chairman or the Vice-Chairman, without giving any intimation to the Deputy Commissioner, this military officer conferred upon himself the right and duty of pulling down that flag from the Local Board office. As far as I know, Government have not done anything and have not taken any step to bring this offender to justice. Government cannot say that they ordered the military officer to do so. If they had, they must have the straightforwardness to say so, so that all the hoisters of Congress flags may take a warning and to avoid trouble, not hoist the Congress flag at all. On the other hand, if the Government do not take up that position, then they must punish those officers of theirs who commit these illegal acts. There cannot be any other course. Sitting mum over this shows only weakness and nothing else.

Mr. A. WHITTAKER: Is it not a fact that flying of Congress flag in certain circumstances may be a provocative act?

Srijut ROHINI KUMAR CHAUDHURI: That depends on the mentality of the person who sees it. There are men in this province, and I think they form a large majority in the province, who welcome the hoisting of Congress flag. There are. If this province were run on the voice of the majority, or for the benefit of the majority, incidents such as these would never happen.

Sir, in my question I asked Government to let this House know whether any reference was made to the Government for ascertaining whether the hoisting of that flag was legal or illegal. The Chairman of the Local Board was bold enough to re-hoist the flag in spite of the action taken by the military officer. Now, if this action has been illegal, Government should send armed police and contingents of military force to pull down the flag again. But what is the reply of the Government? They say, "we are not going to say anything to you, we have given our instructions to the Deputy Commissioners and you will see the result in due course. You may be an elected member of this House as we are, but you have no right to know what instructions we have issued to our officers, what they should do with regard to the Congress flag on the Local Board office. You are not supposed to know that. The policy of Government is conveyed in secret instructions". That in short is the attitude of the Hon'ble Prime Minister.

Sir, it is with great pain that I mourn over some of the observations in the speech delivered by my Hon. friend, the Prime Minister. It sounded like a speech of a reactionary person who is against the aspiration of freedom of this country. I am afraid, Mr. Amery, if he were here, could not have improved upon the speech which has been delivered by the Hon'ble Premier to-day.

Mr. A. WHITTAKER: Question.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I feel flattered, Sir.

Srijut ROHINI KUMAR CHAUDHURI: I am glad that I have given some satisfaction to the Hon'ble Premier. I get very rare opportunities for doing so now-a-days. But I am afraid, Sir, that this feeling of contentment, this feeling of exaltation, may not be allowed to last long.

Sir, my Hon'ble friend the Prime Minister has said with perfect gallantry that he takes upon himself the responsibility of all the excesses that have been committed.....

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Question. I never took the responsibility for the excesses. I said that I took the responsibility for the measures taken by the Government.

Srijut ROHINI KUMAR CHAUDHURI: It comes to the same thing. I can only say that he should get rid of that feeling, otherwise he may go on suffering morally for the widows who have lost their husbands and people who have lost their children or relations.

For the incident at Berhampur which he wanted to justify, the crowd was collected near the house, near the Congress office, and there was no justification for the shooting of a woman there. The Deputy Commissioner—if I heard him aright—was present...

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Not the Deputy Commissioner, but Mr. Ruse, I.C.S., and the Deputy Superintendent of Police.

Srijut ROHINI KUMAR CHAUDHURI: Mr. Ruse, Sir. I know not from what country he hails, but I understand that he has come from the United Provinces. So, Sir, Mr. Ruse is again the hero of this second incident, and my Hon'ble friend, the Prime Minister, justifies his action and says that no further enquiry will be held in this matter, although the crowd that had collected there was absolutely unarmed, and when there was no justification for killing a woman and two others there.

Then, as regards the Darrang incident, my hon. friend says that there will be a further enquiry into this matter, so we may await a report on that, but it passes all comprehension why a girl of 13 years of age should have been shot down to maintain law and order in this province. This girl, as I said the other day, and my statement remains unchallenged, was the first to approach the building with a Congress flag, and for this act of approaching the building with a Congress flag in hand was the Police Officer justified in killing her? If that Police Officer is held up for trial for the murder of an unarmed girl of 13 years can he plead the right of private defence with any chance of success? Can any civilized Government justify the killing of an unarmed girl of 13 years, simply for carrying a Congress flag? And yet all this is justified by my Hon'ble friend, the Prime Minister. Sir, the political situation is very tricky, for we do not know under whose regime we are living. I would rather live under military regime because then we will know when to run away and when to come into the streets, but we cannot live with any sense of security under regimes which at times are fighting with each other. Sir, the statement I made the other day about an attempt to assault the Deputy Commissioner of Kamrup, on enquiry I find is correct, but we do not know up to this day what action the present Government have taken to protect an important officer like the Deputy Commissioner of a district.

The offender has not been touched as yet in any way. Sir, we have also heard about an incident between some soldiers and the Deputy Commissioner of this very district, under the very nose only a few yards away from the Constitution House, and what action have the present Government taken ?

Mr. BAIDYANATH MOOKERJEE : The Constitution was suspended at the time.

Srijut ROHINI KUMAR CHAUDHURI : The Constitution was not only not suspended, it was working, and we were sitting in this House at that time. And what action has been taken against these miscreants ? If that is the plight of the Deputy Commissioner ; if that is the kind of security Government lend to their officers.....

Mr. A. WHITTAKER : Sir, having seen the occurrence myself, I can say that the Deputy Commissioner was never in the slightest danger from anybody.

Srijut ROHINI KUMAR CHAUDHURI : If that is the case, will the hon. member give us an account of the incident ?

Mr. A. WHITTAKER : It is not my duty.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I have been referred to twice by my hon. friend, but I can only say that up till now I have not received any report of these alleged incidents of the two Deputy Commissioners concerned.

Srijut ROHINI KUMAR CHAUDHURI : Who will report, Sir ? The Deputy Commissioner is the *ma bap* of the district, and if he reports that he has been assaulted who will go to him in future for redress ? (*Laughter.*) I am here ; I have heard of the incident and I am reporting, but my report is of no value, so what can we do ? I shall be very glad to hear that there was no incident in Kamrup ; I am very glad to hear just now that the Deputy Commissioner of Shillong came out unscathed, but that does not improve my position. Where is the security for me if the Deputy Commissioner—an Indian Civil Service Officer—a European—as well as a Political Officer who holds more power than an ordinary Deputy Commissioner, in the capital of this province, under the very wings of the Prime Minister, is subjected to this sort of indignity ? If that is the position in the capital of this province what will be the position of an individual in the interior of a village ?

Mr. A. WHITTAKER : I do not wish to intervene, Sir.

Srijut ROHINI KUMAR CHAUDHURI : What is Deputy Commissioner to a Military Officer ? Then what would be my position to a *Daroga* ? Where shall I stand before a *Daroga* ?

Mr. A. WHITTAKER : Mr. Speaker Sir, I do not wish to intervene but I must say that the speaker is building inaccuracy upon inaccuracy. I was an eye-witness of this particular incident. The Deputy Commissioner was making an arrest of certain rowdy person on the street. There is no parallel between the safety of Mr. Rohini Kumar Chaudhuri and the safety of the Deputy Commissioner whose duty it is to make arrest ; there is no parallel also between the safety of the villager in the interior of a district and the safety of the Deputy Commissioner or the Superintendent of Police who is paid to incur this risk.

Srijut ROHINI KUMAR CHAUDHURI : I am very glad for the assurance given by Mr. Whittaker on behalf of the Government and I hope his assurance will be effective.

One or two instances, Sir, more and I finish this chapter. Here in Shillong, Babu Hemanta Kumar Gupta, representative of the Associated

Press which Press is very much patronised by the Government of India as well as other provinces, was called upon at about 9 o'clock in the morning of a certain day to leave the jurisdiction of the Khasi and Jaintia Hills before 5 P. M. Sir, the next available motor bus was to leave at about 11 A. M. Unless he availed himself of that motor bus, he could not leave the jurisdiction of the Khasi and Jaintia Hills—it is not merely the jurisdiction of Shillong but he must go outside the district. So he wrote to the Deputy Commissioner that it was not possible for him to leave at such a short notice. The Deputy Commissioner or the police authority whoever is responsible for this kind of duty waited till 5 o'clock and at 5 o'clock arrested him and then he was put to trial. I am not going into the merits of the case although it is palpable to anyone whether he possesses legal knowledge or not that a man who wants time does not disobey the order but that is quite irrelevant for my purpose. He was willing to go next morning but that is not the point. I want to draw the attention of Government to the fact that he was brought under hand-cuff for trial. He was made to walk through the street of Shillong hand-cuffed and roped round his loins and thus brought to the court for trial. If Hemanta Babu was a Congressman and if he was punished for not leaving the town of Shillong—because he is a Congressman, I think, it was quite unreasonable to treat him in this way. Sir, I think, the Hon'ble Prime Minister read in the papers that only a few days ago, I think 3 or 4 days ago, in a certain jail, I forget the name of the jail, a jail in Orissa was blown away by cyclone and Mr. Biswanath, the *ex*-Congress Premier was in that jail. There were other Congress prisoners, and although the other prisoners escaped, all the Congress prisoners remained there. This is the attitude of the Congressmen. They did not run away from the jail but courted it. Although he may be an undersirable Congressman, why he should have been subjected to this kind of treatment?

So, Sir, we in this House, I am sure, feel that the sabotage is bad and the persons who are actually connected with crime of that kind and are found guilty of this sort of thing should be very amply punished and exemplarily punished too. But we feel equally strongly that peaceful procession, peaceful picketers, if they break the law should not be harassed or subjected to unnecessary humiliation. Sir, there is a great deal of bitterness against the Government for inflicting injuries and oppressing the innocent people and people who are only expressing their views in a non-violent way. All the feeling of disgust against sabotage, against real criminal, are drowned for the time being when they hear equally disgusting report of harassment and barbarous action which the Government officers are taking. In order to get the co-operation of the people they should behave in an orderly and regular manner and they will find the full support of the people for putting down these criminal acts and sabotage.

Sir, my Hon. friend the Prime Minister did not refer to as far as I recollect the incidents of Bhakatgaon and of Kampur and of the Nowgong High School—the incident at the latter place was another piece of barbarism—the school boys arrested in a village instead of being taken to a court were taken to a military camp and severely beaten. The military officers are not police officers. They have no right to detain anybody however guilty he may be of any heinous offence. This incident took place near the Bar Library and the members of the Bar Library passed a resolution. I think the silence of the Hon'ble Prime Minister on the incident of Kampur, as a result of which a Muslim officer had to be suspended and on the incident at Bhakatgaon is significant and it is hoped

that the Government will take action against those who are responsible for those misdeeds which have blackened the face of the Government.

Sir, now I will come to say a few words about the economic situation of the province. Once for all, though it may be, Sir, I entirely agree with my hon. friend Mr. Whittaker when he said the other day that before we insisted on price control we must be in a position to supply the commodity over which we want to impose such a restriction. Secondly, there must be some kind of rationing; unless we adopt these measures it is only depriving the honest and poor people of the use of a commodity. Now take the instance of the case of sugar. Government are not in a position to supply as much sugar as is required by the people. At the same time the result of the price control which Government have introduced is that dishonest persons go stealthily to a dealer and get sugar from him at a higher cost. Those who cannot afford to pay this higher cost are to go without sugar. Naturally those who can stoop to a low position cannot feel the want of any commodity. So Government should make arrangements for the adequate supply of not only sugar but other commodities as well and allow private dealers to keep the supply ready as much as possible by getting from any source—even other than that of Government—and by so doing only Government will be able to adjust the price. Sir, I have heard of a case: one grocer in Gauhati had bought some 6 bags of sugar from a village at Rangia where there was a good stock of sugar—much more than what was required for the villagers—in order to sell it to the United Fruit Company of Shillong who require a good lot of it for their own condiments and pickles. The grocer bought it at much higher price than the controlled price at Gauhati, but lower than the controlled price of Shillong. But the Deputy Commissioner, with the help of police, seized the whole quantity of sugar and then offered the grocer Rs.15-9-0, a price much lower than at what he bought, and the Deputy Commissioner sold it at a higher price. Now, Sir, what justification there can be for the Deputy Commissioner to sell the same sugar at a profiteering rate? What earthly good the Deputy Commissioner has done to the people by so doing? At the same time he goes on advising the people to purchase things from the Government stock only. The attitude of the Deputy Commissioner is this:—"If you want to take sugar get it from me. If I cannot give you go without it. If you get from elsewhere at a higher rate tell me from whom you have got it. I shall punish you for abetting profiteering and the man who sold you for profiteering. I do not care at what price he bought." But is this the way the administration should run? Should this be the result of the price control? I hope the Hon'ble Prime Minister will see that this sort of unfairness ceases.

I shall appreciate very much if the Hon'ble Prime Minister throws some light about the arrangements made by Government with the Steel Brothers and what further arrangements are going to be made for the future. Already there is a good deal of criticisms about the arrangements so far made. It is said that a generous Badshah in olden days gave important rights of trade to the East India Company. Now an equally generous Prime Minister of Assam is also paving a way for this Company. As far as my information goes, sugar and some other commodities are to be imported from outside the province by Shaw Wallace and Company and the Steel Brothers have nothing to do with that and so have no responsibility, and for this the Shaw Wallace and Company are given a great concession. On the other hand the Steel Brothers are to supply rice, mustard seeds, of

paddy, etc., and for this supply this Company have to invest nothing from their pocket—the entire expenditure is borne by Government—and the Company have been given the right to draw money from any Government treasury to an extent of 5 lakhs of rupees and if they want more than that they have to approach the Government and Government will at once give the money. The Company have also no obligation to purchase things at lower or cheap price. I do not know how far I am correct, but if that is the position, *i.e.*, if the things are purchased at higher cost and for which the Company are instead praised and appreciated, then I say the tax payers' money is wasted. A serious anomaly had arisen recently in Gauhati where the prices fixed by the Controller of rice was nearly Rs. 7-8-0 but the Steel Brothers wherever they liked purchased at a higher price, even say at Rs. 8, from different mill owners with the result that the honest mill owner had to be content with Rs. 7-8-0 only whereas those mill owners who had the patronage of Steel Brothers would be protected by the Government even. So, this is the position, Sir, of the Steel Brothers and what is more it is reported to me that they get commission on the purchase of those commodities. There is different rate of commission for different article. If by chance their total commission earned by them falls below Rs. 15,000 per month then that deficiency has to be met from the coffers of the public exchequer. We have not heard of any such situation before. Of course these are now abnormal times and abnormal steps have to be taken. But, Sir, what I ask the Hon'ble Premier is, is there no one in this province who is competent to do this business under such favourable conditions? Sir, it is not the question of goods being imported from outside. It is the question of purchasing things inside the province. From time immemorial so many persons belonging to this province have been carrying on this business of purchasing paddy and rice, etc., and supplying them to the various tea gardens and other places and even exporting them. This business has been carried on by our people with their own resources without any backing from the Government either in the shape of advances or in the shape of granting facilities for transport or in the shape of accommodation in the Circuit Houses. All these things have been allowed.

It will be an information to this House that whereas the members of this House are never entitled to use a Circuit House even if they are in urgent need of it, the officers of Steel Brothers are allowed to use the Circuit House of any town for any length of time. Sir, I am not putting any aspersion on the Steel Brothers as the Hon'ble Prime Minister may derive much valuable work from them on account of their experience from Malaya and Burma. But, Sir, Assam and Malaya are not the same. Would it not be much more advisable for the Government to take help of the local people who understand the local situation better than an outsider?

Sir, another thing I have heard, but I do not know how far it is correct, that even a person who wants to export rice, paddy or mustard oil from this province to another province will have to take the certificate of approval from the Steel Brothers and Steel Brothers will be entitled to get a commission of the commodities exported. If it is a fact, Sir, then it is most objectionable.

Mr. BAIDYANATH MOOKERJEE: Just for the information of the hon. members I would like to point out that the hon. members of this House are allowed to stay in the Circuit Houses while they are on duty.

Srijut ROHINI KUMAR CHAUDHURI: Sir, what I urge is that all efforts must be made by the Government to find out whether under more favourable conditions to the public as well as to the Government a local man, a man of the province, cannot be found to discharge this function. Failing that of course Government will have to appoint Steel Brothers or any other suitable agent. But I think I am sure, that even members of the European Group will agree that so long a suitable man of the province is available we should not go to seek the help from outside because outsiders will try to take advantage of the present situation and try to help their own brethren and their fair name may be spoiled.

Another point, Sir, there has been a lot of talk about the appointment of one Mr. Johnson as Deputy Secretary. It is for the first time that a man entirely unconnected with the service has been appointed as Deputy Secretary.

Mr. JOBANG D. MARAK: Who has made this appointment, Sir? Has it been made by the Cabinet or by some body else?

Srijut ROHINI KUMAR CHAUDHURI: Government most certainly. Then I refer to the appointment of one Mr. Adamson who, I understand, is connected with the Burma Oil Company.

Maulavi ABDUL BARI CHAUDHURY: How long we are to sit to-day, Sir?

Mr. JOBANG D. MARAK: I think we should finish to-day, Sir. Many hon. members want to leave Shillong to-morrow.

The Hon'ble the SPEAKER: Up to what time the hon. members would like to sit?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Up to 6 p.m., Sir.

Srijut ROHINI KUMAR CHAUDHURI: Can we not sit to-morrow morning, Sir?

The Hon'ble the SPEAKER: It will be better if those hon. members who want to speak finish today so that the business of the House may come to an end today.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURI: We want to say our *Magrib* prayer, Sir.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Those hon. members who want to say their prayers may go one by one so that the debate will be finished this evening.

Srijut ROHINI KUMAR CHAUDHURI: Must I finish now, Sir?

The Hon'ble the SPEAKER: The hon. member should try to finish as early as possible.

Srijut ROHINI KUMAR CHAUDHURI: Sir, I was speaking about the appointment of one Mr. Adamson or somebody who was entirely unconnected with this Government service before and he has been absorbed in the Government service now.

Sir, my object in bringing this matter to the notice of the House is that there is a general feeling that an opportunity has been taken of the present situation to grant patronage to a section of the people who have got no justification for their claim. These two Officers about whom I have mentioned were connected with some mercantile firms and had nothing to do previously with Government service in any part of the country. Along with that, Sir, we have learned that the European Officers who were out of employment on account of their exodus from Burma had been

absorbed in the service of this province whereas we do not find instances of Indian Officers who had evacuated from Burma being appointed. Sir, I know of one instance of indigenous inhabitant of this province who had served the Burma Government and who had come out of that country during the last exodus has not been provided by the Government. Sir, we have all these matters before us and at the same time when we remember the extravagant terms on which attempt has been made to accommodate the Steel Brothers, the whole situation rather becomes deplorable. It is unfortunate for the present Government because they will be accused of favouritism and for the European community, at least the European members in this House, would also be accused of using their undue influence on the present Government in bringing about the situation. It is therefore desirable that the Government should come forward with a clear statement and say how they feel justified in making these appointments.

Sir, I understand also that the Steel Brothers with whom arrangements are going to be made are under no obligation to supply things; even if supply fails, they cannot at all be accountable. Sir, recently the price of mustard oil had risen very high in Gauhati where there are a number of mills; at Sylhet also the price was also very high. The Steel Brothers were asked to take steps for the supply of mustard oil and they managed to send some oil to Sylhet from Gauhati but, Sir, they entirely failed to get any supply from outside the province. An artificial price of Rs. 23-8-0 per maund was fixed for mustard oil at Gauhati and at that time mustard seed was selling at Rs. 9-8-0 per maund and on a calculation it will be found that at least 3 maunds of seeds are required for one maund of mustard oil. So, apart from other costs and establishment charges, the mustard seeds itself would cost about Rs. 28-8 whereas the price which was fixed for one maund of mustard oil was Rs. 23-8-0. In these circumstances the mill owners were gradually giving up the manufacturing of oil. Then, Sir, the Deputy Commissioner asked the Steel Brothers to arrange for the supply of mustard seeds, but they could not do so, and at the same time there was a very high price. When the matter was referred to the Deputy Commissioner, he removed the price control with the result that the price of mustard oil came down much because the mustard seeds began to appear. So, Sir, this is the position. I don't know, Sir, what arrangements will be made with them in future, but I can say that at the present moment they enjoy all privileges and they are not liable if they fail to do their duties properly that is to say they have been appointed Agents for the purchase of articles and if they cannot purchase then they cannot be taken to task for that. They are not required to invest any money of their own, on the other hand, whatever money they will require, they will get it from the Government and so they are not responsible for anything. Thirdly, Sir, if any loss takes place in future for any reason than their own incompetency then that loss will be made up by Government. This is, Sir, an advantageous position which the Steel Brothers enjoy at the present moment. So, Sir, the fact that a firm which will get the capital from elsewhere and at the same time will not be held responsible for any loss incurred is quite unheard of in the history of this country.

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

Srijut ROHINI KUMAR CHAUDHURI: Then, Sir, a reference was made by the Hon'ble Premier to the policy of land-revenue remission,

The Hon'ble the SPEAKER : The hon. member without elaborating the point too much will please make it as short as possible.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Sir, I simply mentioned that the record rooms have been burnt down and so there is no necessity for criticism.

The Hon'ble the SPEAKER : The Hon'ble Premier said that on account of the burning down of the Sub-Deputy Collector's Office the people who are to get relief in the shape of land revenue remission have been put to much difficulty. That is what he said ; so instead of criticising the policy too much, the hon. member should try to make his criticism as brief as possible.

Srijut ROHINI KUMAR CHAUDHURI : Sir, it was not clear to me whether the Hon'ble Premier meant that on account of the burning down of the Sub-Deputy Collector's Office, it will be difficult to grant remission at all and that revenue will have to be collected at full rates. Was it not what the Hon'ble Premier said ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I am not going to help my hon. friend any way. I think, my expression was very slow.

Srijut ROHINI KUMAR CHAUDHURI : Sir, I am afraid, I have become rather short of hearing.

The Hon'ble the SPEAKER : I think, I can help the hon. member a bit. The Hon'ble Premier said that as records will have to be reconstructed before these people get relief, Government are now unable to state what will be the real position. The position may be such that some of the poor people who are to be given this benefit may not get it.

Srijut ROHINI KUMAR CHAUDHURI : My question is, Sir, whether in the meantime revenue will be collected at full rates or collection of revenue will be stayed over pending preparation of records ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I am not going to make any more statements.

Srijut ROHINI KUMAR CHAUDHURI : Sir, I must admit that I am rather a bit short of hearing, and at the same time I also could not hear him properly.

The Hon'ble the SPEAKER : But the Hon'ble Premier spoke through microphone and he spoke slowly but distinctly. I presume he was heard even from all remote corners of the House.

Srijut ROHINI KUMAR CHAUDHURI : Sir, can I hear something again on this point ?

The Hon'ble the SPEAKER : I cannot compel the Hon'ble Premier to say anything for helping the hon. member when he is not willing to do so.

Srijut ROHINI KUMAR CHAUDHURI : I don't know why he is so unkind. I submit, Sir, that I have heard that only the Sub-Deputy Collector's office at Gauhati has been burnt and for that why should all the people of the Province suffer ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Sir, offices of fifteen Sub-Deputy Collectors have been burnt.

Srijut ROHINI KUMAR CHAUDHURI : For the acts of these reckless criminals the whole province, at least the raiyots who feed the province by their exertion should not be made to suffer. If the collection cannot be made for want of regular record-of-rights, I think, improvised methods can be adopted in the shape of permitting the Mauzadars to collect revenue according to the figures in the Pattas. All Pattas show the amount of revenue to be paid and therefore collection can be made on the basis of

remission granted. It should not take a long time. In any case the date of the final *kist* falls on the 15th of March and by the time the final *kist* falls due, revenue roll may be prepared. All that I want to say is that lame excuses should not be made for depriving the raiyots of their remission of land revenue.

I am afraid, I have tired the patience of the Hon'ble Prime Minister and I close my speech.

Mr. C. W. MORLEY: Mr. Speaker, Sir, I am going to deal with one particular aspect of law and order in this Province. I refer to the organisation of mass demonstrations and processions and the handling of them by the police. Processions of large numbers and mass demonstrations do not form of their own volition. They are organised by particular persons. Those persons we call *leaders*. The point I wish to make, is that those persons have responsibilities not only for the organisation beforehand, but also what may happen afterwards.

We have heard it said too often, "The leaders were moderate, but their followers got out of hand". We have heard it said so often that it is no longer an excuse. There is evidence of concerted and violent action to overthrow law and order throughout India, evidence which points to an organisation with far-reaching tentacles and leaders in every Province—that organisation, Sir, is the Congress.

We have heard these Congress leaders preach non-violence but of what value are they as leaders if they permit their followers—sometimes members of their own families—to exercise violence? If they are sincere and if they lay claim to the title of leader, it is not enough to deprecate violence in leisurely speeches. It is for them to be foremost in preventing actively what they claim to deplore.

Let us turn now from generalities to a particular case. Mr. Rohini Chaudhuri has told us of the pitiful death of a little girl of thirteen. All in this House will regret her sad death—but none more than we, who believe that the proper place for children is the school room or playing fields but, Sir, who was responsible for her death? Can Mr. Chaudhuri honestly believe that the policeman deliberately aimed his rifle at this child? Where were the *leaders* of this organised procession—who, in fact, let this little girl lead the way? Mr. Chaudhuri has told us himself that a warning was given. Where then were the men who should have taken her place—whose duty it was to have made sure that she was in a place of safety? Those self-styled apostles of non-violence, whose first thought should have been the safety of women and little children, indeed the safety of all, whom they had incited to take part in this procession. Sir, the whole proceeding savours unpleasantly of Nazi strategy, that cowardly strategy of driving innocent women and children in front of them as a shield, adopted on the Russian front some time ago. I will not pursue this matter further; this House, Sir, will know where to place the blame. I will add, however, that we welcome the statement of the Hon'ble Khan Bahadur Maulavi Sayidur Rahman that he has issued a circular, warning all students of the penalties of those who engage in political activities. It is also surely the responsibility of the elder generation to ensure that children do not meddle in politics, which they cannot fully understand.

Now, Sir, I will go further and say that it is not only children who should be safeguarded; there are also many simple villagers and workers. If the *leaders* conceive it their duty to preach politics to these people, surely it is also their duty to protect them from the consequences that may ensue.

Srijut ROHINI KUMAR CHAUDHURI: On a point of information, Sir. Is it not a fact that the congress leaders were arrested before they had any opportunity of telling people? Mahatma Gandhi was to draw out the programme of civil disobedience, but he was arrested beforehand.

Mr. C. W. MORLEY: I do not know. If the leaders conceived it their duty, surely it is also their duty to see that they are protected against the consequence.

Again, let me take a particular case. At the end of September of this year a mass demonstration organised by the leaders was held at Tezpur. On the day before it was due to be held; firing resulting in the death of several civilians took place nearby at Dhekiajuli. What happened at Tezpur? The simple villagers poured into the town, but where were the leaders? Mr. Speaker, Sir, not one had dared to show his face. These villagers sat about the streets, they did not know why they had come, and eventually they dispersed without untoward incident.

I think, Sir, I have said enough about leaders who do not lead—unless it is from behind and in safety—who fail to recognise the responsibility which is theirs, to check the forces which they have brought into existence.

And now, Sir, I wish to refer to the position of the police and the military in these difficult circumstances. It is their duty to use the minimum of force necessary, but it is left to their judgment to decide what degree of force that is, how it shall be exercised. One shot in time may save much bloodshed. If they are to wait, how long shall it be? Until the mob is within ten yards of them or until their opponents press them so close that it becomes impossible for them to use their weapons? In Darrang on one occasion they waited too long. Does any one think for a moment that the police find pleasure in firing on unarmed men? Certainly not, but it is their duty to preserve law and order. Further, if they feel that for every time they performed their duty to the best of their ability they are to submit to a searching enquiry, what effect is that going to have on their morale on some future occasion? One thing is certain, Sir, that up till now the police force of Assam is deserving of the highest praise, and unstinted support from all the hon. members of this House, for their forbearance and tactfulness in the face of great, and in many cases deliberate, provocation.

Moreover, one hears of attempts to deflect the police from their duty by appealing to them on political grounds. Mr. Speaker, Sir, I say without hesitation that the greatest safeguard against anarchy and bloodshed is a police which carries out fearlessly the obligations placed on him by the law of the land.

This country, Sir, already has cause to be thankful for the splendid loyalty, impartiality and morale of the police force and of those soldiers who are called upon for internal security duties during political and communal disturbances. It may happen one day that the Congress party more than any other will be glad to find a police force that has been trained, irrespective of race, party or creed, to do its duty and to obey orders.

Mr. JOBANG D. MARAK: Mr. Speaker, Sir, I am glad to inform the House that there are no such instances of sabotage and acts of miscreants in the Garo Hills as has been narrated by the Hon'ble Premier and Mr. R. K. Chaudhuri. The Garos are peace loving and law abiding people and I hope they will continue to be so in the future also. So I say the Garos are far away from such turmoils and they are at present the blessed people. But I am afraid, some one may be creating some miscreation from the official side who may be doing some mischief in future such as sabotaging, etc., in our district as well if we do not take precautionary measures at proper time. I

know, now, Sir, about the organisation of a labour corps and I have been informed by you, Sir, and by His Excellency's Private Secretary that this is being done by His Excellency the Governor as an Agent to His Excellency the Viceroy. But one thing is there which I must mention in this connection. The Hon'ble Members of the Cabinet are the advisers to His Excellency the Governor and if there had been some instances of mischief and so forth from the Government side, I mean, from the Government servants, we should have the chances of expressing our grievances and I want to inform the Hon'ble Ministers that there are cases of harassment which the people are experiencing now in this connection. I am putting this point not with a view that they should be dealt with, but to look into this matter so that there may not be further harassment. I have received a wire which I showed to Mr. Mills in this connection, and I am glad to say that the object of the wire has been fulfilled.

Then about the inoculation given to the labourers before they are sent to the field. Just after the inoculation they are ordered to proceed without being given sufficient time with ten seers of rice and with their cloths which would weigh about 20 seers in all and they are made to walk with this weight in heat and some people fell unconscious. I hope the Hon'ble Premier will be kind enough and pleased enough to see the authorities in this matter and set the matters right. The wire I got is the only source of my information, but I hope to prevent such kind of unfortunate things in the Garo Hills. In future we must take proper step. There is a gap and breach between the Government and the people to-day everywhere throughout India and this should not happen in our district of Garo Hills.

Mr. C. GOLDSMITH: Mr. Speaker, Sir, certain observations I like to make on this subject. I would have made those same observations whether I was on that side of the House or this side of the House. I look to the merit of the case. We have seen in the press and have heard a lot about incendiarism and hooliganism. We have also heard from the press the talks about solving the present deadlock in India, we have heard about the settlement between Britain and India and we have heard about the application of the Atlantic Charter to India. But it is unfortunate for India that in the press and on public platform we do not hear much about the unequivocal condemnation of these sabotage, incendiarism and hooliganism in India, although the press is quick enough to give long lists of such cases of incendiarism and hooliganism, etc.

There is another side of the picture. There are in India to-day great mass of people, I think, 95 per cent, of the people, who want safety and protection from the Government of the land. There are a few hooligans and culprits. Now, for them thousands of innocent people have to suffer; many people cannot travel from place to place on account of communications not being safe. What protection do Government consider to give to these peaceful people? What assurance can be given to them? Who will compensate the families of those who have died as a result of these incidents? Surely, the Government have their part to play in view of their responsibilities to the great mass of people who are innocent and who want safety and protection from the Government.

Sir, much has been said regarding imposition of collective fines. I myself do not understand the value of exempting some communities from paying collective fines. If in a certain locality an incident has happened of incendiarism, burning, looting or something of the kind, the people of that locality are fined. Why should certain people of certain communities be exempted? Because the culprits are there and it is the duty of all people,

irrespective of community, to find out the culprits or help Government in finding them out (*hear, hear*). But it is also true that innocent people suffer along with the guilty people ; that is the law of the world.

Now, Sir, I come to the question of flags. I do not think Government take up the position that hoisting of flags by itself is banned or objectionable. But the hoisting of a Congress flag at this time, when certain Congress organisations have been banned, when we know that the Congress Resolution has given rise to these disturbances, the hoisting of the flag is significant, for there is a meaning and motive behind the action. Therefore, those who hoist such flags ought to know and ought to be responsible for the acts that follow.

Mr. Rohini Kumar Chaudhuri has given us the instances of women even a girl of thirteen who were shot. On this point, Sir, I would like to ask what is the intention in placing women in the forefront of a procession (*interruption*) ? We know that the Indian womanhood is noted for modesty, and also noted for their secluded life. Now, what reason is there for placing our womenfolk in the forefront of processions ? If women were there, I ask where were the menfolk, where were the guardians—could they not prevent the women from joining in the processions ? Why did the male population shelter behind the women folk ? Where was the manhood of the male population ? The implication probably is that if women were put in front, perhaps the police would not fire. Seeking such protection behind the shelter of women, is nothing but cowardice on the part of the male population.

Now, finally, Sir, certain allegations have been made by our friend Mr. Chaudhuri. I think Government would do well to enquire into the allegations. In all these affairs, I think Government will take note of the feelings expressed in this House, and give an assurance that moderation by the police and the military will be exercised. And if after enquiry it is found that particular police officers had gone beyond the rules of decency and courtesy, due justice should be done.

Babu KAMINI KUMAR SEN : Mr. Speaker, Sir, at the fag end of this debate I had no intention to tax the patience of the House with a speech but after hearing my hon. friends Messrs. Morley and Goldsmith I am tempted to say a few words.

Sir, Mr. Morley has sought to put all the blame for these disturbances on the Congress leaders. I am afraid, Sir, that he has hardly done justice to the Congress. Congress has always advocated for and in fact, its creed for the last twenty years has been, complete non-violence. Mahatma Gandhi, who had been guiding the Congress since 1921 is perhaps the most zealous advocate of non-violence in the world and he had oftentimes declared in no uncertain terms that he would not even like to attain the freedom of India if that has to be done by violence (*hear, hear*). The Congress has always supported this viewpoint and still retains the creed of non-violence. So, to accuse Congress and for the matter of that, Mahatma Gandhi, who has been appointed its Dictator, of violence is to say the least, most unfair. Moreover Sir, after that fateful Resolution of the All-India Congress Committee in Bombay, all the Congress leaders, even from the remotest parts of the country, had been removed to jail. So, Sir, how can it be possible for the Congress leaders to encourage all this sabotage ? Sir, even the Hon'ble Prime Minister has admitted that no direct evidence is available to lay the blame on the Congress ; some followers of Congress might be involved in these disturbances, but that does not show that the Congress leaders are responsible for them.

Another point, which has been raised by Mr. Morley as well as by Mr. Goldsmith, is that girls were put in front of processions, a method which they deprecated. Mr. Goldsmith has admitted that it is not unlawful to hoist a Congress flag. So, Sir, if for the purpose of hoisting a Congress flag, a girl is put at the front of a procession, is it anything to be condemned? And, Sir, I think in every country in the world the girls and boys, mostly take part in such processions. But nowhere such processions which are nothing but mere demonstrations, firing is resorted to, to disperse an unarmed procession composed mostly of boys and girls of tender age. In the incidents mentioned I think they could never dream that such cowardly and dastardly attack on girls could take place. So, Sir, instead of calling the male population, who put girls in front, cowards, would it not be more appropriate to call those people cowards who fired at a girl of thirteen, only for the act of hoisting a Congress flag, which was neither an act of sabotage nor of incendiarism nor any kind of violence?

Sir, with regard to the political situation, much has been said by the previous speakers. We are grateful to the Hon'ble Premier for the statement particularly, the appeal he has made to all of us to co-operate with the Government in checking this movement of sabotage and incendiarism. Sir, nobody in this House, can encourage or support these acts of sabotage or incendiarism, and as has already been said by Mr. Chaudhuri, we would be glad to help the Government in checking these acts of violence. But, Sir, if we are to co-operate with Government, we cannot do so except on some conditions. First of all, Sir, we should be allowed to know the real facts; the press has been so gagged, censorship has been so rigid that it is impossible to get at the real facts. Even one district does not know what is happening in the other district, not to speak of one valley knowing what is happening in the other valley. So, Sir, we should first of all ask the Hon'ble Prime Minister to make it possible for us to know the real facts so that we may counteract the wild rumours and fantastic stories that are afloat, for this policy of denial of publicity.

Secondly, Sir, if our co-operation is wanted, I hope Government will give us a clear assurance that they would in no way support or tolerate any excess committed in the name of checking these disturbances and they would see that whenever there is any allegation of such excesses there is an impartial enquiry, an enquiry not by the officer who is accused or who is involved in the incident, but an enquiry by an agency consisting of both officials and non-officials which might be called impartial to find out the real fact. If Government make such a declaration and if they check excesses, I hope, no sensible man would refuse to help them.

In this connection I cannot but refer to the system of collective fines and to the treatment that has been meted out to respectable persons like Mr. Hemanta Kumar Gupta, as instances of such excesses. These are some examples of repressive measures which are responsible for alienating the sympathy of the public. Even the Government do not say that the Congress as an organisation is at fault for these acts of sabotage, and I think that there is no allegation that the Hindu Mahasabha is at the root of this campaign and it is also admitted that more than 95 per cent. of the Hindus belong either to the Congress or to the Hindu Mahasabha. But these collective fines are being realised only from the Hindu community. There have been collective fines in so many localities of the province with so few exemptions with regard to the Hindus that it appears that the whole Hindu community

is being punished though the two organisations, which have within their fold more than 95 per cent. of the Hindus are admittedly not the originators or supporters of the present movement.

With regard to the treatment that has been meted out to Mr. Hemanta Kumar Gupta, I would only like to point out that such unnecessary harassment, such humiliating treatment to respectable persons only create much resentment, and if such things are allowed to go unchecked or if excesses are encouraged, public bitterness would so much increase, that it would be impossible even for well meaning persons to help the Government to check these acts of violence.

With regard to the question of supplies, I will only say a few words. We have heard from the Hon'ble Premier that they have undertaken to indent foodstuffs for the province. We are grateful to the Government for that, but our grievance is not so much on the ground of insufficiency of supply but most of the public grievance is due to the fact that the whole of the province has been turned into a black market. If due to transport difficulty we had no sufficient supplies, the position would have been understandable, but in spite of huge stock in the province, articles of foodstuff are being sold persistently in the black market at high prices certainly we have every reason to grumble. The public resentment is mostly due to the increased activities of the black market, and the Hon'ble Prime Minister admits that he also has been a victim to that. I would therefore appeal to the Government to see that there is a proper agency for distribution of the supply that is received so that black market is closed for good. I would further urge with regard to the distribution of the articles particularly of which the supply is insufficient, as for instance, kerosene, that planned rationing should be introduced without any further delay. Government have ordered that kerosene should be sold in bottles. I cannot understand the idea behind this order. When the supply is admittedly short, a mere order to sell kerosene by bottles is not the remedy. An army of people fighting their way to a kerosene shop is not now a rare spectacle in any part of the country. The result of the present system is that if a man is rich and has got a number of persons under his employ he can get his full supply, whereas the poor, the old or the sick, have often to go without supply. Therefore, I would urge on the Government to introduce rationing or coupon system, like that done in the case of petrol as it will ensure a supply for every one, even if it costs some time and labour.

Sir, I think I should not take up the time of the House any more, and I will conclude only with an appeal to the Hon'ble Prime Minister to see that in meeting the situation—political as well as economic, Government will put down with strong hand all kinds of excesses.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:

Mr. Speaker Sir, as I have had 90 minutes of this august Assembly's time in the beginning, I will cut short my reply to as short a period as possible. I am very glad to find that my statement on the political situation has produced the desired result, that is, that the acts of incendiarism and sabotage that are now being carried on in the province, have been condemned in unequivocal terms from every quarter. My hon. friends are quite justified in saying that if the excesses of this misguided band of people are to be condemned, then the excesses alleged to have been committed by Government servants or by the military, should also be suppressed. I am at one with them in this. I have already given orders that in every case there should be a thorough enquiry. My friends suggest that this enquiry

should be made by a committee of officials and non-officials on which non-officials should predominate. I would request hon. members to remember the fact that if we are to start an enquiry of this sort, the officers who are the guardians and preservers of law and order, will be depressed in thinking that in these cases where they have tried to preserve law and order at the risk of their own lives, in great jeopardy of their limbs, may not be looked upon with favour by this committee. If I have to form a committee of members of this House at the present moment, as the compact block of the members opposite, are absent, therefore proportionately speaking, I shall have to take more members from those who sit behind me and support me. In that case there will be a criticism that this is a packed committee, for there will be a combination of the official members *plus* the supporters of the Ministry. Under the circumstances, Sir, I find it very difficult to think of any enquiry committee which will be above criticism or above suspicion. However, Sir, I assure every hon. member that the cases which are reported to me officially or demi-officially by members of this House or even if my hon. friend Mr. Rohini Kumar Chaudhuri will be good enough to inform me of any instance that has come to his knowledge or information which he collects—he has proved a very good collector, it appears from his speech to-day—I will give every consideration to those cases and do the needful. But we are to find out what the real state of things is and if I find and if he convinces me after I have placed the official side that there is a case for enquiry, I will surely have it enquired. I did not like to load my speech in the early afternoon with a long list of those cases that have already been placed on the library table. I am constrained to find that an astute lawyer like my friend Mr. Chaudhuri wants to draw the presumption that because I did not repeat what I had replied to questions, the allegations made by Mr. Chaudhuri has been admitted by me, but, Sir, if there are reliable evidences for the statement made by him, I will have no hesitation in accepting them as correct.

One more word, Sir, and I will finish. Two or three hon. members have mentioned the case of Babu Hemanta Kumar Gupta, who, as everyone knows, was the representative of the Associated Press and the paper "Hindusthan Standard". No one is more sorry than I am to find that he is alleged to have connection with people who are engaged in subversive activities. I did not know about his arrest or the orders about his externment from Shillong but one of his brother pressmen, I mean Mr. Akhil Chandra Bhattacharya of the "Amrita Bazar Patrika", gave me a report in writing that Hemanta Babu was produced in court not only hand-cuffed but with a rope tied to his waist. My friend mentioned that incident but did not apprise the House about the part I played. I immediately took steps so that Hemanta Babu might not be submitted to indignity. The result was that he was no longer brought to court for trial.

Srijut ROHINI KUMAR CHAUDHURI: I never knew of that, Sir.

The Hon'ble Maulavi Sai'id Sir MUHAMMAD SAADULLA: I am sorry, Sir, I thought all these facts were known to my friend but were not placed before the House.

Babu KAMINI KUMAR SEN: How is it, Sir, that in spite of the orders of the Hon'ble Prime Minister not to bring Hemanta Babu to the court roped, the trial was held in jail? Was that tactic adopted, Sir, only to evade the orders of the Hon'ble Prime Minister?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir, it was not that but there was an apprehension that there would be an attempt to rescue him.

Babu KAMINI KUMAR SEN : Then may we know, Sir, why he was produced before the court on a Sunday?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : When one hon. member of this House was forcibly kidnapped or about to be kidnapped from near the Assembly building, there is no reason to suppose that that would not be the case with regard to this gentleman, when police had intimation that certain people who were externed from Shillong but were living within the area in disguise were trying to rescue Hemanta Babu. Any way, Sir, I mention this matter that if any irregularity, any illegality or any excess is reported to me, I will take immediate action.

Lastly Sir, my hon. friend Srijut Rohini Kumar Chaudhuri mentioned much about the agreement with Steel Brothers. All the information I wanted to give or relevant to be given was placed in the shape of a reply to a question, before the members of the House. The agreement with this firm will last upto the 15th of December and we will consider what to do or whether to take the suggestion of my hon. friend that the contract of supply should go to some local man or firm if that is available.

Sir, I am obliged to the hon. members for giving me a patient hearing and also for their promise to support my endeavour for the preservation of law and order.

The Hon'ble the SPEAKER : Order, order. Coming to item No. 4 in the order paper I am announcing the message of His Excellency the Governor which would make it possible for us to take up the item for disposal. The message is to this effect:—

“For the purpose of sub-section (2) of section 80 of the Government of India Act, 1935, and in pursuance of Rule 19 of the Assam Legislative Assembly (Governor's) Rules, I, Andrew Gourlay Clow, hereby appoint Thursday, the 26th November 1942, for placing of authenticated schedules of authorised expenditure before the Assam Legislative Assembly.

This supersedes my order dated the 8th November 1942 to the extent to which it refers to placing of authenticated schedules before the Assembly during its November 1942 Session.”

Presentation of the authenticated schedules of authorised expenditure for the year 1942-43.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : Sir, I beg to present the *authenticated schedules of authorised expenditure for the year 1942-43.

Statement made by the Hon'ble SPEAKER in connection with the delay in sending the provisional programme to members for the November session of the Assam Legislative Assembly, 1942.

The Hon'ble the SPEAKER : I crave the indulgence of the House to make that statement which I wanted to make on the complaint of Mr. Whittaker. It is a short one—Two or three minutes will do.

Mr. Whittaker and some other hon. members complained the other day on the floor of the House about the delay which occurred this time in sending the provisional programme of business of this session to the hon. members. During the discussion of demands for grants Mr. Whittaker also raised the question that the Assembly was summoned for this session in

*See Appendix F.

such a way that it had the effect of including the holidays from the 9th to 25th October in the time for the members to table resolutions, etc. and thus placed them at a great disadvantage in view of the provisions of Rule 119 of the Assembly Rules.

These are undoubtedly real complaints and were rightly brought to the notice of the Chair on the floor of the House. So, in addition to what I said on both these occasions, I am now placing before the House, as I promised, the facts as to how the Assembly came to be summoned for this Session and also the circumstances that led to the delay in sending to the members the provisional programme of business of the session.

2. It was on the 9th of September last that Government through the Chief Secretary, informed the Assembly Department, that it was intended to hold the session beginning on the 26th October to take up the Budget and that the session would continue up to November 2nd. My comments on the proposal were asked for. The proposal could not be accepted by me on several grounds and after pointing out the practical difficulties and realising that the Ministry wanted to have a session of the Assembly as early as possible after it had been installed, I suggested that the session might commence from the 12th November. The suggestion was communicated to Government on the 16th September. In reply, the Assembly Department, was informed by Government, on the 30th of September that they had finally accepted my suggestion and that the session should commence on the 12th November. At that time there was absolutely no idea as to the volume of business, both Government and private, that would have to be transacted during the session and it was therefore not possible to work out a detailed programme and to find out its duration. All the Departments of the Executive Government were, as usual, asked immediately after to send complete lists of business before the Puja and Id-ul-Fitr holidays, that were to commence on the 9th October. Unfortunately however, complete information with regard to Government business was not received, perhaps due to other urgent pre-occupations of the various departments of Governments, until about the end of October. The difficulty in supplying the information earlier by the departments of Government might have been also due to the intervening holidays. But I should point out to the hon. members firstly, that the duration of the session cannot be finally settled until complete information with regard to the business that is intended by Government to be transacted is made available to this Department, secondly, that until the programme is finally approved the information regarding duration and the detailed nature of business to be taken up on each day cannot be communicated *officially* to the members and lastly, that the preparation of the programme takes time as dates for each class of business, specially those relating to the Budget and legislative measures, must be so allotted as would conform to the time limit prescribed by the Rules and would allow as much time as possible to members for giving notices of cut motions, amendments, etc. In spite of the position being so and with these difficulties in our way to settle a programme all at once, it was prepared as expeditiously as possible on receipt of complete informations in regard to all kinds of business from Government. But it could not be sent to the hon. members until it was finally approved by myself, the Hon'ble Premier and His Excellency the Governor. After the programme had been approved by myself, the Hon'ble Premier, and finally by His Excellency on the 7th of November, copies were made out the next morning and sent to all members present at Shillong and to those of Sylhet and Gauhati. It was thought

that it would be of no use to send copies by post to members of other places as late as the 8th, but copies were supplied to all those members who came to the office or whose whereabouts in Shillong were made known to the office between the 8th and 11th instant and to others copies were supplied on the 12th.

3. I fully appreciate the inconvenience the hon. members were put to this time, owing to this unavoidable delay for which no one is more sorry than I am; but I can assure the hon. members that all work in connection with Assembly Sessions is regarded as of extreme urgency in this Department and that when all informations required of the Executive Departments are made available to this Department in good time, as on previous occasions, no such delay in the matter as is complained of this time, would ever occur.

4. With regard to receiving notices of Questions, Resolutions, Bills, etc., during holidays and Sundays I need hardly point out that, apart from what is laid down by Assembly Rule 119, which has to be observed for obvious reasons, no useful purpose is served by keeping the Assembly Department open during those days for the purpose and thus deprive the staff of the holidays when all other Departments of the Secretariat, offices of Heads of Departments, Deputy Commissioners, Subdivisional Officers, etc., connected one way or the other with Assembly business, remain closed for holidays.

5. So far as I can see, all these difficulties arose this time mainly on account of the intervening holidays from 9th to 25th October and consequently due to shorter notice to members. Such difficulties may be avoided (1) if, in view of the time limits prescribed by the Rules for giving notices of Bills and Resolutions, the date of commencement of sessions could be fixed by Government much earlier so that the information could reach the members at least seven weeks ahead and (2) as on all previous occasions, if the date of commencement could be so fixed as would avoid long holidays falling within the period of notice for Bills and Resolutions. The sessions may for this purpose either be held seven or eight weeks after or finished before such holidays.

Adjournment of the session *sine die*.

As there is no outstanding business remains to be transacted in this session and as it is the general desire of the members that the session should conclude today, I think the session could be prorogued today. I have not however received any prorogation order from His Excellency the Governor; so I am going to adjourn the House *sine die* and the prorogation order would be published in the official gazette in due course. The House, therefore, stands adjourned *sine die*.

SHILLONG:

A. K. BARUA

The 30th January 1943.

Secretary, Legislative Assembly, Assam.

R 90 D

APPENDIX F

Authenticated schedule specifying the grants made by the Legislative Assembly for the period from the 25th August 1942 to 31st March 1943 as required by section 80 of the Government of India Act, 1935 together with the expenditure already incurred from the 1st April 1942 to 24th August 1942 as authorised by the Governor under paragraph 3 of the Proclamation issued under section 93 of the Government of India Act, 1935 and the sums required to meet the expenditure charged on the revenues of Assam for the year 1942-43

No. of grant	Description	Charged			Demands as presented to the Assembly (Voted)			Amount of cut made by the Assembly			Amount included by Governor (Voted)			Authenticated amounts (Voted)		
		Non-excluded areas	Excluded areas	Total authenticated amounts	Expenditure from 1st April 1942 to 24th August 1942 (covered by authorisation of His Excellency the Governor)	Demand for the period from 25th August 1942 to 31st March 1943	Total	Amount of cut made by the Assembly	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
1	Taxes on Income other than Corporation Tax.	Rs. ..	Rs. ..	Rs. ..	Rs. 8,507	Rs. 39,493	Rs. 48,000	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. 48,000	Rs. ..	Rs. ..
2	Land Revenue ..	37,400	27,200	64,600	5,76,787	11,16,913	16,93,700	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	16,93,700	Rs. ..	Rs. ..
3	Provincial Excise ..	2,700	14,000	16,700	1,38,729	2,44,071	3,82,800	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	3,82,800	Rs. ..	Rs. ..
4	Stamps ..	..	100	100	6,272	36,728	43,000	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	43,000	Rs. ..	Rs. ..
5	Forests ..	2,56,100	1,42,000	3,98,100	3,69,179	6,79,321	10,48,500	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	10,48,500	Rs. ..	Rs. ..
6	Registration ..	..	..	..	64,821	91,379	1,56,200	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	1,56,200	Rs. ..	Rs. ..
7	Charges on account of Motor Vehicles Taxation Act.	11,600	1,200	12,800	40,700	4,23,600	4,64,300	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	4,64,300	Rs. ..	Rs. ..
8	Other Taxes and Duties ..	..	..	..	..	1,200	1,200	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	Rs. ..	1,200	Rs. ..	Rs. ..

	Navigation, Embankment and Drainage Works.	200	..	200	3,711	42,789	46,500	..	..	46,500
10	Interest on debt and other obligations	5,25,200	..	5,25,200	..	..	..	..	..	..
	Appropriation for reduction or avoidance of Debt.	3,88,400	..	3,88,400	..	..	..	..	..	..
11	General Administration ..	9,78,200	3,19,700	12,97,900	8,18,580	12,44,620	20,43,200	..	..	20,63,200
12	Administration of Justice ..	2,50,300	1,300	2,51,600	3,11,936	4,38,064	7,50,000	..	..	7,50,000
13	Jails and Convict Settlements	2,100	7,700	9,800	2,51,885	2,99,615	5,51,500	..	..	5,51,500
14	Police ..	7,03,700	60,200	7,63,900	11,07,811	15,48,889	26,56,700	..	..	26,56,700
15	Ports and Pilotage ..	..	..	..	..	2,000	2,000	..	..	2,000
16	Scientific Department ..	..	..	..	5,494	106	5,600	..	..	5,600
17	Education (European) ..	..	3,700	1,600	22,724	54,376	77,100	..	..	77,100
18	Education (other than European)	27,500	1,31,200	1,58,700	20,43,980	21,57,020	42,01,000	..	..	42,01,000
19	Medical ..	1,10,000	2,12,600	3,22,600	5,21,176	6,57,224	11,78,400	..	..	11,78,400
20	Public Health ..	..	44,100	44,100	3,05,946	5,10,354	8,16,300	..	..	8,16,300
21	Agriculture ..	2,800	22,500	25,300	2,93,669	9,65,131	12,58,800	..	..	12,58,800
22	Veterinary ..	..	8,000	8,000	70,590	1,61,410	2,32,000	..	..	2,32,000
23	Co-operation ..	21,300	..	21,300	60,009	1,06,091	1,66,100	..	..	1,66,100
24	Industries ..	..	2,500	2,500	90,200	1,67,200	2,57,400	..	..	2,57,400
25	Miscellaneous Departments ..	3,400	..	3,400	37,339	68,261	1,05,600	..	..	1,05,600
26	Civil Works (excluding Tools and Plant and Establishment).	52,000	3,03,500	3,55,500	8,02,203	30,65,897	38,68,100	..	..	38,68,100
27	Tools and Plant and Establishment charges.	89,400	1,11,900	2,01,300	3,53,285	1,92,315	5,45,600	..	..	5,45,600
28	Famine Relief ..	..	1,000	1,000	64,370	1,35,630	2,00,000	..	..	2,00,000
29	Superannuation Allowances and Pensions.	8,78,800	..	8,78,800	6,38,198	11,54,802	17,93,000	..	..	17,93,000
30	Stationery and Printing ..	1,300	4,200	5,500	80,564	3,33,036	4,13,600	..	..	4,13,600
31	Miscellaneous ..	15,15,500	1,34,100	16,49,600	1,87,649	27,62,451	29,50,100	..	..	29,50,100
32	Extraordinary charges ..	..	..	..	..	..	..	..	..	..
33	Civil Defence ..	39,200	..	39,200	6,08,000	8,15,000	14,83,000	..	..	14,83,000
34	Loans and advances bearing and not bearing interest.	..	..	..	4,11,573	7,77,427	11,89,000	..	..	11,89,000
	Grand total ..	58,98,000	15,52,700	74,50,700	1,03,55,887	2,02,92,413	3,06,48,300	..	..	3,06,48,300

A. G. CLOW,
Governor.

The 25th November 1942.

A. G. P. (L. A.) No. 93-123+2-10-2-1943.