

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

The Council met in the Council Chamber, Shillong, on Thursday, the 16th August 1923, at 11 A.M.

P R E S E N T :

The Hon'ble Rai Bahadur Nalini Kanta Ray Dastidar, *President*, the two Hon'ble Members of the Executive Council, the Hon'ble Minister for Education and Local Self-Government, and 41 nominated and elected members.

QUESTIONS AND ANSWERS.

(UNSTARRED QUESTIONS.)

MR. W. D. SMILES asked :—

1. Is it true that the bricks for new Treasury building at Sibsagar cost Rs. 79-12 (seventy-nine rupees twelve annas) per thousand at Sibsagar? Have the walls of this building cracked before putting on the reinforced concrete roof?

Sibsagar
Treasury
Building.

MR. O. H. DESENNE replied :—

1.—Some of the bricks purchased for the reconstruction of the treasury building at Sibsagar cost 30 rupees per thousand and others which were carried from near Sadiya cost Rs. 79-12 per thousand. The latter were burnt in a Bull's kiln and their cost includes freight and carriage.

The walls of this building have cracked soon after their completion and up to date it has not been possible to ascertain the cause of these cracks. For this reason the work is in abeyance and the roof has not been started. Similar mysterious cracks which appeared suddenly were responsible for the dismantlement of the old Treasury building which had stood there for a great many years.

The Chief Engineer proposes to inspect this work at the earliest opportunity and to enquire fully into all the circumstances.

BABU KRISHNA SUNDAR DAM asked :—

1. (a) Is it a fact that the Forest Department have enforced rules in the district of Sylhet requiring permission from the Forest Authorities for felling trees growing on private lands as well as sawing such timber in particular localities of the district? If so, will the Government be pleased to quote reference to rules and orders relating to the subject matter in question and also to state the reasons leading to such rules and orders being issued?

Felling
trees
private
lands.
or
on

(b) If the rules and orders aforesaid have been promulgated with a view to check misappropriation of the Government forest property, will the Government be pleased to state whether the Forest Department have been found to be incapable of preventing and detecting such cases of misappropriation without the rules and orders of the kind aforesaid?

(c) Are the Government aware that the operation of such rules and orders causes hardship to the people and interference with their private rights?

THE HON'BLE MR. W. J. REID replied :—

1. (a), (b) and (c)—The questions are not understood. If any specific complaints are made against the working of the Forest Department these will be investigated.

SRIJUT HEMODHAR PATRA-BORA asked :—

Grazing
reserves
in Rangamati
and Mohura.

1. (a) Is it a fact that many Miri villages within the mauzas of Rangamati and Mohura in the Golaghat subdivision were made grazing reserves and the Miri residents were turned out and their houses were burnt down a few months ago by the Subdivisional Officer himself accompanied with a strong police force?

(b) If so, will the Government be pleased to state the law which prescribes such a procedure and whether any adequate compensation has been given to the settlers?

(c) If the reply to the last part of the question be in the affirmative, will the Government be pleased to state on what basis the compensation was fixed and who assessed it?

THE HON'BLE MR. W. J. REID replied :—

1. (a)—Twenty thousand four hundred and twelve acres of Chapori land within the mauzas of Rangamati and Mohura in Golaghat subdivision were reserved in 1920 for professional graziers after a local inspection of the ground by the Deputy Commissioner and the Superintendent of Grazing. Certain Miris who held annual pattas for land in the area were ordered to stop cultivation within the reserve and vacate the land. They were offered compensation for the removal of their houses and the settlement of Sarkari land in the neighbourhood. In defiance of these orders they continued to live within the reserve until April 1923 when it was found necessary to eject them forcibly as they refused to obey repeated orders to leave the land. The ejectment was carried out under the supervision of the Subdivisional Officer and Deputy Superintendent of Police who were accompanied by armed police and some houses which their owners refused to remove were burnt after all the private property therein had been removed.

(b)—Under rule 1A of the settlement rules the Deputy Commissioner is competent to eject persons from lands reserved for public purposes without payment of compensation. None of the Miris referred to in (a) had acquired the status of land-holders or settlement-holders.

(c)—The estimate was prepared by the Grazing Superintendent in consultation with the local officials, but no compensation was paid as the Miris refused to leave the reserve and had to be ejected forcibly. They thereby forfeited their claim to compensation.

SRIJUT BISHNU CHARAN BORAH asked :—

1. (a) Will the Government be pleased to state the total amount realised from the sale-proceeds of Government lands of Hoiborgaon in the town of Nowgong? Sale-proceeds of Government land of Hoiborgaon, Nowgong.

(b) Are the Government aware that almost all of these lands were formerly reserved for the municipality of Nowgong and were in their possession?

(c) Is it a fact that the Divisional Commissioner has directed the Municipality to frame a town-planning scheme for this portion at an early date?

(d) If the answers to questions (b) and (c) are in the affirmative, are the Government considering the desirability of sanctioning a substantial amount out of sale-proceeds to the Municipality for the improvement of this portion of the town?

2. (a) Have the Government considered the report of the Bengal Retrenchment Committee and come to any decision? Report of the Bengal Retrenchment Committee.

(b) Will the Government be pleased to state what recommendations or principles the Government of Assam are going to adopt?

THE HON'BLE MR. W. J. REID replied :—

1. (a) —Rupees 39,760 have been realized up to date. It is expected that an additional sum of Rs. 13,180 will be realized.

(b)—No. The land consists mainly of (a) road-side frontage lands and (b) the original site of the sweepers' lines. The Municipality has never been in possession of the former and can lay no claim to them. The sweepers' lines have been removed to another site whereupon the original site reverted to Government.

(c)—The answer is in the affirmative.

(d)—Any application that the Municipality may submit will be considered, but the hon. member is aware of the state of the provincial finances and no hopes can be held out.

2. (a) and (b)—Government's examination of the recommendations of the Bengal Retrenchment Committee is not yet complete, but considerable economies have already been effected. Important changes in the travelling allowance rules for instance, have been introduced with effect from the 1st August 1923. In the Excise Department, to take another instance, in addition to the abolition of the post of Excise Commissioner, economy has been effected by a reduction in the number of Superintendents, and the experiment is being tried in two districts of transferring the duties of Excise inspection and detection to the police.

SRIJUT BISHNU CHARAN BORAH asked :—

Chaparmukh-Silghat Railway.

3. (a) Are the Government aware that the Chaparmukh-Silghat Railway has recently obstructed the cart traffic of good many village roads by fixing timber posts at the level-crossings ?

(b) Is it a fact that the residents of the localities have petitioned the Deputy Commissioner of Nowgong to remove the inconvenience ?

(c) Are the Government considering the desirability of enquiring into the whole question of obstruction of village paths along the Chaparmukh-Silghat Railway and construction of water-ways afresh ?

MR. O. H. DESENNE replied :—

3. (a), (b) and (c)—Government are making enquiries into these allegations but are not yet in possession of the necessary information and a reply will be sent to the hon. member direct as soon as possible.

MAULAVI SYED SAMIUR RAHMAN asked :—

Remuneration of *sarpunches*.

1. (a) Are the Government aware that the *sarpunches* of Habiganj subdivision of the Sylhet district are serving without any pay or remuneration and that the commission of 10 per cent. on the salary of the *chaukidars* which they get is not sufficient for contingency even ?

(b) Are the Government aware that the *sarpunches* have practically no direct influence over the *chaukidars* without the help of the Sub-Inspector of Police of thana, and that in consequence the *sarpunches* are almost unable to make the *chaukidars* to properly realise the taxes for which reason they have often to pay the *chaukidars* from their own pocket ?

Richi murder case.

2. (a) Will the Government be pleased to lay on the table a copy of the judgment of the Hon'ble High Court regarding the Richi murder case in Habiganj subdivision ?

(b) What steps have been taken by the Government on the remarks passed by the Hon'ble the High Court in the case ?

(c) Has any enquiry been made by the Government regarding the said remarks of the Hon'ble the High Court ? If so, will the Government be pleased to lay on the table a copy of the report of the enquiry ?

Rules for jurors.

3. With reference to the reply given by the Hon'ble Mr. Abdul Majid on the 5th March 1923, will the Government be pleased to lay on the table a copy of the rules for Jurors which were revised in 1920 ?

THE HON'BLE KHAN BAHADUR KUTUBUDDIN AHMAD replied :—

1. (a)—Under section 13 of the Village Chaukidari Act, VI (B. C.) of 1870, the panchayat can impose an assessment 15 per cent. in excess of the sum required for the pay and equipment of the *chaukidars* and under rule 28 of the rules in force in Sylhet the *sarpunch* can retain as commission 10 per cent. of the money collected. Government are not aware that this commission is not sufficient even to meet contingent charges.

(b)—The rules provide that chaukidars shall be appointed on the nomination of the panchayat, and panchayats are authorised to report chaukidars to the Magistrate for dismissal or fine. *Prima facie* it would seem that the rules give to the panchayats the authority over chaukidars necessary to enable them to insist on the performance by the chaukidars of their statutory duty of assisting in the collection of the chaukidari tax. The collection of the tax is however unsatisfactory in Sylhet, and enquiry will be made into the hon. member's contention.

2. (a)—A copy of the judgment* of the High Court in the Richi murder case is laid on the table.

(b) and (c)—Action was taken by Government not on the judgment of the High Court but on a special report submitted to Government by the District and Sessions Judge of Sylhet. A commission was appointed consisting of the Additional District Magistrate and the Additional District and Sessions Judge, Sylhet, and a copy of their report is laid on the table. As a result of the report Government decided to dismiss from the service the Sub-Inspector whose conduct of the case was adversely commented on.

3.—A copy is placed on the table.

JUDICIAL DEPARTMENT.

The 18th October 1920.

No. 9672J.—It is hereby notified for general information that the Chief Commissioner of Assam has been pleased to prescribe the following rule for the payment by Government of allowance to jurors and assessors summoned to attend in criminal trials in the Surma Valley and the Assam Valley Districts.

This cancels the Eastern Bengal and Assam Government Notification No. 5968J., dated the 6th June 1906 :—

To any juror or assessor who has been summoned to attend the Court of a Sessions Judge or Deputy Commissioner, the Court shall (on the oral or written application of the juror or assessor concerned) order payment on the part of Government of—

- (a) such reasonable expenses as were actually incurred, or are about to be incurred by the juror or assessor in travelling to and from the Court by rail, river or road ; and also
- (b) a daily allowance, for each day of attendance at Court, of such sum not exceeding five rupees as the Court considers to be a fair recoupment of the additional cost (if any) incurred by the juror or assessor on account of his own board and lodging.

A. W. BOTHAM,

Chief Secretary to the Chief Commissioner of Assam.

* Not published with the Proceedings.

MAULAVI SYED SAMIUR RAHMAN asked :—

Candidates
for Sub-
Registrar-
ship.

4. Will the Government be pleased to state who were the candidates for Sub-Registrarships from 1916-22 and the names, who have been provided, with their qualifications ?

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA replied :—

4.—A list showing the names of candidates, together with their educational qualifications who applied for sub-registrarships during the years 1916-22 is laid on the table. This list does not include applications from the Sylhet district prior to 1921, as they have been destroyed.

A list showing the names of persons who have been appointed as Sub-Registrars and probationers in the Registration Department since 1916 is also placed on the table.

List of candidates who applied for Sub-Registrarships during the years 1916-1922 referred to in reply to question 4 asked by Maulavi Syed Samiur Rahman.

| Serial No. | Name of applicants. | Educational qualifications, etc. | Remarks. |
|------------|-------------------------------|---|----------|
| 1 | 2 | 3 | 4 |
| SYLHET. | | | |
| 1 | Masadar Ali | Appeared at the Matriculation Examination. War candidate. | |
| 2 | Suresh Chandra Bhattacharyya | Passed B. A. Examination. | |
| 3 | Mahes Chandra Chakravarty ... | Ditto ditto. | |
| 4 | Krishna Dhan Deb ... | Passed I. A. War candidate. | |
| 5 | Rabindra Nath Bhattacharyya | Passed I. A. | |
| 6 | Dinesh Chandra Dutt ... | Read up to B. A. standard. | |
| 7 | Sachindra Kumar Deb ... | Passed B. A. Examination. | |
| 8 | Jamini Kumar Purkayastha ... | Read up to Matriculation standard. War candidate. | |
| 9 | Md. Abdur Raquib ... | Passed B. A. Examination. | |
| 10 | Parimal Chandra Dhar ... | Ditto ditto. | |
| 11 | Rames Chandra Das ... | Ditto ditto. | |
| 12 | Satish Chandra Esh ... | Passed Matriculation. War candidate. | |
| 13 | Prafulla Chandra Ray ... | Passed B. A. Examination. | |

| Serial No. | Name of applicants. | Educational qualifications, etc. | Remarks. |
|------------|--|--|----------|
| 1 | 2 | 3 | 4 |
| | SYLHET— <i>contd.</i> | | |
| 14 | Jogendra Kumar Chowdhury ... | Passed I. A. and appeared in the B. A. Examination. | |
| 15 | Md. Israil Chowdhury ... | Passed Final Senior Madrassa with English as optional subject. | |
| 16 | Kshitish Chandra Chakravarty | Read up to Entrance standard. War candidate. | |
| 17 | Golam Osmani Laskar ... | Read up to I. A. Rules relaxed. | |
| 18 | Muhammed Ahmed ... | Passed B. A. | |
| 19 | Monaranjan Das ... | Read up to Entrance. War candidate. | |
| 20 | Atul Chandra Kar ... | Ditto ditto. | |
| 21 | Md. Mahmudar Rahman ... | Ditto ditto. | |
| 22 | Suresh Chandra Nath ... | Passed Matriculation. War candidate. | |
| 23 | A. K. Dhar ... | War candidate. | |
| 24 | Muhammad Arman Ali ... | Read up to Matriculation. War candidate. | |
| 25 | Birendra Krishna Das Roy ... | Read up to I. A. | |
| 26 | Upendra Chandra Bhattacharyya. | Read up to Matriculation. | |
| 27 | Rajendra Nath Purkayastha ... | Passed B. A. | |
| 28 | Imtiaz Ali ... | Ditto. | |
| 29 | Abdul Haris Saduddin Mahammad. | Passed Senior Madrassa with English as 2nd language. | |
| 30 | Abdul Karim, Clerk, Deputy Commissioner's Office. | Appeared at the Entrance Examination. Rules relaxed. | |
| 31 | Chunilal Das ... | Passed B. A. Examination. | |
| 32 | Sures Chandra Deb ... | Passed B. Sc. Examination. | |
| 33 | Muhammad Abdul Jabbar ... | War candidate. | |
| 34 | Radha Benode Pal ... | Passed Matriculation. | |
| 35 | Majaddidali Jagirdar, Clerk, Nabiganj Sub-Registrar's Office. | Rules relaxed in his favour. | |
| 36 | Naik Muhammad Aslam ... | Read up to Matriculation. War candidate. | |
| 37 | Syed Mahibub Ali ... | Appeared at the Matriculation. War candidate. | |
| 38 | Raj Chandra Chakravarty, Probationer Deputy Commissioner's Office. | Read up to Matriculation. War candidate. | |
| 39 | Abdul Jabbar ... | Ditto ditto. | |

| Serial No. | Name of applicants. | Educational qualifications, etc. | Remarks. |
|------------------------|------------------------------|---|----------|
| 1 | 2 | 3 | 4 |
| SYLHET—concl'd. | | | |
| 40 | Gauruddin Ahmad Chowdhury | Rules relaxed in his favour. | |
| 41 | Devendra Nath Roy Chowdhury. | Read up to Matriculation. War candidate. | |
| 42 | Bama Charan Sen ... | Read up to I. A. War candidate. | |
| 43 | Pyari Lal Das ... | Appeared at the I. A. Examination. War candidate. | |
| 44 | Mahendra Chandra Nath ... | Appeared at the B. A. Examination. | |
| 45 | Tara Prasanna Roy Barman ... | Rules relaxed. At present officiating as Sub-Registrar, Bhangabazar. Son of the retired Sub-Registrar Babu Ram Tarak Roy Barman. Helped in recruiting work. | |
| 46 | Nagendra Chandra Das ... | Appeared at the I. A. Examination. | |
| 47 | Muhammad Masaddar Ali ... | Read up to Matriculation. | |
| 48 | Abduz Zahir ... | Passed B. A. with distinction, officiating as Head Master, Bhatera Middle English School. | |
| CACHAR. | | | |
| 1 | Kshirode Chandra Nag ... | Passed B. A. Examination. | |
| 2 | Yusuffali Barbhuiyan ... | Read up to B. A. | |
| 3 | Naziruddin Ahmed ... | Clerk, Commissioner's Office. | |
| 4 | Krishna Kumar Singha ... | Matriculate. | |
| 5 | Wazid Ali Barbhuiyan ... | Ditto. | |
| 6 | Manuar Ali Barlaskar ... | Ditto. | |
| 7 | Abdul Jahir Laskar ... | Ditto. | |
| 8 | Hasan Roza ... | Ditto. | |
| 9 | Adhar Chandra Deb ... | Ditto. | |
| 10 | Irfan Ali Chowdhury ... | Ditto. | |
| 11 | Muhammad Asghor ... | Passed B. A. Examination. | |
| 12 | Namar Ali Barlaskar ... | Ditto ditto. | |
| 13 | Rasik Lal De ... | Read up to B. A. | |
| 14 | Mojahid Ali Mazumdar ... | Matriculate. | |
| 15 | Naba Gopal Mohanta ... | Passed B. A. | |
| 16 | Probadh Chandra Nag ... | Ditto. | |

| Serial No. | Name of applicants. | Educational qualifications, etc. | Remarks. |
|------------|--------------------------------|--|----------|
| 1 | 2 | 3 | 4 |
| | CACHAR— <i>concd.</i> | | |
| 17 | Makabbir Ali Mazumdar ... | Matriculate. | |
| 18 | Forjan Ali ... | Ditto. | |
| 19 | Momtazus Somad ... | Passed Calcutta Madrassa and Matriculate. | |
| 20 | Suresh Chandra Nath ... | Matriculate. | |
| 21 | Muhammad Turfan Ali Mazumdar. | Non-Matriculate. | |
| 22 | Surendra Kumar Chakravarty | Passed B. A. Examination. | |
| 23 | A. M. Samsul Huda Jaigirdar... | Non-Matriculate. | |
| 24 | Sashi Mohan Deb ... | Non-Matriculate. | |
| 25 | Broja Kishore Singha ... | Matriculate. | |
| 26 | Mobeswir Ali Chowdhury ... | Ditto. | |
| 27 | Kamini Kumar Karmakar ... | Passed B. A. Examination. | |
| 28 | Charitra Mohan Sen ... | Passed I. A. | |
| 29 | Upendra Chandra Pal ... | Passed B. A. Examination. | |
| 30 | Golam Osmani Laskar ... | Non-Matriculate. | |
| 31 | Wazid Ali Barbhuiyan ... | Read up to B. A. | |
| 32 | Nagendra Chandra Das ... | Matriculate. | |
| 33 | Mashahid Ali Laskar ... | Non-Matriculate. | |
| 34 | Watir Ali .. | Passed Final Calcutta Madrassa and read up to I. A. class. | |
| 35 | Luquman Ali Barbhuiyan ... | No educational qualification stated. | |
| 36 | Dulal Chandra Nath ... | Passed B. A. Examination. | |
| 37 | Atindra Mohan Saha ... | Ditto. | |
| 38 | Sarat Chandra Patni ... | Matriculate. | |
| 39 | Ahmed Ali Mazumdar ... | Ditto. | |
| 40 | Tara Charan Nath ... | Nil. | |
| 41 | Ramon Singh ... | Passed B. A. Examination. | |
| 42 | Munshin Ali Barbhuiyan ... | Read up to B. A. | |
| 43 | Kiramat Ali Laskar ... | Non-Matriculate. | |
| 44 | Ram Dulal Patni ... | Ditto. | |
| 45 | Manikya Chandra Nath ... | Passed B. A. Examination. | |
| | GOALPARA. | | |
| 1 | Maulavi Sheikh Abdul Hamid | Unknown. | |

| Serial No. | Name of applicants. | Educational qualifications, etc. | Remarks. |
|------------|---|----------------------------------|-----------------------------------|
| 1 | 2 | 4 | 4 |
| | KAMRUP. | | |
| 1 | Srijit Mukunda Chandra Chowdhury. | Passed Matriculation ... | Suitable—A. Bentinck, 19th April. |
| 2 | Gobinda Chandra Nath, Head Clerk of Registration Department, Ganhati. | Read up to Entrance class. | |

List of persons appointed as Sub-Registrars or probationers in the Registration Department from 1916 to 1922 referred to in reply to question 4 asked by Maulavi Syed Samiur Rahman.

| Serial No. | Names of persons. | Date of appointment to the Registration Department. | Qualifications. | Remarks. |
|------------|--|---|---|----------|
| 1 | 2 | 3 | 4 | 5 |
| 1 | Babu Ram Tarak Deshmukhya. | 27th March 1917 ... | Entrance Examination.* | |
| 2 | Maulavi Abul Abbas Muhammad Abdul Ali. | 16th April 1918 ... | Final Madrassa Examination. | |
| 3 | Babu Sukhamay Nag... | 2nd August 1920 ... | Matriculation Examination.* | |
| 4 | Maulavi Muhammad Abdul Mannan Chaudhury. | 12th January 1920 | Appeared at the Matriculation Examination.* | |
| 5 | Babu Kamini Kumar Das Chaudhury. | 2nd January 1920 | Read up to F. A. Examination.* | |
| 6 | Maulavi Siddique Hassain. | 8th September 1921 | Appeared at the I. A. Examination. | |
| 7 | Babu Kshirod Chandra Nag. | 8th September 1921 | B. A. | |
| 8 | Maulavi Golam Osmani Laskar. | 29th September 1921 | Read up to I. A. Examination.* | |
| 9 | Maulavi Khurshed Ali | 15th May 1922 ... | Matriculation Examination.* | |
| 10 | Maulavi Mubaswar Ali Chaudhury. | 18th May 1922 ... | Read up to I. A. Examination.* | |
| 11 | Babu Debendra Nath Ray Chaudhury. | 2nd June 1922 ... | Read up to the Matriculation standard.* | |

* These Sub-Registrars and probationers rendered war service.

SRIJIT BIRAJ MOHAN DATTA asked :—

1. Will the Government be pleased to lay on the table a statement of costs incurred up to date over the Bijni title suits instituted by the different claimants to the Estate, from the Estate funds and the Public Revenues, separately for each suit and from each of the two sources? Cost of Bijni title suit.

2. (a) Are the Government aware that in the Goalpara State Forests the raiyats had the privilege of getting small scale operations from time immemorial? Goalpara State Forest.

(b) Are the Government also aware that due to unrestricted competition of traders with large capital from outside the province, these local workers have stood altogether ousted and are going to be extinct in the course of time?

(c) Are the Government considering the advisability of securing for the resident workers, a reasonable share in the operation by suitable reservations in their favour?

THE HON'BLE MR. W. J. REID replied :—

1.—The information has been called for and will be furnished later. No expenditure on account of these suits will fall on provincial revenues.

2. (a), (b) and (c)—The Government imagine that the question relates to the old practice of allowing the Meches in the Goalpara district to extract *sal* timber at privileged rates. The system led to abuses and was modified two years ago. The Government are informed that so far from the local workers, whose welfare must always be a matter of concern to the Government, having been ousted by outside capitalists the change has led to healthy competition and has proved that the Meches are quite competent to look after their own interests.

RAI BAHADUR RAMANI MOHAN DAS asked :—

1. (a) Will the Government be pleased to lay on the table a copy of the Report of the Special Officer who was appointed in connection with the re-organisation of Sanskrit Education in Assam? Sanskrit Education.

(b) What steps do the Government propose to take in respect of this report? In what way and when will public and expert opinions be invited in regard to the recommendations made by the Special Officer?

2. Will the Government be pleased to state whether the Hygiene and Temperance Committee formed in compliance with a resolution of this Council have yet met and made their report? If not, when are they expected to meet? Report of the Hygiene and Temperance Committee.

3. (a) Will the Government be pleased to state how many applications have been received this year for the posts of probationers in the Registration Department (probationary Sub-Registrars) from the Surma Valley? Probationers in the Registration Department.

(b) Will the Government be pleased to give the names and addresses of the applicants?

(c) Will the Government be pleased to state how many of those who applied for have been selected?

(d) Will the Government be pleased to state on what principle the selection was made?

(e) Will the Government be pleased to state the names of the successful candidates with their qualifications?

(f) Have they been taken from those who are already in Government service? If not will the Government be pleased to state the reasons for doing so?

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA replied :—

1. (a) and (b)—The hon. member is referred to the reply to question No. 1(c) asked by Rai Bahadur Bipin Chandra Deb Laskar at this session of the Council.

2.—The answer is in the negative. No date has yet been fixed.

3. (a) and (b)—The information is not available at present. It will be obtained and furnished in due course.

(c)—Three have been selected.

(d)—Selections were made with regard to the educational and other qualifications of the candidates, including war service.

(e)—A statement furnishing the information is laid on the table.

(f)—One was previously officiating as a Sub-Registrar. The others were not in Government service. The last part of the question is not understood.

Statement furnished in reply to question 3(e) asked by Rai Bahadur Ramani Mohan Das.

| Serial No. | Name of successful candidate. | Educational qualifications. | Remarks. |
|------------|---|-----------------------------|----------|
| 1 | 2 | 3 | 4 |
| 1 | Babu Sibdas Sen | Matriculate, War candidate. | |
| 2 | Maulavi Muhammad Azizur Rahman Chaudhuri. | B. A. | |
| 3 | Babu Benoy Kumar Nandi ... | B. A. | |

SRINUT BEPIN CHANDRA GHOSH asked :—

1. Will the Government be pleased to state the principle followed in promoting Sub-Inspectors of Police to Inspectorship including officiating promotion? How many years a Sub-Inspector can stay in one district and is there any Sub-Inspector who has been serving in the Goalpara district alone for about 15 years or more than that? If so, is it in the contemplation of Government to transfer such officer in other districts of the province instead of keeping him in the same district for such a long time?

Promotion
of Sub-
Inspectors
of Police.

2. Have the Government decided to allow Sub-Inspectors of Police to occupy the Public Works Department Inspection Bungalows?

Use of
Inspection
Bungalows
by Sub-
Inspector
of Police.

3. In view of many heinous crimes, specially dacoities that are being frequently committed in the Dhubri subdivision, have the Government considered the advisability to post a senior Inspector of at least 10 years' standing in the Dhubri circle instead of a Deputy Superintendent of Police?

Dacoities in
Dhubri
subdivi-
sion.

4. Is it a fact that in the Goalpara district constables are employed to carry *dak* twice a week from one thana to another? Is it done with the sanction of the Inspector General of Police and is this procedure followed in other districts of the province?

Carrying
of *dak* by
Constables.

5. Will the Government be pleased to state (a) how many Inspectors of Police there are in all in the province and (b) out of these how many from the Assam Valley and how many from the Surma Valley? If the number is less in the Assam Valley will the Government be pleased to state its reason?

Inspectors
of Police.

6. Will the Government be pleased to state whether the order of seniority is observed in matter of promotion of Assistant Sub-Inspectors of Police and literate constables to their respective senior ranks? If so, was there any breach or departure of such order in the Goalpara district? Is it a fact that an Assistant Sub-Inspector of 3 or 4 years' standing in the Department attached to the Dhubri police office, has of late been made an officiating Sub-Inspector superseding many senior Assistant Sub-Inspectors in the district? If so, will the Government be pleased to state the reason for this appointment? Has any representation been submitted by senior hands to the Superintendent of Police or the Inspector General of Police?

Promotion
of Assist-
ant Sub-
Inspectors
of Police.

THE HON'BLE KHAN BAHADUR KUTUBUDDIN AHMAD replied :—

1.—In the promotion of Sub-Inspectors to the post of Inspector merit and seniority are taken into consideration. In the case of an officiating promotion if there is a meritorious Sub-Inspector with sufficient seniority in the district concerned he is usually promoted. No limit is laid down to the period for which a Sub-Inspector may remain in one district. There is one Sub-Inspector who has been stationed in the Goalpara district for more than 15 years, and as he is reported to be doing useful work there there is no intention of transferring him.

There was at one time a proposal to transfer him but it was dropped on the recommendation of the Deputy Commissioner and the Superintendent of Police.

2.—No.

3.—The Inspector-General of Police reports that the number of dacoities has decreased to a very marked extent in consequence of the measures which have been taken and Government do not propose to take the action suggested.

4.—It is not known whether the practice mentioned is followed in the Goalpara district, but it is followed in some districts and has the approval of the Inspector-General of Police.

5. (a)—There are at present 40 Inspectors of Police in the province.

(b)—Six of these are natives of the Assam Valley and 19 of the Surma Valley. Communal considerations have no weight in the promotion of Sub-Inspectors to the post of Inspector.

6.—It is not a fact that the promotion of Assistant Sub-Inspectors and literate constables to the higher ranks depends only on seniority. It depends firstly on merit and secondly on seniority. If the latter part of the question refers to the promotion of Babu Abinash Chandra Sen, this officer was selected for special promotion on account of marked ability and specially good work. Representations on the subject have been received by the Inspector-General of Police.

SRIJUT BEPIN CHANDRA GHOSH asked :—

Appoint-
ment in
the Bijni
Estate.

7. (a) Has the attention of Government been drawn to an article in the *Times of Assam* regarding appointments in the Bijni Estate? How many officers have been appointed from outside the district since the appointment of the present Additional Manager? What is their native place of residence and what is their pay?

(b) Will the Government be pleased to state the number of vacancies which occurred in the Bijni Estate during the last 12 months? Of these how many have been filled up by local candidates of the district and how many by outsiders from other districts of the Assam Valley and how many from the Surma Valley?

(c) Did the Manager take steps in local papers or did he hang notices in conspicuous places inviting applications from local qualified candidates? How many applications did the Additional Manager receive from local candidates of the district during the last 12 months and of these how many were accepted and offered posts and how many rejected and with what reasons? Of those accepted how many are from local candidates of the district?

THE HON'BLE MR. W. J. REID replied :—

7. (a), (b) and (c)—The Government have seen the article. A report has been called for and when information is available the hon. member's questions will be answered.

MAULAVI ABDUL KHALIQUE CHAUDHURY asked :—

1. (a) Will the Government be pleased to lay on the table a statement showing the numbers of documents, thana by thana, registered in the Srimangal Sub-Registration office for the years 1921-22 separately? Srimangal Sub-Registration office.

(b) Is the Government aware that (i) about three-fourths of the documents registered in the Srimangal Registration office are from the jurisdiction of the Kamalganj thana and (ii) people of Kamalganj thana are in great disadvantages about the Registration of documents? If so, are Government considering the advisability of transferring the Registration office from Srimangal to Kamalganj?

2. (a) Will the Government be pleased to lay on the table a statement showing the numbers of documents, thana by thana, registered in the Srimangal Muhammadan Marriage Registration office for the years 1921-22 separately? Srimangal Muhammadan Registration office.

(b) Is the Government aware that (i) about three-fourths of the documents registered in the Srimangal Muhammadan Marriage Registration office are from the jurisdiction of the Kamalganj thana, and (ii) people of Kamalganj thana are in great disadvantages about the Registration of documents? If so, are Government considering the advisability of transferring the Muhammadan Registration office from Srimangal to Kamalganj?

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA replied :—

1. (a)—A statement is laid on the table.

(b)—The documents from the Kamalganj thana do not constitute much more than one-half of the number registered in Srimangal. In view of the fact that the communications both by rail and by road between Kamalganj and Srimangal are easy, no great disadvantage seems to be suffered by the people of Kamalganj. The registration office at Srimangal is located in permanent buildings and Srimangal is a more important place from the commercial point of view. Government do not propose to transfer the Sub-Registry office to Kamalganj.

2. (a) - A statement is laid on the table.

(b)—The documents from the Kamalganj thana do not constitute quite $\frac{1}{2}$ ths of the number registered in the Srimangal Muhammadan Marriage Registration office. In view of the facts stated in reply to question 1(b) Government do not propose to transfer the Muhammadan Marriage Registration office to Kamalganj.

Statement furnished in reply to question 1(a) asked by Maulavi Abdul Khalique Chaudhuri.

| Year. | Number of documents registered from | | Total. | Remarks. |
|----------|-------------------------------------|------------------|--------|----------|
| | Srimangal thana. | Kamalganj thana. | | |
| 1 | 2 | 3 | 4 | 5 |
| 1921 ... | 1,859 | 1,913 | 3,772 | |
| 1922 ... | 1,651 | 1,739 | 3,390 | |

Statement furnished in reply to question 2(a) asked by Maulavi Abdul Khalique Chaudhuri.

| Year. | Number of ceremonies registered from | | Total. | Remarks. |
|----------|--------------------------------------|------------------|--------|----------|
| | Srimangal thana. | Kamalganj thana. | | |
| 1 | 2 | 3 | 4 | 5 |
| 1921 ... | 172 | 372 | 544 | |
| 1922 ... | 144 | 337 | 481 | |

Information promised in answer to question No. 1 asked by Maulavi Abdul Khalique Chaudhuri at the Council meeting held on the 10th April 1923.

1.(a)—There were 38 temporary vacancies, of which 28 were filled by Hindus and 10 by Muhammadans. There was no permanent vacancy.

(b)—There was one vacancy for a Headmaster and one for an Assistant Headmaster. Hindus were appointed to both posts.

(c)—There were four permanent vacancies of which one went to a Muhammadan and 14 temporary vacancies of which two went to Muhammadans.

(d)—Class II-A—3 Muhammadans and 23 Hindus.

Class II-B—3 Muhammadans and 17 Hindus.

Class II-C—1 Muhammadan and 12 Hindus.

Information promised in answer to question No. 4 (b) asked by Maulavi Saiyid Samiur Rahman at the Council meeting held on the 12th April 1923.

Statement showing the names and addresses of the members of Selection Committee held during the years 1921 to 1923. It does not appear that Selection Committees were appointed in previous years.

| Names. | Designation. | Address. |
|--|--|--------------------|
| SYLHET. | | |
| <i>On 2nd June 1921.</i> | | |
| Babu Kishori Mohan Sen, B.A. | District Registrar. | Sylhet. |
| Rai Bahadur Nalini Kanta Ray Dastidar. | Zemindar. | Sylhet. |
| Rai Bahadur Promode Chandra Dutta. | Government Pleader. | Sylhet. |
| Khan Bahadur Muhammad Abdulla. | Retired Extra Assistant Commissioner. | Sylhet. |
| Khan Sahib Syed Sikandar Ali. | Special Sub-Registrar. | Sylhet. |
| <i>On 19th November 1921.</i> | | |
| Babu Kishori Mohan Sen, B.A. | District Registrar. | Sylhet. |
| Khan Bahadur Muhammad Bakht Majumdar. | M. L. C. | Sylhet. |
| Rai Bahadur Nalini Kanta Ray Dastidar. | M. L. C. | Sylhet. |
| Rai Bahadur Sukhamay Chaudhuri. | Honorary Magistrate. | Sylhet. |
| Khan Bahadur Abdul Nur Chaudhuri. | Retired Deputy Superintendent of Police. | Bhadeswar, Sylhet. |

| Names. | Designation. | Address. |
|---|--|---------------------|
| <i>On 19th March 1923.</i> | | |
| SYLHET—concl'd. | | |
| Rai Bahadur Panchu Gopal Mukharjee. | District Registrar. | Sylhet. |
| Khan Bahadur Muhammad Bakht Majumdar. | M. L. C. | Sylhet. |
| Khan Bahadur Abdur Nur Chaudhuri. | Retired Deputy Superintendent of Police. | Bhadeswar, Sylhet. |
| Rai Bahadur Sukhamay Chaudhuri. | Honorary Magistrate. | Sylhet. |
| Rai Bahadur Ramesh Chandra Bhattacharjee. | Honorary Magistrate. | Moglabazar, Sylhet. |

CACHAR, SILCHAR.*On November 1921.*

| | | |
|---------------------------------|---|----------|
| Mr. G. D. Walker, I.C.S. | (Deputy Commissioner) District Registrar. | Silchar. |
| Babu B. C. De. | Extra Assistant Commissioner. | Silchar. |
| Maulavi Rashid Ali Laskar, B.L. | M. L. C. | Silchar. |

MR. A. W. BOTHAM :—Sir, we have attempted to answer all the questions that have been put in. A considerable number of questions came in too late and in one or two cases we have not been able to prepare replies. In those cases the answers will be sent to the hon. members.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE APPROPRIATION REPORT FOR 1921-22.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to present to the Council the Report of the Public Accounts Committee on the Appropriation Report for the year 1921-22.

BABU KRISHNA SUNDAR DAM :—Will that be published in the Gazette, Sir? We have not yet got copies of the same.

THE HON'BLE MR. W. J. REID :—Sir, copies of the Report have been supplied to the members of the Public Accounts Committee and a copy has been placed in the Council Library. We had not intended to publish the Report. What I have presented to the Council is the memorandum which has been prepared by this Government as well as the findings of the Public Accounts Committee.

MR. A. J. G. CRESSWELL :—Sir, would there be any drawback to have it published in the Gazette?

THE HON'BLE MR. W. J. REID :—The only objection, Sir, is the cost. If the Council desire to have the Report printed and circulated we can do this. But printing is an expensive matter nowadays.

BABU KRISHNA SUNDAR DAM :—Sir, matters concerning the Finance Department are very difficult to be understood. So I request that the Hon'ble Finance Member will be pleased to supply us with the copies of the document at least for this session.

THE HON'BLE MR. W. J. REID :—The hon. member, I hope, Sir, understands that this compilation is somewhat ancient history. It deals with the accounts of the year 1921-22. The Comptroller had of course to wait not only until the year had expired, but until his final accounts had been made up. I now find, Sir, that we have a few spare copies of the Report, and we shall be glad to supply a copy to any hon. member who particularly wants one. We have got about ten copies.

NOTE ON THE PRESENT FINANCIAL SITUATION.

THE HON'BLE MR. W. J. REID :—Sir, hon. members have, I think already found on their tables a Note on the present financial situation, and I propose with your permission to say a word or two of explanation. I mentioned earlier in this session some of the difficulties under which we are working. The Council has met earlier than is our usual practice for reasons which are well-known to every one. But the result is that we have not yet received from the Comptroller the final accounts for the year 1922-23. Thus we are without the one set of actual figures as opposed to estimates on which we usually rely to make comparisons. Then, Sir, I feel that some apology is due to the Council for the form of the Note. It is perhaps a little more technical than what hon. members have been accustomed to. We shall try next year to put it in a more easily intelligible form. This time our difficulty arises from the fact that as the Note shows many payments to

us and many payments from us have not yet been made. These are adjusted in the Comptroller's accounts when he closes his books for the year. Therefore it requires a very close study of the figures in the Note to understand what the true position is. Perhaps my meaning will be best understood if I mention two items as an example. The Note states that no account is taken in these figures of the annual subvention of fourteen lakhs from the Government of India towards the cost of the Assam Rifles. This we shall of course get, but we have not had it credited in our accounts. Similarly we have not yet received from the Government of Bengal their bill for printing forms for the year and this will be taken against us in the final accounts.

There is one item which I think it only right that I should mention. In the Note against the heading 'VII—Stamps' we find:—"There will be an addition on account of the provincial share of receipts from the unified postage and revenue stamps; and a claim has been made on account of non-judicial stamps sold in Bengal for documents relating to Assam." Well, Sir, we have had discussions with the Government of Bengal about this claim. As members will readily realise much business relating to Assam is transacted in Calcutta. Documents are executed there and the necessary stamp duty is paid there. In the old days the province in which stamp revenue was collected kept it and there were no inter-provincial adjustments. Since the introduction of the Reforms in 1921 each province is entitled to recover from the collecting province such revenues as are properly its due, and each province has to pay other provinces the value of any services rendered. After considerable discussion and after enquiries we have so far come to an agreement with Bengal that they are willing to pay us an annual sum of Rs. 45,000 as our share of these non-judicial stamps. Unfortunately they are only willing to pay us from the beginning of the current year, while we claim that we are entitled to this payment from the 1st April 1921. They have so far shown no signs of giving way, but we have been told by an independent arbitrator that in equity our claim is a valid one. We hope that the Government of Bengal will reconsider their decision and make our claim good in fact as well as in equity.

In the course of some of our discussions, Sir, there seemed to be a suggestion that this Note shows our revenues to be improving, and that for this reason we were inclined to launch into expenditure which we would otherwise have avoided. I can assure the Council that this is very far from being our intention. I shall speak in a moment on the prospect of an improvement in our revenues. But I say definitely, as I said before, that the supplementary demands which we presented were presented because we considered them to be inevitable. If our revenues prove to be better than our expectations the advantage will be that at the end of the year our overdraft will be so much reduced. But I need hardly say that it is much too early in the year to reckon on what the final results will be. There is still the possibility of floods, which heaven forbid. Those who knew the Surma Valley in the years 1915 and 1916 cannot be entirely free from apprehensions as to what may happen until much later in the year.

One last word, Sir. We have, as the Council know effected certain retrenchments. We are assured that there will be resulting economies, and the effect of our measures is being gradually felt. But it is much too early for us to forecast what these economies will amount to, or to attempt in this review of the situation to make any allowance on this account.

RESOLUTION.

INCREASE OF PASTURE LAND.

MAULAVI ABDUL KHALIQUE CHAUDHURI :—Sir, I beg to move the resolution which stands in my name :—

“ That this Council recommends to the Government of Assam that early steps be taken to increase the land open to pasturage up to 5 per cent. of the total land area distributed according to the convenience of the different villages in the Province within four years, some substantial increment being made in the first year and the rest equally distributed in the next three years.”

Sir, it is not entirely a new subject, it has been dealt with in various ways in its various aspects from pre-reform times. I remember that the Hon'ble Finance Member said in his opposition to a resolution moved by my hon. friend Babu Baikuntha Nath Ray that the late Rai Bahadur Dulal Chandra Deb framed a draft Bill for the provision of grazing grounds in the permanently-settled areas in Assam. His Bill was much criticised and finally was dropped for some technical grounds. The Hon'ble Finance Member in his said opposition informed the House, too, that the rules for the reservation of grazing grounds in the Land Revenue Manual were framed in 1911 and were modified in 1915. In successive resolutions on the administration of the Land Revenue Department serious attention has been drawn to the necessity of providing adequate grazing grounds wherever this was possible and officers have been specially addressed on the subject. Sir, the hon. Baikuntha Nath Ray in the September session of the 1921 Council proposed in his resolution that “ a Committee of officials and non-officials be appointed soon to enquire into and to submit a report regarding the present condition of pasture lands and grazing grounds for the maintenance of cattle and to advise the Government to take such legislative steps as will be necessary to set apart in every village and town in the Province an adequate portion of lands as pasture.” The Hon'ble Finance Member objected to this resolution on the grounds that (1) if the enquiries of the Committee are to cover every village and town in the Province it would require much time and money and (2) if the formation of the Committee is suggested in order to lay down a line of policy then it is unnecessary because the policy of Government has been clearly defined and has been consistently followed. He said that “ the subject is not one in which Government has only recently taken an interest.” He then presented the progress reports of the years 1919 and 1920 with figures in the matter of reservation of village grazing grounds. He hinted also that financial steps are necessary to set apart a grazing ground to meet the convenience of every village and every town. However the resolution was then withdrawn at the request of some members of both the Valleys.

Sir, in order to be intelligible to the House I have outlined the past and now I am to begin with the present state of things. I admit, Sir, that the Government has undertaken steps in the subject but the steps undertaken by the Government in the direction were not sufficiently appreciable according to the needs of the people.

Sir, the cattle census reports of almost all the provinces in India complain of want of grazing facilities and describe this as one of the principal causes of excessive cattle mortality and cattle deterioration. The inadequacy of grazing grounds will be apparent on a comparison of the area of grazing grounds available per head of cattle in the different provinces in India with similar figures in other countries of the world. Thus the number of acres that is available for grazing per head of cattle is only .17 in Bengal and a little more in other provinces, while the same is 1.6 in the United States of America, 1.35 in New Zealand and 1.44 in Germany. And what is worse, encroachment is being made by the State and the subject alike on the scanty grazing grounds that still exist. The subject of the curtailment of grazing grounds was thoroughly discussed by the Imperial Board of Agriculture in 1907 and 1913 and the following recommendations suggested by them are worth the serious notice of all concerned, *viz.* :—

- (a) Preservation of grazing grounds by legislation; restrictions of grazing rights to be deprecated. Local officers and local boards to be made to demarcate grazing areas and prevent them from being encroached upon ;
- (b) Improvement of waste areas by the Forest Department in close association with the Agricultural Department and local bodies ;
- (c) Legislation to prevent further encroachment upon existing grazing grounds and authorising local bodies (District Boards and Municipalities) to expend a portion of their income for the systematic acquisition of grazing areas every year ;
- (d) Acquisition of grazing grounds at the cost of the State ;
- (e) Reafforestation by the Forest Department in localities where it is necessary.

I think, Sir, the time appears to have come when early action in the directions indicated above need be taken for better provision of pasture grounds.

Sir, the House is aware that Government has reserved grazing grounds close to the forests and Government *khas mahals*. But, Sir, the villages with no pasturage in the permanently-settled areas in the interior which are inhabited by the people of the cultivating class, furnish unmistakable proof of the awful decline and deterioration that have taken place in the number and quality of our cows, bulls and bullocks. In most of the rural homes cattle are now conspicuous by their miserable condition. The few that can be seen are mostly famished animals with visible ribs which can hardly be expected to be either good milkers or good plough cattle, and milk and milk products are scarcely available and extremely dear in consequence. In fact the number of cattle now available in the province is inadequate for its needs. Sir, if we compare the area of arable land and the number of plough cattle in the province we can see that a pair of cattle which, as every one knows, cannot properly till more than five acres of land in a season, have to till 19 acres, in other words having to do the work of four pairs.

Sir, the above figures reveal a terrible state of things from the point of view of the country's economic future and the health of the people. The House is quite aware, Sir, that the Government could not be able to work out the subject independently with its finance. Government may authorize the Local Boards and the Municipalities to spend some portion of their income and if possible to make the beneficiaries also pay partially to acquire land for the free grazing of cattle till sufficient land or at least five per cent. has been available for the purpose in their jurisdiction. I think, Sir, it is high time to take steps for preservation of existing pasture grounds and regular acquisition and proper maintenance of new pasture grounds by the State, Local Boards and Municipalities, permitting free grazing in specified areas of Government forests on the sides of public roads and in the interior according to the convenience of different villages and providing for pasture land in Government *khas mahals*.

With these words, Sir, I beg to commend my resolution to the consideration of the House.

THE HON'BLE MR. W. J. REID :—I trust, Sir, that the Council will not think me lacking in sympathy with what are obviously the motives of the hon. mover if I say at once that the resolution is one which, in its present form, this Council will certainly not accept. I must admit that the resolution as now moved is more moderate than the one which was to have been moved by the hon. member in April last but which he withdrew. At that time he asked for ten per cent. of "the total land area in localities of this province within four years." He now asks to increase the land open to pasturage up to five per cent. of "the total land area distributed according to the convenience of the different villages in the province". Well, Sir, what is "the total land area" and what does the hon. member mean? Does he refer to hills and plains, waste land and cultivated areas, land which is still at the disposal of the Government and land which has now passed into private ownership. If he is thinking of land falling in the last category I know of only two methods by which we can carry out his wishes. One is acquisition, the other is confiscation. Which method does he recommend?

The hon. mover, Sir, referred to certain portions of my reply to a resolution moved by Babu Baikuntha Nath Roy some two years ago. I went then at some length into the policy of the Government. I said that the matter was a comparatively simple one in areas where there is still land at the disposal of Government, and I pointed out that in such areas we have steadily been reserving grazing grounds for the use of the people. I said that we had gone further, and that where we could cancel annual leases and thereby provide grazing grounds we had done so, and I told the Council that in my personal experience no proposal to cancel an annual lease had ever met with anything but the very strongest opposition from the holder of the lease. I said the position was different in the permanently settled areas where the land does not belong to Government, and in areas where the lessees have acquired the status of a landholder. We cannot dispossess such people without acquisition proceedings and without paying compensation. I said that the decision of the Government as regards permanently settled areas and areas where land was not at the disposal of Government was that in those areas the only means of providing grazing grounds would be to take up land required for grazing under the Land Acquisition Act, but that this could not be done at

the cost of the public revenues and that before action could be taken to acquire land the whole or the greater part of the cost must be deposited by the landlords and tenants concerned. If I had to make that announcement two years ago, Sir, and if as the record of the proceedings shows the Council did not then dispute the decision is our position any weaker now when we compare the present state of the provincial finances and their condition then ?

I should like to assure the Council, Sir, that we are steadily carrying out the policy which I then outlined. We have not yet got figures for the revenue year 1922-23 which is just over, but during the year 1920-21 we added 9,427 acres to the area reserved for village grazing grounds and during the year 1921-22 we added a further 18,496 acres. I have said, Sir, that we are in no way lacking in sympathy with the object of the resolution. But we consider it impossible, in fact I am sure the Council would not ask us, to give effect to it in its present form.

MAULAVI ABDUL KHALIQUE CHAUDHURI :—Sir, I should like to add a few words in support of my resolution. It may interest the House to know what the premier Indian States, Baroda and Mysore have done in this matter. In Baroda, pasturage to the extent of 5 per cent. of the village lands in Rasti Mahal (advanced *taluks*) and 10 per cent. in the Rani Mahals (backward *taluks*) is set apart in the Revenue Code. In Mysore 30 acres of good pasturage or 60 acres of middling variety or 100 acres of inferior land are allotted to each village as grazing common for every hundred head of cattle. In Janjira State, too, sufficient free pasture land is reserved for every village in the State.

The motion was put and negatived.

RECRUITMENT OF INDIAN CIVIL AND OTHER IMPERIAL SERVICE OFFICERS.

MAULAVI ABDUL KHALIQUE CHAUDHURI :—Sir, the resolution that stands in my name runs thus :—

“ That this Council recommends to the Government of Assam to move the proper authority to make no further recruitment of Indian Civil and other Imperial Service officers for this province during the remaining experimental term of the Reformed Government. ”

Sir, an almost similar resolution was moved in this Council on the 16th of March 1922 by the Hon'ble Rai Bahadur Promode Chandra Dutta, the present Minister. Though a strong sense in favour of it then prevailed in the House the resolution was lost by one vote only. I hope, Sir, the sense of the House with a change of seats within a period of a little more than one year has not changed. I am very glad to see the proposer himself a disposer

now in the Cabinet. Sir, the Indian National Congress and the Moslem League fought for many years to take part in the administration of their Indian affairs. Fortunately the world war offered an opportunity to exhibit Indian ability and loyalty and the British Parliament being pleased introduced Reformed Government in India. At the very beginning of the Reforms the Indians thought it the first stage of self-government. Sir, the question of recruitment for All-India Services was debated at some length in the Legislative Assembly on the 11th February 1922 when the following resolution was adopted :—

“The Assembly recommends to the Governor General in Council that enquiries should without delay be inaugurated as to the measure possible to give further effect to the declaration of August 20, 1917, in the direction of increased recruitment of Indians for the All-India Services and also that steps be taken to provide in India such educational facilities as would enable Indians to enter the technical services in larger numbers than it is at present possible.”

And I remember, Sir, from the speech of the Hon'ble Rai Bahadur made on the 16th of March 1922, in support of his resolution that a resolution was adopted in the Central Provinces Council on the subject of All-India recruitment. A great many members of the All-India Services had seen many debates raised and questions asked in the new Councils and the Assembly suggested that a great many members of these bodies thought that the Civil Service was no longer wanted in India and that the civilians had better pack up and go home. From this they generally believed that their pay was no longer so secure as it was, that their pensions were not so certain, and that it was doubtful, as constitutional development took place in India, whether the appointments they now held would continue and if they ceased to continue, whether they would obtain just compensation for having their careers brought to an end.

Sir, the question of recruitment was interpellated much in the House of Commons. Mr. Lloyd George the then Premier in his speech regarding Reforms said that these changes were in the nature of an experiment, and they must be treated as an experiment, a great and important experiment, but still an experiment. He said that the All-India Services could not be dispensed with. They did good service for India. However, from these assurances the all-India officers got much relief of their anxieties and the Indians understood that they were not granted self-government—the Reformed Government is an experiment.

Now, Sir, we often saw that experiments were tried in a narrow scope of things. Our province is a less important province in India and I think, Sir, it is the proper place to experiment the Reformed Government in.

Sir, in view of the economic condition of the province and in consideration of the active Provincial Service officers under the disposal of the Government of Assam I again venture to move this resolution before the Council. The hon. members are quite aware of the discussion made in the last year. I only add here a few words in my support. At the time of the last German war the Council is aware a good many of these officers were called away for

Military duty and the province had to be run practically with the aid of the Provincial Service officers and during the non-co-operation movement the Provincial Service officers proved themselves loyal and active in the discharge of their duties. They did not hesitate to punish their countrymen to keep peace and order in the province and these incidentally demonstrate the fact that the Provincial Service officers are quite competent to run the province by themselves and the Government can safely rely on them at the helm of affairs. Sir, there are 19 posts reserved for the Indian Civil Service. We got about 45 Indian Civil Service officers and about 12 Indian Medical Service officers. I think, Sir, the Imperial Service officers at the disposal of the Government at present will not be used up during the remaining experimental term of the Reformed Government. If there is any vacancy the vacancy may be filled up with competent Provincial Service officers with consequent economy and solvency to the province and success of the aforesaid experiment. With these words, Sir, I move the resolution.

THE HON'BLE MR. W. J. REID :—I thought, Sir, that the line I took in replying yesterday to a resolution moved by the hon. member would have indicated to him the line that I would take to-day and have led him to revise in some respects at least the careful speech which he has delivered. At all events, Sir, on this occasion I do not propose to reply on the merits at all. I shall take a preliminary objection which I hope the Council will sustain.

The hon. mover told us that a similar resolution was moved in this Council in March 1922 and was lost. He mentioned many other matters, articles in the public press, debates in various Councils. But he made no mention of the Commission on the Public Services in India which will shortly assemble. I think that if I read to the Council the terms of reference to that Commission hon. members will agree that this is hardly the time for us to discuss in detail the subject of this resolution. I read, Sir, from a press communiqué which was issued some months ago :—

"His Majesty's Government have decided to appoint a Royal Commission on the Services in India. The terms of reference are :—

"Having regard to the necessity for maintaining a standard of administration in conformity with the responsibilities of the Crown and the Government of India and to the declared policy of Parliament in respect of the increasing association of Indians in every branch of the administration and in view of the experience now gained of the operation of the system of Government established by the Government of India Act in respect of the Superior Civil Services in India, to enquire into, (1) the organisation and general conditions of service, financial and otherwise, of those services; (2) the possibility of transferring immediately or gradually any of their present duties and functions to Services constituted on a provincial basis and (3) the recruitment of Europeans and Indians respectively for which provision should be made under the constitution established by the said Act and the best methods of ensuring and maintaining such recruitment, and to make recommendations".

I ask, Sir, as an investigation on the very widest lines into these matters is about to be made by a competent body whether this is the time for us to support so general and sweeping a recommendation as the one now before the Council.

MAULAVI MUNAWWARALI :—Sir, I have been able to see my way to support the hon. mover of this resolution. I hope ultimately he will not break down and withdraw it as he did the other day. The Hon'ble Finance Member has stated that the Royal Commission will be examining this question. Well, Sir, if this is so it is all the more necessary for us to make our suggestions. If we after deliberating upon the question here in the Council can give our opinion it will simply help the Commissioners in coming to a clearer and more correct decision because we are the persons who are directly affected and we can give our own judgment. Therefore, Sir, I think it is very, very necessary that questions of this nature should be well gone into and a decision arrived at by the Council. On a matter of principle also I support the resolution because after the Reforms All-India Services to me appear nothing but an anomaly. If we are to have responsible Provincial Self-Government we have to have our own cadres, we have to organise our own Services, and as regards Services Imperial control should be withdrawn as soon as possible. I think to work out the Reforms it is essentially necessary to have the Imperial Services abolished. From the point of economy also we are, I should reiterate, steeped in bankruptcy, and the question is one which may not be lightly treated. Let us stop the recruitment to the Imperial Services for the five years and see how the situation is relieved. We shall be certainly on a better footing. When the resolution was moved two years ago by the Hon'ble Rai Bahadur Promode Chandra Dutta I had given my support to it. I think the resolution was identical with this and that was defeated by a narrow majority of one single vote. I think we were far better off at the time when the Rai Bahadur moved that resolution than we are to-day, and I say that the question of economy and improvement of the resources of the province require it that it be carried to-day by an overwhelming majority, so that the Royal Commission may know our views before they come to their decision. This is a right and valid thing which we surely can do to-day. With these few words I give my hearty support to the resolution and request the hon. mover not to withdraw it.

THE HON'BLE MR. W. J. REID :—If I may offer a word of explanation, Sir, perhaps I failed to make my meaning clear to the hon. member. I gather that the hon. member does not sustain my preliminary objection but whether the rest of the Council will agree with him remains to be seen. At all events it is impossible for us to discuss the resolution on its merits. The appointment of the Royal Commission has made all the difference. We on the Government benches will take no part in the debate if there is a debate, but the weighty observations of the hon. member and any other observations which may be made in the course of the debate together with the decision of the Council will be communicated to the Government of India. But none of us will either speak or vote on the subject matter of the resolution.

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

| AYES—13. | NOES—7. |
|---------------------------------------|--|
| Maulavi Abdul Khaliq Chaudhuri. | Raj Kumar Chandra Narayan Singh. |
| Maulavi Abdul Rahim Chaudhury. | Rai Bahadur Krishna Chandra Chaudhury. |
| Haji Muhammad Abdul Ahad Chaudhury. | Srijut Siva Prosad Barua. |
| Maulavi Munawwarali. | Mr. E. H. Featherstone. |
| Maulavi Rashid Ali Laskar. | Mr. E. S. Roffey. |
| Maulavi Saiyid Samiur Rahman. | Mr. W. D. Smiles. |
| Munshi Safiur Rahman. | Mr. D. M. Somerville. |
| Srijut Bipin Chandra Ghose. | |
| Rai Bahadur Bipin Chandra Deb Laskar. | |
| Babu Biraj Mohan Dutta. | |
| Srijut Dalim Chandra Bora. | |
| Srijut Hemodhar Patra-Bora. | |
| Rai Bahadur Ramani Mohan Das. | |

The motion was accordingly adopted.

THE HON'BLE MR. W. J. REID :—We shall see, Sir, that the considered decision of the Council is forwarded to the proper quarter.

THE HON'BLE THE PRESIDENT :—His Excellency will prorogue the Council at 12-30 P.M. and I request all hon. members to be in their seats at least five minutes before that.

PROROGATION.

His Excellency the Governor arrived at the Council Chamber at 12-30 P.M. and proceeded to the dais escorted by the President and Secretary of the Council and his personal staff. He addressed the Council as follows :—

MR. PRESIDENT AND HON'BLE MEMBERS: The business of the session is concluded and in the ordinary course the first reformed Legislative Council of Assam will not meet again. I do not propose to dissolve the Council to-day, but as I told you at the last session the general election will take place in November and in order to complete the necessary formalities in good time it will be necessary for the dissolution to take place next month.

My reason for delaying the dissolution is that under the Government of India Act it is necessary that the new Council should meet not more than six months after the dissolution of the old Council. If I had dissolved this Council to-day it would be necessary for the new Council to meet by the middle of February. I understand that it has always been the practice hitherto to defer the Spring session of the Council till March and I do not suppose the members of the new Council will be any more keen than you were to come up to Shillong during the winter. If the new Council or any section of the new Council expresses a desire to meet earlier than March I shall of course be prepared to meet their wishes. But for the present I am proceeding on the assumption that it will be for the convenience of all concerned that the first meeting of the new Council should be held in March and I therefore propose to issue a formal dissolution notification towards the end of next month and, as required by the law, to appoint a date in March for the meeting of the new Council. I have asked the Legislative Department to make the arrangements which will be necessary in order to enable the general election to be held throughout the province on convenient dates about the middle of November.

It is natural, gentlemen, on an occasion of this kind, to review the activities of the Council which is about to die. You, gentlemen, know more about the activities of this Council than I do for it is only within the last six months that I have had the pleasure of becoming acquainted with you. But I propose to offer you a few general reflections which will, I hope, be of some interest to you and to your constituents.

When this Council was first constituted towards the end of 1920 a good many people in this province stood aloof because they said they did not believe in the Reforms and they thought the reformed Council was going to be a sham. Remarks of that kind are still heard in some quarters though I do not think they are so frequent or so insistent as they were a couple of years ago. I would like to give the people who hold these views a few facts and figures to think about in this connection.

I do not know whether many people realize what a very modern thing the Assam Legislative Council is. Up to 1905 Assam had no Legislative Council of its own and no lot or part in any Legislative activities of any kind. Subject to the control of the Government of India the Chief Commissioner was the supreme authority in all matters of legislation, finance and administration. No doubt as a sensible man he consulted public opinion before he took action on any important question. But there was no power within the province which had the vestige of any legal authority to control him in any way. After 1905 Assam, as you know, was joined to Eastern Bengal, and Assam then acquired the right of representation in the Legislative Council of Eastern Bengal and Assam. But that Council was a small body consisting only of fifteen members and out of this number only two were allotted to Assam. Even those two members were not elected in any ordinary sense by any electorate or any responsible body. They were merely recommended in rotation by groups of public bodies, local boards and municipalities, and it rested with the Lieutenant-Governor to accept the recommendations of those bodies or not as he thought fit. Even the Lieutenant-Governor, it is curious to note,—even the Lieutenant-Governor in those days had no power to appoint the members of his Council. He could only make a nomination which was subject to

the sanction of the Governor General. That was the position in days not so very long ago which are well within the recollection of many of you who are present here to-day. Up to 1905 there was no Council at all; after 1905 two members in a small Council of fifteen nominated by the Lieutenant-Governor subject to the sanction of the Governor-General. In 1910 some advance was made under the Minto-Morley scheme of reforms. The Legislative Council of Eastern Bengal and Assam was enlarged from fifteen members to forty and out of those forty members, Assam had the right to elect five. The election of three members were made indirectly by representatives of groups of municipalities and local boards. One member was elected by the tea industry and one member represented the Muhammadans of the Surma Valley. Those were the five members in those days—only thirteen years ago. In 1912 the short-lived union of Eastern Bengal and Assam came to an end and Assam was given a legislative Council of its own. It consisted of twenty-four members of whom thirteen were nominated by the Chief Commissioner and eleven were elected, two by the Muhammadan community in each Valley, two by the landholders of each Valley, four by the municipalities and local boards and three by the tea industry. In 1921 the former Council with its majority of nominated members was swept away and replaced by this Council with its fifty-one members, thirty-nine of whom are elected; thirty-two of those thirty-nine (sixteen in each Valley) are elected by purely territorial constituencies, one member is returned by the Shillong urban constituency and the remaining six represent the tea industry and commerce and industry other than tea. The official members who in previous Councils numbered very nearly half the total of the Council and for most practical purposes had an assured majority, have now been reduced to four excluding the two Members of the Executive Council who sit in this Council *ex-officio*. I claim, therefore, that even in the mere matter of numbers there has been a very striking advance during the last seventeen years—from two nominated members in 1906 up to this present Council with its thirty-nine elected members, every one representing a definite constituency and owing his seat to the will of the majority in this constituency and to nobody else.

Not less striking than the increase in the numbers of the Council and in the number of elected members is the advance which has been made in its functions. The functions of the Council of 1906 were almost entirely confined to legislation. It was indeed authorised to discuss the Budget framed by the Executive authorities but it was not allowed to pass resolutions about the Budget or about anything else. Formal questions could be put if due notice was given, but no supplementary questions were allowed. The Council was, as I have said, a small body of fifteen members, and as an illustration of the way in which it did its work, I may mention a curious fact which I came across recently in going through the old rules. The rules laid down that any member desiring to make any observation on any subject before the Council should address the President without rising from his chair. That rule, I think, illustrates in a somewhat striking manner the difference between the conditions in which the old Council did its work and the conditions which prevail to-day. The old Council was in fact a sort of advisory committee and had no pretensions to parliamentary status of any kind. After 1910 there was a certain extension of the functions of the Council as well as of its numbers. The Council was allowed to move resolutions about the Budget and about other matters, but the Budget was

put before the Council in cut and dried form and the resolutions passed concerning it operated only as recommendations to Government and were generally of little effect in regard to the Budget under discussion though occasionally they had an indirect effect on the Budget for the following year. Moreover the Budget itself was only an estimate from which the Government could depart at any time without further reference to the Council. In 1910 supplementary questions were for the first time allowed but they could be put only by the member who asked the original question.

I do not propose to deal at length with the great changes which were effected by the Reforms in 1921. As you all know the Budget is now placed before the Council in full detail. Subject to the Governor's power of restoration in exceptional circumstances, no expenditure can be incurred by the Executive Government save in respect of certain items which are withheld by Act of Parliament from the vote of the Council and which in Assam amount to less than 25 per cent. of the total provincial expenditure. In other ways, the rights of the Council have been extended on the model of the British House of Commons. Supplementary questions can now be put by any member, the right to move the adjournment of the House in order to discuss matters of public importance has been conceded; a Public Accounts Committee has been set up to see, with the aid of the Audit Department, that the Executive authorities spend the voted grants in the manner in which the Council intended; and in a little more than a year the Council will be allowed to elect its own President. It is true that resolutions passed by the Council still operate only as recommendations to Government, but that is the House of Commons practice also, and the recommendations of a body of fifty-one members of whom thirty-nine are elected stand on a very different footing to those of the old Councils with their handful of non-official members nominated or elected in various indirect ways. If anybody thinks that a recommendation of a body like the present Council is likely to be disregarded or will fail to receive anxious and careful consideration at the hands of the Government, I make bold to say that that person knows very little about administration and still less about human nature. When, therefore, your friends or opponents tell you that the present Council is a sham, I ask you to invite them to look at the enormous difference that has taken place in the short period of seventeen years. If I might put it very briefly I should say that the criticism of a handful of non-officials, possessing no definite representative authority, has been converted into control by this large body, for the most part directly representative of and responsible to different sections of public opinion throughout the Province.

I do not propose, gentlemen, to go into great detail regarding the actual achievements of the present Council. They will no doubt be set forth in due course in statistical form in reports and similar publications for those who like that form of literature. Your legislative output has not been great. Various Bills have been passed but the only measure of first-class importance which has come before the Council has been the Municipal Act. That measure will, I anticipate, have somewhat far-reaching effects on the urban life of the province, but it is early to prophesy about that yet. Some of you are probably disappointed that the legislative programme has not been larger, but I think that it is no bad thing that a conservative province like Assam should be slow in amending laws which have served us well in the past,

though they undoubtedly require reconsideration and amendment in the light of modern political conditions. There have, however, been useful discussions in this Council which will, I trust, help and guide us in deciding the lines on which future legislation should proceed. The Hon'ble Minister has under preparation an important Bill for the amendment of the Local Self-Government Act in order to bring legislation affecting local boards up-to-date. That Bill will, the Hon'ble Minister hopes, be laid before the new Council at an early period during its lifetime. Towards the construction of that measure you have made useful contributions by discussions on resolutions and otherwise which brought to notice various shortcomings in the present law. Discussions in this Council also led directly to the framing of the Primary Education Bill which is now before the country for consideration. That measure will also I hope be brought before the new Council in due course. We placed before you a Bill dealing with local rates but for reasons which were explained by the Hon'ble Mr. Reid the other day we have thought it best not to proceed with that measure during the lifetime of the present Council. The publication of the measure has evoked a large amount of interest and constructive criticism which we shall no doubt be able to turn to good account before we ask another Council to take up the question again. You have also at this session agreed to the introduction of a measure dealing with the water hyacinth menace and I trust that it may help towards a solution of that serious and difficult problem. The only important Government legislation to which this Council has definitely declined to give its assent was the Bill for the purpose of enabling a record-of-rights to be prepared in Sylhet. I imagine that in your action in regard to that Bill you were influenced mainly by the financial situation and Government was certainly influenced by that consideration in acquiescing in your decision that the matter should be allowed to rest for the present. But, gentlemen, I am convinced from what I have seen of the permanently settled areas in this province that up-to-date tenancy legislation is an urgent necessity there. Only the other day when I was in the Goalpara district this fact was impressed upon me by nearly every one whom I saw, whether they were landlords or tenants or members of the legal profession. I am convinced that legislation of this character would be of enormous benefit, but it would be futile to embark on it without that detailed knowledge of agrarian conditions which the preparation of a record-of-rights alone can furnish. I trust, therefore, that when the financial situation improves we shall be able to lay before you proposals for proceeding further with this matter and that those proposals will command your assent.

As to the other activities of this Council,—in the matter of questions you have shown a keen desire for accurate information. You have asked nearly 1,400 questions during the last two and a half years, and I trust that the answers you have received have been useful to you and that they have justified the labour which has devolved on Government and its officers in framing those answers. More than 150 resolutions had been moved and perhaps the most striking fact about that is that seventy-three or nearly half were withdrawn after the mover had heard what the Government and his fellow members had to say on the subject. It may be thought that this indicates some waste of time but I think that is hardly a fair way of looking at the matter. Many of the resolutions which were withdrawn raised important questions of public interest, and discussions on them at least served to dissipate much ignorance and misunderstanding. Of the remaining resolutions up to the end of the last session thirty-three had been negatived by the Council

and thirty-seven were carried. Out of the thirty-seven resolutions which were carried effect was given in full to the wishes of the Council in twenty-one cases, in six cases the resolutions were partly complied with, in eight cases the Government found it impossible to take action owing to want of funds, and in only two cases was it necessary for the Government on administrative grounds to decline to carry out the wishes of the Council. One of these motions related to the fixing of *kist* dates in the Assam Valley, while the other related to the recruitment from the Bar of members of the Judicial Branch—a matter which is not in our hands but in the hands of the Government of Bengal. Well, those, gentlemen, are the only two cases in which for financial reasons Government found it impossible to do something towards meeting the wishes of this Council. These figures I think clearly indicate the desire of the Government to carry out the wishes of this Council whenever it can possibly do so. Apart from the resolutions regarding legislation which I have already mentioned, the most important resolution affecting the policy of Government was that which recommended the appointment of a retrenchment committee. As you know a committee was duly appointed and made a number of far-reaching proposals. We have not yet been able to come to a final decision on all of them, but we have already given effect to a good many, and the most important of those which remain await the orders of higher authority or consideration by the Public Services Commission which has recently been appointed. Apart from the Committee's proposals, we have effected a number of retrenchments on our own account, largely following in that respect the recommendations of the Bengal Retrenchment Committee. The results of our retrenchment policy were seen in the Budget of the current year. I will not give you details, but I think I am justified in saying that most of you agree that we have gone as far as is safe in the matter of retrenchment for the present. Though there may be a few further retrenchments possible after the Public Services Commission has considered the important and far-reaching issues that have been referred to it, no great improvement in the financial position of the province can be looked for from further retrenchment and the most that we can hope to do in the immediate future is to get rid of our unfortunate deficit.

That, gentlemen, in brief is a very short summary of what you have done during the last two and a half years. I know that many of you feel that you have not done as much as you would have liked to do, nor as much perhaps as you think you ought to have done. Well, gentlemen, if it is any consolation to you, I can tell you that that is a very common feeling among administrators of all ranks and grades. Sometimes we are justified in feeling that we have done our best, but it is very seldom that we have the satisfaction of knowing that we have achieved all that we set out to do. Probably this chastening feeling is good for us. It would certainly be very bad for us if we got our own way all the time and every time. But apart from that general reflection, there is a special reason why, since the introduction of the reforms, neither the Assam Government nor the Assam Legislative Council have been able to do anything like what they would have wished to accomplish. That reason I need hardly say is finance. And I do hope and trust that during the coming general election you will do what in you lies to make your constituents realise the parlous state of our finances, both provincial and local. As I go round the province I find people everywhere labouring under the old idea that Government has a bottomless purse and that if Government will only take the trouble to put its hand into

its purse it will find money sufficient to finance all sorts of improvements, local and general, as many as anybody could desire. Gentlemen, you, the members of this Council, know at any rate that no greater delusion could be imagined and I look to you, gentlemen, to put the matter plainly before your constituents, because I am convinced that unless the country at large understand the financial position, not only will no advance be possible, but there will be a great deal of avoidable misunderstanding which will be embarrassing to you no less than to me and to the Government. Here again, a few facts and figures may be useful to you in bringing the matter home to your constituents as I hope you will do. Before the Reforms, as you doubtless know, a few sources of revenue were placed at our disposal by the Government of India under a sort of *quasi*-permanent provincial financial settlement, but these sources were admittedly insufficient for the bare necessities of the administration, and they were supplemented from time to time by grants or doles which the Government of India handed out to us whenever they had a surplus themselves and felt in a generous mood. Few people I think have any accurate ideas as to the amount of money which the Government of India dispensed in this way in former days. I have had the curiosity to look up the figures, and I find that during the nine years from April 1912 to March 1921 the Government of India gave us in all, over and above our permanent sources of revenue, a sum of more than three crores of rupees which was equivalent on pre-war standards to more than two years' expenditure of the province. Many of these grants were earmarked for specific purposes like education, sanitation, communications and so on; others were free grants. But in all cases these grants formed a reserve which the Chief Commissioner could utilize for big schemes of provincial and local importance after providing for the essential needs of the administration. There were of course many objections to the dole system. The doles came in in uncertain amounts and at uncertain intervals and it was not always possible to spend them to the best advantage. It frequently happened that with the help of a dole, a beginning was made with schemes involving recurring expenditure which steadily increased and eventually was found to impose too heavy a burden on the provincial finances. Nevertheless the head of the province in those days had a certain amount of money which he could spend in meeting urgent needs. He was not in the unfortunate position of the present-day Governor who wherever he goes, is met by insistent demands for much-needed and justifiable grants and is compelled to return the regretful answer that he can do nothing because he has no money. However, the dole system has gone and it is no use regretting it. It would have been entirely inconsistent with the system of financial autonomy conferred upon us as one of the boons under the Reform scheme. Far from looking for further doles, we have now to contribute fifteen lakhs of our own revenues annually to the Government of India. The most that we can hope from the Government of India in the future is a remission or reduction of that contribution. This would give us some relief but it would not go very far in meeting our urgent needs. Our partners in the provincial administration, the Local Boards, are in an equally unhappy plight. They are also in the same position as the Local Government before the Reforms came into force in that they are very largely kept going by Government doles. I do not know whether many people realise the extent to which Government contributes to the resources of the Local Boards in this province. In the year 1921-22, the last year for which figures are available, the total income of the Local Boards of the province was about

thirty lakhs. Out of that sum Government contributed no less than Rs. 16,70,000 or 57 per cent. Government provided more than two-thirds of the expenditure of the Boards on education and nearly the same proportion of their expenditure on communications. The grants under these two heads alone come to thirteen and a half lakhs. As the Hon'ble Mr. Reid has told this Council more than once, there is no intention of reducing the grants which we at present make to Local Boards unless our financial position should deteriorate to such an extent as to make retrenchments under that head absolutely necessary. But it must be clear to all of you that we are in no position to increase our grants unless our financial situation greatly improves and there is no prospect of that, I am afraid, yet awhile. Apart altogether from the question of the adequacy or inadequacy of the Boards' resources and of the Government grants, the present position is unsatisfactory from other points of view. It involves Government in constant and annoying interference with the activities of Local Boards, because when Government gives grants it must take steps to see that they are spent on the objects for which they were given. This interference, this reliance on Government grants, must stunt the growth of local self-government, and all are agreed that local self-government must grow before provincial self-government can grow. I do not say that Government grants are never justifiable or that they should be stopped altogether, but I do say that they should be the exception and not the rule and that they should cease to be the mainstay of local finance.

I should like to sketch out for you my ideal of the future of local self-government in Assam. I know that there are many difficulties in the way but the sooner we begin to think about these matters the better. I should like to take in hand the complete reorganization of provincial and local finance in this Province. I should like to start local bodies with an assured annual income equivalent to their existing incomes, including of course in the existing income the existing Government grants. I should like at the same time to give them power to raise further income for local needs and to throw the responsibility of providing the funds definitely on the people of the locality or the section of the people of the locality who would benefit if those needs were supplied. In other words, I should like to give Local Boards financial autonomy in the same way as Parliament has given financial autonomy to the provinces in India. I do not anticipate that an arrangement of this kind would bring about a new heaven and new earth any more than provincial autonomy has done so in the wider political world, but at any rate it would put matters on a proper footing. If the people of any locality or any section of the people of any locality wanted an expensive local improvement, whether it was an expansion of primary education or a new hospital, or better water-supply or better roads or anything else, it would be for them to consider whether they were willing to bear the cost, and it would be for their representatives on the Local Boards to give effect to their decision whatever that decision might be. It would no longer be a case of letting things hang on indefinitely in the vague expectation of some day getting a Government grant. We should get rid of the injustice and unfairness which occur under the present system when the general tax-payer is required to pay for a purely local improvement, because the people of a particular locality have special facilities for urging their needs on the provincial authorities. Each locality would stand on its

own legs just as much as the Provincial Government has to do. Some of you I know fear that the Local Boards are not capable of exercising powers of this kind wisely at present. Well, if that is so, I put forward as an even more democratic alternative—Why not put the issue before the electors or the section of the electors which are interested in the matter? Put it before them directly by means of a referendum asking them to vote on the simple question 'Do you want such and such an improvement and are you prepared to pay for it in such and such a manner?' That is merely a suggestion on a point possibly of detail, but I put it forward for your consideration.

I apologise, gentlemen, for taking up so much of your time in discussing this arid subject of finance, but I am convinced that it is a most pressing problem before the province at the present moment. I have described to you what I conceive to be the ideal system and the fair system. I have spoken the more freely, because the decision does not rest with me or with the Government but with you and your constituents. The responsibility is yours and yours alone. If the country definitely decides, as some of our Sylhet friends have been saying recently, that it is not possible to bear further local taxation for any purposes whatsoever, there is an end of the matter. No power on earth can force you or your constituents to submit to local taxation of this kind against your will. But let there be no mistake. One thing is certain that unless we can improve our resources, provincial and local, we must struggle along indefinitely for years on the verge of a deficit, with absolute stagnation in every department of the administration, with no prospect of any material advance in those schemes which are constantly being pressed upon us, and rightly pressed upon us, as essential for the development of the province and the welfare and prosperity of its inhabitants. The postponement of the Local Rates Bill will give the country a chance of considering the whole question of local finance in its widest aspects, and as I said I look to you, the elected representatives of the people, who hope to be elected again, to put the issue fairly and squarely before your constituents. Let me repeat that the issue rests with you and with those who send you here.

Now, gentlemen, there is one other matter to which it is necessary for me to refer. I regret very much that the closing days of this Council have been clouded by a serious disagreement between you and the Government regarding the re-settlement of the temporarily settled districts in the Assam Valley which is now due. I have little to add to the able exposition of the case which the Hon. Mr. Reid put before you last Tuesday. I can only say that your refusal to vote the funds required for these operations has placed Government in an extremely difficult position. The whole administration of the temporarily settled districts rests on the assumption that the land revenue demand will be periodically revised. In Assam, before the beginning of the present century, the revision usually took place every ten years. At the last re-settlement the period was for the first time extended to twenty years, and that twenty years is now about to expire. Every raiyat in the Assam Valley knows that he holds his land on the clear understanding that his revenue demand is subject to revision at the end of twenty years from the last settlement. Not a single raiyat can have a legitimate objection or grievance if the revision of his revenue demand is taken up when the twenty years period expires. As the Hon'ble Mr. Reid has said, the main object of the revision is to readjust

the demand equitably. The holding of every raiyat is examined, every field is classified and assessed to the rates which Government, after the fullest possible enquiry, decides to be fair and equitable. There is no question of securing an enhancement by rough and ready methods or on *a priori* grounds. The procedure requires that the assessment proposed for each raiyat shall be explained to him individually and that his objections shall be considered and, if necessary, referred for the decision of the highest revenue authorities in the province. There is no possibility of summary methods leading to injustice. On the contrary justice requires that a classification made twenty years ago should now be revised and the revenue demand adjusted to modern conditions, whether that process involves a reduction or an enhancement of the demand. So much from the raiyat's point of view. As to the Government point of view, we are not out to seek enhancement in itself, but we are not justified in the interests of the general tax-payer in refusing to take enhancements which are justifiable and legitimately due. Now, can any one looking at the changes which have occurred in the Assam Valley during the last twenty years, as in the rest of the world,—can any one doubt that enhancement will be found justifiable in certain cases at any rate? Prices have risen enormously, communications by rail, road and river have greatly improved and the raiyats in many parts have a much better market for their crops. One of the conditions on which they hold their land is that they should share the unearned increment with Government. There has of course been a rise in agricultural wages, in the cost of agricultural implements and so forth. Cases of this kind will necessarily receive the fullest consideration during the re-settlement operations. The fact that there have been changes both in the raiyat's outgoings and his incomings only emphasizes my point that the changes which have taken place during the last twenty years make it necessary to undertake a revision of the revenue demand now instead of letting it be postponed indefinitely.

Last, but by no means least, as all of you who come from the Assam Valley know well,—in recent years vast tracts of land have been taken up by immigrants from Mymensingh and other districts in Bengal. Only this morning a gentleman from Nowgong told me that there were at least 100,000 new cultivators in his district within the last three or four years. These people have been given their lands on more or less summary settlements, on the understanding that their revenue would be finally fixed at the re-settlement which is now due. It is surely only fair that the revenue of these foreigners should be fixed on the same basis as that of the indigenous cultivators of the province. I can see neither sense nor justice in postponing indefinitely a scientific assessment of their lands. If any one proposes a permanent settlement for the Assam Valley, let him say so plainly. But if we are not to have a permanent settlement, surely we ought to get on with the new temporary settlement which every raiyat knows is now due, which every raiyat expects to see carried out when the time comes. Every year's delay will only add to the expense and the difficulty of those operations. The decision of the Council would involve the postponement for at least a year of the re-settlement operations not only in the two districts where re-settlement is now due, but also in the other districts of the Assam Valley whose re-settlement will in the ordinary course follow those of the two whose period expires first. As far as we have been able to estimate, the cumulative loss in all these districts which would be caused by even a single year's delay

would amount to several lakhs. In the present financial position of the province I cannot think it would be right to sacrifice revenue to this extent by failure to explore a perfectly legitimate means of adding to our resources. We accepted yesterday a resolution moved by Mr. Nilmani Phukan that the Land and Revenue Regulation should be overhauled with the object of embodying some of the rules made under it in statutory legislation. We shall lose no time in taking up that question and we propose in due course to appoint a committee to consider it. But that is a large and difficult problem and I was glad to see that the Council recognised yesterday that the re-settlement operations ought not to be kept pending until the question of the revision of the Regulation is disposed of. On the contrary we need up-to-date experience of re-settlement work to help us in deciding on what lines a revision of the Regulation should be carried out, and this is a further argument for not delaying the re-settlement operations which are now due.

Gentlemen, the position in which we have been placed by the vote of the Council is a difficult one. My difficulties are not lessened by the fact that most of the speeches to which I listened attentively in this Council on Tuesday last—most of those speeches showed little or no appreciation of the important considerations which were placed before you by the Hon. Mr. Reid and which I have endeavoured to re-state to-day. Weighing these considerations against the arguments that were used on the other side, I feel that only one conclusion is possible. I differ from the majority of this Council with regret but without the slightest hesitation or doubt. I recognise that you have done what you consider to be your duty to your constituents, but I also have duties to the Province imposed upon me by Act of Parliament which I cannot evade. I have therefore come to the conclusion that, in the words of the Government of India Act, the provision for re-settlement operations in Kamrup and Sib-sagar is essential to the discharge of my responsibility for the administration of the land revenue in this province and I have decided to certify accordingly. The reasons for my action and its consequences will be set forth in detail in a resolution which will be published shortly. I ask you and I ask the country to give that document the fullest consideration.

Now, gentlemen, I have only one last word to say. It would be improper for me to attempt to influence your constituents in the choice which they will shortly be called upon to make. But this much I can say without impropriety that, in spite of inevitable differences of opinion, my relations with you all, both collectively and individually, have been of the happiest description, and I shall be glad to welcome back those of you whom I may find again in their places when the new Council meets. Whether we meet again in this place or not, I trust that I shall retain your friendship and good will, and in bidding you farewell, I wish you all prosperity and happiness in the future.

Gentlemen, the Council stands prorogued.

SHILLONG :

The 20th August 1923. }

A. MELLOR,

Secretary to the Legislative Council, Assam.

Q 12 D

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ASSAM LEGISLATIVE COUNCIL,

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