

Proceedings of the Assam Legislative Council assembled under the provisions of the Government of India Act, 1919.

The Council met in the Council Chamber at Government House, on Tuesday, the 21st March 1922, at 11 A.M.

PRESENT :

The Hon'ble Mr. J. C. Arbuthnott, President, the Hon'ble two Members of the Executive Council, and 35 nominated and elected Members.

OATH OF OFFICE.

Mr. W. K. Allies, before taking his seat, made the prescribed oath of allegiance to the Crown.

QUESTIONS AND ANSWERS.

(UNSTARRED QUESTIONS.)

MAULAVI SAIYID NURUR RAHMAN asked :—

1. (a) With reference to the answer to question No. 13 (question and answer published in the *Assam Gazette* of February 1922 at page 65) regarding the location of the latrine attached to the Moslem hostel attached to the Habiganj Government High School, will the Government be pleased to lay on the table letter No. 907, dated 15th December 1921, from the Head Master, Government High English School, Habiganj, to the Assistant Surgeon, Habiganj ?

Location of latrine attached to the Moslem hostel at Habiganj.

(b) Will the Government be pleased to state whether the Assistant Surgeon consulted any members of the public before coming to the decision that "there is no suitable site near the hostel where the latrine could have been better situated and its present site appears to be the best" ?

(c) Is the decision of an Assistant Surgeon final in matters of sanitation and in the above case when there are a Director and an Assistant Director of the Public Health ?

(d) Is it a fact that the Assistant Director of Public Health visited Habiganj three times during the months of November, December and January last ? If the reply be in the affirmative, will the Government be pleased to state whether he inspected the latrine in question ?

(e) Is it a fact that the latrine is situated direct to the south of the dining-room of the hostel which faces the south ?

(f) Will the Government be pleased to lay on the table a map of the locality showing the Moslem hostel, the latrine and the two public roads running by the two sides of the hostel and the distance between the latrine and each of the two roads and hostel?

(g) Was any medical or sanitary officer consulted as to the location of the above latrine before its construction? If not, will the Government be pleased to state on whose advice it was located?

(h) Will the Government be pleased to enquire, if necessary, and report whether the latrine can be conveniently removed to the south-east corner of the hostel without danger to the public health or inconvenience of the boarders of the hostel?

(i) Are the Government aware that the Secretary, Anjuman, Habiganj, objected to the location of the latrine attached to the Moslem hostel at its present site by a letter and also by a reminder to the Executive Engineer, Sylhet? If not, will the Government enquire about the fact and lay on the table a copy of the Secretary's letter and the reply, if any, given by the Executive Engineer, Sylhet?

(j) Will the Government state what action was taken on the Secretary's letter? If no action was taken, the reason for so doing?

Death-rate
in Habiganj
subdivision.

2. (a) Will the Government be pleased to state if the Civil Surgeon, Sylhet, ever reported the fact of depopulation or comparatively higher figures of death-rates in Habiganj subdivision indicated by yearly mortality figures?

(b) If so, what explanation for this higher death-rates of the subdivision was given by the Civil Surgeon, Sylhet?

(c) Did the Sanitary Commissioner make any report upon the subject?

(d) If so, what remedies were suggested by the Sanitary Commissioner and what actions were proposed to be taken by him?

(e) Will the Government be pleased to state the cause of decrease of population in Muchikandi thana in the Habiganj subdivision?

(f) Is not the outbreak of the small-pox in 1919 the cause?

(g) Will the Government be pleased to state what actions were taken by the Civil Surgeon, Sylhet, and by the officers of Sanitary Department when the small-pox was ravaging the villages within the Muchikandi thana in 1919?

(h) Will the Government lay on the table the reports, if any, by the Civil Surgeon, Sylhet, or by the Deputy Sanitary Commissioner upon the subject?

(i) Will the Government be pleased to state whether small-pox outbreaks were going on in Habiganj subdivision with greater vehemence for several years?

(j) If so, how far it contributed to the depopulation? Was Muchikandi thana visited last year by the Head of the Sanitary Department, and what did he find?

3. (a) Will the Government be pleased to state if it is a fact that *Kala-azar* Department has been transferred to the Medical Department, and owing to this transfer considerable delays are going to be experienced in opening out centres? *Kala-azar*
in Sylhet district.

(b) Will the Government state if the Civil Surgeon, Sylhet, detected any case of *Kala-azar* in Sylhet district before the Deputy Sanitary Commissioner visited the places where centres were opened by him?

(c) Is it a fact that many people died of *Kala-azar* before the detection by the Deputy Sanitary Commissioner?

(d) Is it a fact that after certain places, namely, Sankarbazar in Maulvi Bazar, Parchoo in Karimganj, were visited by several officers of Sanitary Department and where they found out many *Kala-azar* cases suffering and badly wanting help, but no arrangement was made for *Kala-azar* treatment, with the result that many died?

(e) If so, what is the cause of delay in opening centres?

MR. A. R. EDWARDS replied :—

1.—Government have not before them the information needed to answer the whole of the question.

Enquiry will be made and replies given in due course. ✓

2.—The Civil Surgeon submitted no special report. The small decrease in population was not apparent until the Census figures were received.

The Sanitary Commissioner in 1916 after a visit of inspection to the subdivision of Habiganj commented strongly on the insufficiency of the staff of vaccinators and urged that it should be increased from 16 to a minimum of 33. After several recommendations from him, some increase was made in 1919 but in that year the small-pox epidemic grew to large dimensions. With the assistance of Government the number of vaccinators was raised from 23 to 46 in December 1920 and to 50 in February 1921. The officiating Sanitary Commissioner visited the subdivision in March 1921 and reported that the vaccination work was progressing favourably and recommended that the same staff should be employed during the present vaccination season. This recommendation was accepted and in addition a supernumerary Sub-Inspector of Vaccination and a Rural Health Officer have been posted to the subdivision.

It is probable that in the subdivision of Habiganj in general and in Muchikandi in particular the prevalence of small-pox was an important cause for the decrease in the population. Another was the influenza epidemic of 1918-19 from which Habiganj suffered in common with most of the rest of the world and its aftermath in the shape of an increased prevalence of endemic *Kala-azar*.

3 and 2 (g) second part—

It is not the case that the *Kala-azar* department has been transferred to the Medical Department. It is administered as part of the department of Public Health in closer co-operation with the Medical Department than before with a view to greater efficiency and to the avoidance of the overlapping of effort.

The presence of endemic *Kala-azar* in Sylhet district has long been known. Sir Leonard Rogers reported on it in 1897 and various Civil Surgeons subsequently. A report made by Major Scott, Civil Surgeon of Sylhet, was published in the Supplement to the Sanitary Report for the year 1913 as part of a *Kala-azar* survey of the whole province. At page 27 of the report it is noted that Habiganj was found to be one of the most affected subdivisions and at page 35 a tabular statement of the number of cases found in the subdivision is given. An investigation into the condition of affairs in Habiganj was in 1921 carried out under the orders of the Sanitary Commissioner by the Deputy Sanitary Commissioner and in the course of this enquiry increased prevalence of endemic *Kala-azar* in Habiganj was brought to light. The organisation of treatment centres in the infected areas has been receiving the full attention of the Public Health Department and a large number of centres and sub-centres have been and are being opened.

Doubtless there was regrettable mortality from *Kala-azar* before the visit of the Deputy Sanitary Commissioner but Government are not in a position to say whether the number of deaths was large.

The vital statistics of the subdivision do not indicate any unusual increase in mortality from fever before the influenza years 1918 and 1919 and the Director of Public Health is of opinion that the increased prevalence of *Kala-azar* was a sequel to the influenza epidemic and that it was not largely operative as a cause of mortality prior to the appearance of influenza. As already stated a number of centres and sub-centres for treatment have been and are being opened. Unfortunately, deaths from *Kala-azar* must take place before arrangements for treatment can be made and even treatment, though it is believed to save many lives, cannot save all. Every effort is being made to obviate the delays which inevitably occur because Sub-Assistant Surgeons have to be found and trained and buildings have to be erected. An experienced Assistant Surgeon has been posted to the district for *Kala-azar* work.

RAJ KUMAR CHANDRA NARAYAN SINGH asked :—

Pay of educational clerks.

1. (a) Will the Government please refer to my 'question No. 2 answered in the sitting of this Council dated 20th September 1921 and inform this Council when effect is going to be given to the revised scheme for educational clerks?

(b) Will Government please lay on the table the revised scheme for these clerks?

(c) Are Government aware that these officers have been hard hit by rise of prices and that they require immediate relief?

MR. A. R. EDWARDS replied :—

1. (a), (b) and (c).—Rupees 8,000 have been provided in the budget of the Director of Public Instruction for next year to enable him to improve the pay and prospects of the ministerial officers of his Department. This represents an addition of 20 per cent. to the total sum now drawn as pay by these officers. If the provision is voted by the

Council the Director of Public Instruction will be authorised to work out details within these limits, and effect will be given to the new rates from the beginning of the next financial year.

A similar provision appears in the budget of the Inspector General of Police, the Inspector General of Civil Hospitals, the Conservators of Forests and the Director of Agriculture (Veterinary Department).

The total sum involved for all the Departments mentioned is Rs. 25,892.

MUNSHI SAFIUR RAHMAN asked :—

1. Will the Government be pleased to lay on the table a statement showing the number of Muhammadan officers in the Court of Wards' estates, Goalpara ?

Muham-
madan
officers in
the Court
of Wards'
estates in
Goalpara.

THE HON'BLE MR. W. J. REID replied :—

1.—In December 1920, when figures were collected for the reply to a question asked by Maulavi Saiyid Muhammad Saadulla at the Council meeting of the 14th October 1920, the Muhammadan officers in the Court of Wards' estates in Goalpara consisted of 1 Assistant Manager, 4 clerks and 4 Maharrirs or Tankinabises. Government have no reason to suppose that the number has since changed materially.

MUNSHI SAFIUR RAHMAN asked :—

2. Are the Government aware that there has been a reduction of Muhammadan students in the Goalpara Government Prithviram High School ? If so, will the Government be pleased to appoint a Muhammadan teacher in the said school ?

Goalpara
Govern-
ment
Prithviram
High
School.

MR. A. R. EDWARDS replied :—

2.—Government have no information in regard to the first part of the question. As regards the second part the Director of Public Instruction advises that he hopes shortly to be able to appoint a Muhammadan teacher.

REV. J. J. M. NICHOLS-ROY asked :—

1. (a) Have the Government decided to increase the sitting capacity of the building of the Shillong Government High School this year ?

Shillong
High
School.

(b) Will they be pleased to state whether in this coming budget they have included or not the expense for increasing the sitting capacity of the above school ? If not, why not ?

MR. A. R. EDWARDS replied :—

(a)—The answer is in the negative.

(b)—Government regret that for want of funds they have been unable to make any provision for this project during the coming year.

MAULAVI RUKUNUDDIN AHMAD asked :—

Muham-
madan
Hostel
attached to
the Jorhat
Govern-
ment High
School.

1. Are the Government aware that the houses of the Muhammadan Hostel attached to the Jorhat Government High School are very small in size, not well ventilated and their floor is not cemented ?

If so, will the Government be pleased to take necessary steps to remedy the defects ?

MR. A. R. EDWARDS replied :—

Government are aware that the buildings in question are small, that their floors are not cemented and that the ventilation could be improved.

Government are informed however that the buildings are large enough for these purposes as also that the cementing of the floors and the improvement of the ventilation are not matters of particular urgency. They do not propose at present to take any action in the matter.

Haji MUHAMMAD ABDUL AHAD CHAUDHURI asked :—

Sylhet
Govern-
ment High
School.

1. (a) Are the Government aware that great inconvenience and hardship is felt by the students of the Sylhet Government High School and inmates of the Hindu and Muhammadan Hostels attached to the school owing to the want of house connection of pipe water there ?

(b) Is it a fact that an estimate of cost of the work had been asked by the authority of Education one or two years ago ?

(c) If so, will the Government be pleased to take necessary action for the removal of the hardship at an early date ?

MR. A. R. EDWARDS replied :—

1. (a) — Government are aware that the supply of a pipe water connection could be a convenience : but not that its absence amounts to a hardship.

(b) — Yes.

(c) — The work is one of a large number of projects, awaiting funds, on the Minor works list of the Education Department and ranks on that list as of secondary urgency. Various other schemes, mainly sanitary, have a prior claim on any funds available. In the circumstances Government are not prepared to take any special action in the matter.

BABU KRISHNA SUNDAR DAM asked :—

Political
offences.

1. Will the Government be pleased to state the number of (a) house searches, (b) arrests and (c) convictions made in the province from 1st November 1921 up to 12th January 1922 for political offences committed or suspected to be committed under the Penal Code, the Criminal Procedure Code and the Criminal Amendment Act, showing the districts and the community to which the offenders belong ?

MR. A. W. BOTHAM replied :—

1.—A statement is laid on the table.

Statement showing the number of house searches, arrests and convictions for political offences in Assam from the 1st November 1921 to the 12th January 1922.

District.	Number of house searches.	Number of arrests.		Number of convictions.		Remarks.
		Hindus.	Muhammad-ans.	Hindus.	Muhammad-ans.	
1	2	3	4	5	6	7
Cachar ...	13	5	3	5	3	
Sylhet ...	15	5	11	4	10	
Lakhimpur...	12	49	27	22	7	
Sibsagar ...	48	154	53	125	50	
Darrang ...	11	50	10	27	2	
Kamrup ...	28	307	29	229	19	
Garó Hills	3	...	2	...	
Goalpara ...	25	34(d)	32	16(d)	15	(d) In-cluding one Sikh.
Nowgong ...	7	132	41	83	16	

SRIJUT DALIM CHANDRA BORA asked :—

1. Is it a fact that the Sub-Assistant Surgeons in charge of Jails and Lunatic Asylums in Assam are debarred from private practice and that such Sub-Assistant Surgeons are not allowed to be employed by private companies? Tezpur Lunatic Asylum.

(a) Is it a fact that the Sub-Assistant Surgeon in charge of the Tezpur Lunatic Asylum is under the employ of the Assam Saw Mill and Timber Company, Limited, Tezpur?

(b) If so, has the Sub-Assistant Surgeon obtained previous sanction of the Government to hold an appointment under a private company in addition to his duties under the Government?

(c) Is it a fact that the Sub-Assistant Surgeon in question draws Rs. 50 per mensem as a personal allowance as he is debarred from private practice?

(d) Is there a rule to the effect that Sub-Assistant Surgeons in charge of outlying dispensaries in the mofu-sil are to be placed by turn in sadr dispensaries for learning work?

If so, why this has not been done in Tezpur?

MR. A. R. EDWARDS replied :—

1.—The Sub-Assistant Surgeons of the four larger jails at Sylhet, Gauhati, Tezpur and Jorhat are debarred from private practice and are compensated for such loss. The Sub-Assistant Surgeon in charge of the Lunatic Asylum at Tezpur is also debarred from private practice. Sub-Assistant Surgeons are not allowed to be employed by private companies without previous sanction.

(a)—The reply is in the negative.

(b)—This question does not arise.

(c)—The reply is in the affirmative.

(d)—The reply is in the negative.

DISCUSSION OF DEMANDS FOR GRANTS.

LAND REVENUE.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that a sum not exceeding Rs. 14,37,000 be granted to the Governor in Council to defray the charges which will come in the course of payment during the year ending on the 31st March 1923, for the administration of the Land Revenue Department.

As I explained last year, Sir, the old head " Refunds and Drawbacks " has disappeared from the budget. Any refunds that may be necessary will be taken against this budget and are therefore subjected in this way to the vote of the Council.

We have had no notice, Sir, of any motions for reduction.

The motion was put and adopted.

PROVINCIAL ADVANCE AND LOAN ACCOUNT.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that a sum not exceeding Rs. 3,00,000 be granted to the Governor in Council to defray the charges which will come in the course of payment during the year ending on the 31st March 1923, for the administration of the Provincial Advance and Loan Account.

We have no notice of any motions.

The motion was put and adopted.

GENERAL ADMINISTRATION.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that a sum not exceeding Rs. 17,79,000 be granted to the Governor in Council to defray the charges which will come in the course of payment during the year ending on the 31st March 1923, for the administration of the head " 22.—General Administration."

There are several motions, Sir, for reduction.

SALARY OF MINISTERS.

RAI BAHADUR AMAR NATH RAY :—Sir, my Hon'ble friend Babu Krishna Sundar Dam gave me to understand that he would withdraw the next motion standing in his name in favour of mine. It may now be ascertained if he proposes to do so.

BABU KRISHNA SUNDAR DAM :—Sir, I beg to withdraw the following motion which stands in my name intending thereby to support the motion which has been brought forward by the Hon'ble Rai Bahadur Amar Nath Ray. My motion runs as follows :—

" That the sum of Rs. 84,000 provided for the salary of the Ministers be reduced by Rs. 34,000. "

THE HON'BLE MR. W. J. REID :—The effect of that, Sir, will be that there will be only one motion for reduction with four Hon'ble Members supporting it.

The motion standing in the name of Babu Krishna Sundar Dam was, by leave of the Council, withdrawn.

RAI BAHADUR AMAR NATH RAY :—Sir, the motion that stands in my name runs as follows :—

That the sum of Rs. 84,000 provided for the salary of the two Ministers be reduced by Rs. 24,000.

The duty I have got to discharge is an extremely delicate and painful one and I deeply regret, Sir, that I have to bring up the motion in the absence owing to illness of the Hon'ble the Education Minister. Last year this Council voted the maximum salary and though I felt that reduction was desirable I refrained from supporting the motion for reduction only because I did not like that gentlemen, who had served their people long and well and upon whose success or failure, the pace of the progress of this province towards autonomy would, to a large extent, depend, should feel in the very beginning of their career that the Council was unsympathetic towards them. Besides, the state of the provincial finances was not so deplorable then as now. I want to remind the Hon'ble House that under the constitution of the Government of the Provinces as laid down in the Government of India Act, 1919, a motion for reduction does not necessarily imply any want of confidence in the Hon'ble Ministers. In the British Constitution it is otherwise. There the carrying of a vote of reduction by the House of Commons will drive a Minister out of office. I shall quote section 52 (1) of the Government of India Act which allows such reduction. It is in the following terms :—

"The Governor of a Governor's Province may, by notification, appoint Ministers, not being members of his Executive Council or other officials, to administer transferred subjects, and any Ministers so appointed shall hold office during his pleasure.

"There may be paid to any Minister so appointed in any province the same salary as is payable to a member of the Executive Council of that province, unless a smaller salary is provided by vote of the Legislative Council of the province."

Prior to the passing of the Act of 1919, the Government of India in their first despatch on the Reforms had expressed the following opinion with regard to Ministers' salaries.

"While the members of the Executive Council would be appointed as now by His Majesty by Warrant under the Royal Sign Manual, Ministers, being the advisors of the Governor, would necessarily be appointed by the Governor. The question of their pay presents some difficulty. There is no real reason to prescribe for Ministers the scale of salaries fixed for members of Council. We feel, however, that if we were to ask you to fix beforehand for Ministers a lower rate of pay than that sanctioned for Councillorships such a treatment of the situation, however well justified by practical considerations, will be misconstrued in India. We see, therefore, no alternative but to suggest that the number of Ministers and their pay should be fixed by the Governor after consultation with the prospective Minister or Ministers when they first

take office and placed upon the transferred estimates. We have no doubt that the Governor will give due regard to the considerations of the burden of work and the expenses of the position and so forth which have always been accepted as relevant to the determination of the salaries to be attached to official posts."

The Joint Select Committee of both Houses of Parliament which considered the draft bill are responsible for the provision of the law I have quoted. This is what led them to the decision they arrived at. I quote their words :—

"They advise that the status of the Ministers should be similar to that of the Members of the Executive Council but that their salaries should be fixed by the Legislative Council. Later on in this report it will be suggested that Indian members of the Council of India in London should be paid a higher scale of remuneration than those members of the Council domiciled in the United Kingdom. The same principle might suggest to the Legislative Council that it was reasonable for the Minister of the Provincial Government domiciled in India to be paid on a lower scale of remuneration than the European members."

So all that section 52 (1) lays down is that the maximum salary the Legislative Council can vote is salary equal to that of a Member of the Executive Council. The Joint Select Committee suggest in plain terms that the salary of a Minister should be less than that of a Member of the Executive Council but leave the matter to the discretion of the Legislative Council. So there can be no question that a motion for reduction such as the present one implies any want of confidence in the Hon'ble Ministers. If the motion had been for a nominal reduction only, that would have been a different thing altogether.

Now, Sir, the Council did more than justice to the Ministers by voting the maximum salary last year. Are our coffers as full to-day as last year that we should not re-open the question now? Are not the Hon'ble Ministers the representatives of the people and should they insist upon the maximum salary even at a time when fresh burdens of taxation both Central and Provincial are going to add to their misery? I had a mind to appeal to the Hon'ble Minister of the Local Self-Government, but I find he has left the Council.....

THE HON'BLE MR. W. J. REID:—If I may interrupt the Hon'ble Member, I may say, Sir, that the reason why the Hon'ble Minister has left the Council is because he feels it would be unseemly if he were present here during the discussion on a matter which concerns himself.

RAI BAHADUR AMAR NATH RAY:—I know that both the Hon'ble Ministers have cared very little for money all their life and I believe they will not be in the least sorry if the present motion is carried.

Then, Sir, it is almost the universal demand in this country that the fat salaries should go—that this poor country should not be allowed to be weighed down by them. If this is to be so, should not we Indians set the example by accepting smaller salaries than are being paid at present and should not our popular Ministers rather than permanent Indian Officials break the ice?

I have heard the opinion expressed in some quarters that it does not look well that the Hon'ble Ministers should have salaries lower than the salary of the Chief Secretary. I respectfully dissent from such a view. In the British Cabinet the Attorney General and, I believe, the Chancellor of the Exchequer also draw higher salaries than the Premier himself who appoints them and though the status of all Cabinet Ministers excepting the Premier is the same, their salaries vary greatly. I may remind my Hon'ble colleagues that the Governor General draws a salary more than three times that of His Majesty's Secretary of State for India, his official superior. Now, I shall cite an instance nearer home. The Hon'ble the President of this Council draws only Rs. 1,000 a month but he takes precedence over the Chief Secretary who draws nearly three times that amount.

It was also argued last year that as we cannot touch the pockets of Members of the Executive Council we should not reduce the salaries of the Ministers. To this objection my Hon'ble colleague Sri Jut Lohit Chandra Nayak replied with all the emphasis he could command "What we cannot do, we cannot do, but what we can do, we should do". I may say that the only way in which the salaries of members of the Executive Council can ever be possibly brought down is by our Ministers practically demonstrating that they can turn out the same amount of work of a similar nature on a much smaller salary. Besides, I would ask my Hon'ble friends not to think so much of the salaries of the Executive Councillors because they are merely a temporary institution in our progress towards full provincial autonomy. Their number will decrease and ultimately they will totally disappear. In course of time we shall have all Ministers and no members of Council.

Sir, I shall now ask leave of the Council to quote certain interesting figures which I came across in the report of a Speech of a member of the Legislative Assembly.

At present an Indian Executive Council member draws £ 5,333 whereas important Cabinet Ministers in England including the Premier draw £ 5,000 a year each. A Provincial Minister in the Major Provinces draws a salary of £ 4,266, a salary almost equal to that of the First Lord of the Admiralty and twice the salary of four or five other Cabinet Ministers like the President of the Board of Trade or the President of the Board of Agriculture. The Prime Minister of Canada draws Rs. 3,000 a month and other Ministers Rs. 1,750 each per month. In Australia, the Prime Minister gets Rs. 2,625 and his Ministers Rs. 2,062. In New Zealand the Prime Minister draws Rs. 2,000 and other Ministers Rs. 1,250 each. In the United States of America, the Secretaries of State draw Rs. 3,000 each. In Japan the Prime Minister draws Rs. 1,300 and the other Ministers Rs. 900 each per month. The figures speak for themselves.

Now, Sir, in all the countries I have named except perhaps Japan, the cost of living is many times as high as in India. Sir M. Visveswaraya, formerly Dewan of Mysore, so well known for his high administrative experience and sanity of judgment in his very suggestive handbook named 'Reconstructing India' expresses the opinion that even in the Major Provinces the salary of a minister should not exceed Rs. 36,000 a year. I am absolutely sure, Sir, that the whole Council will agree with me that Rs. 2,500 is a perfectly adequate salary and that it will more than enable the Hon'ble

Ministers to live in comfort and in a style befitting their position. As to the burden of work, I believe the Hon'ble the Finance Member alone disposes of an amount of work twice or thrice as heavy as the amount disposed of by the two

THE HON'BLE MR. W. J. REID :—I must protest, Sir, against any such assumption.

RAI BAHADUR AMAR NATH RAY :—I speak open to correction. However I withdraw the remark.

I do not think the Hon'ble Ministers are so unpatriotic as to think of making their piles at a time when while the whole province is in the throes of financial and economic distress of unprecedented magnitude.

It may be said that a reduction of Rs. 24,000 a year will not improve matters much and that it will give no appreciable relief to the tax-payer. I beg to submit, Sir, that there is no substance in such an objection. If such an argument were valid, all motions for reduction of similar or smaller amounts of which notice has been given ought to be thrown out without discussion. Rupees 24,000 is not again a negligible amount for a poor province like ours. The amount will enable the Local Boards to excavate a dozen protected tanks for drinking water. The amount will suffice for running about a dozen village dispensaries thereby bringing medical relief within the reach of about 50,000 poor people.

I believe the Council knows that in the Central Provinces, the Ministers agreed to accept Rs. 1,000 less each per month than the maximum salary last year and this year the President Sir G. M. Chitnavis has of his own motion agreed to accept a thousand rupees less per month than his fixed pay of Rs. 3,000 in view of the state of the finances of that province.

I would appeal to the Hon'ble members on the Government Benches including the Hon'ble Minister himself not to stand in the way of this motion being carried. I know they have the interests of the people at heart. Will it be right on their part to prevent us from doing a thing which the Government of India Act permits us to do and even desires we should do? May we not expect that they will help us in giving effect to the spirit of the Act? I believe, Sir, this is a matter in which they will be perfectly justified in exercising their independent judgment.

I would similarly appeal to the non-official European members of the Council to vote solid in favour of the motion. We may differ from time to time on public questions—but that is no reason why we should not unite when we can, consistently with our principles, do so. I would remind my Hon'ble colleagues of the unanimous support given by this Council to Major H. B. Fox's resolution on the abolition of the tea duty—I believe the only resolution brought up by a non-official European member during the life time of the present Council. I do not believe that they have no sympathy for the poor people of this country—the land of their adoption. Besides, the right exercise of the vote is better known to them than to us. I am sure they will vote for the reduction.

To my Indian colleagues, I have little to say. They are all patriotic men and retrenchment is their watch-word. No consideration except that of the public good will I hope be allowed to sway their decision. I look up to them to decide the question on its merits alone.

KHAN SAHIB ALAUDDIN AHMAD CHAUDHURI :—Sir, I oppose this motion strongly. If the Hon'ble Mover wants to effect a retrenchment I would advise him to come up with a separate resolution proposing a reduction of pay of all Government officers all round. That will, I hope, give a large sum, but I do not see any reason why the Ministers only should be made the victims to reduction now. Ministers have a very great responsibility and they must be paid accordingly.

SRIJUT DALIM CHANDRA BORA :—Sir, an identical resolution stands in my name and I want by way of moving my resolution to speak a few words.

THE HON'BLE THE PRESIDENT :—The Hon'ble Member can speak to the resolution, but identical resolutions, under standing order 32, are deemed to be withdrawn.

SRIJUT DALIM CHANDRA BORA :—I beg leave of the Council, Sir, in order to withdraw my resolution, and I will support the resolution of the first mover.

In supporting this resolution, I beg to say that I have nothing new to add to what has already been said on the subject by my predecessors. I only want to endorse fully the observations made by the mover so eloquently. Of course, Sir, it might be argued that we took a different view last year and that we are now going to contradict that view. To this my simple reply is this, that circumstances have since changed in order to justify us to make certain alterations in the rates of salaries to Ministers. But I should like to say that we do not make such a proposal in depreciation of the valuable services rendered to us by the Hon'ble Ministers or the responsibilities devolved upon them. It is only from a consideration of the financial stringency that we have been impelled to take this course though unpleasant. When, Sir, all-round cry for retrenchment has gone on I should like to say that let the retrenchment commence at our own door and let us prove to the public at large that we are not a set of selfish Councillors. With these few words, I should like to ask the Councillors to give the resolution their full support.

SRIJUT NILMONI PHUKAN :—On a matter of principle, Sir, I beg to oppose this motion. I have heard the Hon'ble Mover of the motion say that even in England, the Indian Members of the India Office are advised to be paid a higher salary than the English Members. Even taking that into consideration, the arguments do not apply in our case. We have got Indian Members also in our Executive Council. What to say of them? But this is by way of argument. That is not my real idea. My idea is this that we are really for all round retrenchment, and I spoke in my budget speech that I was at this moment for real retrenchment, not for any patch work. Of course if the curtailment of this item or that from the budget improves the situation I am for that, but when that curtailment involves a principle, a great principle, I am not for that curtailment. The Hon'ble Mover, I heard, appealed to the Ministers themselves. I think that is not the proper procedure. It is not a question of the Ministers begging the salary of the Council. It is, I should say, a statutory right which they must enjoy. Of course when the time arrives for all-round retrenchment let us take into

consideration their case as well along with others and when that will be effected their salaries also will be affected. I have not changed my mind a bit, but on a matter of principle I should oppose this motion and I ask the House not to act on the spur of the moment, sacrificing a great and important principle.

RAI SAHIB PADMANATH GOHAIN BARUA :—I, on principle, Sir, support the Demand of Grant No. 6 made by the Hon'ble Finance Member and oppose the motion before the Council for reduction of the Ministers' salaries. Firstly, because we the then non-official representatives have already committed ourselves before the Southborough Committee that the salaries of the Hon'ble Ministers should by all means be equal to that of the Executive Councillors otherwise it would effect the status of the former; and secondly, if my memory serves me right, it was decided last year, when the last budget was discussed, that the salaries of the Ministers should be left unaltered and should remain fixed, and thereby the Hon'ble Ministers' position be maintained unweakened and unimpaired. The question is raised again to-day in connection with the present budget discussion, only because the rule permits the renewal of the question every year. Otherwise, I think, this might have been a settled fact; but I for one, Sir, doubt the wisdom of bringing up such a question again and again, to meet with the same result, as we anticipate, as was obtained last year, which I am afraid, would do more harm than any good, as it might also arrive at the prestige of the Hon'ble popular Ministers.

BABU KRISHNA SUNDAR DAM :—I rise to support the resolution moved by Rai Babadur Amarnath Ray, and I rejoice to think that the mover who was opposed to a similar resolution brought by me last year, has this time come round our views and has moved this resolution, himself. I only regret to say that he seems to have grown wise after the event. But there is no use repenting for the past and I wish my friend all success and God-Speed.

I should like to say, Sir a few words with regard to what has been said by the Hon'ble Khan Sahib Alauddin Chaudhuri. If his soft heart breaks down in sorrow for the Ministers on hearing of a small reduction from Rs. 3,500 a month I do not know how he will bear it when he will see the Hon'ble the Finance Member assailed with proposals for a reduction in salaries being in value about one hundredth or two hundredth part of what the Ministers are getting. I see that the Hon'ble Mover of the resolution also seems to have been feeling a difficulty on that account, but I think, Sir, this is altogether a very sentimental aspect. Another point which has been urged by my Hon'ble friend Nilmoni Phukan is that unless an all-round and immediate retrenchment is commenced beginning from the Ministers' salary down to the very menials we should not touch the Ministers' salaries. I shall leave it to the Council to decide whether this is at all a reasonable and practical course to suggest to the Council. Rai Sahib Padmanath Barua also said that the Ministers should not be touched unless we touch the clerks and menials, etc. Sir, whether there will be an all-round retrenchment, or not undertaken at once I leave it to the Council; I shall ask this Council to examine very carefully the grounds given by the Hon'ble Members who have just preceded me before the Council. This question of the Ministers' salary I think has to be looked at from different stand-points. It has a legal aspect; it may be said to have a political and financial aspect; also it has a sentimental aspect, but I should like to call this

an æsthetic aspect; and also it has an aspect of a business nature— of *quantum meruit*.

As to the legal aspect I see it has been mentioned by the Mover of the resolution and I should like only to read to the Council a portion of the section relating to the salaries of the Ministers and the powers of the Council in the matter. The section says that "there may be paid to a Minister so appointed in any province the same salary as is payable to a Member of the Executive Council unless a smaller salary is provided by vote of the Legislative Council of the province." I am reading this portion of section 52, because I think that there are some Members of the Council who seem to think that it is incumbent on us to vote for the maximum salary for the Minister. So I want to impress upon them the fact that in this matter the Council has been left entirely free to decide their own course—they may pay the maximum salary or they may sanction a lower salary according to their circumstances and capacity and not, I think, according to sentimental considerations. So, Sir, let us bear in mind that there is no obligation imposed on us by the Act to vote for the maximum salary, rather the Act has left this matter to the wisdom and paying capacity of each autonomous province to decide for itself. This is a question of vast importance and not one for displaying our sentiments. And as I said, there is also a political aspect of the question, by which I mean the controversy about the equality of the status of the Ministers and the Executive Councillors, and to this I want to say that salary has nothing to do with the status of the Ministers. The Ministers are the elected representatives of the people and they should look for their status to their supposed leadership of the people and their views and not to their own purses. The Executive Councillors can never aspire to the honour leading or representing the country or having the population of the province behind them. Executive Councillors are Government officers from beginning to end, but the Ministers can never say that they are likewise Government officers—they are nominated by His Excellency the Governor, from elected representatives of the people; so that altogether for status the Councillors and the Ministers have to look in different directions. There is also the financial aspect of the question, and this is I think the most important question to be considered by the Council. In this connection I should like only to remind the Council of what they have already seen and realised from the current year's review and the coming year's forecast. They know that there is already a deficit of fifteen lakhs of which three lakhs have been proposed to be raised by taxation, and unless we retrench to the extent of twelve lakhs and more and make a determined attempt for economising, the finances of the province will never improve. We cannot rely on taxation alone for the future success and of autonomy of this province. How to make two ends meet and reduce the deficit of 15 lakhs is the question that we are faced with. So far as I have thought over the matter (and I believe many of my friends agree with me in this, and I have given notice of several motions for omissions or reduction of grants) I hold that retrenchment is the only possible solution of the present difficulty, and it is more feasible in the direction of reduction of salaries than elsewhere and we should begin with the salaries of the Ministers, and so from different considerations. We—I mean the whole country—have been crying for years past for the Indianisation of the Services, which we say is the best and easiest means of retrenchment and future economy. We are sure that the employment of local indigenous labour is the real remedy but if our Ministers

themselves would look only to their own purse and would not consent to take a smaller pay how can we satisfy our rulers that we are sincere in our demands for economy and patriotic professions. Unless the Ministers set the example how can we be justified in asking other Government officers lower down, to receive reduced salaries? Now, Sir, as to what I venture to call the æsthetic aspect of the question which a few of my friends tell me is only sentimental. By this I mean that by offering the maximum salary, we shew the absence in us of a sense of harmony and appropriateness; why should we have overfed Ministers, Ministers on Rs. 3,500 a month from constituencies composed of hungry and skeleton voters; when almost all the population are ill-housed, ill-fed, illiterate, and ill-clothed. At least my sense of harmony revolts against this. Of course I am not asking the Ministers to resort to loin cloths as some other Political Reformer has done; but between loin cloths and Rs. 3,500 much certainly can be done to harmonise with the environment. It would be only fair to the tax-payers to give the Ministers a lower salary in view of the present arrangements of public expenditure under which the tax-payers—the starving tax-payers—are taxed beyond their capacity for the sake of equality of status and in the name of larger association of Indians in the Administration.

Sir, I cannot conclude without saying a few words about the business view point of the maximum salary; by that I mean the quantity of work done or expected to be done by the Ministers and the remuneration which is to be given to them for the same. I shall ask Hon'ble Members to recollect the budget grants allotted to the Transferred Departments and to consider the capacity—the spending capacity rather—of the Ministers. The allocation to the Transferred Departments amounts to Rs. 57,83,000—the budget allotment for the current year is Rs. 54,65,000, and the rest of the revenues, over Rs. 2,00,00,000 have been appropriated by the Reserved Subjects, *i.e.*, that there has been very little money placed in the hands of the Ministers. Take for instance the reports of the Director of Public Instruction and the Director of Industries. Everyone is well aware what a dismal future there is before the Ministers. There is very little money available for the improvement of the most important departments committed to the care of the Ministers. We have been distinctly told that at least for some years to come the people can expect no improvement for the departments committed to the care of the Ministers, and this is apparent from the budget also, and we all remember the clear statement of the Hon'ble the Finance Member that progress in almost all directions must be checked for some time to come. So this is how we stand in the matter on our nation building departments and our Ministers must realise that they will not be able to make any advance in any direction; look, they have no new schemes of public utility formulated, they have no plans of improvement and are content to be standing still where they are. So, Sir, I think in this view of the matter we are bound to give and request the Ministers to take, something less in the way of salary, and I think Rs. 2,500 is quite sufficient.

Like my friend the Hon'ble Mover I do not wish to conclude without saying a word or two to Hon'ble Colleagues on the Government side. I think we have a right to expect from them the small courtesy of neutrality; at least to refrain from voting if they cannot vote in favour of the motion. There is a public feeling abroad—(and by mentioning this here I do not wish to offend them, in any way) about this matter. There

is already a suspicion existing in the country that the Government side refuse to vote in favour of the reduction simply fearing that ultimately this may cause a loss to the Executive Councillors, as having the way for a reduction of their own salaries—(Of course I think I have a right to voice to the opinions of the outside people). I think that having regard to such feelings we may expect from the Government side the small courtesy of neutrality and I can assure them that this civility will cost them nothing and they know it better than us; because what can we do to touch their salaries? At most we can pass a resolution here and when this resolution will be sent to the Secretary of State through the Government of India, the authorities may or may not

THE HON'BLE MR. W. J. REID :—On a point of order, Sir, I should like to say at once that in the matter of the Ministers' pay the decision of the Council is final. There is no question of it being overruled.

THE HON'BLE THE PRESIDENT :—I may remind the Hon'ble member that he is exceeding the time limit.

MR. A. J. G. CRESSWELL :—Sir, in compliance with the proposal made by me before this Council last year I heartily congratulate the Hon'ble Mover and support the resolution he has so ably moved, and justified, viz., that the salary of the Ministers for the coming year be reduced to the sum of Rs. 2,500 a month.

KHAN BAHADUR MUHAMMAD BAKHT MAZUMDAR :—Sir, I beg to oppose the motion for reducing the pay of the Ministers on the ground that it is not proper that we should reduce the pay of one or two individuals alone. If we could bring about a general reduction then along with the others we shall consider the question of reduction of the Ministers' salary. In my opinion when once we have fixed their salary and they are already drawing it to reduce it now would be derogatory to their position. So in these circumstances I strongly oppose this motion.

THE HON'BLE MR. W. J. REID :—I should like, Sir, to first congratulate the Hon'ble Mover of this resolution on the manner in which he has discharged his delicate task, on the force and eloquence of his argument and on the studied moderation which marks his speech and that of his principal supporter. We are all, Sir, exceedingly glad to be assured if any assurance was needed that there is nothing personal in this motion and that there is no attack on our Hon'ble Ministers.

This motion, Sir, is practically identical with one which was debated in this Council nearly a year ago and negatived by a large majority. The Hon'ble Mover at that time voted against the reduction but he has now given his reasons for himself proposing it.

Last year, Sir, as the official spokesman of the Government I opposed the resolution on three grounds. The first was that public opinion in the province so far as it had been possible to ascertain this favoured equality of pay and equality of status as between the Members of the Executive Council and the Ministers. The second was that any inequality in pay was liable to be misconstrued as indicating inequality of status. Any such implication is clearly most undesirable.

ble. We were certain then we are certain now that this is far from being the wish of the Council. The third argument was the legal position which was doubtful. I said that as we were then advised the vote of the Council was final and could not be reconsidered. This was an additional reason for which I urged caution.

Well, Sir, the legal position is now clear. It is open to this Council to fix by vote the salary of the Ministers and by subsequent vote to alter their decision. That disposes of the third reason which I had put forward last year.

As for the first reason—that opinion in the province had been generally against the proposal for reduction—the fact that the proposal has come up again this year shows that in the Council at all events there is a feeling, a feeling of some strength, that the decision should not continue unchallenged, that the question should be reconsidered. The Hon'ble Mover has stated the position accurately. He has quoted the relevant authorities and I repeat that the right of the Council in this matter is unquestioned. I ask Hon'ble Members again to exercise their right carefully, after due deliberation and not hastily. But I do, Sir, beg of the Council to make an end and whatever they decide to come to a final decision. It is unworthy of the dignity of this Council, unfair to the Hon'ble Ministers, that the question of their salary should come up from time to time to be debated and discussed. Let it be settled once for all. In saying this I do not suggest that Hon'ble Members should forego the conventional methods of expressing displeasure with the actions of a Minister or with his official policy by voting a nominal reduction of salary. This is quite a different matter. I tried last year to indicate the difference between fixing and altering the pay of the Ministers and suggesting that the pay of a particular Minister should be reduced by a nominal amount for special reasons.

Well, Sir, I told the Council last year that without contending for a moment that pay and status are the same thing we have to face facts. There is no getting away from the fact that the impression prevails in this country that a man's status is measured by the pay that he draws. I told Hon'ble Members that we have to consider not only opinions in this enlightened Council but the opinion of the less enlightened public outside. I admit that the Hon'ble Mover in his speech discounted to a certain extent the argument I am now putting forward but I submit that he did not entirely get rid of it. That the financial position is unsatisfactory we are all aware, that every legitimate economy is a thing to be desired no one can deny. I say again, Sir, are there not some economies which may be purchased too dear.

There is one matter to which I must refer. I feel bound to protest when the Hon'ble Mover suggested that the Finance Member did more work than the two Ministers. I submit that it is impossible for him to judge as to the work done by any one. He cannot judge by what occurs in this Council. Naturally the measures and doing of the Governor in Executive Council are more liable to attack and require more defence than do those of the popular side of the administration. Some Members may not realise that certain subjects are in His Excellency the Governor's personal portfolio, and that as it is impossible for His Excellency here in this Council to defend any measures taken it falls upon the Vice-President of the Executive Council to speak on behalf of the Government. This may also have given rise to misunderstanding.

I should like to congratulate Babu Krishna Sundar Dam who supported this motion on the moderation of his speech and its close reasoning. One of his arguments however which is based on a comparison between expenditure on the transferred and on the reserved subjects we cannot accept. In my budget speeches last year I dealt with this point some length and tried to prove to the Council that no argument about the relative importance attached to the transferred as against the reserved subjects can be founded on an arithmetical basis.

Lastly, Sir, an appeal has been made to us representatives of the Government to refrain from voting and to maintain neutrality. We are told that it is the right of the Council to decide this matter. We are asked not to stand in the way of exercising their right. Well, Sir, the official votes, in this Council number five out of fifty-three. Is it conceivable that any measure which is really unpopular can be carried or that any measure for which there is a universal popular demand can be ruled out by five official votes. And surely, Sir, when I have as the spokesman of the Government explained the light in which we regard this motion it would be wrong if we did not record our votes in support of our views.

REV. J. J. M. NICHOLS-ROY :—Sir, last year I opposed this motion and the reason for my opposition was that we did not have enough time to study the financial position and also the work of the Ministers to a certain extent. But after a study of one year and after also seeing the financial position of the province at the present time, in my budget speech I referred to retrenchment and also to reduction of the salaries of the Hon'ble Ministers. My reasons are these :—

The first is, that the salaries of the Ministers are not yet fixed, and the cost of administration of the province is very great. If the administration should be Indianised there would be the necessity of reducing the cost of administration, and if we shall ever do that in the future, now is the time for us to begin. The longer we wait the harder it will be to reduce the cost of administration, and it will be harder to fix the salaries of the Ministers afterwards. Therefore it seems to me that now is the time to fix the Ministers' salary so that in future we may not have trouble in reducing the cost of administration in other departments.

My second reason is that retrenchment should be made and we should not wait until retrenchment be possible in other lines. We should not put off until to-morrow what we can do to-day. If we can do anything let us do it now. If we do not do it now next year also the question will arise and in thus putting off the question year by year retrenchment, as I have said, will be harder in the future.

Now regarding the status of a person being judged by his pay I believe the Hon'ble Members who spoke before me in support of this motion have made this point clear that there is no need of such a judgment, and the reasons advanced by the Hon'ble Mover are quite plausible to me. The Hon'ble Finance Member said that we have to consider what the man in the street says. I say, Sir, we do not need to be guided by the man in the street. The man in the street is the man who ought to be taught. If we do not teach him and if we be guided by the man in the street, the administration cannot be run in a proper way. Moreover, if we be

guided by the man in the street, the man in the street also thinks that the cost of the administration is too high. The Government is running up expenses higher and higher every year while he is being taxed. So in that respect we do not need to be guided at all by what the man in the street says. What we ought to see is whether we are following the right principle that will be followed by administrators who will in the future take up the administration of the country. On a matter of principle, therefore, I support this motion, because, it will reduce the cost of administration and it will be running on the right lines, reducing the cost of administration for the good of the country and for the convenience of the administrators who will come afterwards.

Now regarding the legal point I am glad the Hon'ble Finance Member has made it clear to the Council that there is no legal difficulty in regard to this, and therefore it seems to me that there is no other way for us except to see that for the good and benefit of the country the cost of the administration should be reduced, and that this be done by commencing with the salaries of Ministers who are in the hands of the people, and if the popular Ministers do not show the example, we do not expect members of Government will take the lead. Members of Government are not in the hands of the Council. For these reasons, I support this motion.

MAULAVI RASHID ALI LASKAR:—Sir, I cannot help saying a few words in this connection. First of all I see the motion requiring a reduction of Rs. 3,500 to Rs. 2,500. I want to know what is the measuring rod that decides that the difference of Rs. 1,000 removes all the difficulties. How can we decide that this Rs. 1,000 is more than reasonable, or that this Rs. 1,000 is excessive, and that Rs. 2,500 is the proper salary and not Rs. 3,500? How can we decide that? It may appear that the salary is a bit high. But how can we decide that Rs. 1,000 is more than what is reasonable? Then again with regard to the statement that the salary is too high. I say you must give some salary or some allowance and nothing between the two. If you are to give a salary you must give such a salary that may attract the best men from the country, so that it might create a typical political position for all the people to aspire at. If you can safely rely on the honesty and good sense of some Minister you may simply rest satisfied with giving him some allowance of say Rs. 500 so that he might not say "This is the salary of the Minister"; it must be either of the two.

Then about the work of the Ministers. Some say that they are to work less than the Executive Members.....

RAI BAHADUR AMAR NATH RAY:—Sir, I withdrew my remarks on that point.

THE HON'BLE THE PRESIDENT:—The Hon'ble Member has already withdrawn his remarks.

MAULAVI RASHID ALI LASKAR:—I beg your pardon Sir.

Even if the Ministers have not got less work, and even if it may not be said that their departments are not so important, still we should see that these Ministers are to educate themselves in the departments that are in their hands and that they should show that they practically are competent to manage these departments and by their success in these departments they are

day by day and gradually to get all the administration in their hands. Then as regards change of circumstances I say if the circumstances have changed now for the worse and you are to reduce the salaries of the Ministers then when the circumstances again become favourable are you then going to increase the salaries of the Ministers? There will be no fixity or anything of the kind. Can any one build upon such an uncertain sub-structure? No one will think he is in a position to carry on big schemes covering several years. As the Hon'ble Finance Member remarked it should be finally settled once for all so that one may rest assured of his position. Then as regards the comparison of the salaries between the Ministers and Members, I have one word to say in that connection. The Members are holding permanent posts and the Ministers hold posts for a few years only. Now Ministers are in society men of position no doubt and they have many-sided worldly connections. They have to cut off all these connections and for a limited period only they are to come here and discharge their difficult and responsible duties—duties which are, I may say, more responsible than those of the Members as the Members are responsible to the Government alone whereas the Ministers are answerable to the people too. Then it appears to me, Sir, from my experience of last year, and not less of this year, that after some days of tedious work during the budget session, it is a sort of favourite pastime for Hon'ble Members to rub their shins against the salaries of the Ministers, because they have no other attractions to occupy them. I therefore, for all these reasons, oppose the motion.

SRIJUT DALIM CHANDRA BORA :—Sir, many important items of expenditure have been reduced owing to the want of funds. If this sum of Rs. 2,000 be reduced from the pay of the Ministers I do not think it will be an injustice. The result will be that a large sum will be saved year after year. If however no reduction is made in the pay of such highly paid officers, then there will be no retrenchment. I therefore support the amendment moved by Rai Baha'ur Amarnath Ray. If the budget had not been a deficit one, I should have refrained from supporting the motion. If the Ministers accept less pay, their people will be relieved to some extent from the pressure of new taxation.

RAI BAHADUR AMARNATH RAY :—Sir, I am thankful to the Hon'ble Finance Member for the compliment he has paid to me. I have tried to follow his speech carefully and I have also carefully listened to the other speeches made in opposition to this motion. But I feel my position has not been shaken in the least. With due deference I refuse to accept the proposition that salary and status go together. The facts stated by me have not been controverted, and I do not think I need add further facts to strengthen my position. Then, Sir, I cannot also concede that this Council having once fixed the maximum salary, cannot reduce it now. If that has been the intention of the British Parliament, the estimate would not have been allowed to come up before the Council every year.....

THE HON'BLE MR. W. J. REID :—If I may interrupt the Hon'ble Member for a moment Sir? Is he assuming this was my line of argument or one of the other speakers?

RAI BAHADUR AMARNATH RAY :—No, it is an argument put forward by my Hon'ble friend to my right, also others.

Rai Sahib Padmanath Gohain Barua also said that the country stands committed to the principle of equality of salary. I beg to submit, Sir that such a question can never be treated as closed. My Hon'ble friend Mr. Nilmoni Phukan said that we should not try to reduce the salaries of the Ministers so long as we cannot reduce the salaries of the Indian Members of the Executive Council. To this I gave an adequate reply in my opening speech. He also said that he would not agree to the salaries of the Ministers being reduced until the question of general reduction of salaries came up. That is like saying 'I shall not save money till I can save a crore of rupees all at a time.'

I have nothing more to add to what I have already said in my opening speech.

The motion was then put and a division taken with the following result:—

Ayes.	Noes.
Srijut Dalim Chandra Bora. Mr. A. J. G. Cresswell. Babu Krishna Sundar Dam. Srijut Bepin Chandra Ghose. Rai Bahadur Amarnath Ray. Rai Bahadur Nalini Kanta Rai Dastidar. Rev. J. J. M. Nichols-Roy. Rai Sahib Bepin Chandra Deb Laskar. Rai Bahadur Promode Chandra Dutta. Mr. E. H. Featherstone. Mr. W. K. Allies. Rai Sahib Manomohan Lahiri. Mr. E. S. Roffey. Mr. D. S. Withers. Mr. W. E. H. Gayburn.	The Hon'ble Mr. W. J. Reid. The Hon'ble Mr. A. Majid. Mr. A. W. Botham. Mr. A. R. Edwards. Mr. J. R. Cunningham. Maulavi Abdul Khaliq Chaudhuri. Khan Sahib Alaaddin Ahmad Chaudhuri. Sardar Bahadur Anjab Ali Khan. Rai Sahib Padmanath Gohain Barua. Khan Bahadur Muhibuddin Ahmad. Maulavi Rashid Ali Laskar. Munshi Safiur Rahman. Maulavi Munawwarali. Haji Muhammad Abdul Ahad Chaudhuri. Khan Bahadur Muhammad Bukht Majumdar. Srijut Nilmoni Phukan. Dr. H. G. Roberts. Maulavi Rukunnuddin Ahmad.

The "Ayes" being 15 and the "Noes" being 18, the motion was negatived.

TRAVELLING ALLOWANCE FOR THE MINISTERS.

BABU KRISHNA SUNDAR DAM:—The motion which I put forward Sir, is that the sum of Rs. 4,000 provided for travelling allowance for the Ministers be omitted. I bring forward this resolution on a question of principle. I will ask the Council to just consider whether any such allowance is drawn by Ministers in other countries. We have got the present constitution on parliamentary lines and we know that even the Prime Minister of England does not get any travelling allowance. The reason is very simple and clear; because it is the duty of the Ministers to go about travelling amongst their voters, in their constituencies. It is their primary duty to do so. Such a duty does not belong to the Members of the Executive Council. The Government officials and Members of the Executive Council are not expected or permitted to go about convening meetings and addressing the public on any question of public importance, but it is the duty of the Ministers to do so. So, Sir I think it will be a departure from the principle of representative Government—the Ministers being the elected popular representatives—if we accord our

support to the grant of an amount in the form of travelling allowance to the Ministers. Besides, as we know, Sir the Ministers are not fixed down to any particular place, to any particular office, like Government officials. We understand that under the present constitution the Ministers can get their full salary even if absent from here and staying elsewhere for a long time. So these are circumstances from the standpoint of the constitution and the principles of the Ministers' office and functions on which I urge that the Ministers cannot ask for any amount in the form of travelling allowance such as is granted to the Members of the Executive Council. Then comes the consideration of the financial needs. About this I shall not this time say anything more than what I have already said, that all possible economy should be made at the earliest opportunity and we should begin with the Ministers. And in this connection I should like to say one thing more. One of the arguments against the change proposed in the Ministers' salaries was that since a similar motion was rejected last year it should not be brought up again this time. This may be a right or wrong argument. But I think the present resolution is the first of this kind. It was not brought forward last year, so that this charge that it is being brought forward for a second time will not be brought against it. I should like to say another thing also in this connection. In matters financial and in matters political I do not see any reason why everything should be taken to be a settled fact as some of the Members are prone to take. I for myself am inclined to think, Sir that the acceptance of this principle that everything should be taken to be a settled fact as soon as it has been agreed to in one year, in a financial discussion, is not complimentary to the combined wisdom of the Council or complimentary to the spirit and purpose of the Reforms, and ignores the needs of changing times. We should not forget at outset that the form of Government which we have got is only a transitional and experimental one. It has to receive its final shape and form after ten years. So, I should ask this Council not to take everything as a settled fact. We have only just entered into a new arena and nobody has a right to think that we have received full light or that everything should be taken as a settled fact for all time to come, involving no error, as soon as we have come to a decision on any question once. On these grounds I submit, Sir that the demand should be omitted.

THE HON'BLE MR. W. J. REID:—Sir, the Hon'ble Member is strictly correct in saying that no such motion was made last year. But if he will look at the proceedings he will find that Mr. Ramani Mohan Das gave notice of a motion for the reduction of a provision for tour expenses of the Ministers. He said his motion was for the reduction of a lump provision for tour expenses of Ministers:—"It has been explained by the officer in charge that the reduction means nothing but less touring, and as more touring is to our advantage, I beg to withdraw my motion".

Well, Sir, I cannot help thinking that there is some confusion of ideas in the Hon'ble Member's mind. The budget figure is merely a guess as to the amount that is likely to be required when Ministers go on tour. The provision we originally made was much too liberal, and I am inclined to think that the provision now made is hardly liberal enough. But it may be that the expression 'travelling allowance' has led to some confusion, that the Hon'ble Mover and possibly other Hon'ble Members think that while Ministers are on tour they receive a fixed allowance in addition to their salaries.

That is not so. The touring of Ministers and of Members of the Executive Council is conducted on exactly the same lines. All these Members of Government are entitled to recover the cost of actual travel by rail, by steamer or by motor. They also recover the cost of carrying their personal effects and their servants. They draw nothing else. They have to certify before they draw anything that the sums set forth in the bill have actually been paid and that they include no charges on account of board or lodging or anything of that kind. Do the Council, Sir, desire that the Ministers should remain in Shillong and should not go on tour? Is it not desirable that they should inspect the institutions in the various departments for which they are responsible, that they should meet the local leaders and discuss affairs with them?

I am not so well acquainted with the doings of the Prime Minister as the Hon'ble Mover seems to be, but I doubt very much whether when he is travelling as the official head of the Cabinet he does so at his own cost. Of course if he goes in a private capacity to address his constituents he may do so at his own cost, but when he attends conferences at Cannes or Genoa or such places I should be very much surprised, Sir, to hear that he does so at his own charges.

BABU KRISHNA SUNDAR DAM :—Sir, after hearing what the Hon'ble the Finance Member has said I beg to withdraw my motion. On seeing separate provisions in the budget for travelling allowance and tour charges I was under the impression that this represented something obtained by the Hon'ble Ministers which was quite different from actual expenditure.

The motion was, by leave of the Council, withdrawn.

THE HON'BLE MR. W. J. REID :—The substantive motion has now to be put Sir. We have disposed of the motions for reduction.

THE HON'BLE THE PRESIDENT :—The question is that a sum not exceeding Rs. 17,79,000 be granted to the Governor in Council to defray the charges that will come in the course of payment during the year ending on the 31st March 1923 for the administration of the head "22—General Administration."

The motion was adopted.

SUPERANNUATION ALLOWANCES AND PENSIONS.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that a sum not exceeding Rs. 6,35,000 be granted to the Governor in Council to defray the charges which will come in the course of payment during the year ending on the 31st March 1923 for the administration of the head "45—Superannuation allowances and pensions."

The motion was put and adopted.

ASSAM RIFLES.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that a sum not exceeding Rs. 17,93,000 be granted to the Governor in Council to defray the charges which will come in the course of payment during the year ending on the 31st March 1923 for the administration of the head "Assam Rifles." We have several notices of motions for reduction.

RAI BAHADUR AMARNATH RAY :—Sir, I beg to suggest that as there is another motion proposing a larger reduction standing in the name of Maulavi Munawwar Ali that may be taken up first. He wants to reduce the amount by Rs 20,000.

THE HON'BLE MR. W. J. REID :—I do not think, Sir, that the House will want to debate the two objections separately.

MAULAVI RUKUNUDDIN AHMAD :—Sir, I want to know whether Srijut Bishnu Charan Bora would like to withdraw his motion.

SRIJUT BISHNU CHARAN BORA :—Sir, I beg to withdraw my motion in favour of Maulavi Rukunuddin Ahmad.

The motion standing in the name of Srijut Bishnu Charan Bora was, by leave of the Council, withdrawn.

MAULAVI RUKUNUDDIN AHMAD :—Sir, my motion is that the lump provision of Rs. 45,000 to meet the increased cost of clothing of police be reduced by Rs. 15,000.

Sir, I believe there is much room for economy under Police. There are so many new items in this Department that one is hardly able to understand whether all these are at present actually necessary. That some of them at present are not necessary, is in my opinion, certain enough. I am moving for the reduction of the increased cost of clothing from the point of view that we were providing beforehand necessary clothes to the Police and is it yet to be suggested that our Police is not properly clad? Cost of clothes since some time past has not gone up. Though owing to the proposed increase of duty on goods there is every likelihood of the price of clothes being increased; for that reason Rs. 5,000 is being provided over the figure Rs. 25,000 of 1921-22. Taking the present financial condition into consideration it would, in my opinion, be prudent on our part to reduce the provision by Rs. 15,000 only. It would be just like cutting one's coat according to his cloth.

THE HON'BLE MR. W. J. REID :—I admit, Sir, that the Hon'ble Members of the Council are entitled to some explanation of the entry, and I hope the explanation that I have to offer will be found satisfactory. The main provision for clothing comes under the detailed head—"Clothing—Rs. 1,53,000," which Hon'ble Members will find at page 96 of the Estimates. We have in addition this lump provision to meet the increased cost of clothing.

Hon'ble Members who look at past figures will see that in the accounts for 1920-21 the total sum put down as the cost paid for clothing was only Rs. 1,04,000. They are naturally startled that there should be such a large increase in the substantive amount provided and in addition this lump provision. The fact is that in 1920-21 our actuals were concerned with only three battalions. At that time two battalions were paid for by the Government of India, the expenditure being classed as Political. To get comparative figures for 1920-21 we must add to the figure shown in the Estimates the cost of clothing these two battalions which will bring the total up to Rs. 2,03,760.

The position is, Sir, that up to the end of 1919 we did not profess to bear the entire clothing charges. We made an allowance towards the cost of clothing and the men were supposed to find the rest out of their pay. This was most unfair. The price of all articles of clothing has gone up and is much greater than it was anticipated when the original allowance was fixed. What we do now is to give a complete outfit to every recruit, and after that we give him every year an allowance which should suffice for all replacements rendered necessary by reasonable wear and tear. It is only such replacements for which we pay. If articles of clothing are damaged owing to carelessness the men themselves have to pay.

The amount that we require every year is simply a matter of arithmetic. We have so many men in the battalion with say ten *per cent.* of recruits, and we give a full outfit to each of them. Then we work out how long each article of clothing might reasonably be expected to last, a pair of socks so long, a greatcoat so long, and we calculate the annual cost. This must vary with market prices, and I hope that Hon'ble Members do not think that by putting this sum down in the budget we are bound to spend the whole of it. If we can do with a lesser figure we shall be very glad.

I confess I do not see why there should have been a supplementary lump provision under this head. The whole provision for clothing should have been made in one place in the budget and there should have been no supplementary provision in lump. The Finance Department will see that this is done next year.

SARDAR BAHADUR ANJAB ALI KHAN :—Sir, I wish to say something regarding the clothing of the Assam Rifles. The item for clothing is not very large when you take into consideration that during one march from Sadiya or Manipur one change of uniform gets torn within a fortnight or so. If you stop the charge for clothing you might as well stop the ration also. An article of clothing which cost one rupee before the war now costs Rs. 3. The Assam Rifles are not only friends of the Government, they are friends of the people also. They are responsible for the safety of the country. So we must treat them kindly and with consideration. As it is the Officer Commanding keeps the expenditure very low and it is further cut down by the Secretariat, and now if there is going to be further retrenchment, it will be very hard on them indeed. Does the Council expect them to wear loin-cloths?

MAULAVI MUNAWWAR ALI :—Sir, may I be permitted to speak a few words in Hindustani to explain some points to the Hon'ble Member who has just spoken? It will be found, Sir, that a similar motion stands in my name although pressing for larger reduction and I would have been glad if my Hon'ble friend had waited till I had moved my amendment. However, on principle, I support the motion. With regard to the remarks of the Hon'ble the Finance Member that there should be the necessity for a supplementary budget.....

THE HON'BLE MR. W. J. REID :—Sir, I said nothing about a supplementary budget. I only said that it was bad budgetting to have additional lump provision in the budget.

MAULAVI MUNAWWAR ALI :—It may be necessary to provide for a supplementary budget and we may revise the budget. This is the custom everywhere. On that ground I think the opposition is not very weighty. It is found by reference to the budget of the current year that Rs. 25,000 was provided for the same purpose, whereas this year Rs. 45,000 has been provided,—a leap of Rs. 20,000 at once. Sir, I do not think the price of the clothing has gone up so very much higher up as to justify this amount. I therefore support the motion and wish the House will give their support to it.

SRIJUT NILMONI PHUKAN :—Sir, I understand from the Mover of the motion that he wants to clothe the Army and I have heard from the Hon'ble the Finance Member that he is not anxious to overclothe them. So the question stands at this moment thus :—that if this amount is sanctioned the Hon'ble the Finance Member will see to its economic application and if actually the whole amount be not necessary for clothing, I do not think that at this time of stress the Finance Member will spend the whole sum in any way he likes. The saving, if any, will be there for other purposes, and if actually a supplementary demand be necessary that will also be done. We cannot see the police to be naked. So I do not think we have any great objection to vote for this amount and if the whole amount be not necessary the savings will be ours.

MR. E. S. ROFFEY :—Sir, I oppose this motion on the grounds stated by Mr. Phukan. The question arises whether or not the Assam Rifles are necessary. If they are necessary they require clothing. As the Finance Member undertakes not to spend more money than is necessary under this head I consider the grant requested should be voted. In my opinion it is particularly ungracious on the part of certain Members of this House to grudge money to the men who are protecting our lives and property.

MAULAVI RASHID ALI LASKAR :—I beg to say a few words in support of this motion. There is no question of grudging the money to the protectors of the province. The only question is whether we should keep the lump provision of Rs. 45,000 or Rs. 30,000 and no other question can come in here. Of course I am open to correction but I see in the budget estimate of 1921-22 a lump provision for Rs. 25,000. But in the revised estimate of that year the budget estimate under the item clothing is Rs. 1,53,000 and also in the revised estimate the same figure appears. If Rs. 25,000 in the budget estimate were actually needed then it might have swelled the figure Rs. 1,53,000 in the revised estimate of 1921-22 but I do not find it so. So it appears that even Rs. 25,000 kept as lump provision in 1921-22 was not spent. In the face of these circumstances I do not see why almost double the amount is kept as lump provision in this year's budget.

Then, Sir, as for depending upon the good sense of economy of the Hon'ble Member of Finance, I say that if we are simply to depend upon that, of course I do not question it, what was the use of all this; whatever the Finance Member asked should be granted.

Then again the question is whether Rs. 30,000 or Rs. 45,000 should be kept as lump provision. I think the opportunity leads us to crimes as Shakespear said "Oh opportunity, thy guilt is great." So if a bigger sum is kept there the natural tendency would be to spend more. I think there would be no harm if instead of Rs. 45,000, a sum of Rs. 30,000 is kept. Besides

the heading is "lump provision to meet the increased cost of clothing." I do not think the price of clothing is going up this year. So I do not find any necessity for this also. I beg therefore to support this motion.

MR. W. E. H. GREYBURN :—I must oppose this motion. The Hon'ble the Finance Member has already told us that this is based on arithmetic. The Finance Department has worked it out; they know how many troops there are, they know the approximate cost of each man in a battalion. I therefore take it that the figure is correct. If this motion is carried, as far as I can see about 30 per cent. of the force would be walking about without any uniform. This is hardly proper for the Rifles. I therefore oppose this motion.

SRIJUT BISHNU CHARAN BORA :—Sir, I rise to support this motion. We have in the budget a provision of Rs. 1,53,000 for the purchase of clothing over and above a sum of Rs. 45,000 provided to meet the increased cost of clothing. I think in making the estimate for the price of clothing the price now obtaining in the market was one of the main considerations for guidance. Although it is not possible to arrive at an accurate estimate yet the allotment made in the budget more or less approaches the same. But as the price of cloth varies from time to time in the market it may be necessary to provide a sum to meet such variation. For this purpose I think a sum of Rs. 45,000 is far above the necessity of the case. I therefore support the motion for reduction.

MAULAVI RUKUNUDDIN AHMAD :—Sir, it is not my wish and I do not want that the soldiers should not be properly clothed. But the sum allotted, i.e., Rs. 45,000, seems to be a big reserve. I think Rs. 30,000 also would be quite enough if we keep that sum for that purpose.

THE HON'BLE MR. W. J. REID :—Sir, I have only a word or two to say, but it would simplify my task if Hon'ble Members would do me the honour of listening to my explanations. I said that to get the real provision made for clothing Hon'ble Members had to take the main provision of Rs. 1,53,000 and to add this lump provision of Rs. 45,000 which gives a total of Rs. 1,98,000. The actual figures of 1920-21 for clothing if we make allowance for the two battalions for which the Government of India then paid come as I said to over Rs. 2,03,000. And another fact which I omitted to mention is that the 5th Battalion is now at full strength. It was then only a fraction of a battalion.

I said, Sir, that we do not pretend, we cannot pretend to put down exactly the sum that we are going to pay. We estimate the sum as nearly as we can. I said that the Inspector General of Police had evidently first made an estimate of Rs. 1,50,000, and then finding this to be insufficient had put down this additional provision of Rs. 45,000 in lump instead of working out the complete cost and setting this down. And I undertook that the Finance Department would look into this and see that next year no such lump provision appeared.

I have tried to put the issue before the Council and leave the Council to deal with it as businessmen.

THE HON'BLE THE PRESIDENT :—The question is that the lump provision of Rs. 45,000 to meet the increased cost of clothing of Police be reduced by Rs. 15,000.

The motion was negatived.

RAI BAHADUR AMARNATH RAY :—Sir, there is a motion standing in the name of Maulavi Munawwar Ali proposing the total omission of the item. It is No. 4 standing in his name. I beg to suggest that that might be taken up first otherwise if the Council accepts my motion for reduction the other motion will be automatically shut out.

THE HON'BLE MR. W. J. REID :—I have no objection.

MAULAVI MUNAWWAR ALI :—I beg to move, Sir, that the lump provision of Rs. 12,300 for revision of the pay of Jemadars of Assam Rifles Battalion at page 97 be omitted.

I propose this reduction on this principle that we are not going to give any increment to any persons who are already getting a normal amount to support them. I think these people as Jemadars have already been getting amounts just sufficient to carry them on in the world. This is a new item and in view of the financial difficulties which cannot be re-iterated too much I think it would be only fair that this item should be altogether omitted. With these few words and drawing the special attention of the House to the need of retrenchment I request them to be at one with me in agreeing to omit this item.

THE HON'BLE MR. W. J. REID :—This item, Sir, I admit is a new one. It was put down in the list of new items which was laid before the Finance Committee and will be found at page 27 of the Explanatory Memorandum. Our reasons are explained there. The Hon'ble Mover's resolution enunciated as a principle that no increases should be given to people who are drawing noble amounts of salary already. I do not know what his precise ideas of nobility are. Our Jemadars are in three grades drawing Rs. 60, Rs. 50 and Rs. 40. When one considers the duties and responsibilities that fall on a commissioned officer I ask if these rates can be considered excessive if they can be considered sufficient at the present time.

These officers unlike almost all others have received no increase of pay. Some years ago when the question of pay was being considered the Government of India pointed out to us that we were paying our Subadars at considerably higher rates than those in force in other provinces, particularly in Burma, where there is a large number of battalions of what were then called Military Police. We were asked to reduce the pay of our Subadars to the Burma level. We agreed to this with some reluctance, and we suggested that we should at the same time raise the pay of our Jemadars to what were then the Burma rates. The first proposal was accepted. The second was not. Well, Sir, the Council perhaps do not understand that a Jemadar is usually promoted from the rank of *havildars*. He reaches commissioned rank and has to meet the incidental expenses that fall on a commissioned officer and to maintain his new position with dignity. Under present conditions a *havildar*, that is to say a non-commissioned officer of the first grade, draws with the monthly equivalent of ration compensation for himself and his family a total amount of Rs 52-8. A Jemadar of the third grade, that is to say a *havildar* when he is promoted, gets only Rs. 40. He used to get a war allowance of Rs. 5 but this came to an end on the 28th of February. So that his promotion—he no longer draws the ration compensation that non-commissioned officers

and sepoy draw—involves him in actual loss, while at the same time as I have explained his expenses are increased.

I should like, Sir, to ask the Council to look at our proposals again in the light of the facts that I have just put before them. I ask if the small concessions that we propose in the manner of increase of pay are anything more than the barest justice to a body of men whose services we can hardly acknowledge too warmly.

SRIJUT DALIM CHANDRA BORAH :—Sir, from the Budget figures I find that during 1920-21 the expenditure was Rs. 12,052. The estimated figure as given in the current year's budget is Rs. 2,30,400 and the revised figure being Rs. 22,500. The number of the Jemadars on the other hand remains the same. It therefore appears in the current year Jemadars have received an increment of pay, and if my contention is true then I do not see the necessity of having a further provision for the further increment in the next year. If I am convinced that my contention is wrong, I am ready to withdraw my motion.

THE HON'BLE MR. W. J. REID :—Perhaps with the indulgence of the Council I may reply to this at once. The explanation is the same one that I gave when dealing with the clothing motion. The figures for 1920-21 cover only two battalions and a fraction. Two battalions were then paid for by the Government of India. In order to get comparative figures we should have to add the actual cost in respect of these two. We should then, to make the figures complete, have to add what is required by reason of the raising of the fifth battalion to full strength. In the current year we are dealing with five battalions. In 1920-21 we dealt with only two battalions. There has been no increase in the budget.

SRIJUT DALIM CHANDRA BORAH :—In view of this explanation, Sir, I beg to withdraw my motion.

MR. E. S. ROFFEY :—Having regard to what the Finance Member has just said I oppose this resolution.

SARDAR BAHADUR ANJAB ALI KHAN :—(Spoke in Hindi to the following effect) :—

It is a matter of regret, Sir, that a reduction should be proposed in connection with the Assam Rifles. I beg to oppose this motion.

The motion was put and negatived.

The Council was adjourned till 2 P. M.

The Council re-assembled at 2 P. M. after lunch.

RAI BAHADUR AMARNATH RAY :—Sir, the motion that stands in my name runs as follows :—

That the sum of Rs. 12,300 provided for increasing the pay of Jemadars be reduced by one-half, that is by Rs. 6,150.

Even if it be admitted that a case was made out by the Hon'ble the Finance Member to give an increment to Jemadars I beg to submit that the graded scale is open to two objections. First, the scales are unnecessarily lavish. The existing grades are Rs. 40, Rs. 50 and Rs. 60. The proposed grades are Rs. 70, Rs. 75 and Rs. 80. In the existing scale the difference of pay between the lowest and the highest grades is Rs. 20. In the proposed scale the difference is only one of Rs. 10, so that a Jemadar starts a pay of Rs. 70 and retires or ceases to be a Jemadar on Rs. 80 a month. If the Council accepts this scale then the necessity for a fresh revision will arise in the course of a year or two, the difference between the highest and the lowest being only one of Rs. 10. So, I beg to suggest, Sir, that the Council may vote half the amount demanded by the Hon'ble Finance Member and I am sure this amount will suffice to grant a decent increment to these Jemadars. I hope it will enable the Hon'ble the Finance Member to adopt a graded scale like Rs. 50, Rs. 60 and Rs. 70.

THE HON'BLE MR. W. J. REID :—I do not wish, Sir, to take the Council over the same ground again. But I should just like to say this to my Hon'ble friend as he has perhaps misapprehended the position—that a Jemadar in the ordinary course after serving his time as a Jemadar is promoted to the higher rank of Subadar. It is rarely that he retires without being so promoted. There is thus no question of his remaining in the top grade till his retirement, and there can be no fear of a demand for further increases of pay because Jemadars have reached the top grade and been drawing the maximum pay for many years.

I should like to add one piece of information which I did not give in the morning. I asked what a Jemadar gets in the Indian Army, and found that in a Gurkha regiment the pay begins at Rs. 70 and rises by annual increments of five rupees to Rs. 100. In addition Jemadars are given a quarterly clothing allowance. I submit again, Sir, that our proposals, particularly in view of what I have just said about the Indian Army, are exceedingly moderate.

BABU KRISHNA SUNDAR DAM :—I support this motion for reduction. I was not able to follow exactly what the Hon'ble Finance Member said. But I am only judging of the justice of the case which involves us in a recurring expenditure of Rs. 12,300 a year and judging of this by comparison with other departments. My Hon'ble friend, Maulavi Rashid Ali Laskar, was in need of what he called a measuring rod to judge about the propriety or otherwise of raising or reducing in a particular case. If he is really anxious to find a measuring rod I would ask him to take it from the Director of Public Instruction—and just ask him what a graduate or an undergraduate in the province, serving in the schools in the places in which the battalions are located get, and I think in that case his economic conscience will be satisfied as to the propriety or otherwise of allowing Jemadars to commence from Rs. 70 rising up to Rs. 80, in addition to other privileges which they get. The existing scales are Rs. 40, Rs. 50 and Rs. 60 and the proposed reduction retaining only half the proposed increase, will also serve to improve the present scale to a certain extent, although not to the full extent proposed in the budget. So and having regard to the present financial position of the province to which I have already referred and which I think members ought not to forget I think it is reasonable to reduce the amount to the extent proposed in the motion.

MAULAVI MUNAWWARALI :—I beg, Sir, to support this motion as I think half a loaf is better than no bread.

RAI BAHADUR PRAMOD CHANDRA DATTA :—Sir, may I ask the Hon'ble Finance Member for a piece of information? I think the Government of India contributes with regard to the Assam Rifles Rs. 14,00,000. Is it permanent or is it liable to increase with the increase of pay to the force?

THE HON'BLE MR. W. J. REID :—The position is, Sir, though we have not yet entered into a final agreement with the Government of India, that they suggest that we should accept an annual subvention of fourteen lakhs in extinction of our claims, and that we should never hereafter be able to claim anything more no matter what expenditure on the Assam Rifles may be.

(No other Members having risen to speak the Hon'ble Mr. Reid after a short interval proceeded as follows) :—

Before the Council votes, Sir, I would only suggest that the Council has accepted the view that these officers are under-paid. I have told the Council the rates that we now give and the rates that these officers in the regular army get. I have explained that though years ago we wished to raise their pay we have not yet done so, and that almost alone in the Province they have had no compensation for the increased prices, for the increased cost of living. I put it to the Council, Sir, when it is admitted that improvement is required is it generous, is it fair, is it expedient to haggle about the amounts and to give only half of what we have asked, itself a very moderate proposition?

The motion was put and a division taken with the following result :—

Ayes.

Rai Sahib Padmanath Gohain Barua.
Babu Krishna Sundar Dam.
Srijut Bepin Chandra Ghose.
Maulavi Rashid Ali Laskar.
Rai Bahadur Amarnath Ray.
Rev. J. J. M. Nichols-Roy.
Rai Sahib Bepin Chandra Deb Laskar.
Rai Bahadur Promode Chandra Dutta.
Rai Sahib Manomohan Lahiri.
Khan Bahadur Muhibuddin Ahmad.
Maulavi Munawwarali.
Khan Bahadur Muhammad Bakht Majumdar.
Srijut Lohit Chandra Nayak.

Noes.

Hon'ble Mr. W. J. Reid.
Hon'ble Mr. A. Majid.
Hon'ble Rai Bahadur Ghanasyam Barua.
Mr. A. W. Botham.
Mr. A. R. Edwards.
Mr. J. R. Cunningham.
Sardar Bahadur Anjab Ali Khan.
Srijut Bishnu Charan Bora.
Mr. A. J. G. Cresswell.
Mr. E. H. Featherstone.
Mr. W. K. Allies.
Srijut Nilmoni Phukan.
Mr. E. S. Roffey.
Raj Kumar Chandra Narayan Singh.
Mr. D. S. Withers.
Mr. W. E. H. Grayburn.

The 'Ayes' being 13 and the 'Noes' being 16 the motion was declared lost.

RECRUIT BOYS AND RECRUITS.

SRIJUT BEPIN CHANDRA GHOSE :—Sir, the motion that stands in my name is that the sum of Rs. 22,128 for recruit boys and recruits be reduced by Rs. 10,000. Sir, the reason I am to give is that the budget figure for the year 1921-22 shows that provision was made in the budget for Rs. 12,128 and the revised figure for the same year shows that we could spend only Rs. 4,600, *i.e.*, nearly one-third of the budgetted amount. Now even though we could not spend more than a third of the amount provided for in the current year's budget yet we have provided for the next year double the amount provided for in the current year. Sir, when in the whole of the current year we could spend more than Rs. 4,600 how can we make provision for such a large amount as Rs. 22,128? *i.e.*, we are going to make a provision of nearly five times of what we actually spent during the current year. Now, Sir, when it is evident that we could not spend the budgetted amount even of the current year there is no justification in allotting such a large amount under the same head. In these hard days and under the present financial condition it is not proper, Sir, that we should allot such a large amount for nothing knowing full well that we will not be able to spend it. So it is better to allot under a head an amount which we could spend and not more than this. Under the circumstances, Sir, I beg to move that the amount of Rs. 22,128 be reduced by at least Rs. 10,000.

THE HON'BLE MR. W. J. REID :—This question, Sir, was the subject of a motion moved last year, the result of which was that the Council voted down the provision we had made by Rs. 10,000. On the occasion Mr. Botham gave a very clear exposition of the position which I propose to repeat. First of all I should like the Council to understand that there is no question here of new charges of any kind. We have a sanctioned strength for each battalion. In addition each battalion is allowed to entertain two per cent. of its strength of recruit boys and three per cent. of ordinary recruits. The object of this is naturally to fill up vacancies as they occur. The recruit boys are boys who are born and bred in the lines and make excellent fighting material for the battalions. This provision of Rs. 22,000 odd is simply the estimated cost of keeping up the sanctioned strength of recruit boys and ordinary recruits and nothing else.

Well, Sir, I admit that the figures of past actuals, and in particular the figures of the revised are such as to cause any one who reads them to wonder what it all means. We find that of the budget estimate of Rs. 12,000, and the Council will remember that this is Rs. 10,000 less than our original estimate, we seem likely to spend only Rs. 4,600. The explanation lies in the fact that as Mr. Botham pointed out last year, we budget under all these heads,—I mean the items in the budget immediately above the entry "recruit boys and recruits"—on the presumption that the battalions will be at full strength in the matter of officers, non-commissioned officers, sepoy, buglers, recruit boys, every thing. We know in practice that they are never actually at full strength and therefore you get the *minus* entry below "Deduct probable savings." Therefore if you are to take into consideration the suggested revised entry you must take into consideration this deduct entry also. Well, Sir, our revised figures under each minor head are not always correct. We get our figure from the Comptroller who deals with major heads. We can six or seven months after the year is over give actual figures but we cannot do so at the moment. Our revised is merely an attempt to forecast what expenditure will be under major heads. We do not and cannot take out accurate figures for minor heads.

There is no question of any new or strange charge. Our figure is merely a matter of forecast. Whether we are right in taking this figure for our estimate time will show. The Hon'ble Member may be right in suggesting that we shall not be able to spend this amount. If he is right the savings will be greater than the estimate in the budget.

SARDAR BAHADUR ANJAB ALI KHAN—(spoke in Hindi to the following effect) :— I wish to speak a few words on this subject. These boy recruits have always been there. This is no new matter. You cannot reduce their pay, nor cut down the charge for their uniforms. They are there to fill up vacancies. If you do not give your servants decent clothes they will not work for you. It is to me a matter for regret that it is first proposed to cut down their clothes and now it is proposed to cut down their food also.

With these few words I beg to oppose the motion.

RAI SAHIB BEPIN CHANDRA DEB LASKAR :—Sir, under the head Recruit Boys there was a provision last year of Rs. 14,600, and the revised estimate was Rs. 4,600. It appears from the budget that a very small amount was required for this purpose last year, so I do not think that there is any objection to reducing Rs. 10,000 from Rs. 22,128 budgetted for next year.

BABU KRISHNA SUNDAR DAM :—I want to say a few words, Sir, as regards the figure which was accepted by the Council last year. In this connection I beg to bring to the notice of the Council that whatever advance there has been made in this province it has been all in the reserved subjects of the Police and the Forest. If the Hon'ble Members will look up they will find that for education in the year 1921-22 the budget estimate was Rs. 24,23,000.

THE HON'BLE MR. W. J. REID :—Is the Hon'ble Mover going to speak again, Sir ?

SRIJUT BEPIN CHANDRA GHOSE :—One of the Hon'ble Members who opposed the motion said that all of us are going against the Armed Force and even by this motion I am going against the recruit boys. It is not the question of reduction. I simply move the motion because in the next year we are going to make a provision by nearly doubling the budgetted amount for the current year. That is the point. I simply keep the budgetted figure of the current year by reducing Rs. 10,000. That is not practically a question of reduction in the recruitment. So I beg that the Hon'ble Members of the House will support my motion.

THE HON'BLE MR. W. J. REID :—I am very glad, Sir, to find that the Hon'ble Mover has no intention of interfering with recruitment. That leaves me little to say. I would only suggest that if the Council reduces our figure of Rs. 22,000 they must reduce the deduct figure of probable savings immediately below. If the Council vote a reduced sum we shall try to carry on with this. If we find this impossible we shall come up again to the Council.

THE HON'BLE THE PRESIDENT :—The question is that the sum of Rs. 22,128 for recruit boys and recruits be reduced by Rs. 10,000.

The motion was put and a division was taken with the following result :—

Ayes.	Noes.
Maulavi Abdul Khaliq Chaudhuri.	Hon'ble Mr. W. J. Reid.
Rai Sahib Padmanath Gohain Barua.	Hon'ble Mr. A. Majid.
Srijut Bishnu Charan Bora.	Hon'ble Rai Bahadur Ghanasyam Barua.
Srijut Dalim Chandra Bora.	Mr. A. W. Botham.
Babu Krishna Sundar Dam.	Mr. A. R. Edwards.
Srijut Bepin Chandra Ghose.	Mr. J. K. Cunningham.
Maulavi Rashid Ali Laskar.	Khan Sahib Alauddin Ahmad Chaudhuri.
Rai Bahadur Amarnath Ray.	Sardar Bahadur Anjab Ali Khan.
Rai Sahib Bipin Chandra Deb Laskar.	Mr. A. J. G. Cresswell.
Rai Bahadur Promode Chandra Dutta.	Mr. E. H. Featherstone.
Rai Sahib Manomahan Lahiri.	Mr. W. K. Allies.
Maulavi Munawwarali.	Srijut Nilmoni Phukan.
Khan Bahadur Muhammad Bakht Majumdar.	Mr. E. S. Roffey.
Srijut Lohit Chandra Nayak.	Mr. D. S. Withers.
Raj Kumar Chandra Narayan Singh.	Mr. W. E. H. Grayburn.

THE HON'BLE THE PRESIDENT :—There are fifteen votes in favour of the motion and 15 against it. I give my casting vote that the budget should remain as it stands and the proposed alteration be disallowed.

The motion was accordingly declared lost.

COMPENSATION FOR DEARNESS OF PROVISION.

SRIJUT KRISHNA SUNDAR DAM :—Sir, the motion that stands in my name is this :—

That the sum of Rs. 3,00,000 provided for compensation for dearness of provision be reduced by Rs. 1,00,000.

At page 95 of the budget it will appear that the amount for 1920-21 was Rs. 1,45,149, the budget estimate for 1921-22 shows Rs. 2,05,000 and the budget estimate for 1922-23 shows Rs. 3,00,000 ; that is from 1920-21 to the present time the expense has been doubled. Of course I do not know whether it is the fact that additional battalions whose expenditure was so long borne by the Government of India are now to be borne by the provincial revenues. If the increase is due to that fact on account of two or three additional battalions, then of course I shall withdraw.

THE HON'BLE MR. W. J. REID :—I may say at once, Sir, in answer to the Hon'ble Mover's enquiry that the reason he suggests is the chief reason for the increased figure of the current year. We have to provide for

two more battalions than we had in the year 1920-21.

I do not know whether the Council would wish me to tell them what our system is. It is a part of our contract with non-commissioned officers and sepoy that each man receives a full ration for which a fixed uniform charge of Rs. 2-8 a month is made. This is deducted from his pay and he is given a fighting man's ration. Naturally, when food prices go up, we have to pay more. What we recover from the sepoy remains unchanged—Rs. 2-8 a month. The figure this year is extraordinarily high. The Finance Department pointed out that it was most unfortunate that rates should go up like that and requested that the existing contracts should be revised. The Inspector General of Police has gone into the matter personally. He has succeeded in reducing the contract price for nearly every article included in the ration. I can tell the Council the budget figure as it now appears is materially less than the figure originally suggested by the Inspector General of Police.

BABU KRISHNA SUNDAR DAM:—Sir, after having heard the Finance Member, I wish to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

COST OF CLOTHING.

MAULAVI MUNAWWARALI:—Sir, the motion standing against my name is that the lump provision of Rs. 45,000 at page 96 to meet the increased cost of clothing be reduced to Rs. 20,000.

THE HON'BLE MR. REID:—Surely, Sir, this has already been discussed.

THE HON'BLE THE PRESIDENT:—The Council has already rejected a previous motion for a reduction of this lump provision by a smaller sum, and I do not think the Council would wish to consider a similar motion asking for the reduction of a larger sum.

MAULAVI MUNAWWARALI:—I do not wish to press my motion.

The motion was, by leave of the Council, withdrawn.

BATTALION TRANSPORT.

MAULAVI MUNAWWARALI:—Sir, the motion standing against my name is that the lump provision of Rs. 9,744 for Battalion Transport at page 96 be reduced to Rs. 5,000.

It appears, Sir, from the budget that the figure under the same head for 1921-22 was Rs. 24,000. Of course the figure is very much lower this time. I want merely to draw the attention of the Finance Member with a view to enlightening the House as to why the figure was set at such a low sum. It is merely for this that I have put it.

THE HON'BLE MR. REID:—The Hon'ble Member, Sir, is fully entitled to an explanation. The budget figure for last year, Rs. 24,000, was meant to cover the probable cost of a scheme of battalion transport, that is to say pack ponies and mules to carry the impedimenta of the battalion or of detachments when they moved. This incidentally would make matters much easier for the local population as so many coolies would not have to be impressed

to carry loads. It would also automatically reduce the amount that had to be paid as coolie hire. It did not prove possible, Sir, to work out a complete scheme. The matter is still under consideration, but two of the battalions became possessed of a few transport ponies and these they still possess. The lump provision that we have here is intended merely to keep up the existing strength of the transport animals that we have already got. When the big scheme is introduced we shall have to ask the Council to increase the provision. This entry involves no increase over the expenses of the current year.

MAULAVI MUNAWWARALI :—In view of what the Hon'ble Finance Member has just said, Sir, I do not like to press the matter.

The motion was, by leave of the Council, withdrawn.

SUBSIDY TO POLICE BAND.

MAULAVI MUNAWWARALI :—Sir, the motion which stands in my name is that the lump provision of Rs. 7,800 for a Subsidy to Police Band at page 97 be reduced to Rs. 4,100.

Sir, the budgetted amount under the same head for the current year is Rs. 4,100 and so far as I am aware nothing has hitherto happened to justify an increase. I therefore think that the *status quo ante* should be maintained and the figure reduced to what it is for the current year.

THE HON'BLE MR. REID :—Again, Sir—the Council will think that I am wearing the excuse threadbare—the reason for the increase is that we have granted subsidies to the bands of two battalions which hitherto had not received subsidies. The 5th Battalion has only just been brought up to full strength. The Hon'ble Member, I gather, is only questioning the increase in expenditure. He is not questioning the giving of subsidies to military bands. If he is in doubt about that I shall be glad to explain matters to the Council.

MAULAVI MUNAWWARALI :—May I know how the increase is to be accounted for?

THE HON'BLE MR. W. J. REID :—The fact that two additional battalions receiving subsidies is responsible.

MAULAVI MUNAWWARALI :—I am satisfied, Sir.

The motion was, by leave of the Council, withdrawn.

CANTONMENT AT IMPHAL.

MAULAVI MUNAWWARALI :—Sir, the motion which stands in my name is :—

That the lump provision of Rs. 4,576 for the maintenance of the cantonment at Imphal to be taken over by the Assam Rifles at page 97 be omitted.

We come across, Sir, an explanation of the Finance Member about this item at page 27 of the Explanatory Memorandum. Says he "The Cantonment buildings are now occupied by the 4th Battalion of the Assam Rifles. Correspondence is going on with the Government of India about the

transfer of these buildings to Civil. Meanwhile the military authorities have ceased to make provision for maintenance. A provision of Rs. 4,576 for the maintenance of these buildings is therefore imperative." Now the question is as to who really should be responsible for the maintenance. Are we really to be made responsible for the maintenance of this? or is it the duty of the Central Government? Sir, so far as I have been able to understand the question, it appears to me that what may become of this station, we should not mind. In this critical time, it should not be charged on our Revenues. It is the Central Government's concern pure and simple.

I am therefore inclined to think that this is a charge which is misplaced and of which we should be relieved.

THE HON'BLE MR. W. J. REID:—It was difficult, Sir, in the form of a note to give an exposition of the position. I admit that it is a little obscure but the facts are exactly as they are stated in the note. We have a battalion of Assam Rifles in garrison at Manipur occupying buildings which were erected by the military authorities and were their property. Our men had to be housed somewhere, and if these buildings had not been there we should have had to build barracks and other necessary buildings for the battalion. All we have done is to occupy them.' Then the military authorities said: 'Very well. We are not using these buildings and you may occupy them if you like. We shall consider later whether to charge for them. Certainly we are not going to pay anything to maintain them.' The position is that we have to find some money for repairs and maintenance to keep these barracks habitable.

I may say, Sir, that we are considering whether we cannot claim this amount from the Government of India as practically all our expenditure in the Manipur State is met from Central revenues. The decision of the Council to-day will in no way prejudice our endeavours to recover this sum if we can from the Government of India. But clearly for the moment it must be paid and we must keep the barracks which our men occupy habitable.

MAULAVI MUNAWWARALI:—Sir, would not the position of the Local Government be better if it could be shown that the Council did not consent to vote for the amount, in pressing the question before the Central Government? I think it would strengthen the position of the Local Government to be able to show that the Council after deliberation did not consent to provide for the amount. In that view, Sir, I should think that the question should be pressed in the interests of the Government itself, as well.

THE HON'BLE MR. W. J. REID:—I have only two remarks to make, Sir. One is that we have received notice of a resolution—it has been admitted—which will enable the Council to have again the opportunity of discussing the distribution of charges on account of the Assam Rifles between the Local Government and the Central Government. The other is this. When we have to approach the Government of India we are always anxious to be strengthened by the support of the Legislative Council. But in this case if the Council refuse to vote this provision and if we refuse to repair the barracks—clearly the Government of India will not do so—what will become of our unfortunate men while the controversy is proceeding?

SARDAR BAHADUR ANJAB ALI KHAN :—(Spoke in Hindi to the following effect.)

Sir, we all know that cantonments are necessities and all that lies within the cantonment limits is under the direct control of the military authorities. The repairs to barracks, etc., must be met by Government. I do not see why it should not be maintained by Government. And I therefore support the motion.

MAULAVI MUNAWWARALI:—Sir, I think in pressing the question before the Central Government the view taken by the Council might also be represented.

In view therefore of the assurance given by the Hon'ble the Finance Member to press this question, I think I need not press the House to a division.

THE HON'BLE THE PRESIDENT:—I understand that the Hon'ble Member wishes to withdraw his motion.

The motion was, by leave of the Council, withdrawn.

CANTONMENT AT KOHIMA.

MAULAVI MUNAWWARALI:—The motion standing against my name, Sir, is—That the lump provision of Rs. 8,000 for maintenance of the cantonments at Kohima and Dibrugarh at page 97 be omitted.

This motion, Sir, also involves almost the same arguments as urged in the former one, and I think I shall be satisfied on an assurance being given by the Hon'ble the Finance Member to take the same procedure about the curtailment of the expenditure.

THE HONBLE MR. W. J. REID:—I am afraid, Sir, I cannot give that assurance. I do not wish the Hon'ble Member or the Council to misunderstand me. The military buildings at Kohima and Dibrugarh are on a very different footing from the military buildings at Imphal in the Manipur State. Apart from any claim which we may be able to make on the Government of India..... for an increased subvention to the total cost of the Assam Rifles, I can frankly, Sir, see no case that we have for asking the Government of India to maintain the military budget buildings which are no longer used by the military department but are actually occupied by our Assam Rifles.

MAULAVI MUNAWWARALI:—If not the whole amount, Sir, I think an appreciable reduction might be endeavoured after.

THE HON'BLE MR. W. J. REID :—Well, Sir, we shall only be too grateful for anything that the Government of India will give us but I cannot see how we can help matters in the least by reducing the budget provision. Again I say that some one must keep the barracks in repair while our men are occupying them.

MAULAVI MUNAWWARALI:—These are, after all, Sir, charges which we do not know if it is our bounden duty to provide for. However, after hearing the Hon'ble Finance Member I do not like this motion to be pressed.

The motion was, by leave of the Council, withdrawn.

RECRUITING CHARGES.

MAULAVI MUNAWWARALI :—My next motion, Sir, is that the provision of Rs. 13,000 for recruiting charges at page 97 be reduced to Rs. 2,000.

It will appear by a reference to page 97 that the figure provided for the current year is Rs. 1,000. That is the revised estimate and it was Rs. 13,000 in the budget estimate for the current year. I do not think that necessity has arisen to make the figure as large as Rs. 13,000 for the next year. If the amount provided in the budget for the current year, namely, Rs. 13,000 could not be expended during the year and only Rs. 1,000 could be spent, I do not see any reason whatsoever why we should consent to so large an amount as Rs. 13,000 now.

THE HON'BLE MR. W. J. REID :—I must admit, Sir, that in view of past actuals the provision seems a little liberal. It is only right to tell the Council that after the War when our battalions were all over strength we had to absorb a good many surplus men, and we had not got the same amount of recruiting or recruiting charges that we ordinarily would. Therefore I ask that too much weight be not laid on the actual figures. Still on considering the matter as I said just now I think the provision rather higher than need be. If my Hon'ble friend will amend his motion and allow us a provision of Rs. 5,000 instead of Rs. 13,000 we will accept that.

MAULAVI MUNAWWARALI :—I beg to agree to the amendment.

THE HON'BLE MR. W. J. REID :—Then the amended motion, Sir, just accepted is that the provision of Rs. 13,000 be reduced to Rs. 5,000.

The motion was put and adopted.

THE HON'BLE MR. W. J. REID :—Sir, the substantive motion may now be put. The grant instead of being Rs. 17,93,000 will be Rs. 17,85,000.

THE HON'BLE THE PRESIDENT :—The question is that a sum not exceeding Rs. 17,85,000 be granted to the Governor in Council to defray the charges which will come in the course of payment during the year ending on the 31st March 1923 for the administration of the "Assam Rifles."

The motion was adopted.

ADMINISTRATION OF JUSTICE.

THE HON'BLE MR. A. MAJID :—I beg, Sir, to move that a sum not exceeding Rs. 6,30,000 be granted to the Governor in Council to defray the charges which will come in the course of payment during the year ending on the 31st March 1923, for the administration of the head "24—Administration of Justice."

The motion was put and adopted.

JAIL.

THE HON'BLE MR. A. MAJID :—I beg, Sir, to move that a sum not exceeding Rs. 5,30,000 be granted to the Governor in Council to defray the charges which will come in the course of payment during the year ending on the 31st March 1923, for the administration of the head "Jail Department."

BABU KRISHNA SUNDAR DAM:—Sir, a similar motion to mine stands in the name of Hon'ble friend Mr. Phukan and I would ask him to move his motion, if he agrees.

THE HON'BLE THE PRESIDENT:—The rule as regards identical motion is contained in Standing Order No. 32. I will call on Srijut Nilmoni Phukan.

CENTRAL JAIL AT JORHAT.

SRIJUT NILMONI PHUKAN:—Sir, the motion that stands in my name is this—

That the provision of Rs. 50,000 for construction of a Central Jail at Jorhat be omitted.

Sir, I understand that this is a new item in the budget and from the explanatory notes presented by the Finance Member it appears that this item has been considered imperative owing to the acceptance by the Government of India of several recommendations of the Indian Jails Committee. The most urgent reason for beginning the work is the abandonment of the Andamans Settlement and the return of the convicts who are now there. Then I understand this provision has been made on the clear understanding that this necessity will arise as the outcome of the recommendations of the Jails Committee. But I understand the Government of India has recently abandoned this idea for the time being and as such we do not see any reason why we should be in a hurry to build a central jail which will not be a necessity if the recommendations to abolish the Andamans Settlement were to be shelved for all time to come. When the necessity will arise I shall certainly vote for the amount whatever that may be, but at this present moment when there is such financial stringency and at the same time when there is actually no necessity for any extension of our jails—which are certainly not overcrowded,—I think this amount may be omitted for the time being; and as the reason set forth in the explanatory note of the Financial Member does not justify this expenditure in view of the fact that the Government of India postponed the project of abandoning the Andamans I hope the House will agree for the omission of this provision.

MAULAVI RUKNUDDIN AHMAD:—Sir, there is an identical motion standing against my name. I beg to withdraw that motion as I am going to support the motion now before the House.

Sir, the existing jail at Jorhat in consideration of its present accommodation may be regarded as a very large jail in the Assam Valley. A temporary postponement of the proposed extension of the jail in my opinion will not bring any considerable inconvenience for some time to come. In view of our present financial difficulty the best thing would be to postpone it for the emergence of better times.

With these observations I support the motion.

SRIJUT DALIM CHANDRA BORA:—An identical motion stands in my name also and I beg leave to withdraw that as I want to support the motion moved by Srijut Nilmoni Phukan. I simply beg to add, Sir, that it is true that the Government of India took this into consideration at the ins-

tance of the Indian public, who want the improvement of the jail administration. This is quite true. But I think the necessity at present is not so urgent that we should take this question up just now. Many projects have been stopped on account of financial stringency and I think along with those projects this also may be suspended till we come to more normal times; and so this sum of Rs. 50,000 may be struck off.

BABU KRISHNA SUNDAR DAM :—Sir, I also wish to support the motion for omission. In the explanatory memorandum it has been said that the necessity for this big expenditure in this year of admitted stringency has arisen from the fact that the Government of India has accepted several recommendations of the Indian Jails Committee, and that the expenditure under discussion is necessary under those recommendations. Touching on this point, Sir, as far as I remember, the Hon'ble Sir William Vincent speaking in the Legislative Assembly some months ago said that they will not press upon the provincial Governments to give immediate effect to the recommendations of the Jails Committee. I speak subject to correction, of course, but that was the impression I received from the speech, that there is no imperative duty cast on the provincial Governments to give immediate effect to the recommendations of the Jails Committee. Yet in the explanatory memorandum it is said that this is the most urgent reason—the abandonment of the Andamans Settlement and that the convicts will be returned to the province and it is necessary to take them back here. Even, Sir, if it is really necessary for the Government of Assam to take back what belongs to this Government from the penal settlement yet I cannot believe that their number will be so large as to require the spending of so many thousands of rupees for the erection of a central jail at Jorhat. And what is the extent of this expenditure? It is estimated to cost Rs. 78,000 and this year only Rs. 30,000 will be spent. So that next year we shall again have to budget for Rs. 48,000. Now, Sir, as a rule in all such things we should look to the greatest good of the greatest number. The question is whether we should look to the comfort of the few residents inside the jail or whether we should look to the convenience of the residents, more numerous, outside it. Approaching the question from that standpoint I think we are not justified in spending this money. In this connection I wish to say one thing, and I have already referred to it. Since there is not enough money for desirable schemes of advancement in the Transferred Departments, when all advance in Education and Industries is practically going to be stopped, are we justified in spending such a large amount on a central jail? If we could go on without this central jail for so long I believe that we can do without it for another two or three years. We may or may not want the money to go to any other department, but still, at present, it is incumbent on us not to incur unnecessary expenditure. However, the way in which every motion for reduction is being rejected makes me to think that there are some who think not to object to the amounts concerned unless satisfied that the members of the Government will walk out with these amounts for their personal use. We move these reductions with the object of diverting the savings to some other more deserving schemes as also for economy.

I cannot conclude without saying that in these times jails and police are too much in evidence and we are grieved to see that the authorities seem to think that the salvation of the country lies in the direction of enlarged jails and increased police instead of in the direction of improvement of

agriculture, education, etc., which is more urgent, and so I should like to see at least Rs. 50,000 of this item to go for our urgent needs in the direction of industries and agriculture.

SRIJUT BEPIN CHANDRA GHOSE :—Sir, a similar motion stands in my name but I beg to withdraw it in favour of the Hon'ble Mover and upport the motion.

Now, Sir, this is a new project and it is going to take over half a lakh of rupees at a time when we are struggling under such financial difficulties. Now the object of the House is no doubt to curtail expenditure and we are labouring in vain for the same. Sir, the people at present do not at all feel the want of a central jail. The present jail system is quite satisfactory. It is not proper to spend money on any new item at this time of financial stringency.

Moreover, Sir, Assam has not got so many convicts that a central jail is urgently necessary and that we are to take urgent steps at this critical moment. Let the convicts remain as they are kept at present. The question may for the present be left aside. We should rather give up the new project for the present. With these few words I beg to support the motion.

The HON'BLE MR. A. MAJID.—Sir, The idea of having a central jail at Jorhat for the Assam Valley is not a new one. There is no central jail in the province. The Assam Administration after having a thorough examination made of the subject decided in 1913 upon having a central jail at Jorhat and plans were laid with this end in view. Various administrative changes came in the way and latterly the great war prevented the scheme from being carried out. Perhaps it was well that the jail buildings were not then constructed. If they were we should have had the jail built on old antiquated ideas and the jail would not have been built on improved up-to-date methods recommended by the Jail Committee. The report of this Committee is a very interesting valuable document. The Committee after making careful investigations in England, United States and India, made several important recommendations. One of these recommendations was that the number of district jails should be reduced and central jails should be constructed in accordance with improved ideas. The reasons on which they based their recommendations were primarily two—economy and efficiency.

I will not take up the time of the Council by repeating the observations which I previously during the general discussion of the budget quoted to show as to how economy will be effected by having a central jail. As to efficiency it would be a great gain if we could have jail buildings so arranged that the habitual are kept separate from the casual offenders and the juveniles are kept separate from the adults. In central jails we would be able to train prisoners in useful arts and trades that would enable them to earn an honest livelihood on their release. The Jail Committee have prepared plans as to how central jails should be constructed. The Government of India after carefully examining the report of the Jail Committee have arrived at the conclusion that the concentration of prisoners in central jails is as a matter of principle desirable on grounds both of efficiency and economy. They think that where this has not been already done Local Governments should draw up a carefully considered programme of jail construction to be spread if necessary over a number of years, the object being to concentrate all prisoners so far as possible in

central jails and to dispense with the smaller district jails, the cost of which is relatively high and where discipline is apt to be lax. In provinces where the figures show that one or more new central jails are required sites for such jails should be selected at once and financial provision made for their construction as soon as circumstances permit. These are very valuable instructions which deserve to be given effect to as early as possible. With this end in view enquiries were made and then plans were prepared and estimates framed for a central jail at Jorhat. The Government of India in considering the recommendations of the Jail Committee for the abolition of the penal settlement informed us that the female convicts should be brought back from Andamans to India and distributed in the provinces to which they belong. The Government of India also requested that the deportation from this province should cease and that the deportees that went from this province should be brought back. It was estimated that there would be 270 prisoners who would be brought back to this province, so the question became very urgent. Then it was arranged to provide as early as possible, at the proposed central jail at Jorhat accommodation for the 270 transported prisoners to be returned from the Andamans to Assam. The Hon'ble Members have referred to the statement made by Sir William Vincent in the Legislative Assembly to the effect that the penal settlement Andaman would not be abolished with the result that the transported prisoners would not be brought back in the manufacture. I have also seen a brief press telegram but no official report on the subject. If the telegram as reported be correct then the question of constructing the Central jail has ceased to be of pressing importance at this moment. I may also mention that the estimates of the cost of the entire project amounts to nearly Rs. 11½ lakhs while the cost of the plan for accommodating the transported prisoners, i.e., for constructing a portion of the jail for these prisoners is nearly a little over 2½ lakhs I must frankly admit Sir that we could obtain only Rs. 50,000 from the Finance Department to enable us to make a modest beginning and no more. The Hon'ble Members will recognise that we must keep pace with the time; and it is not improbable that at no distant date we will have to press this project. I fully realize Sir that the present position of the finance is very unfavourable. In view of this financial stringency and in view of the fact that there are other pressing demands before the Council, we feel prepared to leave the matter to the decision of the Council.

MR. E. S. ROFFEY:—Sir, I support the motion. The Hon'ble the Home Member has just told us that the scheme was started in the year 1913 and I remember that shortly after that date I saw lacs of bricks had been made and were lying near the jail. Possibly they are lying still.

THE HONBLE MR. A. MAJID:—Yes, they are still lying there.

MR. E. S. ROFFEY:—As they have been there for the last 9 years I think they might lie there for two or three years more, and having regard to the present state of the finance I think the scheme might be postponed. I understand the recommendation has been made by the Indian Jails Committee and one of their proposals is that the Andamans convict settlement should be shut down. If this is so the abolition must save the Government of India a large sum of money. I should like to ask, Sir, therefore, if the Government of India have offered to pay for any portion of the cost to be incurred in the erection of these central jails. If not I do not see why we should carry out the present scheme.

SRIJIT NILMONI PHUKAN:—I want to make a brief reply and I am glad to find that the Hon'ble the Home Member is rather willing to accept the resolution if the House is unanimous on that point. In moving for this reduction I was not unmindful of the recommendations of the Jail Committee nor was I ignorant of the utility of the central jail in any place. I quite agree with the Home Member that the central jail will be to the advantage of the habitual offenders who must not be accommodated in the same place with casual or juvenile offenders. I agree there and it is also a fact that this scheme was taken up as far back as 1913. But many more important schemes were taken up before that, which have not been given effect to as yet. Again in the light of the Finance Member's statement I find that this provision was, as I have already said, made in the budget only on the ground that it was imperative on the part of the Government to open a central jail. But as the Home Member has already expressed his views that even the Government of India recommended that this project should spread over a number of years and the recent view of the Government of India that the Andamans should not be closed for the time being I think the whole House will agree on this point, that there arises no immediate necessity of this item and I am glad to hear the Home Member that he will not oppose this motion if the House agree.

THE HON'BLE MR. A. MAJID:—Regard being had to the views expressed and to the fact that there are more pressing demands, we accept the motion.

THE HON'BLE THE PRESIDENT:—The question is that lump provision of Rs. 50,000 for a central jail at Jorhat be omitted.

The motion was adopted.

PAY OF JAILORS.

MAULAVI MUNAWWAR ALI:—The motion that stands in my name is that the provision of Rs. 11,400 for pay of jailors be reduced by Rs. 1,500.

By a reference to the budget at page 72 it will be found, Sir, that in the current year four jailors have been provided for but in the next year's budget one has been added to the number. I think this increment was necessitated by the fact that there would be a Central Jail at Jorhat for which a new hand might be required. Against one jailor Rs. 125 is marked, *i.e.*, he is to be given Rs. 125 per mensem and the total amount comes to Rs. 1,500 in the year. I therefore think that this figure should be omitted in view of the fact that we cannot afford to increase the number of servants when we want economy in all respects. With these observations, Sir, I request the House to see whether we should increase the number of servants if it is not imperatively necessary. I therefore hope that the figure would be reduced by Rs. 1,500 only.

THE HON'BLE MR. A. MAJID:—The increase in number is more apparent than real. If my Hon'ble friend will refer to the line regarding "jailors" at page 72 of the budget estimate, he will find that the four jailors have been increased to five, but in the next column he will find that the number of Assistant jailors has been reduced from 21 to 20, *i.e.*, the fact is that one assistant jailor has been promoted to be a jailor. This has been done at Jorhat. This was sanctioned in 1920 by Sir N. D. Beatson Bell. The Inspector General of

Jails had asked for an additional appointment of a jailor by a corresponding reduction in the number of assistant jailors. In Bengal every district is in charge of a jailor while in Assam there are only four jailors holding charge. In these circumstances the matter was pressed by the Inspector General of Jails and Sir N. D. Beaton Bell, the then Chief Commissioner, sanctioned the appointment and the appointment was entertained from 1st March 1921 in giving effect to that order. We now seek to maintain the *status quo*.

MAULAVI MUNAWWAR ALI :—Sir, the matter was not made clear to us before. It appeared to me that in view of the proposed construction of a central jail at Jorhat the number was increased. Now that it is not so and the officer has been entertained since March 1921, I think it would be a revolution if this man's services were to be dispensed with. In that view Sir, although we should like a retrenchment if possible, I think I should not press it to a division.

The motion was, by leave of the Council, withdrawn.

MISCELLANEOUS (JAILS).

MAULAVI MUNAWWAR ALI :—Sir, the motion standing in my name is, that the provision of Rs. 810 for Miscellaneous at page 77 be omitted.

It may appear to the House or to many of the Members that it is a paltry figure. But Sir on matters of principle small or big sums do not matter very much. So far as I have been able to understand the members of the House are not going to add a single pie to our expenses over what is barely necessary. By a reference to the budget at page 77 it will appear that this amount of Rs. 810 is a new figure and on the principle enunciated just now. I should think that we should all agree to the figure being omitted.

THE HON'BLE MR. A. MAJID :—Sir, this is no new expenditure, I think the Hon'ble Member is entitled to an explanation. In the last year's budget no such head "Miscellaneous" was shown separately. In that year there was one head 'Contract Contingencies' and Rs. 7,610 was allotted under that head. Comments were made on last year's budget that the information was insufficient. Accordingly this head was split up into several sub-heads, for example, charges for diet and conveyance of undertrial prisoners, miscellaneous, petty construction and repairs, clothing and bedding of prisoners. This provision "Miscellaneous" was intended to cover the ordinary expenditure not falling under any of the other heads prescribed. This represents the expenditure for example for the entertainment of sweepers, purchase of ropes and other miscellaneous articles. Last year, this expenditure was included in the sum of Rs. 7,610 under the head 'Contract Contingencies.' The expenditure is not new.

MAULAVI MUNAWWAR ALI :—At any rate, Sir, the figure as it stands compels us to conclude that it is a new item.

Sir, I do not think the present arrangement has improved matters very much. I think to make things clear, it would have been better if the Finance Department had added a note to it. To my mind it has made confusion worse confounded. However I think I should be satisfied with the explanation given by the Hon'ble Home Member and in that view I think I should withdraw the motion.

The motion was, by leave of the Council, withdrawn.

Sir, the last motion under this head standing in my name is :—

That the provision of Rs. 68,000 for the purchase of raw materials be reduced by Rs. 18,000.

This appears on page 78 of the budget estimate. I think this is a new item. I should ask the Hon'ble the Home Member to tell me if it is so.

THE HON'BLE MR. A. MAJID :—No, it is not a new item.

MAULAVI MUNAWWARALI :—At any rate from the budget it appears to be one such. I would like to know what was the figure which was provided for the purpose last year.

THE HON'BLE MR. A. MAJID :—It was shown under 'Contract Contingencies.' The sum is Rs. 55,000 for 1921-22 under non-contract contingencies. This time the details of the sub-heads have been altered.

MAULAVI MUNAWWARALI :—And this has added to the confusion a bit. However, Sir, this seems to be an item which could add to the prosperity of our country. Raw materials worked into finished products would certainly be a good business and on principle I think no Member should be averse to any amount being granted under that head, but I should invite the House to think whether the amount provided is not a little bit too much and should be looking for an explanation of it from the Hon'ble the Home Member whether it is not a little bit too much. If it is shown that it is not so and the amount is likely to be used up to our advantage I think I should have very little to be opposed to the whole figure being provided.

THE HON'BLE MR. A. MAJID :—I think the Hon'ble Member will feel gratified to know that we have been able to provide for a larger expenditure under that head. I would refer the Hon'ble Member to page 15 of the budget which will show the receipts under the heading 18—Jails and Convict Settlement. Under Jail manufactures last year we estimated for a lakh, now the corresponding provision we make for this year is for Rs. 1,22,000. This Rs. 68,000 which is being objected to is going to be spent for the purchase of raw materials, for instance mustard seeds which will be manufactured into oil. We are going to provide more this year than we did last year in order to apply the same to remunerative work. I hope the Hon'ble Member will be gratified to find that that is so.

MAULAVI MUNAWWAR ALI :—Then, Sir, I beg to withdraw the motion.

THE HON'BLE THE PRESIDENT :—The question is that a sum not exceeding Rs. 4,80,000 be granted to the Governor in Council to defray the charges which will come in the course of payment during the year ending on the 31st March 1923, for the administration of the head "Jail Department."

The motion was adopted.

The Council was then adjourned to Wednesday, the 22nd March 1922.

<i>Shillong,</i>	}	S. E. STINTON,
<i>The 11th April 1922.</i>		<i>Offg. Secretary to the Legislative Council, Assam.</i>

