

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

THE ASSEMBLY met in the Assembly Chamber, Shillong, at 11 a.m., on Tuesday, the 6th December, 1938.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

Assam School Service

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI asked :

*387. (a) Is it a fact that the appointments in class III of the Assam School Service are made by the Departmental Head ?

(b) If so, will Government be pleased to state the reasons why these appointments have been taken away from the hands of the Assam Public Service Commission ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

387. (a)—Yes.

(b)—The Government have understood the implication of the question and the policy regarding these appointments is being considered.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: Will the Hon'ble Minister kindly explain the answer to question 387(b) ?

The Hon'ble Srijut GOPINATH BARDOLOI*: The reason why these appointments are not placed in the hands of the Public Service Commission is due to the existing system. The Education Department have followed the practice of appointing to posts on deputation vacancies persons who have been tried in short vacancies and found suitable. The Government have understood the implication of the question and the policy regarding these appointments is being considered by them.

Maulavi ABDUR RAHMAN*: Are Government aware that there is a serious agitation with regard to this ?

The Hon'ble Srijut GOPINATH BARDOLOI: Government are not aware.

Maulavi ABDUR RAHMAN: I mean newspaper articles on this subject.

The Hon'ble Srijut GOPINATH BARDOLOI: Our attention has not been drawn to them.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: May I know whether the present Government approve of the policy adopted by the previous Government ?

The Hon'ble Srijut GOPINATH BARDOLOI: All I can say is that the matter is receiving our consideration.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY*: Is there any Muslim officer in class II of the Assam School Service in Surma Valley ?

The Hon'ble Srijut GOPINATH BARDOLOI: I cannot say that off-hand, Sir. I want notice.

Fellows of the Calcutta University

Mr. ARUN KUMAR CHANDA asked :

*388. Will Government be pleased to state—

- (a) The names of the Fellows of the Calcutta University, nominated by the Assam Government during the last five years ?
- (b) The quota of Fellows from this province ?
- (c) On whose recommendations such nominations are made ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

388. (a) and (c)—The nomination of Fellows rests, not with the Assam Government, but with the Chancellor of the Calcutta University. It has been the practice to consult the Provincial Government on the occasion of each vacancy.

(b)—The present quota of Fellows except the *ex-officio* Fellows is 5.

Mr. ARUN KUMAR CHANDA: Do not Government consider it necessary to have representation of the heads of private colleges in the University ?

The Hon'ble Srijut GOPINATH BARDOLOI: The matter is being considered just now. In fact there is a proposal under the consideration of Government for increase in the number of non-official fellows.

Scholarships tenable at the Berry-White Medical School

Khan Bahadur Maulavi SAYIDUR RAHMAN asked :

*389. Is it a fact that five scholarships allotted to different communities are available in the 1st 3 upper classes of the Berry-White Medical School at Dibrugarh ?

*390. Is it a fact that only students securing 55 per cent. of marks in the total in the promotion examinations are eligible for the above scholarships ?

*391. Is it a fact that several scholarships are going abegging this year for want of suitable students securing minimum marks ?

*392. (a) Are Government aware that the above rule about minimum marks is operating harshly against many deserving students ?

(b) If so, do Government propose to relax it for this year and modify it for future ?

The Hon'ble Srijut RAMNATH DAS replied :

389 & 390.—The reply is in the affirmative.

391.—This year out of five ordinary scholarships tenable for the fourth year class, three could not be awarded as students failed to secure 55 per cent. of the possible marks. Government have subsequently approved the grant of one scholarship to a student who obtained over 54 per cent.

392. (a)—No. Government do not consider students who cannot secure 55 per cent. as deserving.

(b)—Does not arise.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Will the Hon'ble Minister be pleased to state how many such scholarships have not been allotted in other classes due to the failure of the students to secure the minimum marks ?

The Hon'ble Srijut RAMNATH DAS: I cannot say that off hand, Sir.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Is there any rule in other educational institutions about securing such minimum number of marks in order to entitle students to get competitive scholarships?

The Hon'ble Srijut RAMNATH DAS: May be. I am not aware of that, Sir.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Do not Government consider it hard if such minimum marks are fixed for awarding scholarships?

The Hon'ble Srijut RAMNATH DAS: These rules were made after due consideration.

Maulavi ABDUR RAHMAN: Do Government contemplate any change of the rule?

The Hon'ble Srijut RAMNATH DAS: No, Sir.

Maulavi ABDUR RAHMAN: May I know, Sir, what will be the fate of the scholarships reserved for that area and not awarded?

The Hon'ble Srijut RAMNATH DAS: They will be kept pending, Sir.

Forced labour system in the Forest Department

Srijut BELIRAM DAS asked:

*393. Will the Hon'ble Minister in charge of Forests be pleased to state—whether the Hon'ble Minister assured the House that the forced labour system that is prevailing in the Forest Department has been reduced by 4 days and that he had issued orders to that effect already since he assumed office?

*394. Is the Hon'ble Minister aware that no such orders has been issued as a matter of fact?

*395. Does the Hon'ble Minister propose to stick to the assurance given during the last session of the Assembly, regarding this forced labour system in the Forest Department?

The Hon'ble Srijut RUPNATH BRAHMA replied:

393-395 —The present Government are aware of the assurances given to the Legislature by the previous Government and have considered the matter since assuming office. Orders have been issued reducing the number of days of free labour to be given by forest villagers from 10 to 5.

Srijut BELIRAM DAS: May I know whether all persons have been given the benefit of this reduction?

The Hon'ble Srijut RUPNATH BRAHMA: The reply is already there in the answer given.

Maulavi ABDUR RAHMAN: May I know what is the present system of forced labour?

Srijut BELIRAM DAS: Firstly, there are those people who remain in the forest and cultivate land there and who in lieu of the land they are given to cultivate have to give labour in exchange. Then there are villagers who live outside the forest and who are given land in the forest to cultivate in lieu of which they have to render labour for 10 days. There are others who render 10 days' labour in lieu of which they are given fuel, thatch, etc., for domestic purposes.

Maulavi ABDUR RAHMAN: Do Government derive any benefit by this practice?

Srijut BELIRAM DAS : Yes, the Forest Department does.

Maulavi ABDUR RAHMAN : In what way ?

Srijut BELIRAM DAS : They are required to work in the forests in clearing jungles. Formerly they had to render some domestic service to the Forest Officers. I understand that the latter has now been abolished by Government.

Maulavi ABDUR RAHMAN : May I know whether they are paid anything for the labour ?

Srijut BELIRAM DAS : No.

Maulavi GHYASUDDIN AHMED : May I know from the Hon'ble Minister what amount will be involved if free labour is abolished ?

The Hon'ble Srijut RUPNATH BRAHMA : I have already asked the Department to ascertain this.

Maulavi GHYASUDDIN AHMED : The forest labourers do work in a particular month for a certain period and for this labour they get certain advantages, e.g., getting thatch, etc. Will the rate of revenue be less if free labour is abolished ?

The Hon'ble Srijut RUPNATH BRAHMA : That will be considered later by the Government.

Maulavi ABDUR RAHMAN : Did not the previous Government pass definite orders reducing the number of days from 10 to 6 ?

The Hon'ble Srijut RUPNATH BRAHMA : Ten to five.

Maulavi MUHAMMAD AMJAD ALI : Did the Hon'ble Minister examine this question during his last visit to Goalpara ?

The Hon'ble Srijut RUPNATH BRAHMA : Yes.

Maulavi MUHAMMAD AMJAD ALI : Is it not a fact that the Hon'ble Minister paid a visit to Dhubri and 4 or 5 people represented their grievances to him ?

The Hon'ble Srijut RUPNATH BRAHMA : Yes.

Maulavi GHYASUDDIN AHMED : Is it not a fact that they were people of the Hon'ble Minister's community resident in forest villages ?

The Hon'ble Srijut RUPNATH BRAHMA : I think not.

Maulavi GHYASUDDIN AHMED : Is it not a fact that they are people of the Hon'ble Minister's community, dealing with forest produce and working as contractors in Haltugaon and Kachugaon subdivisions ?

The Hon'ble Srijut RUPNATH BRAHMA : Does that question arise, Sir ?

The Hon'ble the SPEAKER : The Hon'ble Minister may attempt a reply.

The Hon'ble Srijut RUPNATH BRAHMA : Sir, the question is a vague one.

The Hon'ble the SPEAKER : The hon. member may put a definite question.

Maulavi GHYASUDDIN AHMED : The Hon'ble Minister says that he examined the question. He knows fully well what will be the advantages and disadvantages if that principle is abolished. So, it is not necessary to wait further to consider the matter.....

The Hon'ble Mr. FAKHRUDDIN ALI AHMED : On a point of order, Sir. Is not the hon. member making a statement. Without having a question, the Hon'ble Minister cannot reply.

The Hon'ble the SPEAKER : Yes, he is doing so ; but he is to put a question.

Maulavi MUHAMMAD AMJAD ALI : During his last visit to Goalpara did the Hon'ble Minister served notices upon the Congress Committee for a discussion ?

The Hon'ble Srijut RUPNATH BRAHMA : We did.

Maulavi MUHAMMAD AMJAD ALI : May I know from him how many of these labourers went to him ?

The Hon'ble Srijut RUPNATH BRAHMA : I do not know the exact number.

Maulavi MUHAMMAD AMJAD ALI : May we hear from the Hon'ble the Prime Minister as he was also present ?

The Hon'ble Srijut GOPINATH BARDOLOI : We practically met all the representatives of Goalpara. They belonged to different communities at different centres. We were met by representatives from Kokrajhar and other sides. Then at Goalpara we practically visited at least 8 centres. There was one centre at Boko. The people, whom we met, were representing their grievances.

Maulavi MUHAMMAD AMJAD ALI : Not a single labourer approached the Hon'ble Minister ?

The Hon'ble Srijut GOPINATH BARDOLOI : I must say that my hon. friend is not correct there.

Maulavi GHYASUDDIN AHMED : Is it not a fact that the Hon'ble Premier issued a letter in which he requested members to discuss the labour question.

The Hon'ble Srijut GOPINATH BARDOLOI : We met the representatives of labourers and not labourers themselves.

Maulavi GHYASUDDIN AHMED : Or the Congress people ?

The Hon'ble Srijut GOPINATH BARDOLOI : We had discussion with them on the affairs of the labour question.

Maulavi GHYASUDDIN AHMED : Is it not a fact that I was given an opportunity to take part in a discussion regarding floods ?

The Hon'ble Srijut GOPINATH BARDOLOI : I had no discussion over flood with my friend.

Maulavi MUHAMMAD AMJAD ALI : Did the Hon'ble Prime Minister visit any flood affected area ?

The Hon'ble Srijut GOPINATH BARDOLOI : I did not go to the interior. I met flood afflicted people near the river stations.

Srijut ROHINI KUMAR CHAUDHURI : Will the Hon'ble Minister be pleased to state the privileges which these labourers enjoy in return for their work ?

The Hon'ble Srijut GOPINATH BARDOLOI : The privileges are generally the free use of forest produce up to a certain limit which has been fixed by the Forest Department.

Mr. J. R. CLAYTON : May I ask the Hon'ble Minister if he can give us any idea as to the total number of labourers involved ?

The Hon'ble Srijut GOPINATH BARDOLOI : It is very difficult to give the exact number.

Mr. J. R. CLAYTON : Approximate number please ?

The Hon'ble Srijut GOPINATH BARDOLOI : That also is very difficult to give just now.

Srijut ROHINI KUMAR CHAUDHURI : Is that all the privileges, viz., free use of timber and forest produce up to a certain limit ?

The Hon'ble Srijut GOPINATH BARDOLOI : In the case of forest villages they have the advantage of cultivating the land free.

Srijut ROHINI KUMAR CHAUDHURI : Does the Hon'ble Minister intend to curtail these privileges while doing away with forced labour ?

The Hon'ble Srijut GOPINATH BARDOLOI : No, never. These privileges definitely remain.

Mr. J. R. CLAYTON: Will these privileges be extended to other people in future? If we are doing away with forced labour, is it the intention that other people will be allowed some privileges—I mean those people who live near?

The Hon'ble Srijut GOPINATH BARDOLOI: Certain villagers are entitled to forest products. This is limited to the extent which is necessary for their home consumption and this would apply to those who live near.

Mr. J. R. CLAYTON: What the position will be with regard to those who give forced labour on condition of their being allowed free use of forest produce?

The Hon'ble Srijut GOPINATH BARDOLOI: Those people who live near forest areas, if they continue to give labour, will continue to enjoy exemption. If they want to substitute their labour for money, payment will be made.

Mr. A. F. BENDALL: In that case will they be allowed to enjoy the land?

The Hon'ble Srijut GOPINATH BARDOLOI: If they want to give up their labour and want to substitute it by payment of rent, they will be allowed.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Number of Local Board and Government Dispensaries in Sunamganj Subdivision

Babu KARUNA SINDHU ROY asked :

760. Will Government please state the number of Local Board and Government dispensaries in parganas Bansikunda, Laur, Maharam, Cham-tala, Barakhia, under Police Stations Dharampassa, Tahirpur and Sunamganj and Chhatak?

761. Will Government please state the number of persons who suffered and died from malaria, cholera, and other diseases in the aforesaid area during the year ending on 31st March, 1938?

761A. Will Government please enquire and state the nature of medical aid and treatment usually received by the people of the above locality?

761B. Will Government please state the source of having drinking water in the aforesaid area, mentioning the number of wells, tanks and tube wells supplied in each of the aforesaid parganas either by the Local Board of Sunamganj or by Government till 31st March, 1938?

The Hon'ble Srijut RAMNATH DAS replied :

760.—Excepting the Madhyanager and Polash Public Health Dispensaries none of the Government or Local Board Dispensaries are situated within this area. The Public Health dispensaries have also sub-centres within the area. The total number of Public Health Department treatment centres serving different parganas are given below :—

	Pargana					Number of Public Health Department treatment centres
Bansikunda	3
Laur	3
Barakhia	3

761.—Information as far as it could be obtained is given in the form of a statement below. It will be noticed that the information relates to cases of cholera, malaria, *kala azar*, leprosy and minor eye complaints treated at Public Health Dispensary centres.

(1) *Statement showing the number of cholera cases with deaths during the period from 1st April 1937 to 31st March 1938*

Serial No.	Name of Thana	Name of pargana	Total number of cholera cases	Total deaths
1	Sunamganj	... Mahram and Cham-tala.	39	18
2	Chhatak	... Borakhia	...	...
3	Dharampassa	... Bangsikunda	... 8	5
4	Tahirpur	... Laur	... 76	27

(2) *Statement showing the number of malaria cases treated in the Public Health Department dispensaries including sub-centres during the period from 1st April 1937 to 31st March 1938*

Serial No.	Name of Thana	Name of Public Health Department Dispensary	Total number of malaria cases	Total deaths
1	Chhatak	... Dwarabazar	1,741	Not known.
2	Tahirpur	... Polash (Saktearkhola)	2,797	Ditto.
3	Dharampassa	... Madhyanagar	407	Ditto.

(3) *Statement showing the number of kala azar cases treated in the Public Health Department dispensaries, including sub-centres during the period from 1st April 1937 to 31st March 1938*

Serial No.	Name of Thana	Name of Public Health Department Dispensary	Total number of kala azar cases treated	Total deaths
1	Chhatak	... Dwarabazar	73	2
2	Tahirpur	... Polash (Saktearkhola)	128	2
3	Dharampassa	... Madhyanagar	53	3

(4) Statement showing the number of leprosy cases treated in Public Health Department dispensaries including sub-centres during the period from 1st April 1937 to 31st March 1938

Serial No.	Name of Thana	Name of Public Health Department Dispensary	Total number of leprosy cases	Total deaths
1	Chhatak	... Dwarabazar	... 10	Nil.
2	Dharampassa	... Madhyanagar	... 38	Nil.

(5) Statement showing the number of minor eye complaint cases treated in Public Health Department dispensaries during the period from 1st April 1937 to 31st March 1938

Serial No.	Name of Thana	Name of Public Health Department Dispensary	Total number of minor eye complaint cases	Total deaths
1	Dharampassa	... Madhyanagar	... 407	Nil

761A.—Medical aid for cholera, malaria, *kala azar*, leprosy and minor eye complaints is usually received by the people of these parganas as shown below :—

Pargana	Place of medical relief
Bansikunda ...	... Madhyanagar Public Health Department dispensary and its sub-centres at Sunai and Bansikunda.
Laur ...	... (i) Gauripur Estate dispensary subsidised by the Sunamganj Local Board at Sak-tearkhola. (ii) The Polash (Saktearkhola) Public Health Department dispensary and its sub-centres at Badaghat and Mullapara, and (iii) The Tahirpur dispensary maintained by the Gauripur Estate.
Mohram and Chamtola ...	... Sunamganj Civil Hospital.
Borakhia ...	... (i) Chhatak dispensary (Local Board). (ii) Duhalia dispensary (Local Board). (iii) Dwarabazar Public Health Department dispensary and its sub-centres at Ambari and Barkatnagar.

The Ramkrishna anti-malarial society, Sunamganj, also distributes anti-malarial drugs with quinine, liberally supplied from the Government of India stock at present at Badaghat and Navagram in Laur and Kalagarh in the Bansikunda pargana.

The epidemic unit staff when not engaged on cholera duty are also detailed to malaria duty in affected areas ; during the year under report the epidemic unit staff of Sunamganj treated 781 malaria cases in Laur pargana.

761B.—Drinking water in these parganas generally comes from private tanks, wells, streams, rivers and *bils*. The Local Board maintains tanks and wells as mentioned below :—

Name of parganah	Maintained by Local Board		Remarks
	Number of tanks	Number of tube wells	
Bangshikunda	Chamarjani	1 Bakatala	1
Laur	Galakpur	1 Khalisajuri	1
	Anwarpur	1 Tahirpur	1
	Rajendrapur	1 Chargaon	1
	Khirdharpur	1 Mullapara	1
	Lakha	1 Simultala	1
	Sahapur	1 Ghagtia	1
		— Laurergar	1
		6 Binnakhuli	1
			8
Maharam	Nil	... Gulgaon	1
		Mathirkandi	1
			2
Chamtala	Chamtala	1 Hasaura	1
	Sundaure	1 Mahabatpur	1
	Ranbhui	1	—
	Harinapati	1	2
		4	
Barakia	Kalapasi	1 Nil.	
	Dwargaon	1	
		2	

In addition to these, work in connection with tube wells financed out of Government of India's grant is in progress or is planned at some other places.

Construction of the Subordinate quarters at Kalabari

Srijut MAHADEV SARMA asked :

762. Will Government be pleased to state—

- (a) Whether tenders were invited for the construction of the Subordinate quarters at Kalabari ?
- (b) Whether notices for such tenders were issued to Sectional Office for circulation ?
- (c) If so, when ?
- (d) What time was allowed for submitting tenders ?
- (e) If not, why not ?
- (f) What were the number of tenders received for the work ?
- (g) Whether some contractor was instructed to collect materials for the building, before the tenders were invited ?

The Hon'ble Maulavi MD. ALI HAIDAR KHAN replied :

762.—If the hon. member refers to special repairs to the Subordinate Staging Hut at Kolabari the replies are—

- (a)—Yes.
- (b)—Yes.
- (c)—On the 21st April, 1938.
- (d)—Nine days.
- (e)—Does not arise.
- (f)—Two.
- (g)—No.

Public Works Department contracts given to non-natives of the Province

Srijut RAJENDRA NATH BARUA asked :

763. Will Government be pleased to state—

- (a) The number of contracts given by the Public Works Department to the non-natives of the Province having no domicile certificates in the Golaghat and Jorhat Subdivisions during the year 1937-38, stating their names and home districts ?
- (b) Whether contracts for 1938-39 have been given to such persons in the said subdivisions ?
- (c) If so, will Government be pleased to state their names and home districts ?
- (d) Whether there were any suitable children of the soil in the said subdivisions who tendered in the years 1937-38, 1938-39 whose claims have not been considered ?
- (e) If so, why ?

The Hon'ble Maulavi MD. ALI HAIDAR KHAN replied :

763. (a), (b) & (c).—Statements are laid on the table.

List of Public Works Department contracts given to non-natives having no domicile in Jorhat Subdivision during 1937-38 and 1938-39

Serial No.	Name of contractors given works in 1937-38	Number of contracts given in 1937-38	Whether contracts has been given in 1938-39	Home district	Contracts given in 1938-39
1	2	3	4	5	6
1	A. K. Shaw ..	4 contracts	Yes	Barisal ..	4 contracts.
2	Nizamuddin ..	4 "	"	Punjab ..	3 "
3	B. B. Kerker ..	3 "	No	Madras ..	Nil
4	McKenzie Ltd. ..	3 "	"	Bombay ..	Nil
5	P. C. Mazumdar ..	3 "	Yes	Bengal ..	1 contract.
6	R. L. Biswas ..	1 contract	No	Bengal ..	Nil
7	M hendra Lal Dey	3 contracts	Yes	Chittagong..	1 contract.
8	Suresh Ch. Ghosh	1 contract	No	Bengal ..	Nil
9	Tahel Singh ..	4 contracts	Yes	Punjab ..	1 contract.
10	Surjan Singh ..	2 "	No	Punjab ..	Nil
11	Bagchi & Co. ..	6 "	No	Not known, but have permanently settled at Dibrugarh.	Nil
12	Mr. C. Walker ..	1 contract	No	Not known..	Nil
13	Nabi Box ..	3 contracts	No	Punjab ..	Nil

List of Public Works Department contracts given to non-natives having no domicile in Golaghat Subdivision during 1937-38 and 1938-39

Serial No.	Name of contractors given works in 1937-38	Number of contracts given in 1937-38	Whether contracts has been given in 1938-39	Home district	Contracts given in 1938-39
1	2	3	4	5	6
1	Babu Girindra Kumar Basak.	4 nos.	Yes	Noakhali (Bengal).	2 nos.
2	Babu Monindra Mohan Sirkar.	4 "	..	Maimansing (Bengal.)	..
3	Babu Karam Chand Sarma.	1 no.	..	Behar ..	..
4	Babu Profulla Chandra Bose.	7 nos.	..	Dacca ..	..
5	Messrs. Doss & Co., Golaghat.	1 no.	Yes	..	1 no.
6	Babu Monomohan Mitra.	9 nos.	Yes	Comilla (Bengal).	1 "
7	Mr. A. K. Shaw ..	1 no.	..	Barisal (Bengal).	..
8	Messrs. Moslem Bros., Golaghat.	..	..	..	1 no.

(d) & (e).—In certain cases there were no competitors from local people at all. In other cases there were competitors from the natives of the soil and their cases were fully considered before acceptance of the tenders but they were not considered suitable.

Question re languages written in notices, sign-boards and names of Railways and Steamerghats

Srijut GAURI KANTA TALUKDAR asked :

764. Is the Hon'ble Minister-in-charge aware:—

- (a) That notices, sign-boards and names of Railway stations and Steamerghats are written in Bengali even when such stations and ghats happen to be in the Assam Valley ?
- (b) That this practice is highly resented by the Assamese people and that it causes great inconvenience to Assamese passengers ?
- (c) If so, do Government propose to take early steps with the authorities concerned to do away with this practice ?

The Hon'ble Maulavi MD. ALI HAIDAR KHAN replied :

764. (a)—Government are informed that in the discretion of the Railway and Steamer authorities the notices, sign-boards etc., are written in Assamese or Bengali according to the predominance of Bengali-speaking and Assamese population in the areas concerned.

(b)—No complaints have been received by Government or by the Railway or Steamer authorities.

(c)—A copy of these discussions will be sent to the Steamer Company for their consideration. As regards the Railway Companies, it is for the representatives of the Assembly on the Railway Advisory Committees to take up the matter. It has, however, been ascertained from the Eastern Bengal Railway that the orders at present in force are that a proportion of the lamp posts on the platforms of all stations on this Railway east of Golakganj are to bear the station names in Assamese script. Effect is being given to these orders gradually as and when repainting is due. The Agent and General Manager, Assam-Bengal Railway, has replied that the name boards have been painted in Assamese at all stations on the Assam Valley except those on the Sibsagar-Khowang Railway Branch which will be done soon after the rains.

Maulavi GHYASUDDIN AHMED : Are Government aware that the people living in Dhubri Subdivision are practically Bengali speaking people ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN :
Yes.

Maulavi GHYASUDDIN AHMED : If that is so, why the notices hung in the Railway stations should be written in Assamese language ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN : I think Bengalees residing in Assam know something of Assamese language.

Maulavi GHYASUDDIN AHMED : The reply given is that notices, sign-boards etc., are written in Assamese or Bengali according to the predominance of Bengali-speaking and Assamese population in the areas concerned. If the Government admit (and which is a fact) that the people living in Dhubri Subdivision are practically Bengali-speaking people, then why these notices are written in Assamese ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN : The matter will be communicated to the Railway authorities and I think they will consider it.

Maulavi GHYASUDDIN AHMED : Is it a fact that at the Golokganj Station, notices have been written in Assamese language ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN : We have no such information.

Maulavi GHYASUDDIN AHMED : Are Government aware that there is a great resentment for this reason among the people living in Dhubri, Golokganj, Mankachar and South Salmara Thanas who generally travel by railway ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN : We have no such information.

Maulavi GHYASUDDIN AHMED : If the people resent to this language being used there, will Government ask the Railway authorities to change the language and fix the notices in Bengali ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN : Government may refer it to the Railway authorities.

Maulavi GHYASUDDIN AHMED : Will Government do it ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN : We may refer it to the Railway authorities.

Maulavi MUHAMMAD AMJAD ALI : May I know whether Government is going to do so if the people of these localities send a representation ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN : Yes.

Number of Sub-Registrars in the Province

Khan Bahadur Maulavi KERAMAT ALI asked :

765. Will Government be pleased to state—

- (a) The total number of Sub-Registrars in the Province ?
- (b) Whether all communities particularly the Assamese Hindus and the Muslims are properly represented in the service ?
- (c) If not, why not ?
- (d) Do Government propose to reserve all future vacancies for members of the under-represented communities until those communities are adequately represented ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

765. (a)—Thirty-eight (35 whole-time Sub-Registrars including two Special Sub-Registrars and three Sub-Registrars on commission system).

(b)—Yes except scheduled castes.

(c) & (d)—Do not arise.

Expenditure spent by Barpeta Municipal Board for expansion of Primary and Middle Vernacular Education and improvement of Roads

Srijut KAMESWAR DAS asked :

766. Are Government aware that the Municipal Board, Barpeta, spends a high percentage of its income on Primary and Middle Vernacular education ?

767. Are Government aware that the Municipality has not been able to meet some of the most important and pressing demands for expansion and improvement of Primary Education in the town ?

768. Is it a fact that the Barpeta Municipal Board has applied to Government for raising the Government recurring grant and also for a special non-recurring grant for the purpose ?

769. Do Government propose to consider the needs of the town in this respect and raise their recurring grant to the Municipality as well as make a special non-recurring grant to it to meet the situation ?

770. Are Government aware of the heavy traffic on the roads within the Barpeta Municipality ?

771. Are Government aware of the unsatisfactory conditions of these roads owing to their narrowness, height, dust or mud or such other things all throughout the year ?

772. Is it a fact that the Municipal Board has taken up improvement and gravelling of some of its important roads but has been unable to make any appreciable progress owing to paucity of its fund ?

773. Is it a fact that the Board has applied for a special grant for improvement and gravelling of the main roads within the Municipality ?

774. Do Government propose to consider this pressing need of the town and make a special grant to the Municipality to meet the situation ?

The Hon'ble Babu KAMINI KUMAR SEN replied :

766.—Yes.

767.—Government are aware that, like many other Boards, Barpeta Municipal Board finds itself unable to expand or improve facilities for Primary Education as much as it would like to do.

768.—Yes.

769.—Government have to consider the needs of other places as well. As a general rule their policy is to help those Boards who in spite of high taxation are in need of help.

Maulavi Syed ABDUR ROUF : Do Government admit that Barpeta Municipal Board is one which inspite of high taxation is in need of help ?

The Hon'ble Babu KAMINI KUMAR SEN : Yes, Sir.

The Hon'ble Babu KAMINI KUMAR SEN replied :

770-771.—Government received a representation from the Chairman, Municipal Board, through the local member of the Assembly making such statements.

Maulavi Syed ABDUR ROUF : Do the Government admit the correctness of the statements of local member of the Assembly ?

The Hon'ble Babu KAMINI KUMAR SEN : Yes, Sir.

The Hon'ble Babu KAMINI KUMAR SEN replied :

772-773.—Yes.

774.—See reply to question 769.

Number of unemployed trained Primary School teachers in the Sunamganj subdivision

Babu KARUNA SINDHU ROY asked :

775. Will Government be pleased to state—
 (a) The number of unemployed trained Primary School teachers in the Sunamganj subdivision ?
 (b) The number of such teachers employed by the Sunamganj Local Board in the year 1937-38 ?
776. Is it a fact that the Sunamganj Local Board give preference to untrained candidates in the matter of appointments of the Primary school teachers ?
777. Is it a fact that the Deputy Inspector of Schools, Sunamganj, always submits proposals for appointment of untrained candidates ?
778. (a) Is it a fact that the Commissioner, Surma Valley and Hill Division, once directed the Deputy Inspector, Sunamganj, to give preference to trained candidates ?
 (b) Does the Deputy Inspector always act according to the direction of the Commissioner ?
 (c) If not, do Government propose to enquire and state the reason ?
779. Do Government propose to consider the cases of trained Primary School teachers and issue circulars for giving preference to unemployed trained Primary School teachers ?

The Hon'ble Babu KAMINI KUMAR SEN replied :

775. (a)—Of the candidates trained up to 1938 none are unemployed. Of the 7 candidates who passed in 1938, two have secured employment.
 (b)—One.
- 776.—The Board made a few appointments of this type and the matter is under correspondence between the Board and the Commissioner.
- 777.—Not always.
778. (a)—Yes.
 (b)—Yes.
 (c)—Does not arise.
- 779.—Preference to such candidates is already enjoined in rule 199 framed under the Assam Local Self-Government Act.

Number and names of M. L. As. and M. L. Cs. who have been nominated as member of Local Boards

Srijut GAURI KANTA TALUKDAR asked :

780. Will the Hon'ble Minister in charge of Local Self-Government be pleased to state—
 (a) The number and names of members of the Assembly and the Council who have been nominated as members of Local Boards of the province in the last Local Board nomination ?

- (b) The number of candidates with their names defeated in the last Local Board elections who have been nominated as members in the different Local Boards of the province in the last Local Board nomination ?
- (c) The number of Mauzadars with their names nominated as members in the different Local Boards of the province in the last Local Board nomination ?
- (d) The underlying principle in these three classes of nomination ?

The Hon'ble Babu KAMINI KUMAR SEN replied :

780. (a)—The hon. member is referred to the statement laid on the table in reply to question No.402(a), (b), (d) and (e) asked by Mr. Baidyanath Mookerjee at this session of the Assembly.

(b)—The information is given below :—

Name of Local Boards			Names of defeated candidates nominated	
SURMA VALLEY				
1. Silchar ...	...	...	1. Mr. Donald Lewis.	
2. Hailakandi...	...	...	1. Maulavi Maskandar Ali.	
3. North Sylhet	...	...	1. Khan Bahadur Gousuddin Ahmed Chaudhuri, M.L.C.	
4. Karimganj	...	...	Nil.	
5. South Sylhet	...	...	Nil.	
6. Habiganj ...	...	...	1. Maulavi Abdur Rahman, M.L.A.	
7. Sunamganj...	...	...	1. Babu Kamini Mohan Paul, B.L.	
ASSAM VALLEY				
8. Dhubri ...	...	...	1. Munshi Mohor Ali.	
9. Goalpara ...	...	...	1. Maulavi Matior Rahman Mia, M.L.A.	
10. Gauhati ...	...	...	1. Srijut Narendra Nath Barua.	
			2. Maulavi Baker Ali.	
11. Barpeta ...	...	...	1. Srijut Janaki Nath Sarma, B.L.	
			2. Srijut Dhanara Boro.	
12. Tezpur ...	...	...	1. Srijut Mano Mohon Chaudhuri.	
13. Mangaldai ...	...	...	Nil.	
14. Nowgong ...	...	...	1. Srijut Dhanbar Patar.	
15. Sibsagar ...	...	...	Nil.	
16. Jorhat ...	...	...	Nil.	
17. Golaghat ...	...	...	Nil.	
18. Dibrugarh ...	...	...	1. Srijut Mukta Ram Gohain.	
19. North Lakhimpur	...	...	1. Srijut Mohori Dole Miri.	
			2. Rai Sahib Gogapur Das.	

- (c)—Gauhati Local Board—Srijut Narendranath Barua.
 Tezpur Local Board—Srijut Mano Mohon Chaudhuri.
 Golaghat Local Board—Srijut Khorsing Terang, M.L.A.
 Dibrugarh Local Board—Srijut Muktaram Gohain.
 North Lakhimpur Local Board—Rai Sahib Gogapur Das.
 Silchar Local Board—Mr. Donald Lewis.

(d)—Population of the different communities as well as the factors mentioned in rule 19 of the rules under the Local Self-Government Act were taken into consideration.

Srijut GAURI KANTA TALUKDAR: Am I to understand that it was the paucity of suitable candidates in the communities concerned that led Government to nominate defeated candidates?

The Hon'ble Babu KAMINI KUMAR SEN. The last Government made these nominations and the basis on which nominations are made is mentioned in reply (d).

Srijut SARVESWAR BARUA: Have the present Government examined these nominations and found that these considerations as stated in reply (d) have been actually applied to?

The Hon'ble Babu KAMINI KUMAR SEN: No, Sir, we had no necessity to examine them.

Payment of land revenue by Public Religious Institutions

Srijut GAURI KANTA TALUKDAR asked :

781. (a) Is the Hon'ble Minister in charge of the Revenue Department aware that a large number of Public Religious Institutions are making defaults in paying revenue and a number of valuable estates of several of such institutions have passed to other hands in revenue sales?

(b) If so, do Government propose to ascertain the reasons for such defaults and to remedy them?

The Hon'ble Mr. FAKHRUDDIN ALI AHMED replied :

781. (a)—Yes, but such estates are rarely sold.

(b)—Such default is due partly to the fact that the Dolois or managers of these institutions have no power to realise rents from defaulting tenants except through the dilatory channels of Civil Courts. Government are considering remedies. The default is sometimes attributable to deliberate refusal to pay on the part of the Dolois.

Payment of cart tax by the cart owners of the Goalpara District

Srijut SIDDHI NATH SARMA asked :

782. Are Government aware that the cart owners of the district of Goalpara, in the Dhubri Subdivision, are to pay the usual cart tax to the Dhubri Local Board and also a cart tax to the Forest Department when they ply carts or happen to pass through Government Forest Roads?

783. Do Government propose to take steps to stop such double payment of cart tax and relieve them from hardship?

The Hon'ble Babu KAMINI KUMAR SEN replied :

782.—Yes, except that the charge imposed by the Forest Department is only a toll for the use of certain roads maintained by the Department for its own purposes. The tax imposed by the Board is a license fee on all carts other than those of *bona fide* agriculturists (used for their private purposes only) within its jurisdiction.

783.—Government are prepared to look into the matter and consult the Dhubri Local Board.

Realisation of cart tax by the Dhubri Local Board

Maulana ABDUL HAMID KHAN asked :

784. Are Government aware that the Dhubri Local Board are imposing fine upon the flood distressed people who could not pay the cart tax in due time ?

785. Do Government propose to stop the realisation of cart tax for one year ?

The Hon'ble Babu KAMINI KUMAR SEN replied :

784.—The cases were instituted long before the flood, though some of them came up for hearing subsequently.

785.—Government have no power to interfere. The imposition, realisation and remission of cart tax rest entirely with the Board concerned.

Fixation of a Notice Board at Chaulkhowa Bridge showing different rates of tolls

Srijut KAMESWAR DAS asked :

786. Do Government propose to cause a Notice Board to be fixed up at the place of the Chaulkhowa bridge Toll Bar of the Barpeta Subdivision showing the different rates of tolls for passengers, goods, vehicles, etc., as in the cases of the Dehing Bridge and others, in view of the constant friction between the lessee and the passengers and also for the convenience of the public ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN replied :

786.—Government are informed that a copy of the lease and a schedule of tolls is displayed near the bridge.

Steam Ferry at the Gauhati Ghat over the Brahmaputra

Srijut BELIRAM DAS asked :

787. Will Government be pleased to state—

(a) How many motor cars crossed and re-crossed by the Steam Ferry at the Gauhati ghat over the river Brahmaputra during 1937-38 ?

(b) How many of them were private cars and how many of them paid tolls for the purpose ?

788. Is it a fact that the process-servers of the Court cross and re-cross the river on this steam ferry without paying toll to the ferry owner ?

789. Are Government aware that owing to the competition of the private boat ferries at the Dhubri ghat, the steam ferry owner has incurred a great loss ?

790. Do Government propose to enquire into the loss sustained by the ferry owner and give him adequate relief ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN replied :

787. (a)—426.

(b)—161 were private and tolls were levied.

788.—Yes, when on official duty.

789.—Government are informed that there are no private boat ferries at Dhubri ghat.

790.—The matter has already been enquired into, and relief considered adequate by Government has been given.

Maulavi JAHANUDDIN AHMED : May I know from the Hon'ble Minister that during the winter season the steam ferry is replaced by country boats ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN : We have no such information, Sir.

Maulavi JAHANUDDIN AHMED : Will the Hon'ble Minister take it from me that last year and also this year the steam ferry has been replaced by country boats ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN : We have no such information and I am not prepared to take it from the hon. member that it is so.

Extent of Breach in the Kharoi Bund

Srijut MAHADEV SARMA asked :

791. Will Government be pleased to state—

(a) Where and to what extent the Kharoi Bund was breached by the flood this year ?

(b) If it is a fact that the Subdivisional Officer, Public Works Department, North Lakhimpur, was at Gahpur Inspection Bungalow when the Bund was breached ?

(c) If so, what action, if any, he took or whether he inspected personally the breach and tried to protect or did anything to ameliorate the conditions of the suffering public from the breach ?

(d) If it is a fact that no attempt was made to fill up the breach but the Executive Engineer ordered to construct a temporary bamboo bridge over the breach ?

(e) Whether it was possible to fill up the breach after the flood subsided ?

(f) What was the cost of the temporary bamboo bridge so constructed over the breach ?

(g) What steps were taken for the convenience of traffic at the breaches of the approaches at both ends of the screw pile bridge on the 73rd mile of the North Trunk Road ?

(h) Whether traffic on this Trunk Road is many times heavier than that of the "Kharoi Bund" ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN replied :

791. (a)—In mile 2—one breach about 70' long.

In mile 6—one breach about 100' long.

(b)—No.

(c)—Does not arise.

(d)—No. See reply to (e) below. Orders for the construction of a temporary bridge were issued but the contractor was unable to complete the work.

(e)—No, although double the usual rates were offered one contractor only came forward and he threw up the work and refused to continue.

(f)—See reply to (d) above.

(g)—A ferry service was arranged for foot traffic and a contract for bamboo bridges at both ends of the screw pile bridge was given to an Assamese contractor.

(h)—Government have no information.

Percentage of posts held by each community in the Public Works Department in the Sylhet Division

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY asked :

792. Will Government be pleased to state—
- The number of Musalmans, and
 - The number of Hindu clerks in the Sylhet Division of the Public Works Department who hold lien against permanent posts ?
 - The total strength in the ministerial establishment of the Public Works Department of Sylhet Division showing the number of Musalmans and Hindus separately and the proportionate posts each community is entitled to hold according to the population basis in the district of Sylhet ?
793. Is it a fact that two of the clerks of the Sylhet Division have retired recently ?
794. (a) If the answer to question 793 above is in the affirmative, will Government be pleased to state whether these vacancies have been filled up either temporarily or permanently ?
- (b) If so, from what community ?
795. Is it a fact that there are efficient and experienced Musalman clerks in the said Division ?
796. Will Government be pleased to state the date of first appointment into this Department of each of the clerks of the said Division since 1928 ?
797. Will Government be pleased to state—
- The number of officiating vacancies in the said Division since 1932, and
 - How many of them were filled up by the Musalmans ?
798. With reference to the reply given to question 17(e) published at page 928-930 of Part VI of the *Assam Gazette* of October 14, 1936, and to question Nos. 69 and 70, *vide* page 1152-1154 Part VI of the *Assam Gazette* of November 11, 1936, will Government be pleased to state if these statements were taken into consideration when vacancies in connection with question No. 793 above were filled up either temporarily or permanently as the case may be ?
799. (a) Is it a fact that there are Government circulars impressing upon the Head of the offices to look into the proportionate representation of various communities in Government services ?
- (b) If so, will Government be pleased to lay on the table a copy of each such circulars ?

The Hon'ble Maulavi Muhammad ALI HAIDAR KHAN replied :

792. (a) and (b)—The number of clerks who hold lien on permanent posts is as follows :—

Muslims	...	...	...	...	Nil
Hindus	...	...	...	...	5

(c)—The total sanctioned strength in the ministerial establishment of the Public Works Department in the Sylhet Public Works Division is 16*. They are distributed between the various communities as follows :—

Communities	Population	Percentage of each community on the total population	Number of posts each community is entitled to	Number of posts actually held by each community
1	2	3	4	5
1. Europeans and Anglo-Indians.	...	...	...	...
2. Muslims	1,603,805	59	9.44	7
3. Hindus, Assam Valley	...	...	...	...
4. Hindus Surma Valley	626,965	23	3.68	8
5. Scheduled Castes	321,000	12	1.92	1
6. Domiciled Hindus ... ..	...	...	...	...
7. Tribal People (Hills and Plains).	3,152	...	...	...
8. Others	169,420	6	.96	Nil

*This excludes Accountants, Accounts clerks and also member of the Technical branch who are borne on provincial cadres and are liable to transfer throughout the province.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY : It appears from the answer that the Hindus of the Surma Valley have got 8 appointments while they are entitled to only 3.68. May I know from the Hon'ble Minister whether this fact will be taken into consideration when appointments will be made in this Department in future ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN : This will be kept in mind, Sir.

793.—Yes

794. (a)—Temporarily.

(b)—One Muslim and one Surma Valley Hindu. One Hindu and one Scheduled Caste applicants were also recruited temporarily to other vacancies, caused by the resignation and retirement of two other clerks.

795. All the Muslim clerks working in this Division have less than three full years experience.

796.—The information is given below :—

(1) Babu Narendra Nath Deb	...	...	2nd January 1928.
(2) „ Hridoy Nath Nath	...	...	28th August 1934.
(3) Maulvi Ismail	...	...	1st November 1935.
(4) „ Nuduruzzaman	...	...	1st November 1935.
(5) „ A. Sattar	...	...	1st November 1935.
(6) „ Shah A. Aziz	...	...	1st August 1938.
(7) „ Gyasuddin...	...	...	15th October 1935.
(8) Babu Dina Nath Das	...	...	1st August 1938.
(9) Maulvi Moniruddin	...	...	23rd August 1937.
(10) Babu S. P. De Chaudhury	...	...	23rd August 1937.
(11) „ S. K. Datta	...	...	27th January 1936.
(12) Maulvi Mazahir Ali	...	...	15th October 1935.

797. (a) and (b)—The number of short leave vacancies and the number filled up by Muslims given below :—

						Vacancies	Filled up by muslims
1932-33	...	...	...	...	...	3	Nil
1933-34	...	...	...	...	...	4	1
1934-35	...	...	...	...	...	5	Nil
1935-36	...	...	...	...	...	6	1
1936-37	...	...	...	...	...	1	1
1937-38	...	...	...	...	...	7	5

798.—Yes.

799. (a)—Yes.

(b)—A copy of the orders issued by this Department with this Department letter No.6013-16-Estt., dated the 6th September 1935, together with this Department Memorandum No.6017-26-Estt., dated the 6th September 1935, is laid on the Library Table.

Number of Members of Legislative Assembly nominated as Local Board Members

Srijut SARVESWAR BARUA asked :

800. Will the Hon'ble Minister in charge of Local Self-Government be pleased to state—

(a) How many members of the Legislative Assembly have been nominated as Local Board Members in the last nomination in the province ?

(b) How many of them belong to the Mus'lim League Party, United Peoples Party, Backward Tribes and the Progressive Party respectively ?

- (c) How many candidates defeated in the election, have been nominated as members ?
- (d) On what ground Rai Sahib Gogapur Das of Bordoloni has been nominated as a member of the North Lakhimpur Local Board ?
- (e) What under-represented community he has been nominated to represent ?

The Hon'ble Babu KAMINI KUMAR SEN replied :

800. (a)—Twenty-two.

(b)—The information as far as it would be ascertained is given below—

Serial No.	Name of members	Party to which the member belongs
1	Maulavi Namwar Ali Barbhuiya	Muslim League Party.
2	Babu Kalachand Roy	Constitutionalist Party.
3	Khan Bahadur Maulavi Mufizur Rahman	Muslim League Party.
4	Khan Bahadur Hazi A. Majid Choudhury	Muslim League Party.
5	Babu Balaram Sircar	Constitutionalist Party.
6	Maulavi Abdul Aziz	United Muslim Party.
7	Maulavi Naziruddin Ahmed...	Muslim League Party.
8	Maulavi Dewan Ali Raja	Muslim League Party.
9	Maulavi Abdur Rahman	United Muslim Party.
10	Maulavi Dewan Md. Ahbab Choudhury	Muslim League Party.
11	Maulavi Maqbul Hussain Choudhury...	Muslim League Party.
12	Maulavi Ghyasuddin Ahmed	Muslim League Party.
13	Srijiut Jogendra Narayan Mandal	United Peoples Party.
14	Maulavi Md. Amjad Ali	Muslim League Party.
15	Maulavi Matior Rahman Mia	Muslim League Party.
16	Srijiut Rabichandra Kachari...	Progressive party.
17	Maulavi Syed Abdur Rouf	Muslim League Party.
18	Srijiut Purandar Sarma	United Peoples Party.
19	Dr. Mahendra Nath Saikia	United Peoples Party.
20	Srijiut Karka Dalay Miri	Progressive Party.
21	Srijiut Khorsing Terang	United Peoples Party.
22	Srijiut Bhairab Ch. Das	Progressive Party.

(c)—The hon. member is referred to the reply to question No.780(b) asked by Srijiut Gauri Kanta Talukdar at this session of the Assembly.

(d) and (e)—Rai Sahib Gogapur Das, an Ahom, was appointed to represent the under-represented Hindu community.

Srijut SARVESWAR BARUA: Is it not a fact that out of 22 nominated seats as many as 16 have gone to defeated candidates ?

The Hon'ble Babu KAMINI KUMAR SEN: Yes Sir.

Srijut SARVESWAR BARUA: Is it the policy of the Government to nominate the defeated candidates ?

The Hon'ble the SPEAKER: There cannot be any question regarding policy.

Srijut SARVESWAR BARUA: May we know the reason of nominating as many as 16 defeated candidates ?

The Hon'ble Babu KAMINI KUMAR SEN: No useful purpose will be served in pursuing this matter now, particularly as the present Government is contemplating to abolish the system of nomination in future.

Construction of a guard barrack at Mulagool under the Jowai Forest Range

Maulavi Md. ABDUS SALAM asked :

801. Are Government aware that the contract for making a guard barrack at Mulagool under the Jowai Forest Range was given in 1937 to one Babu Badri Bishal Bajpayee at Kanaighat Bazar ?

802. Are Government aware of the fact that the contractor having failed to complete the work within the stipulated time, applied to the authorities for extension of time which was granted ?

803. Is it a fact that the said contractor has been paid only a sum of Rs.500 and the balance of his bill amounting to Rs.448 has been refused by the Deputy Commissioner, Khasi and Jaintia Hills ?

804. (a) Is it a fact that the said barrack when under construction was inspected on several occasions by the Forest Department officers and no objection was raised then regarding the specifications and the materials used ?

(b) If so, do Government propose to state why the reduction was made ?

805. Do Government propose to hold an enquiry into the matter and give the contractor his dues ?

806. Is it a fact that no valuation of the building was made by any competent officer ?

807. Do Government propose to make a valuation of the said building by a Public Works Department expert ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

801.—Yes.

802.—There is no record of such an application.

803.—Yes.

804. (a)—It was inspected by the Senior Extra Assistant Commissioner and subsequently by an officer of the Forest Department. Objections were raised by both these officers as regards failure to fulfil the specifications.

(b)—Does not arise.

805.—Government see no reason for holding a further enquiry. The contractor did not even begin the work until after the expiry of the period within which the work was to be completed under the terms of the contract, and in accordance with these terms he is not entitled to any payment.

806.—No.

807.—Government see no reason to do so.

Principles adopted in nominating members to the new Local Board of Barpeta

Srijut KAMESWAR DAS asked :

808. (a) Will Government be pleased to state the principle adopted in nominating members to the new Local Board of Barpeta ?

(b) Is it a fact that 3 practising pleaders of the Barpeta Bar residing for practical purposes permanently in the town were elected in the General Election and that 3 members out of the 4 nominated were also selected from the town ?

(c) Is it a fact that 2 of the 3 nominated members of the town are pleaders and the remaining one a clerk of another pleader who contested for the chairmanship ?

(d) Is it a fact that the caste Hindus were represented and the schedule caste Hindus were not so represented in the general election and that no schedule caste member was nominated ?

(e) Is it a fact that both the nominated Muhammadan members are from the town and that the Assamese Muhammadans of the Mafussil areas remained entirely unrepresented in the present Board ?

The Hon'ble Babu KAMINI KUMAR SEN replied :

808. (a)—Presumably the last Ministry took into consideration population and the factors mentioned in rule 19 of the rules under the Local Self-Government Act.

(b)—Yes.

(c)—Yes.

(d)—Yes.

(e)—Yes.

Maulavi Syed ABDUR ROUF : Is it not a fact that even the Congress did not nominate any Scheduled caste Hindu from the Barpeta subdivision in the last Local Board election ?

The Hon'ble Babu KAMINI KUMAR SEN : I am not aware of that, Sir.

Restriction of the Kulsi Range sales

Babu HARENDRA NARAYAN CHAUDHURI asked :

809. Will the Hon'ble Minister in charge of Forests be pleased to state—

(a) Whether it is a fact that the Surma Valley Timber Contractors are not allowed to bid at any auction in respect of the Kulshi Range of Kamrup ?

(b) If so, why ?

810. Is it a fact that in the auction of the 20th April last, one Hem Chandra Chaudhuri, has been granted a coupe (Block) for Rs. 200 ?

811. Will Government be pleased to state whether the said Kulshi Range falls within the constituency of hon. Mr. Rohini Kumar Chaudhuri ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

809. (a)—Yes.

(b)—The restriction of the Kulshi range sales to the local indigenous people has been made with a view to encouraging the small Assamese timber traders who are unable to compete with big outside traders.

Maulavi JAHANUDDIN AHMED : May we know from the Hon'ble Minister whether the Sylhet Contractors are Assamese contractors ?

The Hon'ble Srijut RUPNATH BRAHMA : Yes. They are also Assamese contractors.

Maulavi JAHANUDDIN AHMED : If so, then why this difference of treatment ?

The Hon'ble Srijut RUPNATH BRAHMA : That was done by the previous Government.

The Hon'ble Srijut RUPNATH BRAHMA replied :

810.—Yes.

811.—Yes.

Number of labour strikes in the Tea Gardens of Assam

Srijut OMEO KUMAR DAS asked :

812. Will Government be pleased to state—

(a) The number of labour strikes in the Tea Gardens of Assam during 1937 and up till July 1938 ?

(b) The names of tea gardens with the names of districts where the strikes occurred ?

(c) The reasons of the strikes in each case ?

(d) How the strikes were dealt with ?

(e) Whether the aid of the police was requisitioned to deal with the strikes ?

813. Will Government be pleased to state—

(a) The reasons of the strike which took place in Sonajuli Tea Estate in Tezpur subdivision towards the end of February or in early March, 1938 ?

(b) How the strike was dealt with ?

The Hon'ble Srijut RAMNATH DAS replied :

812. (a)—Nineteen, including separate periods of strike on the same gardens.

(b) to (e)—The details are given in a statement which has been placed, being lengthy, on the library table.

813. (a)—The cause appears to have been the assaulting of a garden Sardar by the Assistant Manager.

(b)—The matter was settled by the payment of Rs. 10 to the offended Sirdar, after the Deputy Commissioner had given the labourers a lengthy hearing. Proceedings under section 107 of the Indian Penal Code which had been undertaken were therefore dropped.

Number of Forest cases instituted in Criminal Courts at Dibrugarh

Srijut JOGESCHANDRA GOHAIN asked :

814. (a) Are Government aware that a large number of the poor *rai-yats* are harassed by prosecution for felling trees to squat Government waste lands for ordinary cultivation in the Dibrugarh subdivision ?

(b) If not, do Government propose to make an enquiry and call for a list of the Forest Cases instituted in Criminal Courts at Dibrugarh during the last 6 months ?

815. (a) Is it a fact that the Forest Department now-a-days realises royalty on the above count departmentally by issue of "Distress-Warrants" and such other coercive measures ?

(b) If so, will Government be pleased to state the principle involved in this matter ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

814. (a)—Under the standing orders of Government, offence reports have to be formally drawn up when reserved trees are felled in the course of squatting, and it is left to the discretion of the Deputy Commissioner to decide whether the case should be struck off on the ground that the person responsible is a *bonafide* settler. Government understand that there has been no actual prosecution.

(b)—Does not arise, in view of the answer to question (a) above.

815. (a)—When royalty is due under the ordinary rules it is of course departmentally recovered, if necessary by coercive measures.

(b)—The sufferance of squatting on land which is not definitely protected does not imply the acquisition by the squatter of any legal rights. The felling of reserved trees by him is therefore technically an offence, though Government may not press proceedings on account of it. Similarly royalty is realizable except when the squatter becomes recognized as a settler, and then he is only exempted under the rules if the timber is not disposed of for profit. The question whether Government's instructions need amplification is now under consideration.

Reduction of royalty for forest produce for home consumption

Maulavi ABDUR RAHMAN asked:

816. Is it a fact that it was represented to the Hon'ble Ministers during their last visit to Chunarughat that public are often harassed by the Forest Department ?

817. Will Government be pleased to state—

(a) Whether the Hon'ble Ministers received any representation for the reduction of royalty for Forest produce for home consumption ?

(b) If so, what steps has Government taken on this ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

816. Government have no record of this particular complaint being made at Chunarughat. The complaint is however commonly made, and they propose to consider what action should be taken to meet *bonafide* grievances.

817. (a)—Yes.

(b)—Government have enquired into the matter and ascertained that the cost of a home consumption permit is less than one-fifth of the royalty value of the produce which may be removed thereunder. They do not therefore consider the representation justified.

Maulavi ABDUR RAHMAN: May we know whether the Government received representations from various parts of the province that royalty imposed on the forest consumers are too high?

The Hon'ble Srijut RUPNATH BRAHMA: I am not aware of it, I shall look into the matter.

Maulavi ABDUR RAHMAN: May I know whether this fact was brought to the notice of the Government by many hon. members of this House on many occasions?

The Hon'ble Srijut RUPNATH BRAHMA: I am not aware of that, Sir.

Maulavi ABDUR RAHMAN: Will the Hon'ble Minister be pleased to go through the proceedings of this House and take a prompt action in the matter?

The Hon'ble Srijut RUPNATH BRAHMA: If reasonable, they will be given full consideration, Sir.

Number of Forest reserves in the Tezpur Subdivision

Srijut MAHADEV SARMA asked:

818. Will the Hon'ble Minister in charge of forests be pleased to state—
- (a) The number of forest reserves in the Tezpur Subdivision?
 - (b) The competent Courts where forest cases of different forest reserves in the Tezpur Subdivision are tried and disposed of?
 - (c) The distance of those Courts from the different reserves and their communications?

The Hon'ble Srijut RUPNATH BRAHMA replied:

818. (a)—Three reserves in the Tezpur Civil Subdivision—viz., Garumari, Bhomraguri and Singri Hill reserves.
 (b)—The forest cases relating to the above three reserves are tried in the Deputy Commissioner's Court at Tezpur.
 (c)—Deputy Commissioner's Court from—
 (1) Garumari reserve—8 miles by road.
 (2) Bhomraguri reserve—4 miles by road or by boat.
 (3) Singri Hill reserve—31 miles by road or 32 miles by steamer.

Percentage of convicts of different communities in the Province

Maulana ABDUL HAMID KHAN asked:

819. Will Government be pleased to state—
- (a) The number of Muhammadan convicts belonging to the Assam Valley and the Surma Valley respectively during the year 1936?
 - (b) The percentage of immigrants and native convicts of the Assam Valley and the Surma Valley respectively for the year 1936?
 - (c) The number of convictions of immigrants during the year 1936-37 in the following districts (i) Kamrup, (ii) Nowgong, (iii) Darrang?

The Hon'ble Babu KAMINI KUMAR SEN replied :

819. (a)—486 and 1,524 respectively.

(b)—It is not quite clear what percentages the hon. member desires to know. Government have no information about the domicile of convicts, but have ascertained that out of 198, 50, 48 and 24 Muhammadan prisoners admitted in 1936 to Gauhati, Tezpur, Nowgong and Mangaldai jails, 105, 35, 29 and 20, respectively are believed to have been immigrant settlers.

(c)—Government regret that it is impossible to obtain these particulars.

Maulavi JAHANUDDIN AHMED : The question is "the number of convictions of immigrants during the year 1936-37 in the following districts—(i) Kamrup, (ii) Nowgong, (iii) Darrang." The answer is that Government regret that it is impossible to obtain these particulars. May I ask, Sir, why Government find it impossible to get these particulars for our information when they are in possession of all the records ?

The Hon'ble Babu KAMINI KUMAR SEN : To question (b), the reply given is that Government have no information about the domicile of convicts. So it is not possible to state the number of immigrant convicts

Maulavi JAHANUDDIN AHMED : There is no question about the domicile of convicts. I want to know the number of immigrant convicts.

The Hon'ble Babu KAMINI KUMAR SEN : It is not possible for me to state how many convicts were immigrants and how many were the residents of the valley.

Maulavi JAHANUDDIN AHMED : Will Government be pleased to enquire how many immigrant convicts there are ?

The Hon'ble Babu KAMINI KUMAR SEN : It is not possible to find out the figures as no record of the domicile is kept.

Maulavi Syed ABDUR ROUF : What are the grounds of the Government that out of 198 prisoners, 105 are immigrant convicts ?

The Hon'ble Babu KAMINI KUMAR SEN : I cannot say what are the grounds. It was according to the report of the local officers.

Maulavi Syed ABDUR ROUF : Am I to take that Government believed in those reports ?

The Hon'ble Babu KAMINI KUMAR SEN : Government has no reason to disbelieve the local officers' reports.

Maulavi ASHRAFUDDIN MD. CHAUDHURY : Will the Hon'ble Minister be pleased to state how the local officers furnished their statement and whether Government approved of that ?

The Hon'ble Babu KAMINI KUMAR SEN : That I cannot say off-hand.

Maulavi ASHRAFUDDIN MD. CHAUDHURY : Is it difficult for the Hon'ble Minister to depend on the very materials which the local officers supplied that out of so many convicts so many were immigrants ?

The Hon'ble Babu KAMINI KUMAR SEN : We may now state the approximate number only.

Maulavi ASHRAFUDDIN MD. CHAUDHURY : Why approximate number, Sir ? Government may enquire.

The Hon'ble Babu KAMINI KUMAR SEN : Yes, Sir, if the hon. member desires it.

Maulavi ASHRAFUDDIN MD. CHAUDHURY : Will Government be pleased to let us know the number of immigrant convicts ?

The Hon'ble Babu KAMINI KUMAR SEN : I have already said, Sir, that I will enquire about it.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Could not Government enquire from the local officers that out of so many convicts so many are immigrants?

The Hon'ble Babu KAMINI KUMAR SEN: Yes, Sir, I can do that.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Sir, the local officers may supply any information on guess and should the Government jump to the conclusion that it is correct?

The Hon'ble Babu KAMINI KUMAR SEN: No, Sir. We may now give only the approximate number, as no record of the domicile of the convicts is kept at present.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: I am not concerned with approximate number. We are concerned with the materials on which the local officers based their findings. We want to know what are those materials?

The Hon'ble Babu KAMINI KUMAR SEN: I have already answered that, Sir.

The Hon'ble the SPEAKER: The materials on which the local officers based their findings are not available here—this is what the Hon'ble Minister wants to say.

Maulavi Syed ABDUR ROUF: May I take, Sir, that the figures given by the Government may or may not be correct?

The Hon'ble Babu KAMINI KUMAR SEN: All that I can say is that the figures supplied is approximate.

Maulavi JAHANUDDIN AHMED: May I request the Hon'ble Minister to give us the exact figure as far as possible during the next session?

The Hon'ble Babu KAMINI KUMAR SEN: I have already said that I shall enquire into the matter.

Maulavi GHYASUDDIN AHMED: Is it a fact that as soon as a man is arrested, the home district of that man is ascertained?

The Hon'ble Babu KAMINI KUMAR SEN: That I cannot say, Sir.

Resolutions passed in a meeting of the All-Assam Elephant Mahaldars Association

Srijut KAMESWAR DAS asked :

820. Will Government be pleased to state—

(a) Whether they have received a copy or whether they are aware of the Resolutions passed in a meeting of the All-Assam Elephant Mahaldars Association held at Sibsagar on 26th June 1937?

(b) If so, will Government be pleased to state what actions they are going to take towards meeting the demands embodied in the Resolutions Nos. 4, 5, 8 and 9 in regard respectively to opening up the reserves for elephant catching operations from one end of the province to the other gradually one after another; to holding *Kheda* and *Mela* operations simultaneously; to moving the Railway Companies to reduce the freight charges of elephants and fix the same in 3 classes of 'calf' to 5' 3" 'medium' to 6' 6" and 'full' to 8' 2", and to reduce the grazing tax on elephants?

The Hon'ble Srijut RUPNATH BRAHMA replied :

820. (a)—A copy of the Resolutions was received by the Conservator who met a deputation of representatives of the Association.

(b)—*Resolutions Nos. 4 and 5.*—Government's policy must depend upon the facts of the situation at any time and cannot follow a rigid rule. Enquiries regarding the distribution of elephants are being made in connection with a proposed control scheme which will provide for Kheddah or Mela Shikar or both in areas where this is found to be necessary.

Resolution No. 8.—The Forest Department arranged a reduction of railway freight in 1936-37 by $33\frac{1}{3}$ per cent. and the railways are not prepared to reduce the charges further.

Resolution No. 9.—Government see no reason to reduce the grazing tax on elephants.

Nowgong-Borkola-Kamrup Road

Srijut PURNA CHANDRA SARMA asked :

821. Are Government aware of the importance of the Nowgong-Borkola-Kamrup Road in the district of Nowgong now maintained by the Local Board ?

822. (a) Are Government aware of the importance of a Timber or Iron bridge over Haria river on that road ?

(b) If so, do Government propose to make a grant to the Local Board for such a bridge ?

(c) If not, will Government be pleased to lay on the table an estimate made of the probable cost of a timber bridge over that river on that road and make special grant for it ?

The Hon'ble Babu KAMINI KUMAR SEN replied :

821.—Government understand that the road is of importance for foot traffic.

822. (a)—Government gather that a timber bridge may be unsafe and that a screwpile iron bridge will cost Rs.44,000.

(b)—No.

(c)—The probable cost of a timber bridge is about Rs.11,000. The answer to the latter part of the question is in the negative.

Damages done to several Local Board roads in Nowgong by the recent flood

Srijut PURNA CHANDRA SARMA asked :

823. (a) Has the attention of Government been drawn to the damages done to several Local Board roads in Nowgong by the recent floods ?

(b) If so, do Government propose to make sufficient grants for repair of those roads ?

The Hon'ble Babu KAMINI KUMAR SEN replied :

823. (a)—A report has been obtained after receipt of the questions.

(b)—The question of making a grant will be considered on receipt of Commissioner's recommendation.

Maulavi ABDUR RAHMAN: May I know from the Hon'ble Minister whether similar petitions were received by the Government from some other Boards also stating that owing to floods, roads under those Boards were damaged ?

The Hon'ble Babu KAMINI KUMAR SEN: I do not remember to have received any application from any other Board.

Principle followed in giving nominations to the Tezpur Local Board

Srijut OMEO KUMAR DAS asked :

824. Will the Hon'ble Minister for Local Self-Government be pleased to state the principle followed in giving nominations to the Tezpur Local Board this year ?

825. Will the Hon'ble Minister for Local Self-Government be pleased to state on what principle Srijuts Mono Mohon Chaudhury and Surendra Mohan Das were nominated ?

826. Will the Hon'ble Minister for Local Self-Government be pleased to state—

(a) Whether Mr. F. S. Mantie and Sheikh Asiruddin Saikia were contractors under the Tezpur Local Board at the time of their nomination to the Board ?

(b) If so, when they resigned their position as contractors under the Board ?

(c) Who were given contracts in their places ?

(d) Whether fresh tenders were called for these contracts or, the Chairman himself settled these contracts ?

(e) The amount of the contracts they held respectively ?

(f) Whether it is a fact that the contracts of Mr. Mantie were given to an employee under him in his workshop ?

(g) Whether Sheikh Asiruddin Saikia is still an Excise Mahaldar ?

(h) If so, will Government be pleased to state whether he was an Excise Mahaldar at the time of his nomination ?

827. Will Government be pleased to state—

(a) For how long Mr. Mantie is in Tezpur ?

(b) Whether he is a Local Board or Municipal voter ?

(c) Whether he pays any land revenue or local rate ?

828. Is it a fact that in Notification No.2725-L.S.-G., in the Assam Gazette dated the 18th May, 1938, the name of Srijut Surendra Nath Das Kachari appeared as a nominated member to the Tezpur Local Board ?

829. (a) Is it a fact that in a special Gazette Notification just before the meeting of the Tezpur Local Board held on the 28th May, 1938, the name of Srijut Surendra Nath Das Kachari was corrected as Surendra Mohon Das ?

(b) If so, will Government be pleased to state at whose instance the correction was made ?

830. Will Government be pleased to state whether any enquiry was made at the time of making the nomination ?

831. Is it a fact that Srijut Mono Mohon Chaudhury sought interviews at Shillong with the Hon'ble Minister for Local Self-Government and Minister-in-charge of Revenue in connection with the Tezpur Local Board ?

832. Is it a fact that the Deputy Commissioner of Darrang called in all the members nominated to the Tezpur Local Board this year, specially Sheikh Asiruddin Saikia, to his Bungalow a few days before the meeting of the Local Board for the election of Chairman on the 28th May, last?

833. Is it a fact that the Deputy Commissioner of Darrang called in Mr. Naziruddin Ahmed, a member of the Tezpur Local Board, a few hours before the meeting of the Local Board on the 28th May, last?

834. Is it a fact that the Deputy Commissioner of Darrang had a meeting with the Planting members of the Tezpur Local Board on the morning of the 28th May, last?

835. Will the Hon'ble Minister for Local Self-Government be pleased to state whether the list of nominations to the Tezpur Local Board submitted by the Deputy Commissioner of Darrang was changed subsequently after the interview he had with Srijut Mono Mohon Chaudhury?

836. Will the Hon'ble Minister for Local Self-Government be pleased to lay on the table the list of nominations submitted by the Deputy Commissioner of Darrang?

The Hon'ble Babu KAMINI KUMAR SEN replied :

824.—The hon. member's attention is drawn to Local Self-Government rule 19 read with section 4 of the Assam Local Self-Government Act.

825.—To secure adequate representation of the minorities and the services of those acquainted with Local Self-Government administration.

826.—The reply is in the affirmative so far as Mr. F. S. Mantie is concerned. Sheikh Asiruddin Saikia was not a contractor under the Board at the time of nomination.

(b)—Mr. Mantie resigned just after his nomination was published.

(c)—Srijut Tuneswar Deka.

(d)—No fresh tenders were called for but the then Chairman gave out the contracts.

(e)—Rs.450.

(f)—Srijut Tuneswar Deka is a painter in the motor workshop of Mr. Mantie.

(g) and (h)—Yes.

Srijut MAHADEV SARMA : With regard to (d), may I ask whether Government consider the action of the Chairman as arbitrary and not according to the rules of the Local Self-Government Act?

The Hon'ble Babu KAMINI KUMAR SEN : Yes.

Srijut MAHADEV SARMA : Then what steps Government are going to take against such action of the Chairman?

The Hon'ble Babu KAMINI KUMAR SEN : Government will look into the matter.

Srijut MAHADEV SARMA : With regard to (f), may I ask whether Government consider that the change of this contractor from the employer to the employee is only a nominal one?

The Hon'ble Babu KAMINI KUMAR SEN : No, Sir.

Srijut MAHADEV SARMA : Government admit that this contractor is a painter in the motor workshop of Mr. Mantie, the previous contractor, who was nominated to the Local Board. Then is it not a nominal transfer?

The Hon'ble Babu KAMINI KUMAR SEN : We have no reason to believe that.

The Hon'ble Babu KAMINI KUMAR SEN replied :

827. (a)—For about 12 years.

(b)—A voter of the Municipal Board.

(c)—He is the holder of *pallas* on which land revenue and local rate are payable.

828.—Yes.

829. (a)—The mistake in the name was corrected, *vide* Notification No.2880-L.S.-G., dated the 25th May 1938.

(b)—The mistake was brought to the notice of Government by the Chairman.

830.—What enquiry is referred to by the hon. member is not clear.

831.—Yes.

832.—No.

833.—No.

834.—No.

835.—Yes.

836.—Government regret their inability to answer this question as such communications are of a confidential nature.

Maulavi ABDUR RAHMAN : Sir, the answer to question 836 is "Government regret their inability to answer this question as such communication are of a confidential nature". Sir, very often Government decline to supply information to the members of this House by saying that this is of a confidential nature. I want to know whether we are not entitled to get such reports.

The Hon'ble the SPEAKER : The hon. member is raising a very general question, and I am afraid on such general question, it will not be possible for me to say anything either way. With regard to this question, the hon. member may ask why these reports are confidential. Then I may decide whether Government was right in saying that information cannot be disclosed on the ground that it was confidential.

Maulavi ABDUR RAHMAN : May I know from the Hon'ble Premier why the members of this House are not entitled to see such records ?

The Hon'ble Srijut GOPINATH BARDOLOI : No, the hon. members of this House are not entitled to see any record of Government unless Government want to take such members into confidence. In certain matters there must be certain confidences between officers and members of Government, and between different officers, which should not and cannot be disclosed for publication on the floor of the Assembly.

Maulavi ABDUR RAHMAN : Sir, the other day I put a question to enable us to see an inspection note of the Divisional Commissioner. The answer was that Government regretted that they were not in a position to let us see it.

The Hon'ble Srijut GOPINATH BARDOLOI : It is more or less a matter for decision by the Hon'ble Speaker. If the hon. member assumes that there are certain facts which are not confidential, but Government is intentionally withholding them from the hon. member, it is for him to satisfy the Hon'ble Speaker.

Maulavi ABDUR RAHMAN : Is it not a fact that the rights of the members of this House are curtailed thereby ?

The Hon'ble Srijut GOPINATH BARDOLOI : I cannot add anything further to what I have already said.

Maulavi ABDUR RAHMAN : Are not the members of this House entitled to look into such records ?

The Hon'ble Srijut GOPINATH BARDOLOI : I do not think the hon. members are entitled to look into any records.

The Hon'ble Babu KAMINI KUMAR SEN : Sir, it is clear in the reply that these communications are of a confidential nature.

Assam Police Conference

Srijut BELIRAM DAS asked :

837. (a) Has the attention of Government been drawn to an article published in the Bi-weekly Edition of the "Assamiya" on the 10th May 1938 under the caption "Assam Police Conference" ?

(b) If so, what steps, if any, have been taken by Government to redress the grievances of the subordinate Police officers, as discussed in the article ?

838. Is it a fact that efficiency and seniority is not the criterion in promoting Sub-Inspectors of Police to the rank of Inspectors ?

839. Will Government be pleased to state the respective duties of Assistant Superintendent of Police, Deputy Superintendent of Police and Inspector of Police ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

837. (a)—Yes.

(b)—The resolutions of the conference were submitted to the Inspector-General of Police, who has dealt with them severally.

838.—The primary considerations are merit and suitability for the post of Inspector.

839.—The hon. member is referred to rule 24, Part I, and also to rule 2, Part IV and rule 1, Part V of the Assam Police Manual.

Case of Emperor *versus* Rasamay Nath

Babu RABINDRA NATH ADITYA asked :

840. Has the attention of the Hon'ble Prime Minister been drawn to the case of Emperor *versus* Rasamay Nath under section 118, Railways Act [Case No.134(1) of 1938] tried in the Court of Mr. B. L. Sen, Extra Assistant Commissioner, Karimganj ?

841. Is it a fact that the trying Magistrate drew the attention of the authorities to the overzealous conduct of a railway constable which made the accused jump down from a moving train and receive bodily injuries ?

842. Is it a fact that a complaint was made against the conduct of the constable to the Railway Police Superintendent at Haflong by Lob Charan Nath, father of Rasamay Nath ?

843. (a) Is it a fact that the Superintendent of Railway Police, Haflong, promised to dispose of the complaint on receipt of the result of the Criminal case referred to above ?

(b) If so, will Government be pleased to state whether it is a fact that the Superintendent of Railway Police took no action finally when the copy of the judgment and deposition were sent to him by Lob Charan Nath on 13th May, 1938 ?

844. Will Government be pleased to state why no action was taken against the offending constable ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

840.—Yes.

841.—Yes.

842.—Yes.

843. (a)—Yes.

(b)—The Superintendent of Railway Police considered the matter and decided that since the constable had already been warned, there was no cause for further action.

844.—The Superintendent was satisfied that the constable's action in challenging the man concerned, who was subsequently convicted under section 118 of the Railways Act, was *bona fide*. He was warned for allowing the man to jump from a moving train.

Promotion of Assistant Sub-Inspectors of Police to the posts of Sub-Inspectors of Police

Srijut BELIRAM DAS asked :

845. Will Government be pleased to state—

(a) Whether it is a fact that the Inspector-General of Police, Assam, has issued a circular debarring all Assistant Sub-Inspectors from being promoted to the posts of Sub-Inspectors unless they pass the Departmental Examinations completely?

(b) Whether it is a fact that since after the issue of that circular some Assistant Sub-Inspectors have been promoted to the posts of Sub-Inspectors?

(c) Whether there is any Assistant Sub-Inspector who has passed the Departmental Examinations completely?

(d) If so, do Government propose to promote passed Assistant Sub-Inspectors to the posts of Sub-Inspectors by reverting the unpassed ones?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

845. (a)—Yes.

(b)—Yes. Promotions have been made from amongst qualified Assistant Sub-Inspectors only.

(c)—Yes.

(d)—In view of the reply to question (b) above, this question does not arise.

Srijut ROHINI KUMAR CHAUDHURI : With regard to question (b), will the Hon'ble Prime Minister be pleased to explain what he means by saying "qualified"? I take it that he means those who have not passed the departmental examinations.

The Hon'ble Srijut GOPINATH BARDOLOI : The length of service and the efficiency which they show in their work are taken into consideration.

Srijut ROHINI KUMAR CHAUDHURI : Does the Hon'ble Minister mean to say that Government will exempt these persons from departmental examinations?

The Hon'ble Srijut GOPINATH BARDOLOI : They are temporarily exempted, but not for all time.

Srijut ROHINI KUMAR CHAUDHURI: Do Government propose to continue this practice in future ?

The Hon'ble Srijut GOPINATH BARDOLOI: No.

Rai Sahib Angam Chaudhury Singh Manipuri, Inspector of Police: and communal troubles

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY asked :

846. Will Government be pleased to state whether there is any truth in the rumour that wherever Rai Sahib Angam Chaudhury Singh Manipuri, Inspector of Police, was posted, there was a communal trouble ?

847. Is it a fact that this Inspector was at the root of the trouble that arose about the Panch Pir Darga (পাঁচ পীর দরগা) in the Town of Sylhet ?

848. Is it a fact that while the said officer was posted as officer in charge at Habiganj and as Inspector at Sunamganj, Sylhet Sadar, Karimganj and Hailakardi Circles, there were communal troubles at those places ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

846.—No.

847.—No. This was a case purely out of land dispute and the parties compromised the case.

Maulavi ASHRAFUDDIN MD. CHAUDHURY : Is it a fact that in such purely civil dispute case certain persons were arrested and put in the Hazat, and no bail was granted at the instruction of the said Inspector of Police ?

The Hon'ble Srijut GOPINATH BARDOLOI: Government have no information on the point.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Will Government be pleased to make an enquiry into the matter ?

The Hon'ble Srijut GOPINATH BARDOLOI: Yes, if the hon. member likes.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY: May I know from the Hon'ble Premier whether the riot had any connection with these arrests ?

The Hon'ble Srijut GOPINATH BARDOLOI: As I said this was a case which arose out of purely land dispute and Government have no information that the Inspector of Police did anything more than what he was entitled to do under the law.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: May I know the source of information of the Hon'ble Premier about the reply to this question. Did he call for any explanation from the Superintendent of Police ?

The Hon'ble Srijut GOPINATH BARDOLOI: No, Sir. The Superintendent of Police did not tender any explanation. The Superintendent of Police never said that the Inspector of Police was implicated in the communal trouble.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Is there any material before the Hon'ble Premier on the strength of which he can deny that these people were arrested and put in the Hazat and no bail was granted purely at the instruction of the Inspector of Police.

The Hon'ble Srijut GOPINATH BARDOLOI : I have no information.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Will the Hon'ble Minister be pleased to take note of the fact and enquire that it was a bailable case, but no bail was granted?

The Hon'ble Srijut GOPINATH BARDOLOI: I have said that if it is considered so very important, I will enquire into the matter.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Does not the Hon'ble Premier consider it as a serious matter?

The Hon'ble Srijut GOPINATH BARDOLOI: I do not consider it so serious in view of the fact that the parties concerned had their remedies in a Court of law. Otherwise they would have represented to the Government.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Is it not the duty of the Hon'ble Minister to take action when he finds that serious breaches of rules have occurred, as in this case bail was refused although it was a bailable offence?

The Hon'ble Srijut GOPINATH BARDOLOI: As I have said, if there is a complaint, Government will take action.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: May I ask the Government whether the public have got no right, no privilege to bring this matter to the notice of the Hon'ble Minister?

The Hon'ble Srijut GOPINATH BARDOLOI: Surely they have got the right. But this is a matter which is long past, and I presume if there was anything for grievance, the matter would have been brought to the notice of the Government long before by persons who were actually affected by the action of the Inspector of Police.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Will the Hon'ble Minister be pleased to furnish me with the date and order of the particular case?

The Hon'ble Srijut GOPINATH BARDOLOI: I cannot give them just now.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Then how does he come to the conclusion that the matter is of long past?

The Hon'ble Srijut GOPINATH BARDOLOI: I can tell the hon. member that it is not so early as he thinks.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Can the Hon'ble Minister give me an approximate date?

The Hon'ble Srijut GOPINATH BARDOLOI: It must be at least two years ago.

The Hon'ble Srijut GOPINATH BARDOLOI replied:
848.—No. During his tenure of office as officer in charge, Habiganj Police Station and as Inspector at Karimganj and Sunamganj, no communal troubles took place. There were two cases of communal riots while he was an Inspector at Sylhet Sadar and one has recently occurred at Hailakandi during his tenure of office there; but Government cannot hold him in any way responsible for any of the incidents.

Appointment of some residents of Khowang ghat to serve as Special Police

Mr. NABA KUMAR DUTTA asked:

849. (a) Is it a fact that some 10 or 12 persons of village Nij-Khowang of Khowang Mauza of the Dibrugarh subdivision have been made to serve as Special Police?

(b) If so, will Government be pleased to state under what circumstances these persons are made to serve as Special Police?

850. (a) Is it a fact that among these 10 or 12 persons there are now very old and decrepit persons?

(b) If so, will Government be pleased to state the rules under which the Special Police are made?

The Hon'ble Srijut GOPINATH BARDOLOI replied:

849. (a)—Yes. The actual number was 3 special Head constables and 12 special constables.

(b)—On an apprehension of a breach of the peace. A copy of the Deputy Commissioner, Lakhimpur's order is placed on the library table.

850. (a)—Two of the persons were found to be unfit for active service. One was immediately discharged and the other was transferred to light duty, for which he was certified fit by the Civil Surgeon.

(b)—Section 17 of the Police Act V of 1861, and Rule 81, Part II, of the Assam Police Manual.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Is the Hon'ble Premier in a position to name the two persons; one who was immediately discharged and the one who was transferred to light duty?

The Hon'ble Srijut GOPINATH BARDOLOI: I am not in a position to give a reply to the question.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Is it a fact that one proprietor of a tea garden was also appointed as special head constable?

The Hon'ble Srijut GOPINATH BARDOLOI: I cannot give the name.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Is it a fact that that gentleman is aged about 60, and applied to the Government as far back as the 8th of May last for exemption?

The Hon'ble Srijut GOPINATH BARDOLOI: I will make enquiries into the matter.

Khan Bahadur Maulavi KERAMAT ALI: Are the constables appointed without being medically examined before appointment?

The Hon'ble Srijut GOPINATH BARDOLOI: I presume that they were considered strong enough to become special constables.

Khan Bahadur Maulavi KERAMAT ALI: In that case how was it found that two of them were unfit?

The Hon'ble Srijut GOPINATH BARDOLOI: That is probably the reason why Government exempted them from duty.

Khan Bahadur Maulavi SAYIDUR RAHMAN: May I know why these two men who were unfit were enlisted at all?

The Hon'ble Srijut GOPINATH BARDOLOI: It must have been supposed that they were in the beginning supposed to have been concerned in this riot, and therefore Government thought that they should be appointed, but when Government found that they were not fit to perform their duty, Government released them from it.

Employment of process-serving peons

Maulavi JAHANUDDIN AHMED asked:

851. Will Government be pleased to state—

(a) Whether the Muhammadans fill an adequate percentage of process-serving peons in the Assam Valley Division?

(b) If not, do Government propose to fill up future vacancies in proportion to the numerical strength of the population ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

851. (a)—Government have not the necessary information.

(b)—The Commissioners will be asked if it is practicable to apply the communal proportions to employment of process-serving peons.

Maulavi JAHANUDDIN AHMED : My question (a) is whether the Muhammadans fill an adequate percentage of process serving peons in the Assam Valley Division, and the reply is "Government have not the necessary information." May I take it that after receiving this questions Government did not care to take any necessary information at all ?

The Hon'ble Srijut GOPINATH BARDOLOI : Whatever responsibility there is lay with the last Government.

Maulavi JAHANUDDIN AHMED : May I know whether this Government have taken any information ?

The Hon'ble Srijut GOPINATH BARDOLOI : No ; this Government have not taken any information.

Maulavi JAHANUDDIN AHMED : Will the Hon'ble Minister be pleased to take necessary information as we want it ?

The Hon'ble Srijut GOPINATH BARDOLOI : It will be seen from reply to question (b) that this is already contemplated.

Maulavi JAHANUDDIN AHMED : My question is whether this Government will take necessary information about the percentage of Muslim peons appointed in the Assam Valley ?

The Hon'ble Srijut GOPINATH BARDOLOI : It will be seen from reply to question (b) that the implication is already contemplated in that reply.

Maulavi JAHANUDDIN AHMED : That is by the Commissioner. I want a reply from the Government.

The Hon'ble Srijut GOPINATH BARDOLOI : The Commissioner is also a part of the Government in a way.

Maulavi JAHANUDDIN AHMED : I want a reply from the Government, Sir.

The Hon'ble Srijut GOPINATH BARDOLOI : The hon. member is doubtless aware that Government obtained the information from the Commissioner.

Maulavi ASHRAFUDDIN MD. CHAUDHURY : Do Government regulate its policy on the recommendation of the Commissioner ?

The Hon'ble Srijut GOPINATH BARDOLOI : There is no question of policy involved in.

Maulavi ASHRAFUDDIN MD. CHAUDHURY : May I know whether the Government is going to be dictated to by the Commissioner ?

The Hon'ble Srijut GOPINATH BARDOLOI : I have already said that the information was obtained from the Commissioner, and we also take into consideration the advice of the Commissioner.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Are we to understand that independently of the Commissioner's advice the Hon'ble Minister has no personal opinion in the matter?

The Hon'ble Srijut GOPINATH BARDOLOI: We surely have our own opinion.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: What is the personal opinion of the Hon'ble Minister?

The Hon'ble Srijut GOPINATH BARDOLOI: It is the decided policy of the Government that proportionate representation in the services is given on the numerical strength of a particular community.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Then it is needless to refer the matter to the Commissioner. The Hon'ble Minister can himself take action.

The Hon'ble Srijut GOPINATH BARDOLOI: The full implication of the question has not been realised. The question as to how far that principle can be applied is to be taken into consideration.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Will the Hon'ble Minister please state whether recruitment to the process-serving establishment is confined to natives of the province?

The Hon'ble Srijut GOPINATH BARDOLOI: It should be confined to natives of the province, but we have not thought about this matter at all.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Are Government aware that there are many up-country men employed as peons in the different subdivisions of the province?

The Hon'ble Srijut GOPINATH BARDOLOI: Possibly so.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Will an enquiry be made with a view to having the matter put right?

The Hon'ble Srijut GOPINATH BARDOLOI: If they are already in permanent employment it will be difficult to eliminate them, but the question of appointing new peons will surely be considered in the light of the suggestion made by the hon. member.

Maulavi Syed ABDUR ROUF: Who is the appointing authority of the peons?

The Hon'ble Srijut GOPINATH BARDOLOI: The appointing authority of the peons is the Deputy Commissioner.

Travelling allowance drawn by the four Subdivisional Officers of Sylhet district during the last 12 months

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY asked:

852. Will Government be pleased to state—

- (a) The number of days (i) the Subdivisional Officer, South Sylhet, (ii) the Subdivisional Officer, Karimganj, (iii) the Subdivisional Officer, Habiganj and (iv) the Subdivisional Officer, Sunamganj, were on tour during the last 12 months?
- (b) The number of days the Subdivisional Officer, South Sylhet, was on tour in Sreemangal and Kulaura during the last 12 months (each figure to be shown separately)?
- (c) The amounts drawn as travelling allowance by the four Subdivisional Officers mentioned above during the last 12 months?

The Hon'ble Srijut GOPINATH BARDOLOI replied:

	Days	
852. (a)—(i) The Subdivisional Officer, South Sylhet...	195	
(ii) The Subdivisional Officer, Karimganj ...	180	
(iii) The Subdivisional Officer, Habiganj ...	150	
(iv) The Subdivisional Officer, Sunamganj ...	59	
(b)—Srimangal	56	
Kulaura	33	
	Rs.	a. p.
(c)—The Subdivisional Officer, South Sylhet ...	1,550	13 0
The Subdivisional Officer, Karimganj ...	1,755	8 0
The Subdivisional Officer, Habiganj ...	1,177	12 0
The Subdivisional Officer, Sunamganj ...	361	12 0

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY: May I know from the Hon'ble Premier what was the necessity of the Subdivisional Officer, South Sylhet, spending so many days at Kulaura?

The Hon'ble Srijut GOPINATH BARDOLOI: I understand that the Subdivisional Officer of South Sylhet has three centres to work, and one of them is at Kulaura. He has got a town committee there of which he is the president; therefore he has got to go there frequently, and that is one reason for his travelling there for so many days.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY: Will the Hon'ble Premier take it from me that there is no Town Committee at Kulaura?

The Hon'ble Srijut GOPINATH BARDOLOI: At any rate there is a committee of some kind there of which he is the president.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY: Will the Hon'ble Minister take it from me that there is no committee of any kind at Kulaura?

The Hon'ble Srijut GOPINATH BARDOLOI: So far as my information goes, there is a committee there where the Subdivisional Officer has got to be present.

Maulavi ABDUR RAHMAN: Probably the Hon'ble Minister may be mistaken. There is one at Srimangal.

The Hon'ble Srijut GOPINATH BARDOLOI: I stand corrected. It is Srimangal. I thank the hon. member for this.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY: Does the Subdivisional Officer go to Srimangal for the committee's work at Government expense?

The Hon'ble Srijut GOPINATH BARDOLOI: Evidently he goes.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY: May I know what was the necessity for 33 days' stay at Kulaura where there is no Committee?

The Hon'ble Srijut GOPINATH BARDOLOI: I am told there are various places round about Kulaura which he has to travel and Kulaura being the centre of these places he might have taken sometime to stay there.

No-confidence motions against the Ministry—Leave of the House

The Hon'ble the SPEAKER : Order, order. I have got notices of 8 no-confidence motions in the present Ministry. The first is in the name of Maulavi Muhammad Maqbul Hussain Choudhury and the second also is in his name.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI : Mr. Speaker, Sir, may I be allowed to first move the motion that I have tabled ?

The Hon'ble the SPEAKER : The practice hitherto followed is this. We number the notices according to the time of receipt. So the earliest notice we received was from Maulavi Muhammad Maqbul Hussain Choudhury. There are two motions in his name.

Maulavi ABDUL MATIN CHAUDHURY : May I point out that according to Rule 43(2) "Where substantially identical motions stand in the names of two or more members, the Speaker, unless the Members have agreed, shall decide whose motion shall be moved and the other motions shall thereupon be deemed to be withdrawn."

The Hon'ble the SPEAKER : Certainly so. If Maulavi Maqbul Hussain Choudhury and others have no objection, I will allow Khan Sahib Maulavi Mudabbir Hussain Chaudhuri to ask for leave to move the motion in his name. I find that there are two different motions in the name of Maulavi Maqbul Hussain Choudhury differently worded, but substantially the motions are all motions of no-confidence in the Ministry. The first motion is to the effect that this House has no confidence in the present Ministry formed by Srijiut Gopinath Bardoloi ; and the second is to the effect that this House has no confidence with the whole Ministry as at present constituted. Of course it would be a great advantage if the hon. members who want to press these motions decide amongst themselves which motion or motions should be taken up so that it may minimise our labour to a certain extent.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY : I beg to ask for leave to move "that this House has no confidence in the present Ministry formed by Mr. G. N. Bardoloi".

The Hon'ble the SPEAKER : I find that the motion is in order. Has the hon. member the leave of the House to move the motion ?
(Then more than 35 members rose from their seats).

The Hon'ble the SPEAKER : The hon. member has the leave of the House.

I shall have also to dispose of the other motions. If this motion be pressed then where is the need for the others to be moved ?

Then the second motion is in the name of Maulavi Muhammad Maqbul Hussain Choudhury. But I wish to know what is the difference between the two motions.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY : I do not press the second one, Sir.

Srijut BINODE KUMAR J. SARWAN : Mr. Speaker, Sir, I beg also to ask for leave to move my motion which is to the effect "that this House has no confidence in the present Ministry formed by Mr. G. N. Bardoloi."

The Hon'ble the SPEAKER : The motion is quite in order. Has the hon. member the leave of the House to move the motion ?
(Then more than 35 members again rose from their seats).

The Hon'ble the SPEAKER : The Hon'ble member has the leave of the House.

His second motion is not quite necessary.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI : I beg to ask for leave to move the motion of no-confidence in the present Ministry. My motion is "that this House has no confidence in the present Ministry formed by Mr. G. N. Bardoloi".

The Hon'ble the SPEAKER : The motion is quite in order. Has the hon. member the leave of the House to move his motion ?
(Then more than 35 members again rose from their seats).

The Hon'ble the SPEAKER : The hon. member has the leave of the House to move his motion.

Here again I think the second motion is not quite necessary.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY : Mr. Speaker, Sir, I beg to ask for leave of the House to move the following motion—

"That this House has got no confidence in the present Council of Ministers."

The Hon'ble the SPEAKER : This motion is quite in order. Has the hon. member the leave of House to move his motion ?
(Then more than 35 members again rose from their seats).

The Hon'ble the SPEAKER : The hon. member has the leave of the House.

Mr. F. W. HOCKENHULL : Sir (*loud laughter and ironical cheers from the Ministerialist Party*) I beg leave of the House to move the following motion.

"That this House has no confidence in the present Ministry formed by Mr. G. N. Bardoloi".

The Hon'ble the SPEAKER : The motion is quite in order. Has the hon. member got the leave of the House to move his motion ?
(Then more than 35 members again rose from their seats).

The Hon'ble the SPEAKER : The hon. member has the leave of the House.

As regards the time at which the motions should be taken up, has any hon. member anything to suggest ?

Khan Bahadur Maulavi KERAMAT ALI : Any time after 24 hours.

The Hon'ble Srijut GOPINATH BARDOLOI : I have some suggestion to make, Sir, regarding the time, when the motion is to be discussed. I am one who is really glad that this motion has been brought forward. But I want Sir, that this motion should be decided now (*Hear, hear*). We have been accused that we have been carrying on a minority Government. But that it is not a fact has been proved not merely within the House but to the world outside. By the proceedings of the House during the last three days. We have proved Sir, that we are carrying on the Government as a majority party in a manner about which any Government would be proud of. But our point of view is this. The motion is not one for which any party was unprepared. It has been there hanging for the last two months. I ask this House to consider the importance of the respective parties, and as they cannot say that they are unprepared for it, I hope they will take up the challenge that I have given them and will not object to have the question decided at once.

Then there is one other question. There is recess to-morrow and if we do not take up the motion to-day, it would be not 24 hours' but 48 hours' delay. The motion could be therefore taken up only on the 8th. We have some experience as to what happened last session. A tension, which is not agreeable to either party who would like law and order prevailing in the country, would be created. All lovers of peace should avoid such tension.

Therefore, Sir, I suggest that the motion should be taken up immediately and disposed of at once.

The third point that I want to suggest is this. We have certain Government business to take up, business which really determines the policy of this Government. If this Government is not entitled to remain here, why should it go on with its policy, for instance, in reference to the Ministers' Salaries Bill and matters of that kind. We do not want that we should take up and dispose of matters of policy on the existence of such allegation of no-confidence.

In view of this, Sir, I would request that you, in exercise of the powers which have been given to you under the proviso to Rule 93 of the Assembly Rules, be pleased to take up the motion now and immediately.

The Hon'ble the SPEAKER: May I enquire of the Hon'ble Leader of the House what should be done with the Government business for to-day if the no-confidence motion be disposed of in favour of the Ministry?

The Hon'ble Srijut GOPINATH BARDOLOI: We are not going to take up any time whatever with the discussions. The matter will be decided merely by votes of the House, so that after 2 P.M. we shall be able to take up Government business, that is to say, if we remain in office. If not, there will be no necessity for Government business to be taken up at all.

Maulavi Saiyid Sir MUHAMMAD SAADULLA: I beg to make a few observations, Sir. This no-confidence motion has been tabled with a view to test the strength of the Government. My hon. friend, the Prime Minister, said that not only he is trying to prove that he has got the backing of the majority of the House, but also that he has proved to the outside world that he has got it. To-day he says that he has made a sport—little more sporting. All that I would like him to be is to be a sport of our members are unfortunately—at least one of them—is the victim of an accident. (*Voices from the Ministerialist Party:* For the last two months the motion has been before us). He slipped in his bath-room and had a slight concussion of the brain. Another gentleman is ill, and therefore it will be very very sporting of the Hon'ble Leader of the House if he gives us the time to bring them here.

The Hon'ble the SPEAKER: Is he in the station?

Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, he is. I will ask them to give us this sporting chance to prove whether they are in a majority in the House or whether we are. It is an unfortunate accident—he had a slight concussion of the brain—and by to-morrow perhaps he will be allowed by the doctor to move. Under the rule, Sir, you have to give 24 hours' time between the tabling of the motion and the discussion.

My hon. friend says there is great tension. So far as we are concerned, there is absolutely no tension. The other day, when my hon. friend, Srijut Rohini Kumar Chaudhuri, brought such a matter before the House by an adjournment motion, he read a certain letter from the Deputy Commissioner which was addressed to me as leader of my party asking whether my party wanted any police protection. I said in reply that I wanted no police protection at all. Therefore, it is absolutely baseless to say that there will be any tension. I will give my word of honour that there will be absolutely no tension so far as my party is concerned. I put it on the basis of sportsmanship and humanity and ask for the usual 24 hours' time.

Mr. F. W. HOCKENHULL: Do I understand from the Leader of the House that his understanding of this motion is merely that we shall walk into the lobbies and we shall not discuss the policy we have adopted so that we may tell the House what we feel and through the House to the outside world? It is a proposal which we cannot accept. It is a motion which ought to be debated as any other motion.

Srijut DEBESWAR SARMAH: May I know, Sir, how long Mr. Hockenhull will take to deliver his speech?

Mr. F. W. HOCKENHULL: Is it assumed that I am the only speaker on this side of the House? Why should we assume that this will not be a full dress debate as has occurred on previous occasions on important matters of policy?

The Hon'ble Srijut GOPINATH BARDOLOI: I must say, Sir, that the sportsmanlike spirit which I expected of the Leader of the Opposition was wanting in this case (*Hear, hear*). This motion has not been a new thought.

The Hon'ble the SPEAKER: He has referred to some other matters.

The Hon'ble Srijut GOPINATH BARDOLOI: In the same manner as my hon. friend has stated that some of the members of his party are ill, I might also have said we have also people who are lying ill and who cannot be brought. So that, that cannot be any reason for the Hon'ble Leader of the Opposition to feel any difficulty about his position. As far as I know he has got his men within the station and he can very well afford to bring them here. In view of this, I respectfully submit that this matter should be decided here and now as I stated.

The Hon'ble the SPEAKER: With regard to this question Rule 93 is to this effect. ".....the motion will be taken on such day, not being more than ten days and not less than twenty-four hours from the time at which leave is asked, as he may appoint: provided that if exigencies of business require, the Speaker shall have power to relax the rule and take up the motion earlier than twenty-four hours". So in this matter there is no absolute restriction on the powers of the Speaker, but it is the exigency of business that should lead him to fix a time within 24 hours. Having heard both sides, I am disposed to hold that the exigency of business is not such as may permit me to fix a time to-day for the motion. With regard to the special case that has been made out by the Leader of the Opposition, namely that a certain member of his party will not be able to attend the House today, I am to say.....

(*A voice:* He can come after some time during the day).

I think the opposition case is that two members are ill.

The Hon'ble Srijut GOPINATH BARDOLOI: Both of the members of the Opposition are in the town, whereas two of our members are not here one of them is in the Garo Hills and the other somewhere else. Will adjournment be given to us on that ground?

Several voices from the Opposition Benches: Where?

Khan Bahadur Maulavi KERAMAT ALI: May I know Sir, whether any member has any right to intervene when the Speaker is speaking?

The Hon'ble the SPEAKER: Certainly no member has any right to intervene when the Chair is delivering a ruling; but I allow members to say what they have got to say and I am not really delivering my ruling.

Rai Bahadur PROMODE CHANDRA DUTT: I have to say one word. You, Sir, have to decide this question according to the rules. The rule says—"If exigencies of business require, the Speaker shall have power to relax the rule and take up the motion earlier than twenty-four hours".

This gives you the power to exercise your discretion. But the fact that one member is ill and that another cannot come for any other reason cannot affect the question at all. You have to decide whether the exigencies of business require that the motion should be taken up immediately. The Hon'ble Prime Minister has said that it would be a useless waste of time to discuss the Ministers' Salaries Bill and other Government business if the motion succeeds.

Maulavi ABDUL MATIN CHAUDHURI: Sir, it has been argued by my hon. friend Mr. Dutt that the exigencies of business require that the motion should be moved at once. If that is the position, he should have taken up that position two months ago. If you could allow two months to pass without giving the opportunity of ascertaining whether the present Ministry have a majority or not, the difficulty of a single day will not matter much.

Babu RABINDRA NATH ADITYA: Sir, on the eve of the discussion of no-confidence motion against the previous Government you were held responsible for expediting the matter of discussion and a quick disposal of the motion. That accusation was levelled against you that time. (*Voices from the Opposition Benches:* Never) It was given out in the press and elsewhere by the present members of the Opposition. So I do not think that the facilities different from those given at the time of the discussion of those no-confidence motions should now be allowed. As those motions were expedited, I think it is quite natural and consistent if the present no-confidence motions are also disposed of with similar promptness.

It may be, Sir, that if some time is allowed, there may be other difficulties; other members may fall ill. The other party have tabled this no-confidence motion knowing full well their difficulties and now they cannot say "we are handicapped owing to the absence of some of our members". They should be fully prepared to face the House and take their chance. So after having tabled this motion, it will be cowardice on their part to take these evasive tactics.

Srijut ROHINI KUMAR CHAUDHURI: Mr. Speaker, Sir, may I be permitted to draw attention to one circumstance? During the last session of the Assembly a motion like this was tabled. That was the last non-official day of the session and you were pleased to fix a time on the same day on account of the fact that no other non-official day was available. Ordinarily, therefore, the practice is not to disturb the Government business when non-official days are available.

The Hon'ble the SPEAKER: But if Government agree not to go on with the business?

Srijut ROHINI KUMAR CHAUDHURI: Here we have a non-official day available. To-day is a Government day. When a non-official day is available why should we not have the motion discussed on that day instead of disturbing the business for the day.

The Hon'ble the SPEAKER: Government say that they do not like to proceed with their business to-day.

Srijut ROHINI KUMAR CHAUDHURI: At the same time we are also interested in this business. As a matter of fact we find in the agenda that the Assam Provincial Legislature (Removal of Disqualifications) Bill is going to be discussed to-day. It will be disposed of if we sit to-day. Moreover we are interested in the Assam Ministers' Salaries Bill.....

The Hon'ble the SPEAKER: Order, order. Having heard both the sides, and to avoid dislocation of the business of the House, I am disposed to think that the motion should be taken up day after to-morrow. If the Government feel that they are so strong about their position, I do not understand why this delay should affect their position at all. So I fix 2 p.m., day after to-morrow as the time for taking up this motion.

The Assam Provincial Legislature (Removal of Disqualifications) Bill, 1937.

The Hon'ble the SPEAKER: Order, order.

Now we will proceed to the motion for consideration of the amendments made by the Assam Legislative Council on the Assam Provincial Legislature (Removal of Disqualifications) Bill, 1937.

The Hon'ble Babu KAMINI KUMAR SEN: I beg, Sir to move that the amendments made by the Assam Legislative Council on the Assam Provincial Legislature (Removal of Disqualifications) Bill, 1937, be taken into consideration at once.

The Hon'ble the SPEAKER: The motion moved is that the amendments made by the Assam Legislative Council on the Assam Provincial Legislature (Removal of Disqualifications) Bill, 1937, be taken into consideration.

The motion was agreed to.

The Hon'ble the SPEAKER: There are several amendments to this motion. Two amendments were made by the Upper House to this Bill. The amendments are to the effect "that in the Schedule to the Bill the following be added as items 5 and 6—

5. Part-time professors, lecturers, instructors or teachers in Government educational institutions.

6. Medical practitioners rendering part-time service to Government." Amendments in this House will be allowed only if they are amendments relevant to the subject matter of the amendments made by the other Chamber or are consequential upon or alternative to those amendments. I find notice of some amendments which in view of what I have said are really out of order.

Amendment No. (1) "that in paragraph 1 of the Schedule to the Bill, the word 'Mauzadar' be inserted before the word 'gaonbura' ". This is perfectly out of order, because that cannot be taken as an amendment which is relevant to or consequential upon or alternative to the amendments made by the other House. This was in the original Bill and the Bill as passed by this House contained that clause and the Legislative Council did not touch that item. So I hold that this amendment is out of order.

Then with regard to the second amendment "that in the same paragraph the word 'Chowkidar' be omitted." This also is out of order on the same ground. In the original Bill which was passed by this House it was there and the Legislative Council did not alter anything in regard to this.

Therefore, only the 3rd and 4th amendments are in order. So I call upon Khan Bahadur Maulavi Sayidur Rahman to move his amendments.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Sir, I beg to move "that in paragraph 5 of the Schedule to the Assam Provincial Legislature (Removal of Disqualifications) Bill, 1937, as passed by the Legislative Council the words 'or teachers' be omitted".

The teachers in Government educational institutions are engaged in discharging very onerous and humanitarian duties to the public and I think they should not be dragged into politics. It is for this reason therefore that I would like to have the teachers kept out of this Schedule. With this end in view, I beg to commend my amendment for the acceptance of the House.

The Hon'ble the SPEAKER: The motion moved is "that in paragraph 5 of the Schedule to the Assam Provincial Legislature (Removal of Disqualifications) Bill, 1937 as passed by the Legislative Council, the words 'or teachers' be omitted".

The Hon'ble Babu KAMINI KUMAR SEN: Mr. Speaker, Sir. I have heard the hon. Khan Bahadur and I am sorry to say that I am not at all convinced of the necessity of this amendment. Under section 307 of the Constitution Act, for the purpose of the first elections no person shall be subject to any disqualification by reason of the fact that he holds an office which is not a whole-time office remunerated either by salary or by fees. So during the last elections, all part-time officers were eligible to stand as candidates and become members of either House. Moreover, if we allow the Gaonburas and Chowkidars who are part-time officers to stand as candidates, I do not see any reason why part-time teachers should be excluded from that privilege. Besides that, this Bill has been introduced about two years ago and it was mainly intended to make provision for Parliamentary Secretaries. If we make any amendments at this stage, the Bill will have to be sent again to the other House and it will take another year or so to pass this Bill. Thus the main object for bringing this Bill would be frustrated. The next election is yet far off and if any further amendment is necessary, we will have ample opportunity to do that before next election. With these words, Sir, I beg to oppose this amendment.

Maulavi Saiyid Sir MUHAMMAD SAADULLA: May I know from the Hon'ble Minister in charge whether we have got any part-time teachers in Assam? Of course we have part-time lecturers in the Law College.

The Hon'ble Babu KAMINI KUMAR SEN: I think there are some part-time teachers in Madrasas.

Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am prepared to challenge that information.

The Hon'ble Babu KAMINI KUMAR SEN: If there are no part-time teachers now, we may have them in future.

Maulavi Saiyid Sir MUHAMMAD SAADULLA: Why legislate for a thing which does not exist?

The Hon'ble the SPEAKER: Then I am putting the question. I think there is no other member to take part in this discussion. The question is: "that in paragraph 5 of the Schedule to the Assam Provincial Legislature (Removal of Disqualifications) Bill, 1937 as passed by the Legislative Council, the words 'or teachers' be omitted".

The amendment was lost.

Khan Bahadur Maulavi SAYIDUR RAHMAN: I do not feel disposed to press my next amendment (*viz.*, that paragraph 6 of the Schedule to the Bill be omitted).

The Hon'ble the SPEAKER: Then the matter to be disposed is whether items Nos. 5 and 6 added to the Schedule of the Bill as amendments by the Legislative Council are to be accepted by the House or not. Therefore, the question is:

"That in the Schedule to the Bill the following be added as items 5 and 6.

'5. Part-time professors, lecturers, instructors or teachers in Government educational institutions.

6. Medical practitioners rendering part-time service to Government." The motion was agreed to.

The Hon'ble the SPEAKER: As the motion has been adopted, the Bill will now become an Act when it receives the Governor's assent.

The Assam Ministers' Salaries Bill, 1938

The Hon'ble Srijut GOPINATH BARDOLOI: Sir, I beg to introduce the Assam Ministers' Salaries Bill, 1938.

The Hon'ble the SPEAKER: The motion moved is that the Assam Ministers' Salaries Bill, 1938 be introduced.

The motion was agreed to.

The Hon'ble Srijut GOPINATH BARDOLOI: Sir, I beg to move that the Assam Ministers' Salaries Bill, 1938 be taken into consideration.

In moving this Bill for consideration of the House, I need not speak much. The statement of objects and reasons is there. The salaries of Ministers fixed by Assam Act IV of 1937 is too high in our opinion for the poor province like Assam and the members of the present Council of Ministers are ready to work at a much lower rate at which Ministers of many other provinces are working. So long the salaries and allowances of Ministers were consolidated, but in future it might be possible to provide the Ministers with free quarters and hence allowances are separated from the salary and separate provisions for house and car allowances are made.

The Hon'ble the SPEAKER: The motion moved is that the Assam Ministers' Salaries Bill, 1938 be taken into consideration.

Srijut ROHINI KUMAR CHAUDHURI: Mr. Speaker, Sir. I would like to state my views with regard to the provisions of this Bill. I, Sir, personally consider that the salary of Rs. 500 per month is quite inadequate and I also hold this view that the Ministry ought to be paid their suitable remuneration for the pressure of work which they have to undergo. My experience of about 18 months shows that it is practically an all absorbing work and the Ministry ought to be in a position of comfort and certainly free from pecuniary difficulties. I, therefore, say that the demand which is made by the Hon'ble Prime Minister as salary of the Minister is quite inadequate. This inadequacy of salary may now be applauded by the public men when the whole country is enthused with the idea of retrenchment or reduction of expenditure, but in the long run it will have repercussions on the public itself. I would therefore ask the House not to be a party to a low salary for the Ministers who have very heavy responsibilities to discharge. At the same time I strongly disapprove of the idea of taking more money besides the salary in the shape of allowances. If a sum of Rs. 500 is not adequate according to the Hon'ble Prime Minister and that at least they ought to have Rs. 700, they should come forward with a straight demand and ask for a salary of Rs. 700 per month. But their difficulty seems to be that in their election manifesto or in their programme they gave to the country to understand that they are against the principle of taking more than Rs. 500 as salary and in order to circumvent that difficulty now the Hon'ble Prime Minister wants more than Rs. 500 in the shape of allowances. I consider this is very unsatisfactory and this will lay down a very bad example.

Sir, it is rather difficult for any officer who draws Rs.500 per month to maintain a car. Why should one, Sir, keep that standard and keep a car out of money of the public exchequer. If you like to live a simple life, you should live like any other officer who is drawing the same salary and who never thinks of maintaining a car. But if you prefer the idea of living in luxury and comfort then why not in a straightforward way ask for that salary. Even Rs.100 per month is quite inadequate for maintaining some cars at least. Those who generally purchase second hand cars find it difficult to maintain cars at Rs.100 per month. Then, Sir, it may not be necessary for one to require Rs.100 per month who drives his own car just like the Hon'ble Prime Minister and the Minister for Revenue. Even some Ministers may not keep cars at all.

Then, Sir, comes the question of house allowance. A gentleman who draws Rs.500 per month would not think of living in a house for which he has got to pay Rs.100 as rent per month. All these things, Sir, will leave a very bad impression in the minds of the people of our country, because the Congress Party who are out for high ideal are now resorting to this questionable method in order to get more money for themselves. The further fact is that for a salary we have got to pay income-tax, but for allowance no income tax is necessary. That, Sir, may be construed as one of the reasons for taking this money in the shape of allowance and not in a straightforward way as their salary. Under the circumstances, I would ask the Hon'ble the Prime Minister to withdraw his Bill and continue to take his salary as he had been taking all these months. If he thinks that a salary of Rs.700 per month is the minimum which they require in order to be able to discharge their duties properly then they should in a straightforward way ask for Rs.700 as salary and we shall be able to support them, but if they consider that Rs.700 is not required then let them be satisfied with Rs.500 as salary.

Srijut KAMESWAR DAS: On a point of information, Sir. The hon. member seems to criticise that there should not be any allowances for Ministers, but I have not heard him whether he approves of the salary of Rs.500 or disapproves it.

Srijut ROHINI KUMAR CHAUDHURI: I have already said, Sir, that a sum of Rs.500 is not sufficient for a Minister but those who have their own money and those who own zemindaris, they can take Rs.500 or even nothing. They may not require any allowance and they can show to the public that they are doing their duty to the public without taking any salary or allowance. I consider, Sir, that a sum of Rs. 500 is hardly adequate for a man with a family in Shillong.

Srijut GAURI KANTA TALUKDAR: May we know what does the hon. member think to be the proper amount for an Indian gentleman who wants to carry on with the office of the Minister in this province?

Srijut ROHINI KUMAR CHAUDHURI: An Indian Raja who is also a gentleman will require Rs.10,000 a month for living perhaps.

Srijut GAURI KANTA TALUKDAR: I am not speaking of a Raja.

Srijut ROHINI KUMAR CHAUDHURI: A Raja is always a gentleman.

Srijut GAURI KANTA TALUKDAR: My question is that how much he proposes for a Minister in a province like Assam?

Srijut ROHINI KUMAR CHAUDHURI: That depends on the individual, for instance a money lender or a banker, even if he possesses or earns a big amount of money, may not spend anything.

Srijut GAURI KANTA TALUKDAR: Sir, my question is not vague. I want to know what in his opinion is the decent sum for a Minister for a province like Assam?

Srijut KAMESWAR DAS : On a point of information, Sir.....

Srijut GAURI KANTA TALUKDAR : What is the answer to my question, Sir ?

The Hon'ble the SPEAKER : Order, order. When the hon. member is not inclined to give any answer, I cannot compel him to do so.

Srijut ROHINI KUMAR CHAUDHURI : It depends on the standard of ones living.

Srijut KAMESWAR DAS : May I know the personal opinion of the hon. member as regards the proper amount for the salary of a Minister ?

Srijut ROHINI KUMAR CHAUDHURI : For a gentleman like Mr. Gopinath Bardoloi it should be Rs.1,200, for a gentleman like Babu Akshay Kumar Das it should be Rs.700 though he always complained before about this amount and for a gentleman like Mr. Rupnath Brahma who is a bachelor it should be Rs.150 (*laughter*).

The Hon'ble the SPEAKER : What should be the uniform rate for all ?

Srijut ROHINI KUMAR CHAUDHURI : He is asking me what should be the amount of salary for an Indian gentleman.

The Hon'ble Babu AKSHAY KUMAR DAS : On a point of order, Sir.

The Hon'ble the SPEAKER : Why should the hon. member introduce the names in this way ? It is very undesirable.

The Hon'ble Srijut GOPINATH BARDOLOI : I have very little to say in addition to what I have already said. I can only say that the Minister is the servant of the State and it is desirable as it prevails also in every other country, that he should be given all facilities for due execution of his duty, but it is not possible in a poor province like Assam to pay anything more than the allowance of Rs.100 for car and Rs.100 for a house.

The Hon'ble the SPEAKER : The question is that the Assam Ministers' Salaries Bill, 1938 be taken into consideration.

The motion was agreed to.

The Hon'ble the SPEAKER : Now I should take up clause 3 of the Bill. There are two amendments one standing in the name of Maulavi Mabarak Ali and another in the name of Maulavi Maqbul Hussain Choudhury. These are almost similar amendments. The hon. member may move.

Maulavi Muhammad MAQBUL HUSSAIN CHOUDHURY : Mr. Speaker, Sir. I beg to move "that sub-clauses (b) and (c) of clause 3 of the Assam Ministers' Salaries Bill, 1938 be deleted." Sir, it is known all over the world that the Congress Ministers are taking Rs.500 as salary per month.

The Hon'ble the SPEAKER : Something more—allowance also.

Maulavi Muhammad MAQBUL HUSSAIN CHOUDHURY : I am coming to that, Sir. Personally I do not approve of this amount because it will not be sufficient for a Minister, but it is the principle of the Congress party and even if we pass a Bill changing Rs.500 to Rs.1,000, the Ministers will not accept that amount and so we are to pass the Bill fixing the salary of the Minister at Rs.500. Now in the sub-clauses (b) and (c) I find that the Hon'ble Ministers have proposed to take Rs.200 in the shape of allowances, namely house allowance and motor car allowance. The principle of the Congress is that they will take as less amount as can be possible and Rs.500 is, according to them, the minimum amount. I do not see any reason why they should want another Rs.200 in the shape of allowance in a round about way. If they can manage to live in Shillong with Rs.700, I think it will not be difficult for any of the Minister to manage their household expenses with Rs. 500. I, therefore, appeal to the Hon'ble Premier to agree to accept my amendment and show to the people of the Province that they are not taking

any amount in any round about way. I have already said that this amount is not approved by me. I had a mind to put an amendment enhancing the rate to Rs.1,000, but following their principle I have refrained from doing so. I ask the members of different groups to consider my amendment and see that it is passed. It will increase the reputation of the Ministers also. I may earn some notoriety, but this will give them a chance to earn cheap popularity in the province.

With these few words, Sir, I commend my amendment for the acceptance of the House.

The Hon'ble the SPEAKER : The amendment moved is "that sub-clauses (b) and (c) of clause 3 of the Assam Ministers' Salaries Bill, 1938 be deleted".

The Hon'ble Srijut GOPINATH BARDOLOI : Mr. Speaker, Sir, for obvious reasons I rise to oppose this amendment. I wished that this amendment was really one who did not support the scale of salaries that was fixed by the last Ministry (*Hear, hear*). I of course thank him for having asked us to give up allowances. I must tell him however that house allowance is a necessity in a place like Shillong. When Government cannot provide a house for the Ministers of the State, Government should be able to provide for some allowance by which a house can be rented and maintained. My hon. friend very well knows, Rs.100 is just sufficient for a house in which a Minister can possibly live conveniently.

Secondly, the necessity for a car also need not be stressed. The Ministers of the State have got to be busy, they have got to run about in the country and therefore the necessity for a car is imperative. If it were possible to do without a car I would have been very glad to accept the suggestion of my hon. friend, the mover of the amendment, but as is well known, present day business cannot be carried on expeditiously and properly unless a car is provided for the Ministers.

With these few words, Sir, I beg to oppose the amendment.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY : Will the Hon'ble Minister be pleased to accept a salary of Rs.1,000 per mensem, including of course all sorts of allowances?

The Hon'ble Srijut GOPINATH BARDOLOI : No, Sir.

Srijut ROHINI KUMAR CHAUDHURI : What is the idea in fixing this particular amount as allowances?

The Hon'ble Srijut GOPINATH BARDOLOI : We think these allowances may conveniently cover the expenses of a car and a house.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY : Will the Hon'ble Minister be pleased to replace the figure "500" by the figure "700"?

The Hon'ble Srijut GOPINATH BARDOLOI : We have already said that the salary should be Rs.500. Whenever it will be possible for the State to provide the Ministers with car and house, these allowances will not be necessary at all.

Srijut BIDESHI PAN TANTI : মাননীয় সভাপতি মহোদয়, মে গরীব মজদুর হ' আউর মজদুর লোগও কি প্রাতিনিধি হোকর ইস্ এসেমব্লিমে করিবান্ ১৫ সালসে কাম করতে হ'।

হামারে বিপক্ষ দলকা মাননীয় সদস্য লোগোও কি মতি আউর যুক্তি দেখ্ কর মেরা আকল গুম্ হো য়াতিহে। ধোরে দিনকো বাত হে যব কংগ্রেস দলসে মন্ত্রীয়েঁ কি তনুখাহ

৫০০\ আউট এন্ড ইন্স ২০০\ কপেয়া করনেকি প্রস্তাব রাখা গিয়া, উদ্ভূত মাননীয় সদস্য কি দল ইয়ে তন্মুখ্য আউট এন্ড ইন্স বহুত কমতি হে কহকর বিবোধ কিয়েথো। লেকিন্ মাননীয় সদস্যকা মতি আউট বৃদ্ধি এইসা পরিবর্ত্ত হো গিয়া যো আত্ম ওহি কমতি ৭০০\ কপেয়া জ্যানা হো গিয়া। মাননীয় সদস্যকা মতি আউট বৃদ্ধিকো ইতনা জলদি পরিবর্ত্তন দেখ্ কর মেয়া পূৰ্ণ বিশ্বাস হো রাগা হে যো মাননীয় সদস্যকা দল কেবল খেলা করনেকো মেতিতো আপ্ৰা বাহাদুরী দেখ্ লানেকো লিয়ে এহি সংশোধনী প্রস্তাব পেস কিয়ে হে। মাননীয় সদস্যকো যে ইয়াদ দিলাতা হ'বো, হামলোগোঁকি হাত্ৰাবো গরীব কিশাণ আউট শ্রমিকগণ খেল ইয়া দিলোগি করনেকো লিয়ে ইন্স এসেধি মে নেহি ভেজেহে। ইন্স লিয়ে মে এতনাহি নিবেদন করকে ইন্স সংশোধনী প্রস্তাব কি নালায়েক সমজ্জকর। বিবোধ করতাই (applause)।

Srijut BINODE KUMAR J. SARWAN: মহা মাত্ৰাবার সভাপতি মহাশয়, জো বাত মেরে পোস্ত বিদেশী পান তাঁতো নে কাহা মায় নাহী মান সাকতা হ' ইন্স লিয়ে মায় কুছ বাত বোলকার উনকো খাণ্ডান কারনা চাহতা হ'। এ বাত ঠিক নাহী হায় কি আগার কংগ্রেস মিনিষ্টার লোগ ৫০০\ আউট ফালতু ২৫০\ মোটোর আউট বার ভাড়া জোড়কার ৭৫০\ মাহিনা লেতে হায় তো ইন লোগ ইন্স দেশকে লিয়ে আচ্ছে- হায় আউট পহিলে মিনিষ্টার লোগ খায়াব পে। কোংগ্রেস মিনিষ্টার লোগ আগার দেশ কে লিয়ে স্বার্থতাগী হায় তো ৭৫০\ মাহিনা না লেকার উসসেভী কম বেতান লেকার কাম কার সাকতে হায়। যাহ সাচমুচ স্বার্থতাগ নাহী হায়। কোংগ্রেসী মিনিষ্টারোন কা ৭৫০\ মাহিনা লেনা সার শাহজুয়া গাবার্ণমেণ্টবালে মাদ্রীভন কা ১,৫০০ বা ২,০০০\ একহী সামান হায়। কোংগ্রেস ওয়ালোন কা বাহ সাচমুচ তাগস্বীকার হায় যাহ মায় নাহী মান সাকতা হ'।

মেরে পেয়ারে মাজহুরী ভাই বিদেশী জো কি আপ চা বাগানমে সারদারকা কাম কারতে থে আপনে মাজহুরী ভাইয়োন কী আপেক্ষা আধিক বেতান লেতে থে। উনকে চা-বাগান মাজহুরী ভাইলোগ ৭\, ৩\ মাহিনা বেতান পাতে হায় আউট আপ ৩০\। ৫০\ বাগানমে পাতে থে। কিন্স কারান আপ আপনে মাজহুরী ভাইয়োন সে আধিক বেতান লেতে থে? আইসাহী চা-বাগানকে মাজহুরী সারদার, চৌকিদার, জামাদার লোগভী আপনে মাজহুরী ভাইয়োন সে আধিক বেতন লেতে হায়। ইন্সকা কারণ এ হায় কি উনকা আকাগ আউট জ্ঞান হুসরোন কী আপেক্ষা আধিক হায় আউট ওয়ে উনসে আপনে কামকে লিয়ে আধিক বেতান পাতে চায়। ইসী প্রকার আসাম প্রাদেশমে মিনিষ্টার লোগ আগার কুছ আধিক বেতান লেতে হায় তো ইয়াচ আত্মায় নাহী হায় ইনকো ইন্স বাড়ী আসাম প্রাদেশকে চানানে কে কাঠিন ভারকো আপনে উপার লেনেকে কারণ আরাম আউট চৈন সে রাহেনে দেনেকে লিয়ে আধিক বেতান লেনা অনুচিত নাহী হায়। আপকোভী পুরা মালুম হায় কি চা-বাগানমে জামাদার, চৌকিদার আউট সারদারলোগ

হুসৰে মন্তব্যৰীয়েন মে অধিক বেতান লেভে হাঁয়। কোংগ্ৰেচ আউৰ জো কোংগ্ৰেচ-
ওদালে নাগৌ হাঁয় একত্ৰী প্ৰাকার অধিক বেতান ল রাহে হাঁয় আউৰ হান উনকো দোষ
নাহি দেনা চাহিনে কি পাখিনে সার শাহজুলা মিনিষ্ট'ৰলোগন ক' অত্ৰায় থা।

Adjournment

The Assembly then adjourned for lunch till 2 p.m.

After adjournment

The Assembly re-assembled after lunch at 2 p.m.

The Hon'ble the SPEAKER: Now I shall put the question. The question is "that sub-clauses (b) and (c) of clause 3 of the Assam Ministers' Salaries Bill, 1938 be deleted".

The motion was lost.

The Hon'ble the SPEAKER: The question is that clause 3 of the Bill do form part of the Bill.

This was agreed to.

The Hon'ble the SPEAKER: The question is that clause 1 of the Bill do stand part of the Bill.

This was agreed to.

The Hon'ble the SPEAKER: The question is that clause 2 of the Bill do stand part of the Bill.

This was agreed to.

The Hon'ble the SPEAKER: The question is that clause 4 of the Bill do stand part of the Bill.

This was agreed to.

The Hon'ble the SPEAKER: The question is that the Title and Preamble of the Bill do stand part of the Bill.

This was agreed to.

The Hon'ble Srijut GOPINATH BARDOLOI: I beg to move, Sir, that the Assam Ministers' Salaries Bill, 1938, be passed.

The Hon'ble the SPEAKER: The question is that the Assam Ministers' Salaries Bill, 1938 be passed.

The motion was agreed to.

Supplementary demands for grants for the year 1938-39

No.1

The Hon'ble Srijut RUPNATH BRAHMA: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs.10,680 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1939, for the administration of the head "10.—Forests".

Grants originally passed by the Assembly	Rs.
11.—Sub-head under which supplementary grant will be accounted for by the Forest Department.	8,87,300
A.—Conservancy, etc.—Communications and Buildings.	10,680

The Hon'ble the SPEAKER: There is an amendment to this motion by Maulavi Matior Rahman Mia.

Maulavi MATIOR RAHMAN MIA : I beg to move that the provision of Rs.10,680 under supplementary demand No.1, major head 10.—Forests, sub-head A.—Conservancy, etc.—Communications and Buildings, at page 1 of the supplementary demands for grants for 1938-39 be refused.

The Hon'ble the SPEAKER : I may intimate to hon. members that for such cut motions I have fixed a time-limit. The hon. mover of a cut motion will get 5 minutes and the Government member replying will get 5 minutes, and the other members speaking on the motion will get 3 minutes each.

Maulavi MATIOR RAHMAN MIA : Sir, I beg to move—

That the provision of Rs.10,680 under Supplementary Demand No.1, Major head 10.—Forests, Sub-head A.—Conservancy, etc., Communications and Buildings, at page 1 of the Supplementary Demands for grants for 1938-39 be refused.

সভাপতি মহোদয়, ফরেস্ট বিভাগের কচুগাও এবং হন্টগাও অঞ্চলের রাস্তা এবং bridge নেরামতের জন্ত এই বে ১০,৬৮০ টাকার বরাদ্দ করা হইয়াছে আমার মতে এই টাকা সেখানে খরচ না করিয়া এবার flood এ বে সমস্ত জায়গা ধ্বংস হইয়া গিয়াছে এবং সেই flood area তে যে সমস্ত লোক অনাহারে আছে তাহাদের জন্ত খরচ করা উচিত। Flood area তে যে সমস্ত লোক আছে তাহাদের খাইবার কিছুই নাই—পরণের বস্ত্র নাই এবং হালের গরুও মরিয়া গিয়াছে। সেখানে কলেরায় হাজার হাজার লোক মরিয়া গিয়াছে এবং এখনও মরিতেছে। তাহাদিগকে বাহা যৎ সানাত্ত সাহায্য দেওয়া হইয়াছিল সেই সাহায্যের দ্বারা তাহাদের জীবন রক্ষা হইতেছে না। তাহাদিগকে বিভিন্ন জায়গায় কাজ করিতে দিয়া দু পয়সা উপার্জন করিবার সুবিধা দেওয়া হইবে বলিয়া গবর্ণমেন্টের পক্ষ হইতে যে আশ্বাস দেওয়া হইয়াছিল তাহার এখন পর্য্যন্তও কোন ব্যবস্থা করা হয় নাই বা হইতেছে না। কাজেই আমার মনে হয় কচুগাও এবং হন্টগাও ইত্যাদি ভূটানের নিকটবর্তী স্থানে পার্কিং অঞ্চলের রাস্তা এবং bridge নেরামতের জন্ত যে টাকার বন্দবস্ত করা হইয়াছে তাহা কেবল ফরেস্ট বিভাগের মাননীয় মন্ত্রী মহোদয়ের মোটর চলাচল করিবার সুবিধার জন্ত এবং হংসঙ্গে অত্যন্ত বড় বড় অফিসার বাহারা মোটরে সেখানে যাতায়াত করিবেন তাহাদের সুবিধার জন্যই করা হইয়াছে বলিয়া মনে হয়। তাই আমি মনে করি সেই টাকা সেখানে ব্যয় না করিয়া রিলিফ কাণ্ডে দিয়া বাহাতে গরীবলোক মরণের কবল হইতে জীবন বাঁচাইতে পারে তাহার বন্দবস্ত করা উচিত। বর্তমানে বাহাদের খাইবার কিছুই নাই এবং পরণের বস্ত্র নাই, যে সমস্ত স্ত্রীলোক তাহাদের মিজেরদের লজ্জা নিবারণ করিবার জন্ত এক টুকরা বস্ত্রও পাইতেছে না, যে সব কুবকের হালের গরু মরিয়া যাওয়ায় কৃষিকার্যের কোন ব্যবস্থা করিতে পারে নাই, বাহাদের বীজ বপন করিবার জন্ত ধান, পাট, সরিষা প্রভৃতির বীজ ঘরে নাই—এমন কি বাহারা স্বর্ণের অলঙ্কার পর্য্যন্ত তোলা প্রতি ৩—৪ টাকায় বিক্রি করিয়া এবং বাসনপত্র এবং তৈজসপত্র বিক্রি করিয়া পথের কাঞ্চাল হইয়া অনাহারে মরিতেছে—এই টাকা দিয়া তাহাদিগকে রক্ষা করিবার জন্ত ব্যবস্থা করা উচিত। গোয়ালপাড়া জেলার যে সমস্ত জায়গা বর্ষায় ধ্বংস হইয়া গিয়াছে, সে সব জায়গার রাস্তায়

যদি ঐ টাকা ব্যয় করিয়া সেই সমস্ত অনাহারী লোকদের দ্বারা ঐ কাজ করা য়া তাহাদের বর্তমান দুঃপর্যা উপাঙ্গনের ব্যবস্থা করা হইত তাহা হইলেও কৃষকগণ কিছু দিন বাঁচিতে পারিত; কিন্তু সে ব্যবস্থা করা হইতে ছ না। ব্রিটিশের শেরকম কোন বন্দবস্ত করা হয় নাই। কাজেই ঐ টাকা ঐ আয়গার খরচ করিবার ব্যবস্থা না করিয়া কৃষককুলকে রক্ষা করিবার ব্যবস্থা করা উচিত। সে ক্ষত এই যে টাকা পর হইয়াছে তাগ এখানে ব্যয় না করিয়া ব্রিটিশ কার্যে ব্যয় করিয়া দেশের বস্ত্রপীড়িত সহস্র সহস্র নিঃসহায় প্রজাগণকে অগোণে রক্ষা করা একান্ত কর্তব্য মনে করি।

Mr. F. W. HOCKENHULL: Mr. Speaker, Sir, the motion refers to damage which has been done to roads and bridges in the forests during the recent floods, but what I have to say is that many things are being said which are not directly relevant. It is to my mind important that the Hon'ble Minister-in-charge should disclose to the House what in his view is the extent of the damage which has been caused to communications outside the forest area, and what the prospects are in the immediate future of his being able to finance such repair works. No reference to that appears in this supplementary statement and so far as I can see there may be no reference to it in the financial statement. We shall be glad if he can furnish the figure so as to give us some idea as to what is the amount likely to be incurred in the material work of repairs in other directions than forests.

The Hon'ble the SPEAKER: The hon. member himself has explained that the question is irrelevant. The point raised by the hon. member concerns the Public Works Department Minister and not the Minister in charge of Forests.

Mr. F. W. HOCKENHULL: I admit that, Sir.

The Hon'ble the SPEAKER: The hon. member may seek his information from the Hon'ble Minister of the Public Works Department at some other time.

The Hon'ble Mr. FAKHRUDDIN ALI AHMED: May I say a word, Sir? Although the information, which the hon. Mr. Hockenhull, requires is irrelevant, in respect of the demand for which the grant is sought under the present motion, for his information, however, I would like to state that the Government have taken proper steps in this connection and are making enquiries as to the actual flood damage done to roads all over the province. After the reports from the local officers are received, the Public Works Department will send the proposals to Finance and the matter will receive the consideration of my Department as also of the Government for the repairs of these roads.

Mr. F. W. HOCKENHULL: I thank you, Sir.

Maulana ABDUL HAMID KHAN: Sir, গারোহিলের ক্ষেত্রে কোন রাস্তা নাশকার দরুন timber merchant দিগকে সম্ভাদরে কাঠ দিলেও তাহারা কাঠ খরিদ করিতে চায়না, যেহেতু নদীতে কাঠ আনিবার শেরকম কোন বন্দবস্ত নাই। যদি গারোহিলের রাস্তা সংস্কার করা হইত তাহা হইলে যে সমস্ত বন্যা প্রপীড়িত লোক খাইতে নাপাইয়া স্থান পরিত্যাগ করিয়া চলিয়া যাইতেছে তাহাদিগকে test relief ওয়ার্কের সুবিধা দিলে তাহারা পরিশ্রম করিয়া নিজেদের জীবিকা নির্বাহ করিবার সুবিধা পাইত। আমাদের মনে হয় কচুগাও অঞ্চলে এই টাকা ব্যয় না করিয়া বন্যা পীড়িত এলাকায় ব্যয়

করিয়া রাস্তা সংস্কার করিলে একদিকে বন্যা প্রণীড়িত লোকদের অন্ন সংস্থান হইবে এবং অন্যদিকে গারোহিলের ফরেস্ট হইতে ও যথেষ্ট লাভ হইবে। গারোহিলের কাঠ কেউ আনিতে চাননা, যেহেতু সেখানে রাস্তার কোন বন্দবস্ত নাই। সেখানে হইতে কাঠ আনিতে হইলে ৩৭ মাইল দূরে কাঠ কাটিয়াও জিজিরায় নকীতে আনিতে পারেনা। বলিয়াই ব্যবসায়ীগণ মেছপাড়া জমিদারের ফরেস্ট হইতে কাঠ আনে। সেজন্য কচুগায়ে ঐ টাকা ব্যয় না করিয়া গারোহিলে ব্যয় করিয়া জন সাধারণের উপকার করা হউক এবং গবর্ণমেন্টের ও আয় বৃদ্ধি করা হউক।

The Hon'ble Srijut RUPNATH BRAHMA: I think it will be better to give reply in Bengali so that the hon. member who spoke may understand it.

Sir, এই cut motion সম্বন্ধে আগার বক্তবোর বিশেষ আবশ্যকতা আছে বলিয়া আমি মনে করিনা। যে সমস্ত মহাশয় এখানে এই cut motion উপস্থিত করিয়াছেন তিনি যদি একটু চিন্তা করিয়া দেখতেন তাহা হইলে তিনি তাহা আনিতে ন। আপনারা জানেন যে আসাম প্রদেশের ফরেস্ট, মহল আয়ের মস্তবড় একটা source। এটা হইতেছে flood damaged area সম্বন্ধীয় ব্যবসার। য সমস্ত ফরেস্টের ভিতর গুলি বন্যায় রাস্তাগুলি বিধ্বস্ত হইয়াছে সে সমস্ত রাস্তা মেরামত করার জন্যই এই demand আনা হইয়াছে। এখন আপনারা দেখুন যদি এই টাকার দ্বারা সেই রাস্তা গুলি মেরামত করা নাহয় তাহা হইলে যে সব contractors (টিকাদার) সেখানে কাজ করিতেন তাঁহার ফরেস্টের ভিতর হইতে কাঠ আনিবার সুবধ পাইবেন না। সুবিধা না পাওয়ার জন্য যদি কাজ বন্ধ হয় তাহা হইলে আনাদের গবর্ণমেন্টের অনেক ক্ষতি হইবে। রেভিনিউ ক্ষতি হইতে পারে। এ সম্বন্ধে আপত্তি করিবার কোন কারণ নাই যেহেতু আমাদের previous Government ঠিক এই Supplementary Demand গত সেপ্টেম্বর Session এর মধ্যেই আনিবার চেষ্টা করিয়াছিলেন। আনাদের মোলানা হামিদ সাহেব যে গারোহিলের কথা বলিয়াছেন এই গারোহিলের কথা ও এখানে রহিয়াছে। Explanatory note (iii):—A sum of Rs. 2,180 is required for flood damage repairs to roads, bridges and buildings in the Lakhimpur, Sibsagar, Nowgong, Kamrup and Garo Hills Divisions. কাজেই ইহার আবশ্যকতা সম্বন্ধে আপনাদিগকে আর কি বলিব? এ সম্বন্ধে কোন আপত্তি হওয়া উচিত নহে যেহেতু ইহাতে রেভিনিউ fall এর সম্ভাবনা আছে।

The Hon'ble the SPEAKER: The question is "that the provision of Rs.10,680 under supplementary demand No.1, major head 10.—Forests, sub-head A.—Conservancy, etc., Communications and Buildings, at page 1 of the Supplementary Demands for Grants for 1938-39 be refused".

The motion was lost.

The Hon'ble the SPEAKER: The question is that an additional sum of Rs.10,680 be granted to the Minister-in-charge to defray certain charges which will come in course of payment during the year ending the 31st March, 1939 for the administration of the head "10.—Forests".

The motion was agreed to.

No.2

The Hon'ble Babu KAMINI KUMAR SEN: Sir, on the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs.7,000 be granted to the Minister in charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1939, for administration of the head "27.—Administration of Justice".

Rs.

Grant originally voted by the Assembly	...	6,60,000
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Sub-heads under which this supplementary grant will be accounted for by the Judicial Department.

D.—District and Sessions Judges—

Rs.

1. Pay of officers	...	5,800
2. Pay of establishment	...	1,200

Total	...	7,000
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The necessity for the demand is sufficiently explained in the Explanatory Note* and I do not think I need add anything else except saying that the last Government was also satisfied that the state of the files in both Valleys justified the additional staff for which the demand is made.

The Hon'ble the SPEAKER: There are two cut motions, one in the name of Maulavi Muhammad Maqbul Hussain Choudhury and the other in the name of Maulavi Sayed Abdur Rouf. Both the motions are identical.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY:

Mr. Speaker, Sir, I beg to move—

That the provision of Rs.7,000 under Supplementary Demand No.2, Major head 27.—Administration of Justice, Sub-head E—D—District and Sessions Judge (total) at page 1 of the Supplementary demands for grants for 1938-39 be refused.

Sir, the province of Assam is in need of money for giving relief to the cultivators. The other day when the adjournment motions were moved we heard from different hon. members that Government were not giving relief to the people of flood-affected areas and even they are not upto the mark in checking cholera epidemic in the subdivision of Habiganj where the disease is causing havoc.

The Hon'ble the SPEAKER: I may remind hon. members that discussions on cut motions to supplementary demand is to be confined mainly to the grounds which have been given by the Government for this expenditure. No question of policy in regard to the main grant to which this demand relates should be raised.

***EXPLANATORY NOTE**

On the recommendation of the High Court Government had to sanction an Additional Sub-Judge for Sylhet and Cachar for three months and to retain the post of Additional Sub-Judge and Assistant Sessions Judge, Assam Valley Districts, which expired on the 31st August 1938 for about five months excluding the Civil Court vacation in anticipation of additional grant being voted by the Assembly. Government were satisfied that the state of files in both the valleys justified the additional staff for which this demand is presented.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY: I am coming to that point, Sir. When circumstances are thus, I think this amount should be utilised in giving relief to these flood-affected people. We have, Sir, very competent and able officers in the Judicial Department. I have no doubt that they will be able to manage the work for which the Hon'ble Minister has now presented this demand for grant. So this demand is unnecessary. This is my contention. Without spending the money for additional officers, the money should be spent for giving relief to the cultivators. With these words, Sir, I commend my motion to the House for its acceptance.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Sir, I want to get an answer from the Hon'ble Minister and that is whether he requires this grant for Sylhet or for the Assam Valley. I put this question, because I find that the officers are not properly utilising their time. If we take the outturn of work, we find that more work could be done by the officers. The Judicial Officers should be given an indication that they should also look to the finances of the province. On that consideration I think that this money should not be spent.

Maulavi JAHANUDDIN AHMED: Sir, I beg to support the cut motion moved by my hon. friend Maulavi Maqbul Hussain Choudhury. The other day the House was discussing about the increment of the pay of the primary school teachers. There the Hon'ble Premier said that by increasing their pay by rupee one and giving them additional work.....

The Hon'ble the SPEAKER: As I pointed out a few minutes ago, the hon. member has to show that this expenditure is unnecessary.

Maulavi JAHANUDDIN AHMED: I am coming to that. There the Hon'ble Prime Minister said that these school teachers can be employed for the development of rural areas. I should like to point out to the Hon'ble Minister in charge that he should ask the officers in the administrative departments to work a few hours more for the poor people. By reducing this grant they can help the flood-stricken people in the district of Goalpara and in the other districts of the province so affected. I should like to press this point before the House. With these few words I support the cut motion moved by my hon. friend.

Maulavi ABDUR RAHMAN: Sir, in the explanatory note we find that the Government have come forward for sanction to this grant on the recommendation of the High Court. The period for which these additional Judges are to be appointed is only three months. My submission is that the House should see whether this can be managed by asking the present incumbents to do some additional work so as to clear off these arrear files.

The Hon'ble the SPEAKER: What does the hon. member mean by the term 'the present incumbents'?

Maulavi ABDUR RAHMAN: I mean the present Sessions Judges and Additional Judges.

In Sylhet there are already a good number of Judges and Additional Judges. If the Government will ask them to do more work, the work for this small period can surely be managed by them. If this can be possible, I think, this poor province can be saved of the amount of the grant for which demand is made.

The Hon'ble Babu KAMINI KUMAR SEN: Sir, the hon. mover of this amendment has given no reason for reducing this demand. He has only mentioned that we need money for giving relief to the flood-affected

people. And my hon. friend Mr. Jahanuddin Ahmed mentioned that money is required for other purposes. But that is no reason why we should refuse this demand. That would mean that we should allow persons who are already in jails awaiting their trial to rot there, and in civil cases the parties will have to waste time and money. The court has no time and cases must be adjourned. Mr. Ashrafuddin Md. Chaudhury has referred only to one point and that is the Sub-Judges and Additional Sessions Judges are not doing their full day's work. First of all for the information of this House I will read a portion from the High Court's letter to show the state of files which necessitates the engagement of this additional staff. I do not propose to take much time by reading the whole letter, but will confine myself to some extracts. What I am going to read is with regard to Surma Valley. This is what the High Court says—"As regards the necessity for an Additional Subordinate Judge. I am to say that it will be seen from the statement now furnished by the District Judge that 166 original suits (52 years old) and 428 regular appeals were pending in the files of the superior courts on the 16th of August 1938, as against 160 original suits (45 years old) and 571 civil appeals (23 years old) at the end of March last. Besides, there were 21 miscellaneous appeals pending before the superior courts on the 16th of August 1938.

In the opinion of the Court the appellate files of the superior courts are congested and the assistance of an Additional Subordinate Judge is necessary to remove this congestion. I am therefore to recommend that the sanction of Government may be accorded to the creation of a temporary court of an Additional Subordinate Judge for Sylhet and Cachar for a period of three months with effect from the 26th of October 1938."

With regard to Assam Valley I will also read a portion of the High Court's letter:—

"In doing so I may forward herewith a copy of a letter No.1000-1001-E., dated the 12th July 1938, with its enclosure in original from the Judge, Assam Valley Districts, in which he applies for further retention of the Judge, of Additional Subordinate Judge and Assistant Sessions Judge of the post ship for a period of six months with effect from the 20th of September 1938, on which date the term of the present sanction expires. It will be seen from the statement received with the District Judge's letter that 69 original suits (19 years old), 112 civil appeals, 32 sessions cases and 24 criminal appeals were pending in the Superior Court's Judgeship on the 30th June 1938, as against 144 original suits (54 years old), 220 civil appeals (7 years old), 25 sessions cases, 47 criminal appeals and 7 criminal revisions in January 1938 when the retention of the post was last applied for. It appears from the above figures that a considerable impression has been made on the files of the above suits and appeals, but that the sessions file has increased. The Hon'ble Judges agree with the views of the District Judge that if the Additional Subordinate Judge is not retained, there will again be a heavy accumulation of civil files in the Judgeship, as it will not be possible for the Additional the Additional District and Sessions Judge to devote much time to civil work. There will remain only one Subordinate Judge who will exercise the power of Assistant Sessions Judge to deal with it. In the circumstances the Hon'ble Judges consider the retention of the Additional Subordinate Judge in question for some time more desirable, and I am therefore to recommend that sanction may be accorded by the Government to the retention of the post for a further period of six months with effect from the 1st of September 1938."

Sir, with regard to the allegation that the Judges are not doing their full day's work, similar allegation was made before and the last Government

asked for a report from the District Judge of Sylhet. He inspected the work of two of the Subordinate Judges and submitted a long report. I do not want to waste the time of the House by reading the whole of the report and will only read a few paragraphs.

"The extracts given from diary will show that although this presiding officer is not in the habit of entering the times with the same precision as his successor, they are probably approximate to the nearest five minutes which indicate that he is in the habit of spending 15 or 20 minutes in departmental and other administrative work, that he took his seat punctually at 11 a.m. every day, that he did administrative work at intervals, between 2 and 2-30 p.m. and never rose till 5 p.m. even on Saturdays and was on occasions found to sit beyond that hour".

Maulavi ASHRAFUDDIN MD. CHAUDHURY: May I just bring to the notice here that so far as the Sylhet district is concerned there have been so many frequent transfers that this has been the result of these transfers. I submit that more work could be done if these transfers and leave could be avoided.

The Hon'ble Babu KAMINI KUMAR SEN: This Government is not wholly responsible for this.

I am reading the last paragraph "An examination of the diaries of the two presiding officers who have occupied this Court during the period under review satisfies me that the complaints—from whatever source it came and on whatever data it was based—is without foundation and I am in agreement with the present presiding judge who considers it necessary to devote a considerable amount of time to the department under his control and I am satisfied that the time spent out of Court is properly and legitimately occupied for the administration of that department".

Sir, of the pending suits the first suit No.14, is 19 years old. Some of the cases are 8, or 6, or 4 years old and it appears that additional hands are extremely necessary. The High Court is satisfied and the last Government was also satisfied as to the necessity of additional hands and so I do not see any reason why this demand should be refused.

The Hon'ble the SPEAKER: The question is, that the provision of Rs.7,000 under Supplementary Demand No.2—Major Head—27—Administration of Justice—Sub-Head—D—District and Sessions Judges (Total) at page 1 of the Supplementary Demands for Grants for 1938-39, be refused.

The motion was lost.

The Hon'ble the SPEAKER: The question is that the additional sum of Rs.7,000 be granted to the Minister in charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1939, for the administration of the Head—Administration of Justice.

The motion was adopted.

No.3.

The Hon'ble Babu AKSHAY KUMAR DAS: On the recommendation of His Excellency the Governor of Assam I beg, Sir, to move that an additional sum of Rs.9,844 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending the 31st March, 1939, for the administration of the Head—40—Agriculture.

Grant originally voted by the Assembly	...	Rs. 5,93,500
Sub-head under which this supplementary grant will be accounted for by the Department of Agriculture—		
D.—Agricultural experiments and research—		
(e)—Scheme for Sugarcane research	...	9,844

The reason for this demand is explained in the Explanatory Note* Besides this, I must tell this House that this demand was to be placed before this House by the last Government.

The Hon'ble the SPEAKER: The motion moved is—that an additional sum of Rs.9,844 be granted to the Minister in charge to defray the charges which will come in the course of payment during the year ending the 31st March, 1939, for the administration of the Head 40—Agriculture. There is a cut motion in the name of Maulana Abdul Hamid Khan.

Maulana ABDUL HAMID KHAN: Sir, আমি প্রস্তাব করিতেছি যে Supplementary Demand এর অন্তঃ দাবীর ইচ্ছা research এর জন্য যে ৯,৮৪৪ টাকা বরাদ্দ করা হইয়াছে তাহা হইতে একশত টাকা বর্জন করা হউক।

[That the provision of Rs. 9,844 under Supplementary Demand No. 3, Major-head 40—Agriculture, Sub-head D—Agricultural Experiments and Research, Detailed-head (e)—Scheme for sugarcane Research, at page 2 of the Supplementary Demands for grants for 1938-39 be reduced by Rs.100, i.e., the amount of the whole supplementary demand do stand reduced by Rs. 100.]

কৃষিবিভাগে যে সমস্ত অযোগ্য কর্মসূচী আছে তাহাদের through দিয়া যে কোন Research করা হউক না কেন তাহাতে কোন ভাল ফল পাওয়া যাইবে না। তাহার চেয়ে এই টাকাগুলি ব্রহ্মপুত্রে ফেলিয়া দেওয়াই ভাল।

*EXPLANATORY NOTE

The five years' term of the Sugarcane research scheme at Jorhat financed by the Imperial Council of Agricultural Research expired on the 31st May 1938. It has been extended for a further period of 3 years and 10 months from the 1st June 1938, to the 31st March 1942 at a total cost of Rs.43,800 of which Rs.13,400 will be met from the grants from the Imperial Council. A sum of Rs.9,844 is indispensably necessary to meet the cost of the scheme during the current financial year.

Statement showing by major heads the amounts of Supplementary Grants which the Assembly are asked to vote in the present sessions

Heads	Grant originally voted by the Assembly and authenticated by H. E.	Grant asked for in present session	Grant as it will finally stand	Number of supplementary demand
1	2	3	4	5
	Rs.	Rs.	Rs.	
10.—Forests	8,87,300	10,680	8,97,980	
27.—Administration of Justice.	6,60,000	7,000	6,67,000	
40.—Agriculture ..	5,93,500	9,844	6,03,344	
Total	21,40,800	27,524	21,68,324	

The Hon'ble the SPEAKER: এখানে আপনি কেবল এই কথাই বলিতে পারেন যে কেন এই টাকাটা খরচ হইবেন। এই sugarcane research করা উচিত ছিল কিনা এসব কথা এখন উঠেন। বাজেটে এসব কথা বসানো। বাজেট যখন মঞ্জুর হইয়া গিয়াছে এই টাকাটা কেন খরচ হইবে না সেটাই আপনাকে দেখাইতে হইবে।

Maulana ABDUL HAMID KHAN: এই টাকাটা যখন কৃষকের উন্নতির জন্য ব্যয় করা হইবে, এসমস্ত কৃষিবিভাগের কর্মচারীর দ্বারা বীজ বা অন্য কোন কৃষিজাত শস্যের উন্নতির জন্য খরচ করা হইলে সমস্তই ধ্বংস হইবে এবং সেভাবে এই টাকাটা ব্যয় করা হইবে মাত্র। এই টাকা অবশ্য অপব্যয় করার চেয়ে কৃষকদিগকে সাহায্য দিয়া রক্ষা করা উচিত। কৃষকদিগের দ্বারা যথেষ্ট কৃষির উন্নতি হইতে পারে এবং তাহারা ভাল ইকু সংগ্রহ করিয়া ইকুর উন্নতি করিতে পারে। বাঁহারা ডাক-বালায় তরে তরে মোটা মাহিনা উপার্জন করেন এবং কৃষকদিগের উন্নতির জন্য কোন কাজ করেন না, আমি বিশ্বাস করি যে তাহাদের দ্বারা, কৃষকের কোন উন্নতি হইবে না এবং এই ইকুর research কৃষ বিভাগের অফিসার দ্বারা কোন উন্নতি সম্ভবপর নহে। এজন্যই আমি ইহাতে আপত্তি করিতেছি।

The Hon'ble the SPEAKER: The motion moved is that the provision of Rs. 9,844 under Supplementary Demand No 3—Major Head—40,—Agriculture—Sub-Head—D.—Agricultural Experiments and Research, Detailed Head (e)—Scheme for Sugarcane Research at page 2 of the Supplementary Demand for Grants for 1938-39, be reduced by Rs. 100, i.e., the amount of the whole Supplementary Demand do stand reduced by Rs. 100.

The Hon'ble Babu AKSHAY KUMAR DAS: মাননীয় সভাপতি মহোদয় ও উপস্থিত সদস্য বৃন্দ, আমাদের মোলানা আব্দুল হামিদ খাঁ সাহেব সেদিন বলিয়াছিলেন যে “যে ব্যয় লক্ষ্য সেই হয় রক্ষণ” আজ সেই বাক্যটি যথাযথ ভাবে তাহার ক্ষেত্রেই প্রযোজ্য হইল। আজ আমি দেখিতেছি যে আমাদের মোলানা সাহেব যখন opposition গিয়াছেন তখনই তিনি বলেন যে তাহার কোন রকম Supplementary Demand এর দরকার নাই। যতক্ষণ তিনি opposition এ থাকেন ততক্ষণ তাহার কিছুই দরকার নাই। সেজন্য তিনি যে প্রবাদ বাক্যটি বলিয়াছিলেন তাহা সম্যক ভাবে উপলব্ধি করিয়াই বলিয়াছিলেন (laughter) এই House এ তাঁহাকে কতবারই না প্রজাদের জন্ত ক্রন্দন করিতে শুনিয়াছি। এই যে Supplementary Demand আনা হইয়াছে তাহা যে শুধু প্রজাদের সুবিধা ও উপকারার্থে আনা হইয়াছে তাহা কি তিনি স্বদয়ঙ্গম করিতে পারেন নাই? বাস্তবিক যদি তিনি প্রজাবন্ধু মোলানা আব্দুল হামিদ খাঁ সাহেব হন তাহা হইলে এই Supplementary Demand এর বিরুদ্ধাচরণ করা তাহার পক্ষে সম্ভব হয় নাই। আমরা যখনই কোন ভাল কাজ করতে যাই বা এমন কোন বিষয় আমাদের সামনে উপস্থিত হয় বাহা কর্তব্য বলিয়া বিবেচনা করি, এবং যদি তত্বদেখে কোন টাকা বরাদ্দ করা হয় তখনই সে সমস্ত টাকা অনর্থক ব্যয় করা হয় এমন কথা শুনিতে পাই। আমাদের কৃষিবিভাগের দোষ দেখাইয়া মাননীয় সদস্য বলিয়াছেন যে এই টাকা ব্যয় করার দরকার নাই.....

Maulana ABDUL HAMID KHAN: (Rising to speak) আমি বলিয়াছি যে এই টাকা খরচ করিয়া যদি বীজ দেওয়া হইত তাহা হইলে ভাল হইত

The Hon'ble the SPEAKER: মন্ত্রী মহোদয় আপনাকে কোন কথা বলিতে হইবে ও সুযোগ দিতেছেন না।

The Hon'ble Babu AKSHAY KUMAR DAS: আমি মনে করে ইচ্ছা চাষের জন্য বর্তমান গভর্ণমেন্ট যে Supplementary Demand আনিয়াছেন তাহা ন্যায় সমস্ত এবং তাহা oppose করার কোন যুক্তি সমস্ত কারণ থাকিতে পারেনা।

The Hon'ble the SPEAKER: The question is, that the provision of Rs.9,844 under Supplementary Demand No.3, Major head 40.—Agriculture, Sub-head D—Agricultural Experiments and Research, Detailed-head (e)—Scheme for sugarcane research, at page 2 of the Supplementary Demands for grants for 1938-39 be reduced by Rs.100, i. e., the amount of the whole Supplementary demand do stand reduced by Rs.100.

The motion was lost.

The Hon'ble the SPEAKER: Now I shall put the original motion—that an additional sum of Rs.9,844 be granted to the Minister-in-charge to defray the charges which will come in the course of payment during the year ending the 31st March, 1939, for the administration of the head “40.—Agriculture”.

The motion was agreed to.

Discussion on supplementary statement of expenditure charged upon the revenues of the province during 1938-39.

The Hon'ble the SPEAKER: Then we come to the Supplementary Statement* of Expenditure charged on the revenues of the province during 1938-39, laid before the Assembly under section 81 of the Government of India Act. Hon. members who want to carry on a discussion on this are entitled to do so now. (*After a pause.*) Am I to take it that there will be no discussion on this? It is a statement of expenditure charged on the revenues of the province on which only discussion is allowed and no voting.

Maulavi ABDUR RAHMAN: I shall speak only on one point, Sir. Under item “Stamps” of the Statement it appears that there is some decrease in revenue and I want to raise a discussion on this point in order to draw the attention of the Government to the fact that the object with which the rate of court-fees and stamps was increased has not been fulfilled. Government has been compelled to admit here that there is a decrease of revenue under this head. In view of that may I request the present Government to look into the matter and amend the present Stamps and Court Fees Act?

The Hon'ble Mr. FAKHRUDDIN ALI AHMED: I could not follow what the hon. member was talking about. Is he discussing the Statement before the House, Sir, or any other matter?

The Hon'ble the SPEAKER: Does the point raised by the hon. member relate to the Supplementary Statement of expenditure or some other matters?

*For supplementary statement, see Appendix D, Assembly Proceedings of 1st December, 1938.

The Hon'ble Mr. FAKHRUDDIN ALI AHMED : I think, the hon. member has not understood the whole thing. He is entitled to discuss only the Supplementary Statement of Expenditure charged on the revenues of the province during 1938-39, laid before the Assembly under section 81 of the Government of India Act, and in it there is no mention of revenue, realised under the Stamps and Court Fees Act.

The Hon'ble the SPEAKER : Then I take it that what the hon. member said was not relevant. Now I come to the next item of business, i.e. private members' business—Resolutions.

Resolution for providing money to construct bunds with sluice gates in Ratlakhal, Dhankuniakhal and Gaglakhal under Dharmapasa thana in Sylhet district.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY : Mr. Speaker, Sir. I beg to move that "this Assembly recommends to the Government of Assam that an adequate sum of money be provided in the next year's Budget in order to construct bunds with sluice gates in Ratlakhal, Dhankuniakhal and Gaglakhal under Dharmapasa thana in the district of Sylhet for the protection of Boro crops from early floods".

By this resolution I want to take the opportunity of ventilating the grievances of the people of that locality. Sir, it is a well-known fact that almost every year the early floods damage the *boro* crops of the entire area under Dharmapasa thana. In the last September session I asked the Government what was the area of *boro* growing land in that locality and I was told that about one lakh *hals* were there where *boro* crops are grown. But unfortunately the locality is situated in such a position that almost every year during the month of March early flood comes and inundate almost the entire area and thus damages the crops to the great loss of the cultivators. In February last I drew the attention of the Government to this fact and just after 30 days I got a telegram from the people of that locality to the effect that on the 16th of March the whole of Hail *haor* and Dhankunia *haor* were under water and the entire *boro* crops were damaged. On the 18th August last the then Hon'ble Minister Maulavi Abdul Matin Chaudhuri kindly visited the locality and thousands of people approached him with tears in their eyes and asked him to make provision in the Budget for protection of their crops. I think the hon. Babu Karuna Sindhu Roy will bear me out. He paid a visit to the locality and saw the condition of the people with his own eyes. If the Hon'ble Minister in charge who himself represent that locality calls for a report from the Subdivisional Officer of Sunamganj, I think he will also support my contention. This resolution involves some grievances of local nature. Removal of such grievances will remove the grievances of the entire province. With this idea in mind I have moved this resolution. I hope the Hon'ble Minister-in-charge will not take shelter behind convenient 'ifs and buts' but with an open mind will accept my resolution and make adequate provision in the next year's Budget to construct bunds in these *khal*s and relieve, thousand of peoples who suffer almost every year due to the scarcity of food. With these few words, Sir, I commend my resolution to the acceptance of the House.

The Hon'ble the SPEAKER : The resolution moved is that: "This Assembly recommends to the Government of Assam that an adequate sum of money be provided in the next year's Budget in order to construct bunds with sluice gates in Ratlakhal, Dhankuniakhal, and Gaglakhal under Dharmapassa thana in the district of Sylhet for the protection of *boro* crops from early floods".

Maulavi ASHRAFUDDIN MD. CHAUDHURY : Mr. Speaker, Sir. I rise to support the resolution that has been sponsored by my hon. friend Maulavi Muhammad Maqbul Hussain Chaudhuri, but I find that the trend of the resolution is confined to only a particular area. So far as the district of Sylhet is concerned, I should say, that it is one of the most important factors and care should be taken to remove the grievances and improve the condition of the peasantry. It is not on solitary occasion that in this House we have discussed how the people of the district of Sylhet are suffering a great deal for want of protection of their paddy fields for want of bunds, etc. There are old *nalas* and *khals* which have been splitted. On many occasions on the floor of this House, I have brought this fact to the notice of the Government and I am sure all the friend of ours who come from that Valley will realise that it is one of the most pressing problems. I do not find any other problem—I do not find any other matter which concerns the peasantry more than this. I have also suggested on the floor of this House that the services of Mr. M. N. Khan, I.C.S., who was the Subdivisional Officer of Brahminbaria may be utilised. It is not a question of a very big amount to be spent. You are not to spend thousands or lacs for this, but in spirit you must be there. It is only desirable that an inspiration should go from the Head of the Department and the Minister-in-charge of this Department. As I have already pointed out it is not the solitary case of a local grievance as has been stated by my hon. friend Maulavi Maqbul Hussain Chaudhuri, but it is almost everywhere. Those who have visited the interior of the district of Sylhet know how the people are suffering for want of bunds and *nalas*, etc. It is no good speaking from the floor of the House or from the platform or press unless you have done something substantial and constructive to save the people from the visits of floods. You will find that after six months' labour or practically after a year's hard labour when their paddies are ripe and ready for harvest, all on a sudden floods come and destroy the paddy and thus their whole labour is wasted. There is none to give protection by giving bunds or *nalas*. I have always pointed out that it requires only a negligible amount in comparison with the big amount that is spent in various other ways. I appeal not only to the Minister-in-charge, but all the Ministers who now form the Cabinet that they should concentrate their attention and focuss all their energy to improve the condition of these poor people. It is no good establishing farms—it is no good establishing sugarcane research farm unless you can save the crops of the people. Everybody knows that in India it is the peasantry who are the pride of the country. They are the people who can improve the condition of the country provided you take care of them and save their paddy fields. I wholeheartedly support the resolution and I am sure, we will not be given consolation with the verbal acceptance of the resolution only by the Government. I hope that provision must be made in the next Budget for this. We have heard enough of consolations from the Government but it is no good unless you take up this cause with a good motive. There may be many problems before you but my appeal is that you should take up only one issue in hand seriously because it is no good concentrating your mind on various problems. So, I request you to take up this issue in hand on which the prosperity of the peasantry depends. What I say is that this problem should receive all attention of the Government.

Srijut RABI CHANDRA KACHARI : Mr. Speaker, Sir. I rise to oppose this motion. We know that our province particularly is an agricultural province. We have got many cultivations in Assam. This resolution mainly deals with the sufferings of the people of a particular area of the district of Sylhet. As a member of the Agricultural Advisory Board

the other day I have suggested to the Agricultural Department that they should try to improve the agriculture throughout the whole of Assam. We have proposed that at least *bunds*, *dangs*, dikes or *khalis* should be made. For the purpose of the supply of water to the paddy fields, *dungs* and *bunds* are required and for this some provision was made in the last budget and so the Agriculture Department is going to make a survey throughout the whole province, as to how much *bunds* and *dungs* should be dugged. I do not understand why this should come here as a resolution. If it is a very urgent matter they should apply to the department and the Director of Agriculture is bound to go there and examine it, and perhaps he may allot more money for that place than any other place. In Barpeta there are some low-lying areas full of crops. The North Bank of Brahmaputra is high. There are some erosions which can easily be stopped. Some *bunds* and *nalas* can be easily made and in that case the cultivation can be carried on very smoothly. If this resolution is carried, Sir, it will go against the interest of the whole province because a resolution like this should be a general resolution for the benefit of the whole province of Assam so that all the agriculturists may get the benefit equally. This resolution ought to have come in the form of a resolution for the whole province. I oppose this resolution as it concerns the particular area of a particular district. With these few words I take my seat.

Maulavi JAHANUDDIN AHMED: On a point of information, Sir. May we know from the hon. member who has just now spoken whether he is moving an amendment to this resolution.

The Hon'ble the SPEAKER: No, he spoke only.

Babu KARUNA SINDHU ROY: *Bunds* are very urgently required. This Halior Haor gets inundated almost every year with green paddy plants of the peasants of the locality.

Mr. BAIDYANATH MOOKERJEE: That place, I think, falls in your constituency.

Babu KARUNA SINDHU ROY: Thousands of peasants are deprived of their food because their crops are destroyed. I have moved the Government for early construction of these *bunds* and I request the present Government also that the construction of these *bunds* should be included in the comprehensive scheme that they are going to prepare. (*Hear, hear*).

Maulavi ABDUR RAHMAN: Mr. Speaker, Sir, I also take this opportunity to support this resolution, of course not in the sense in which it has been moved, because it is a general question for the whole of Surma Valley and not for those particular areas about which my hon. friend the mover of the resolution has spoken. I have no idea of the other Valley, but so far as I know people of my Valley are meeting with high floods for want of construction of *bunds* in certain places. This is a serious question which should be taken up as early as possible. The mover also did not confine himself to the particular *bunds* in question; he also dealt with the resolution as a general question. Sir, it is not unknown to this House that floods are very frequent in the Surma Valley and owing to these floods Surma Valley is meeting with famine each and every year and Government also has not been spared from reproaches by the general public for the inadequacy of the help rendered by them to the famine-stricken people. Sir, I have got a very living example before me which I may, for the information of the House, mention here. In my subdivision, during the time of Mr. Khurshid, the then Subdivisional Officer, certain *bunds* were constructed in some low-lying areas, and these *bunds* have saved many people from untimely floods. Particularly I may mention the name of Ajmeriganj Thana

which is the most low-lying area in the Habiganj subdivision. I had occasion to go to that place and I had seen a bund which runs in the name of Khurshid Bund. This bund will be about $1\frac{1}{2}$ mile long. By putting this bunds the people of at least 9 or 10 villages have been saved. Sir, either by adopting certain legislation or by making certain provision in the Budget if some bunds of this sort are put in the low lying areas of the Surma Valley Districts I am sure the poor cultivators will be saved from untimely and devastating floods every year.

The Hon'ble Babu AKSHAY KUMAR DAS : Mr. Speaker, Sir, the question of improving the agricultural holdings of this Province is engaging the attention of this Government since their assumption of office. Sir, the last Government made an agricultural survey and there are 150 proposals, big and small, before this Government. Sir, the bunds and khals which the hon. mover has mentioned in his resolution happen to be in the permanently settled areas. There are certain difficulties in the permanently settled areas. The Zemindars may not allow Government to put any bund or dig any khal there. Sir, there are 150 proposals, and my hon. friend has moved for 3. The bunds and khals which the hon. mover has cited in his resolution are not known to be more important than the other ones. Sir, this Government are trying to give effect to the scheme for construction of some urgent and important bunds as soon as possible.

Again, Sir, the bigger ones presuppose an Act, the Embankment and Drainage Act, which has not been passed by this House. So if we are to take these projects we must pass this Embankment and Drainage Act. Sir, this Government is also thinking of bringing such a legislation in future. I can tell my hon. friend that I am a man of that subdivision in future. the condition of the poor agriculturists there. This Government is out to do good to the peasantry, the sturdy peasantry who are our country's pride. I can assure my hon. friend that this Government will never neglect to improve the condition of the poor agriculturists. (*Hear, hear.*)

Maulavi ASHRAFUDDIN MD. CHAUDHURY : Are you going to be partial to your subdivision alone ?

Maulavi JAHANUDDIN AHMED : Mr. Speaker, Sir, I should like to point out to the Hon'ble Minister one bund in my district, *i.e.*, the district of Goalpara, and that is the Tarang Bund which caused great havoc during the last flood and the year before. I hope the Hon'ble Minister will note it down, and if he asks his colleague the Hon'ble Srijut Rupnath Brahma, the Minister in charge of Forests, he will be able to know it better. Sir, when Mr. I. Majid was in charge of district of Goalpara he erected the bund there with the help of the Bodo people and also with Forest Department and the Railway Department, but unfortunately this was washed away. This caused great havoc to the paddy fields of the locality and the course of the whole Champabati river was diverted to Gaurang river through this bund. If this bund is again established I think the cultivation of the whole of that area will be improved, and I hope the Hon'ble Minister will take this up in his scheme.

The Hon'ble the SPEAKER : The Hon'ble Minister has not definitely stated his attitude with regard to this resolution, as to whether he opposes it or he wants the hon. mover to withdraw it.

The Hon'ble Babu AKSHAY KUMAR DAS : Sir, I remember, I have said that Government will not take any work piecemeal, but they will take the whole matter as early as possible in a comprehensive manner. In view of this assurance, I hope the hon. mover of the resolution will be pleased to withdraw it.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY: Mr. Speaker, Sir, I have heard the Hon'ble Minister with rapt attention. I thank him for the sincerity of purpose he has expressed. He informed us that a general survey will be made. If he includes these areas also in this survey and take up at least one of these *khals*, I shall have no objection to withdraw this resolution. I want to know whether the Hon'ble Minister agrees to this.

The Hon'ble Minister has raised a legal point that without passing an Act called the Embankment and Drainage Act, Government have got some practical difficulties in proceeding to construct such *bunds*. On a previous occasion I got a similar reply from the previous Government. I hope the Hon'ble Minister will see his way to remove these legal difficulties, and as soon as possible try his best to provide money at least for one of these *bunds*, in order to give relief to the agriculturists. If he gives me this much assurance I am prepared to withdraw my resolution.

The Hon'ble Babu AKSHAY KUMAR DAS: Sir, I have nothing more to add. Some of my friends called me partial because I said that I am a man from Sunamganj subdivision, and my friend Mr. Maqbul Hussai Choudhury wants a particular assurance from me. I am sorry I cannot give any particular assurance. But at the same time I may re-assure my friend that his resolution will receive no less consideration than the other ones.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY: In view of the statement made by the Hon'ble Minister I beg leave of the House to withdraw my resolution.

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

Resolution to repeal the Government of India Act, 1935, and to frame a Constitution by a Constituent Assembly elected on the basis of adult suffrage.

Srijut OMEO KUMAR DAS*: Mr. Speaker, Sir. The resolution that stands in my name runs thus: "This Assembly recommends to the Government of Assam that they do convey to the Government of India and His Majesty's Government its emphatic opinion that the Government of India Act of 1935, which has been imposed upon the country against the declared will of the Indian nation, should be repealed and replaced at the earliest possible date by a constitution to be framed by a Constituent Assembly elected on the basis of adult suffrage".

Sir, in view of the fact that in all the provinces where the Congress is at the helm of the administration, it has devolved upon the Premier to move such a resolution, and thus it being a party resolution, I do not propose to move this resolution to-day, and the Hon'ble Premier will move it afterwards at a convenient date.

The Hon'ble the SPEAKER: The hon. member does not wish to move the resolution.

Resolution that a sum of Rupees five thousand be granted annually to the Assam Sahitya Sabha.

Srijut JADAV PRASAD CHALIHA: Mr. Speaker, Sir. The resolution that stands in my name runs as follows: "This Assembly recommends to the Government of Assam that a sum of rupees five thousand be granted annually to the Assam Sahitya Sabha."

Sir, in commending this resolution for acceptance of the House I shall be very brief. The Assam Sahitya Sabha is the only all Assam organisation for the improvement of Assamese literature. Assamese literature had a very brilliant past, but at present it is in a more or less stagnant condition. Sir, though this Association has been formed to bring Assamese literature up to the standard of modern literature, now when the Assamese students will have to pass in all subjects in Assamese, this Sabha has been doing its best to bring into existence the right sort of text-books for the students. The revenue of this Association is mostly from donations; although it was getting from the Government of Assam a contribution for years, I think for the last four or five years this contribution has been stopped and the Association is finding itself very hard up for funds. So in a general meeting it has been decided that the Association should approach the Government for a contribution of Rs. 5,000 annually, and I now beg to place this resolution for the acceptance of the House.

The Hon'ble the SPEAKER: The resolution moved is: "This Assembly recommends to the Government of Assam that a sum of rupees five thousand be granted annually to the Assam Sahitya Sabha".

The Hon'ble Srijut GOPINATH BARDOLOI: Mr. Speaker, Sir. Before we enter into a debate about this resolution something in my opinion requires to be cleared. It was not so very clear, at any rate from the resolution moved by the hon. mover. In order that the Government may entertain the proposal of the Sabha for an increased grant, the House, I think, should know what functions this Sabha is at present exercising. The necessity for text-books in the University, and also in view of the vernacular becoming the medium of instruction, the necessity for text-books in vernacular schools have become very urgent. The Government shall have to make certain expenditure in order to fructify these requirements, and I wanted to know from the hon. mover whether it would be possible for the Sahitya Sabha to do anything in this line, in order that an increased grant may be given. It is necessary for the House to know what activities this Sabha is carrying on so that the question of an increased grant may be considered.

Secondly, I want to point out to the mover that he is not quite correct in saying that the Sabha is not getting any contribution from the Government at present. The Sahitya Sabha is even at present enjoying a grant of Rs. 600 a year.

Maulavi Saiyid Sir MUHAMMAD SAADULLA: Rs. 1,000.

The Hon'ble Srijut GOPINATH BARDOLOI: It is Rs. 600 now. In order that an increased grant may be justified we must be assured of the activities of this Sabha before the Government can commit itself to anything. So I will invite the hon. members of this House to a debate so that the Government may know what decision is to be taken.

Mr. BAIDYANATH MOOKERJEE: On a point of information, Sir. May I know where this institution is stationed?

The Hon'ble Srijut GOPINATH BARDOLOI: The head office of the institution is at Jorhat, and it has indeed a representative committee of some good literates of Assam as well as some teachers who have also acquired a certain amount of reputation in Assamese literature. It has branches all over the Assam Valley.

Srijut MAHADEV SARMA: সভাপতি ডাঙৰীয়া, আসাম সাহিত্য সভাক গবৰ্ণমেণ্টৰ পক্ষৰ পৰা আগত দিয়াতকৈ কিছু টকা বেচিকৈ দিবৰ কাৰণে দিটো প্ৰস্তাব ত্ৰীযুক্ত যাদব প্ৰসাদ চাৰ্জি ডাঙৰীয়াই উপস্থিত কৰিছে তাত মাননীয় প্ৰধান মন্ত্ৰী ডাঙৰীয়াই এই সাহিত্য সভা সম্পৰ্কে কিছু কথা জানিবৰ কাৰণে আগ্ৰহ প্ৰকাশ কৰিছে। তেখেতৰ এই আগ্ৰহৰ পৰা মই এইটো ভাল কৈ গ্ৰহণ কৰিছো যে প্ৰধান মন্ত্ৰী ডাঙৰীয়াই পাবিলে এই সভাক কিছু আৰ্থিক সহায় কৰিবলৈ প্ৰস্তুত আছে। এই বাবে মই তেখেতক প্ৰথমে আন্তৰিক ধন্যবাদ জনাওঁ। এইটো জনাকাত কথা যি জগতৰ সাহিত্যিক সকল কিম্বা সাহিত্যসেৱা সকল উভয়ে আৰ্থিক হিচাপে সিমান সম্পদশালী নহয়: আমাৰ সাধাৰণ কথাত লক্ষী আৰু সৰ্বস্বতীৰ বিবাদ আছে বুলি কয়। জানত যি সকল প্ৰভাৱশালী হয় তেওঁবিলাকে সাধাৰণ সাংসাৰিক সম্পদৰ কাৰণে আগ্ৰহ কৰিবলৈ বা তাক পাবলৈ প্ৰয়াস কৰিবলৈ সময় নোপোৱাৰ কাৰণে অৰ্থত তেওঁবিলাক দুখীয়া। আমাৰ দুখীয়া দেশৰ সাহিত্যিক সকলে লগলাগি যি এটা অনুষ্ঠান পাতিছে তেওঁবিলাকৰ উদ্দেশ্য কি? সেই দেশৰ যি সাহিত্য আৰু সাহিত্যৰ জৰিয়তে যি সভ্যতা আৰু ৰুষ্টি বৰ্ত্তমান আছে তাক সমৰ্থোপযোগী কেনেকৈ কৰিব পাৰি—জগতৰ গতিৰ লগত খাপখুৱাই কেনেকৈ তাক তলৰ পৰা উন্নতিৰ অৱস্থালৈ আনিব পাৰি তাৰে চেষ্টা কৰিবলৈ এটা অনুষ্ঠান আমাৰ প্ৰদেশত প্ৰতিষ্ঠিত হোৱা আজি এবুগৰ ওপৰ হৈছে। সম্প্ৰতি ইয়াৰ কেন্দ্ৰ যোৰহাটত প্ৰতিষ্ঠিত হৈছে আৰু তাৰ স্বীকৃত আৰু শাখা প্ৰতিষ্ঠান গোটেই আসাম জুৰি বৰ্ত্তমান আছে। মই যিমান দূৰ জানো এই স্বীকৃত সভা আৰু শাখা সভা মিলি ৫০ খনৰ কম নহব। এটা বিলাক স্বীকৃত সভা আৰু শাখা সভা বিলাক মিলি একেটা বছেৰেকীয়া অধিবেশন পাতি সেই সেই বছৰত সাহিত্য সভাই অসমীয়া সাহিত্যৰ কাৰণে কি কি কাম কৰিব পাৰে বা কি কি কাম কৰা দৰ্কাৰ তাৰ একোটা কৰ্মপত্ৰ নিৰ্দিষ্ট কৰে। বছৰদিনৰ কথা নকহু কিছু যোৱা ছই তিনি বছৰ এই সভাৰ বছেৰেকীয়া অধিবেশনত যি বিলাক প্ৰস্তাব গৃহীত হৈছে সেই প্ৰস্তাব বিলাকলৈ লক্ষ্য কৰিলেই আপোনালোকে বুজিব যে অৰ্থৰ অনাটনৰ পৰা সাহিত্য সভাই কৰিম বুলি হাতত লোৱা বহুত কাম কৰিব পৰা নাই। তাৰ ছটা বিভাগ। এটা হৈছে পুৰণি অসমীয়া সাহিত্য সম্পদ নতুন টোচেৰ প্ৰকাশ কৰা আৰু দ্বিতীয় আমাৰ সাহিত্যৰ অঙ্গবিলাক যি বিলাক অঙ্গ পৰিপূৰ্ত্ত নহয় সেই সেই অঙ্গবিলাক পৰিপূৰ্ত্ত কৰিবৰ নিমিত্তে বিভিন্ন শাখা স্থাপন কৰি তাৰ জৰিয়তে চেষ্টা কৰা। ইয়াৰ ভিতৰৰ মুঠতে যি বিলাক কাম তাৰ ভিতৰত শিশু সাহিত্যৰ কাৰণে কমলা দেৱী ট্ৰাষ্ট ফাণ্ডৰ জৰিয়তে শিশু সকলৰ উপযোগী কিছুমান কিতাপ প্ৰকাশ কৰা। তাৰ লগেলগে নবদেৱ ট্ৰাষ্ট ফাণ্ড বুলি আৰু যি এটা ফাণ্ড আছে সেই ফাণ্ডৰ জৰিয়তে ধৰ্মপুণি, পুৰণি জীৱনী প্ৰভৃতি লাগতিয়াল পুথি প্ৰকাশ কৰিবলৈ চেষ্টা কৰা। তদুপৰি সবল বিজ্ঞান বিষয় ভাল উপভোগ্য বৰ্ত্তমান আধুনিক অসমীয়া সাহিত্যত নাই বুলি সেই বিলাক পুথি প্ৰকাশ কৰিবৰ কাৰণে অসমীয়া সাহিত্য

সভাৰ জৰিয়তে চেষ্টা কৰা হৈছে আৰু যি যৎসামান্য অৰ্থবল আছে তাৰে আন ধৰণৰ আৱশ্যকীয় কিছুমান কিতাপ প্ৰকাশ কৰা হৈছে। আৰু এইটো কথা সকলোৰে জানে যে কোনো সাহিত্য চিহ্নিত হৈছে তাৰ ভাল অভ্যাস আৰু ব্যাৱহাৰ দৰ্কাৰ। সেই কাৰণে আমাৰ সাহিত্য সভাই চন্দ্ৰকান্ত অভিধান নাম নি এখন অভিধান প্ৰকাশ কৰিছে। তাৰ উপৰিও অসমীয়া অক্ষৰ লগতিমান পুথি প্ৰকাশ কৰিবৰ কাৰণে তেওঁবিলাকৰ আগ্ৰহ আছে আৰু তাৰ কৰ্মপন্থা হাতত লৈছে। এই দেশৰ যি বিলাক পুৰণি পুথি কৰা, যোজনা প্ৰতি আৰু অন্যান্য বিলাক গীতাৱলী আছ অক মুখে মুখে এতিয়াও চৰিত আছে সেইবিলাক যিকোনো সভা আৰু শাখা সভা বিলাকৰ জৰিয়তে সংগ্ৰহ কৰি প্ৰকাশ কৰিবৰ কৰণ চেষ্টা কৰিছে; কিন্তু অৰ্থৰ অভাৱত তেওঁ বিলাক সেই কাম হাতত লব পৰা নাই। আপোনালোকে শুনি আচৰিত হব যে সাহিত্য সভাৰ যি এখন মুখ পত্ৰ সম্প্ৰতি চলি আছে সেই মুখ পত্ৰখনিও মাজতে ১৯৩০ চনৰ পৰা ১৯৩২ চনলৈকে গৱৰ্ণমেণ্টৰ গ্ৰাণ্ট নোপোৱা কাৰণে বন্ধ হব লগীয়া হৈছিল। ১৯৩২ চনৰ পৰা বছৰি ৬০০ টকাটকৈ গৱৰ্ণমেণ্টৰ পৰা গ্ৰাণ্ট দিয়াৰ কাৰণে হে কোনোৰকমে আমাৰ সাহিত্য সভাৰ মুখ পত্ৰখনি চলি আছে। যদি কোনো এখন দেশ দুখীয়া হয় আৰু সেই দুখীয়া দেশৰ মানুহ যদি সাহিত্য সেৱী হয় তেনেহলে সেই সাহিত্য সভা ধনৰ ধনবল ক্ৰমান্বয়ে হব সি সকলোৰে জনা কথা। কাজেই যি অলপ চেষ্টা তেওঁবিলাকে কৰিছে ধনৰ অভাৱতেই তাৰ অগ্ৰগতি প্ৰতিহত হৈছে। এতিয়া যদি গৱৰ্ণমেণ্টে এই সভাক কিছু অৰ্থ সহায় কৰে, মই প্ৰধান মন্ত্ৰী ডাঙৰীয়াৰ ডাঙি কৰ পাৰোঁ যে সেই টকা কেতিয়াও অৰ্থে নাযায়। এটা জাত জাহাই থাকিবলৈ হলে সেই জাতিৰ সাহিত্য পুৰি হব লাগে। সাহিত্য পুৰি নহলে সেই জাতি জগতত কেতিয়াও চিহ্নিত নোহব। ধন না থাকিলেও জ্ঞানৰ গৌৰৱতেই মানুহৰ গৌৰৱান্বিত হয় আৰু জিয়াই থাকে। অতীত কালত যি বিলাক সমৃদ্ধিশালী দেশ আছিল সেই বিলাক ধ্বংস হৈ গল। জিয়াই থাকিল কি? জিয়াই থাকিল দিবিলাকৰ জ্ঞানৰ ভাণ্ডাৰ। সাহিত্যৰ ভিতৰেদি সেই জ্ঞানৰ ভাণ্ডাৰ পাব পাৰি। সেই কাৰণে জাতিৰ বক্ষক যি সাহিত্য সেই সাহিত্যক বক্ষা কৰা সেই প্ৰদেশৰ দায়িত্বপূৰ্ণ গৱৰ্ণমেণ্টৰ প্ৰধান কৰ্ত্তব্য বুলি বিবেচনা কৰোঁ আৰু সেই কাৰণে মই বিশ্বাস কৰোঁ যে প্ৰধান মন্ত্ৰী ডাঙৰীয়াই এই প্ৰস্তাৱটো অলপ ভাল কৰে চাব আৰু যিমানখিনি সম্ভৱ হয় এই দুখীয়া দেশৰ সাহিত্যক সকলৰ অনুষ্ঠানটক সহায় কৰি দিবিলাকৰ কৰ্ত্তব্য আৰু দায়িত্বজ্ঞানৰ পৰিচয় দিব।

Srijut GAURI KANTA TALUKDAR: Mr. Speaker, Sir, in support of this resolution that has been tabled by my hon. friend Srijut Jadav Prasad Chaliha, I simply want to point out one aspect of the activities of the society. Now, Sir, we all know, this province of Assam is only a part of ancient kingdom of Kamarupa. This vast country had a literature and a civilisation of which we the people of both the valleys can rightly be proud of. But Sir, to our misfortune the ancient treasures and relics of this civilised kingdom have not been properly explored and brought to the notice of

the civilised world. We all know that this ancient kingdom of Kamarupa was better known as Prakṛyotishpura which was once the centre of the light of the East. People now-a-days generally suppose that this country was merely a land of religion; It is of course true that this land was pre-eminently a big centre of religion, the Vaishnavite religion and at a time it was also the centre of Tantric religion, though the Vashnavite religion flourished in this province to a very large extent. But even the most important books on literature and religion have not yet been published and have not seen the light of the day. These valuable books are to be found in our *Sastras* and libraries of ancient families and in course of time these valuable books are being destroyed either by white ants, fire or flood and owing to the neglect of those custodians who did not appreciate the value of these books.

Besides these books on religion and literature, this ancient land produced considerable number of books on other subjects. It produced valuable treatises on treatment of human beings as well as of domestic animals such as elephants, horses and cows etc. Recently a very valuable book relating to treatment of diseases named 'Raj Vallab' has been unearthed with great difficulty. And lot of similar precious books are lying scattered all over the province awaiting publication.

Now, Sir, it is the duty of every Government to protect and bring to light the ancient relics of the country nation. Our Government, Sir, have not done much for the exploration or preservation of the ancient relics that are lying scattered all over the province and buried in deep jungles. This work has been undertaken by the Kamrup Anusandhan Samiti, which I understand is going to be amalgamated with our proposed museum. Side by side with this Samity, Sir, the Assam Sahitya Sabha has undertaken the work to explore, preserve and publish the ancient books on religion, science, medicine etc. This land of ours has the heritage of the Ahom kings, the Kachari kings, the Koch kings, and various other kings who flourished in the country and the relics of their civilization would immensely benefit in building and supplementing our present civilization. And it is only fit and proper that our Government should help this *sabha* as well as the Kamarupa Anu-Sandhan Sammity in unearthing these ancient treasures which are now lying buried in darkness.

We have got no university, nor have we got any research institutions in the province. I, therefore, do not see any reason why Government should not find out some money and help this society adequately so that it can carry on its work unhampered by lack of funds.

With these few words, Sir, I beg to support this resolution.

Maulavi Dewan MUHAMMAD AKBAB CHAUDHURY: On a point of information, Sir. Do Government contribute any funds to the Bangiya Sahitya Parishad and the Muslim Sahitya Sangsad of Sylhet?

The Hon'ble Srijut GOPINATH BARDOLAI: That does not arise from this resolution, but we shall be pleased to consider it when the question comes.

The Hon'ble the SPEAKER: The hon. member wants to know whether any contribution is made by Government at present.

The Hon'ble Srijut GOPINATH BARDOLAI: I have not heard of it, Sir. Possibly not.

Srijut KAMESWAR DAS: Sir, I think the House should be enlightened on the point as to what the Assam Sahitya Sabha is and what its objects are. This information has been summarised in a short note by the General Secretary of the Sabha and I will only read some extracts therefrom.

"History: The proposal to establish an all-Assam Institution for the cultivation of the Assamese language and Literature was first discussed in a meeting held at Jorhat in 1915, where the late Rai Bahadur Phanidhor Chaliha presided, and the late Hon'ble Mr. Majid gave an eloquent address in support of it. As a result, the Assam Sahitya Sabha was established in a public meeting, held under the auspices of the Assam Association, at Sibsagar, on the 27th December, 1917. For the first year its headquarters were at Jorhat; and then for a few years at different places of the Assam Valley. Since 1923 the Sabha's headquarter has been permanently placed at Jorhat. It was registered under Act XXI of 1860, in April, 1924. It has held, up till now, seventeen conferences at different places all over Assam. The last conference was held at Gauhati in December, 1937 and was presided over by Srijut K. K. Handique, M.A.

The aims of the Sabha among others are the following:—

1. Improvement of the modern side of the Assamese literature,
2. Encouragement of Arts and Music,
3. Preservation and publication of ancient *Puthis* and collection of historical relics,
4. Research into the history, language, literature, arts, trades, etc., of the ancient Assamese people; and into the ancient topography of Assam with a view to establish a research institute.

Its constitution is as follows:—

The Sabha has at present 41 branch associations distributed all over the Assam Valley and 2 in Silchar and its total membership is approximately 450 excluding those who are members of branch associations alone.

The Governing Body consists of 21 gentlemen of position of Jorhat and 24 from other districts of the Assam Valley."

The funds and works in hand of the Association are described as follows:—

"*The Chandrakanta-Indrakanta Trust Fund.*—It was established by Rai Bahadur R.K. Handique with an initial sum of Rs. 30,000. Rupees 15,000 were spent in the construction of a beautiful and strong building at Jorhat, namely the Chandrakanta Institute. The balance of Rs. 15,000 which was originally invested in 6 per cent. Government Bonds gave an annual interest of Rs. 900. Under the conditions of the Trust, the income was devoted to the preparation and publication of the Chandrakanta Abhidhan—a comprehensive dictionary of the Assamese language. The amount of interest received having been found insufficient to publish the work, a loan without interest of Rs. 10,279-13 was taken from the donor, to be paid from the subsequent interest of the fund and the sale-proceeds of the book. It is expected that five or six years more will be required to wipe off the debt. It is not possible, therefore, to take up at present any additional work as contemplated in the trust.

Then there is another fund named the Naradev Goswami Fund, established by late Sree Sree Naradev Goswami of Dakshinpat Satra which is of Rs. 5,000. It gave an annual income of Rs. 375, but at present yields only Rs. 75 annually as interest as the amount has been invested in the Imperial Bank. According to the conditions of the gift the income is to be devoted solely to the publication of *Puthis*. The Sabha published the life of Dev Damodar, the life of Banamali Dev and the Bramha Baibarta Puran. Another old *Puthi* is likely to be published this year as the endowment has Rs. 764-4-10 at its credit.

There is yet another fund known as the Kamala Devi Sishu Sahitya Trust Fund established by Srijut Radhanath Goswami of Mahura,

which is of Rs.2,000. It yields an annual income of Rs.150. This is given in prizes for production and publication of juvenile literature, according to a well considered plan of the Sahitya Sabha. Under this scheme a simple Mahabharata, a short life of Maharaj Naranarayan and Rajasthanor Galpa, (short stories from Todd's Annals of Rajsthan) were published and an elementary science book—Bijnanor Galpa—is in the press; and prizes have been announced for the following short biographies of eminent Assamese:—1. Abdul Majid, 2. Anandaram Dhakial Phukan, 3. Anandaram Barua, 4. Gunaviram Barua, 5. Hemchandra Barua, 6. Hemchandra Goswami, 7. Colonel Zalnur Ali Ahmed, 8. Lambodar Bora, 9. Phanindranath Gogoi, and 10. Satyanath Bora. The amount was deposited in the Jorhat Town Bank which has neither paid interest for about five years amounting to Rs.751 and odds nor refunded the amount in spite of repeated demands. It has hampered the work of the Trust.

Government was graciously pleased to grant Rs. 1,000 annually for the years 1925-26 and 1927-28, Rs.2,000 in 1926-27 and Rs.3,000 in 1928-29. The grant was reduced to Rs. 1,000 in 1929-30, but for some unknown causes it was entirely stopped from 1930 to 1935. For the last three years the Government has given a grant of Rs.600 annually, for the publication of the Sahitya Sabha Patrika. The discontinuance of the grant have dealt a heavy blow on the works, aims and aspirations of the Sabha.

The work of the Sabha has been summarised as follows:—

In addition to what the Sabha has done for the administration of the Trust Funds as detailed above, it published or helped in the publication of the following books:—Suravijay, an elementary chemistry, a book on cookery, a story book, an elementary science, Sree Krishna Part II, Kaithali Anka, a novel named Sadhana.

It maintains an office to administer the Trust Funds. It keeps a library of old and new books to encourage research work. It has taken necessary steps to bring out shortly the following—an elementary Astronomy, and an elementary physics. It has published a quarterly magazine namely Sahitya Sabha Patrika.

If funds permit, the Sabha has in contemplation the taking up of the following works in hand:—preparation of series of fictional literature in Assamese which the Sabha thinks there is no more potent instrument to create interest in the Assamese literature specially among young people, preparation and publication of a series of simple books on general knowledge, e.g., on botany, hygiene, physiology, sanitation, infection of disease, citizenship, chemistry, physics, geology, history of the world, agriculture, tea cultivation, temperance, cottage industry, etc. etc., in which the Assamese literature is wanting. Publication of monthly magazine of an up-to-date nature suitably illustrated, collection of manuscripts, rare publications, and other relics with a view to form the nucleus of a Research Institute, and compilation of all such information in a form readily available for reference".

For this purpose the Sabha requires at least an annual expenditure of Rs.5,000 to Rs.6,000. As the fund at the disposal of the Sabha has been almost entirely exhausted and as the Sabha does moreover owe a sum of about Rs.2,000 to individuals and institutions, its legitimate duties have been greatly handicapped and it is going on the verge of collapse soon. The Sabha was doing useful works for the development of the Assamese literature and I hope the Government will see its way to grant the amount as proposed in this resolution.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY:—The hon. member has made out a case for the Assam Sahitya Sabha and has claimed for a grant. The term *সাহিত্য সভা* does not exclude any other literary association established in this province whether they are Assamese or Bengalis. So we also have our natural claim for an association in the Surma Valley. We shall be highly grateful if the Government consider the question favourably and makes provision in the next Budget for contribution of an adequate sum of money for the Sylhet Muslim Sahitya Sangsad. With this view, I beg to support this resolution.

The Hon'ble Srijut GOPINATH BARDOLOI: May I have the name of the institution?

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Muslim Sahitya Sangsad, Sylhet.

Mr. H. F. CLARK: We have heard with a great deal of interest the various appeals which have been made for an extension of research into the literary and cultural life of this province of Assam. We have also heard an appeal for the preservation of archaeological relics in Assam and I wholeheartedly lend my support to these appeals. To what extent Government can lend its support to such a movement is however a moot point. It is usual in cases like this for private enthusiasm and private effort to supply the driving force without which any attempt at a widespread enquiry into the past cultural development of Assam is practically useless. Culture is not a thing that can be imposed upon a people by a Government but is a thing which must spring from the people themselves. It is, I think, this individual enthusiasm which should provide the funds for researches and developments such as are conducted by the Assam Sahitya Sabha. Then, Sir, we come to the other point that has been brought to the attention of the Assembly. We have heard an appeal from the Surma Valley member for a similar contribution to another association in the Surma Valley. I deplore this division between the two valleys. It is in my opinion essentially a matter for the whole province and if it is possible to extend the activities of this association to the whole province so that no corner of the province is overlooked, I think the whole House will very readily lend its support to the grant proposed.

Khan Bahadur Maulavi SAYIDUR RAHMAN: As I have a similar resolution in my name, I shall be failing in my duty if I do not speak a few words on this subject. I lend my whole-hearted support to this resolution. The Hon'ble Premier has given us to understand that if a case is made out that this institution is doing good work then probably he will be disposed to increase the present grant of the Government. I think, my predecessors have already dealt sufficiently with the subject and have been able to make out a case. It only lies for me to reply to the points that have been raised by the last speaker Mr. Clark. Mr. Clark seems to think that this Assam Sahitya Sabha is dependant only on Government support, but that is not so. This institution owes its existence mainly to private support. I would refer him to the munificent contribution that has been made by Rai Bahadur Radhanath Handique. So this is not a case in which the Government is going to help an institution which does not help itself.

Then as regards the second point. Of course unfortunately this province is inhabited not by the Assamese people alone, but there are other people also speaking other languages. I refer to the people inhabiting our sister valley—I mean the Surma Valley—who speak Bengali. Literature is the index of a nation and when we refer to the literature of Assam we must take the language of the people as a whole. So in this view of the matter I

would request the Hon'ble Premier to be fair to the people of both the valleys and encourage such literary institutions of both the valleys. With these remarks I lend my whole-hearted support to this resolution.

The Hon'ble Srijut GOPINATH BARDOLOI: Sir, I am grateful to my hon. friends who have enlightened me on the subject with their observations. We wanted to know and let this House know if this increased grant to the Assam Sahitya Sabha is required, and from what I have heard from the hon. members it has been clear that some good activity is being carried on by the Assam Sahitya Sabha. The grant that was given to the Sabha in the past was very much more. Some two years ago the Sabha used to get Rs.2,000 a year, but since then the grant has been cut down to Rs. 600 only. Hon. members very well know the financial position of the province. In spite of all that has been said, I wish, I could have definitely laid my mind on the particular figure that has been made out in the resolution by my hon. friend Mr. Chaliha. I can, however, say this much that in the light of the discussion we have heard we shall try our best to allot such fund as would be possible for the Government to do by way of increased grant.

So far as the suggestions that have been raised regarding the Muslim Sahitya Sangsad and Bangiya Parisad are concerned, my sympathies are no less for them and it shall be the duty of the Government to examine the proposals and see what fund can be available for them.

In view of the assurance that has been given, Government hope that the hon. member will please withdraw his resolution.

Srijut JADAV PRASAD CHALIHA: Sir, in view of the assurance that has been given by the Hon'ble Prime Minister, I beg leave of the House to withdraw my resolution.

The Hon'ble the SPEAKER: I think the hon. member has leave of the House to withdraw his resolution.

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

Announcement of the result of election to the Assam Communications Board

The Hon'ble the SPEAKER: I shall now announce the result of election to the Assam Communications Board. Kumar Ajit Narayan Dev having secured the largest number of votes is declared duly elected. (*Loud Applause from the Ministerialists' party*).

The House stands adjourned to 11a.m., on Thursday, the 8th December, 1938.

Adjournment

The Assembly was then adjourned till 11a.m. on Thursday, the 8th December 1938.

SHILLONG:

The 27th January, 1939. }

A. K. BARUA,

Secretary to the Legislative Assembly, Assam.

