

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

*The Assembly met at the Assembly Chamber, Shillong, at 11 a.m., on Saturday, the 18th December, 1937*

## QUESTIONS AND ANSWERS

### STARRED QUESTIONS

#### **Hostel accommodation for girls of the Maulvibazar Town Girls' School**

BABU DAKSHINARANJAN GUPTA CHAUDHURI asked :

\*106. (a) Has Government received any representation from the Maulvibazar Town Girls' School Authorities for an increased annual recurring grant and for a non-recurring grant of Rs.2,000 for hostel accommodation of girls ?

(b) If so, what action has Government taken on the representation ?

\*107. (a) Is Government aware that the Director of Public Instruction in his last visit to the school promised an increased grant of Rs.200 per month to the said school ?

(b) If so, do Government propose to increase the said grant upto the amount so promised ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED replied :

106. (a)—No. Applications were, however, received for—

(i) A monthly grant of Rs.284.

(ii) Non-recurring grants of Rs. 5,000 and Rs.500 respectively for a hostel and equipment.

BABU DAKSHINARANJAN GUPTA CHAUDHURI: Was not such non-recurring grant made to certain schools at Habiganj and Karimganj ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Yes.

BABU DAKSHINARANJAN GUPTA CHAUDHURI: May I know the amount of grant to those schools ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I have not got the figures with me now.

BABU DAKSHINARANJAN GUPTA CHAUDHURI: Is Government ready to consider the question of non-recurring grant favourably ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Yes, the matter will be considered.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASAR MD. WAHEED replied :

(b)—The recurring grant has been raised from Rs.84 to Rs.134 and it is proposed to give a non-recurring grant of Rs.300.

107. (a)—No. The Director said that he hoped funds would be available to give a grant of Rs.200.

(b)—No. Funds are not available.



### Question of unemployment problem

SRIJUT DEBESWAR SARMAH asked :

\*108. Will Government be pleased to state if any steps may have been taken towards solving the unemployment problem amongst the educated middle class of Assam ?

\*109. If the reply to question 108 is in the affirmative, will Government please state—

(a) What are those in detail ?

(b) If not, why not ?

\*110. (a) Has Government addressed to big private employers to give preference to suitable local candidates ?

(b) If so, to whom ?

(c) If not, why not ?

\*111. (a) Has Government ascertained if its request, if any, has been acceded to ?

(b) If not, do Government propose to do so at an early date ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied :

108.—Yes.

MR. NABA KUMAR DUTTA : May I know what action Government is taking ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : That will be found in answer to question 109(a).

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied :

109. (a)—An Agricultural training farm has been started at Kokilamukh for unemployed educated youths who will be given loans on easy terms. The question of establishing Agricultural colonies is under the consideration of Government. A scheme for starting an Agricultural School is under examination.

Two stipends for metal casting, two for pottery casting, one for umbrella making and one for boot and shoe-making have been sanctioned.

The following new schemes have been put in the next year's budget, viz., proposals for

(1) A Jute spinning and weaving party ;

(2) A Hosiery demonstration party ;

(3) Addition of a chrome tanning class to the Surma Valley Technical School, Sylhet ;

(4)—Addition of a bell-metal works training class together with an electroplating course to the Jorhat Technical School.

The Director of Industries is at present considering a scheme to start a Sub-Surveyor class in the Jorhat Technical School. He has also been asked to work out the details of a scheme for purchase of locally made articles by Government Departments. A soap instructor has been appointed and he has been giving training at different centres. A Durry weaving class has been opened in the Surma Valley Technical School at Sylhet.

(b)—Does not arise.

MR. BAIDYANATH MOOKERJEE : During the last session we got an assurance from Government that they will keep a register for the unemployed youths. May I know how many names have been entered in the register ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : I will require notice of that question.



MR. BAIDYANATH MOOKERJEE: Did not Government give an assurance in the last session that a register will be kept for the educated unemployed youths?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: It was I who gave that assurance. I said that if the House so desired we would keep, like Bihar, a register of the educated youths in the Secretariat. I did not get any reply to that from the House. Even now if the House say that they would like to have a register, I will open it from the next session.

MAULAVI MUHAMMAD AMJAD ALI: May I know whether Government wants to say that it is the House that should take the initiative and not the Ministry?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: No, I never said that. The initiative would be mine, but I want to know the desire of the House.

MR. BAIDYANATH MOOKERJEE: The Hon'ble House desires so. Shall I be wrong in assuming that?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: If there is no dissenting voice, I shall take it to be the desire of the House.

MR. BAIDYANATH MOOKERJEE: Now may I know what is the desire of the House in the opinion of the Hon'ble Minister?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I will pause for any dissenting voice. I made it clear in my budget speech in the last session, but not a word was spoken by anybody in favour of keeping such a register. I, therefore, thought that the House did not desire.

MR. BAIDYANATH MOOKERJEE: At present there is no difference of opinion.

THE HON'BLE THE SPEAKER: What the Hon'ble the Chief Minister says is that he took the initiative and wanted the co-operation of the House, but the House did not co-operate.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I did not say that the House did not co-operate. What I wanted to say is that I did not hear from anybody in the House expressing that desire.

MR. BAIDYANATH MOOKERJEE: On behalf of the House I will say that the House desires that.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I will take note of that fact.

SRIJUT DEBESWAR SARMAH: Will Government please state who, particularly in the Cabinet looks into the matter of unemployment in the province and its solution?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: This matter was discussed in detail by me in the last session. It concerns the entire Government in all the departments and I being the head of the present Ministry have taken a good deal of interest even in those subjects which fall under my Hon'ble Colleagues and in which I will require their co-operation.

SRIJUT DEBESWAR SARMAH: Shall we be far wrong in assuming that since it has become everybody's business it has become no body's business.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: No, Sir. My friend will be wrong in that assumption.

SRIJUT DEBESWAR SARMAH: Since last session, may we be enlightened, what has been done to ameliorate the condition of unemployment in Assam?



THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Details have already been placed before the House by my Hon'ble Colleague.

SRIJUT DEBESWAR SARMAH : Coming to details, will the Hon'ble Minister be pleased to state when the scheme that has been formed in Kokilamukh was started ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Yes, Sir, the Kokilamukh farm came into existence before this Government came into power.

SRIJUT DEBESWAR SARMAH : What is the number of people unemployed there ? Has there been any addition to the number ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : I have not got these figures with me now ?

SRIJUT DEBESWAR SARMAH : Will the Hon'ble Minister be pleased to state what was the number of youths who were agreeable to start the colony and also if there has been any addition ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : The exact number is, I think, 10 to 12.

SRIJUT DEBESWAR SARMAH : Any way, I am thankful for the small mercy. I think the number is not more than five. Probably it is falling.

KHAN BAHADUR MAULAVI KERAMAT ALI : Is this a question, Sir ?

SRIJUT DEBESWAR SARMAH : If the Hon'ble Minister gives such information which in diplomatic language is called terminological inexactitude, I am bound to make such submission. What is the number of such unemployed youths in that colony ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : It is difficult to give the exact number now.

SRIJUT DEBESWAR SARMAH : Approximate number ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : I want notice for that. I have no idea.

SRIJUT DEBESWAR SARMAH : Shall we be far in assuming, Sir, that Government was busy always and this small matter was not looked into at all ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : The number was not asked for.

MAULAVI MUHAMMAD AMJAD ALI : Am I to understand that Government are not in a position to give the number ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : They are in a position, but not at the present moment.

MR. NABA KUMAR DUTTA : Whether Government have got the number in their file ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : The number cannot be given now.

SRIJUT DEBESWAR SARMAH : Whether the schemes that have been enumerated are in papers at all ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : All the new schemes are in paper.

SRIJUT DEBESWAR SARMAH : Those that materialised ? What are those ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : Agricultural training farm, technical school and other schemes.

SRIJUT DEBESWAR SARMAH : Are they from the beginning of diarchy or are they of recent origin ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : This Government has been in existence for only eight months and everything requires time, Sir.



SRIJUT DEBESWAR SARMAH: I am thankful for that honest confession.

MAULAVI MUHAMMAD AMJAD ALI: May I know whether the Hon'ble Minister in charge at all visited any of these institutions during his term of office of these eight months?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I have been to Sylhet; I have seen the Shillong Farm. I have not been anywhere else.

SRIJUT PURNA CHANDRA SARMA: Are Government aware that several unemployed youths wanted loans for settlement near the agricultural colony?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: That matter is receiving Government's attention.

KUMAR AJIT NARAYAN DEV: Are Government aware that there are many technical institutions in the province which are in urgent need of Government grant?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: We are not aware of that. We have not received any petition.

KUMAR AJIT NARAYAN DEV: Is it not a fact that several petitions have been sent?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: We have no information.

MAULAVI DEWAN MUHAMMAD AHBAB CHAUDHURI: May I know from Mr. Sarma what is the definition and connotation of educated middle class?

SRIJUT DEBESWAR SARMAH: I would request him to patronise a bookseller and look into a dictionary.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Would you allow such reply, Sir? If so, we know how to reply in future.

MR. BAIDYANATH MOOKERJEE: May I know the present policy of Government regarding the unemployment problem?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: To what problem does the hon. member refer?

The question was "will Government be pleased to state if any steps may have been taken towards solving the unemployment problem amongst the educated middle class of Assam". If my hon. friend refers to this, there are so many branches of unemployment that it may be difficult to reply in detail in answer to the question? In the first place our educated youths generally prefer to get into Government service and we recruit as many as Government require. This is one branch. The next branch is as already stated by my Hon'ble Colleague, attempts have been made to turn the attention of these educated youths towards agriculture and in that behalf agricultural colony was started at a place called Kokilamukh in the Sibsagar district by our predecessor and my report is counter to what the learned member from Congress Bench has just said that agricultural colony in Jorhat is not attracting people. A similar institution has also been started in Sylhet near the Murarichand College and the Government Agricultural Farm. There also educated youths have been given stipends to start agricultural farms and small gardens for vegetables and the like. Then attempts have been made by Government to train our educated young men in different crafts. All these details have been mentioned by my Hon'ble Colleague. From all this my hon. friend may rest assured that Government within the limitations of their funds are doing their best to help the unemployed educated youths to take to some vocation.



MR. BAIDYANATH MOOKERJEE: Can we get an assurance from Government that in the next year's budget the question of the unfortunate unemployed youths will be considered better than in the present year?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Everything would depend, Sir, upon the question of finance.

MR. BAIDYANATH MOOKERJEE: Will the Hon'ble Minister try his best? Can we at least get that assurance?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I have already stated, Sir, that we are doing our level best.

KHAN BAHADUR MAULAVI MAHMUD ALI: What is the area reserved for unemployed youths in Sylhet?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The area, as I saw, would be about an acre.

KHAN BAHADUR MAULAVI MAHMUD ALI: Is it sufficient for the youths of the Surma Valley?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The unemployed youths do not like to go there unless Government give them stipends, and Government gave stipends to about 8 students.

KHAN BAHADUR MAULAVI MAHMUD ALI: Is it not too far from Karimganj?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The town of Sylhet is the centre of the Surma Valley.

SRIJUT PURNA CHANDRA SARMA: Will the Hon'ble Minister be pleased to start such a colony in Nowgong?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The Revenue Minister has already replied on this matter.

SRIJUT PURNA CHANDRA SARMA: Are Government prepared to give loans to any unemployed youths of that colony?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes, Sir. That will be provided, if they can furnish security.

MAULAVI GHYASUDDIN AHMED: May I know, Sir, what steps have been taken to remove unemployment in the district of Goalpara?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I am afraid I am not in a position to give the information required by my hon. friend. I would require notice.

MAULAVI GHYASUDDIN AHMED: Do Government think that unemployment in Sylhet and Sibsagar is more than in any other districts?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: No, Sir. The problem is acute throughout the province.

MAULAVI GHYASUDDIN AHMED: Will Government be pleased to extend it to Goalpara also?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The matter will receive due consideration.

THE HON'BLE THE SPEAKER: It will minimise replies if the Hon'ble Minister says that he is not in a position to give information district by district.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes, Sir.

BABU DAKSHINARANJAN GUPTA CHAUDHURI: Do Government realise that the attempts made by them have not touched even the fringe of the problem?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I am prepared to admit that, Sir.



THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied :

110. & 111.—Arrangements were made for the training of some of the passed students of Technical Schools in the Assam Oil Company's workshop at Digboi. Some of them have got employment there. Some boys also have been admitted for training as apprentices in the Dibru-Sadiya Railway workshop at Dibrugarh. Two passed students are also under training at Commercial Carrying Company's workshop in Shillong. Some other private concerns who also were requested did not comply with the request. Government do not wish to disclose their names in the interest of the candidates themselves but wish to repeat the request.

MAULAVI GHYASUDDIN AHMED: Have Government addressed the Zamindars of Goalpara to employ unemployed youths in their estates?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I do not think, Sir.

MR. NABA KUMAR DUTTA: Have Government addressed any letter to the Digboi Oil Company?

KUMAR AJIT NARAYAN DEV: Is it not a fact that Government gave an assurance to the House that letters would be addressed to the Zamindars of the district of Goalpara to employ unemployed youths?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I do not remember, Sir, having given an undertaking like that. If it is a fact, we might request them.

KHAN BAHADUR MAULAVI KERAMAT ALI: Are Government aware that the candidates of this province did not get any chances in any vacancies for clerkships in the Assam-Bengal Railway?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I am not aware of that.

KHAN BAHADUR MAULAVI KERAMAT ALI: Will the Hon'ble Minister be pleased to request the authorities of the Assam-Bengal Railway to employ candidates from this province?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: We shall make an enquiry, Sir, and request them.

SRIJUT DEBESWAR SARMAH: So far as I can follow from the words of the Hon'ble Minister, I understand that some students were sent to Digboi for training and that some others have been admitted in the Dibru-Sadiya Railway workshop. But my question was whether the big private employers were addressed to take in the indigenous people when any vacancies occurred. I want to know whether it was done.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Some of the private concerns who were requested did not comply with the request.

SRIJUT DEBESWAR SARMAH: Were the Assam Oil Company, the Dibru-Sadiya Railway and the Indian Tea Association requested?

(Mr. W. Fleming rose to explain).

SRIJUT DEBESWAR SARMAH: Point of order, Sir. My question has not been answered.

THE HON'BLE THE SPEAKER: The hon. member's question has not been answered.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: We did address the Indian Tea Association, Sir, through their Secretary, the hon. Mr. Hockenull, a member of this House, to give preference to local candidates in vacancies occurring in tea gardens controlled by them. A similar request was made to the Deputy Leader of the European Group, Mr. Fleming, who is just present. And if the Hon'ble Speaker will permit, he can detail in what way local candidates are being preferred by his Company.



MR. W. FLEMING: Sir, our policy is to give preference to indigenous candidates of this province. But I am in no doubt that Government is well aware of the policy of the company that I belong to. That policy has been made sufficiently clear on the floor of this House. Some of the questions that have been asked on the floor of this House appear to be more or less unnecessary.

SRIJUT DEBESWAR SARMAH: Sir, my question still remains unanswered, *viz.*, whether the Assam Oil Company and the Dibru-Sadiya Railway were asked to appoint local people when vacancies occurred.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I have already replied, Sir, that we have requested.

SRIJUT DEBESWAR SARMAH: What was the reply? May I know whether they agreed or not?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: They have replied that, other things being equal, they would always prefer local candidates.

SRIJUT DEBESWAR SARMAH: As regards the other private big companies about which the Hon'ble Minister said that they did not comply with the request, will Government be pleased to state if they will consider the cancellation of any privileges that might have been given to them, unless they comply with the request of Government?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: So far they have not complied. If they are requested again, they may do something.

SRIJUT DEBESWAR SARMAH: My question was whether Government would consider the cancellation of privileges extended to them in terms of leases or other concessions for their failure to comply with the request of Government?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The suggestion made by my hon. friend will be noted.

SRIJUT DEBESWAR SARMAH: May I know if the Jorhat Tea Company was requested either by Government or by Mr. Hockenhull to take in local people if any vacancies occurred?

MR. F. W. HOCKENHULL: Sir, we have taken up the matter very seriously during the last few months and representations have been made on a very wide scale calling attention to the unemployment question of middle class educated youths and the principle has been accepted that, other things being equal, indigenous youths will always get preference.

SRIJUT DEBESWAR SARMAH: May we know, Sir, as regards the Jorhat Tea Company, whether they have agreed to Government's request or not?

THE HON'BLE THE SPEAKER: He has stated only so far as his constituents are concerned.

SRIJUT DEBESWAR SARMAH: I am referring, Sir, to a very big company which enjoy thousands of acres of fee simple grant.

As regards the Jorhat Company will Mr. Hockenhull inform us whether they agreed to do it or whether they did not agree. His answer does not carry us any further than where we were.

THE HON'BLE THE SPEAKER: He has said that other things being equal, preference will be given to local candidates.

SRIJUT DEBESWAR SARMAH: I am referring him to that very big company, *i.e.*, the company which enjoys many privileges from Government such as holding thousands of acres of fee simple grant.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, should any particular company be singled out here. We have addressed the Tea Association, and their representative has already informed that



they have very emphatically asked all these companies to give preference to local people. I know, Sir, that the Assam Oil Company has already issued very strict orders to give preference to local people.

SRIJUT DEBESWAR SARMAH : On a point of personal explanation, Sir. Whether that particular company agreed or not, was the point at issue just now. I also wanted to know of all big concerns which are evidently enjoying very big privileges from Government whether those big companies also acceded to the request of Government or not.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : That is really covered by the answer that the Indian Tea Association requested all the companies to give preference to local people.

SRIJUT DEBESWAR SARMAH : May I know whether they have agreed to comply with the request. Will Mr. Hockenhull be pleased to enlighten us about it ?

MR. F. W. HOCKENHULL : We have had very satisfactory reply, Sir. It has been widely accepted, and the Industry has as far as possible not only been accepting the position of giving preference to indigenous people, but we are doing something more than that, to make it possible to take in unemployed youths from the districts in which tea gardens are situated in preference to any outsider.

MR. FAKHRUDDIN ALI AHMED : Does the Hon'ble the Chief Minister remember the statement made by the hon. Khan Sahib Sayidur Rahman, who comes from Dibrugarh, that no employment is given to the indigenous people by the Assam Oil Company ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Our information is otherwise.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN : May I know from the Hon'ble Minister as to how many youths from the Jorhat Technical School have been employed in the Assam Oil Company ?

MR. W. FLEMING : May I reply, Sir ? As many as have been offering. (*Laughter.*)

SRIJUT DEBESWAR SARMAH : Is it permissible to ask, Sir, whether a prohibitively and ridiculously low emolument is offered so that many candidates from that school would not come and seek employment in the company ?

THE HON'BLE THE SPEAKER : The question is very vague.

SRIJUT DEBESWAR SARMAH : Let me try to put it in a better way, Sir.

THE HON'BLE THE SPEAKER : I do not know what is the idea of the hon. member about "prohibitively" and "ridiculously" low emoluments. These words "prohibitively" and "ridiculously" may convey different meaning to different people.

SRIJUT DEBESWAR SARMAH : Sir, let me put it like this. When these candidates from the Jorhat Technical School go there, they are given such a low salary that they cannot maintain themselves properly, for the cost of living is high in that place.

MR. W. FLEMING : Sir, is this question going to be answered or not ?

THE HON'BLE THE SPEAKER : It is also a vague question.

MR. W. FLEMING : It is not merely vague, it is also libellous.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN : Are Government aware that in the Assam Oil Company at Digboi there is a big waiting list of outsiders and Bengalis, and the Assamese candidates are generally turned out on the pretext that there are already candidates on the waiting list ?



THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: We are not aware of that.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: Will they make an enquiry?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Yes, we will make an enquiry.

### Preparation of a scheme for rural development

BABU RABINDRA NATH ADITYA asked :

\*112. Will Government be pleased to state—

- (a) If they have prepared any scheme for rural development and for the expenditure of the money budgeted for this year, under this head?
- (b) If so, whether it will be placed for the information of the members of this House?

\*113 Do Government propose to consult the members of the Legislature in working out a rural development scheme in their respective territorial constituencies?

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied :

112. (a) & (b)—It is not clear to what particular scheme the hon. member is referring. It is however presumed that he is referring to the general scheme of rural reconstruction financed from the Government of India for which yearly provision has also to be made in the Local Government's budget. If so, the hon. member is referred to the "Report in connection with special grants from the Government of India for Rural Development" which was laid before the Assam Legislative Assembly at the last session. This report gives some details of the schemes undertaken and in hand.

BABU RABINDRA NATH ADITYA : Has this Government nothing more to do than distribute the money received from the Central Government?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Yes, Government gave instructions, according to the condition laid down by the Government of India, to the local officers.

BABU RABINDRA NATH ADITYA : Have this Government got no other duty than distributing this money from the Central Government?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I do not understand, Sir, what the hon. member means by "no other duty". What other duty he expects Government to do?

BABU RABINDRA NATH ADITYA: My point is whether this Government desire to follow any planned economy with regard to village reconstruction?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: What does he mean, Sir? If he means the scheme which relates to the rural development grant from the Government of India, I have given the reply. If he means any other scheme I have no reply.

BABU RABINDRA NATH ADITYA : I do not mean any particular scheme. I say whether this Government have got any scheme of village reconstruction?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: We have no other scheme excepting this. But there is that scheme for starting model villages.



BABU RABINDRA NATH ADITYA : Is this the position of this Government that they are simply to distribute the money received from the Central Government and not to do anything more ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : I have already replied, Sir.

BABU RABINDRA NATH ADITYA : Sir, I think the reply is not there. I want to know if this Government has got anything more to do than distribute the money of the Central Government ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : I want to know what the hon. member means by 'anything more'. What does he expect Government to do ? The detailed scheme has been mentioned in the report that was laid before the Assembly last Session. If my hon. friend wants he can find it out from that report.

BABU RABINDRA NATH ADITYA : But do Government consider that this is enough for the purpose of village reconstruction ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : For the present it is enough.

SRIJUT PURNA CHANDRA SARMA : Do not this Government consider that more funds are necessary for rural reconstruction ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Yes, Sir, I know that we require millions and millions of rupees for the village reconstruction work (*loud laughter*).

SRIJUT PURNA CHANDRA SARMA : Do not Government consider the desirability of providing more money from the provincial budget than what has been provided by the Central Government ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : If funds permit, we will certainly do that.

SRIJUT GAURI KANTA TALUKDAR : Is the Hon'ble Minister aware that the villagers have been asked to contribute 50 per cent. of the expenditure that will be incurred in connection with the village development work ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Yes, Sir. That is the instruction of the Government of India and we have passed it on to the district officers.

SRIJUT GAURI KANTA TALUKDAR : Is the Hon'ble Minister aware that it is too much to expect the villagers to contribute 50 per cent. of the expenditure ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : I have not heard the question of the hon. member.

SRIJUT GAURI KANTA TALUKDAR : Do Government recognise that it will be too much to ask the villagers to contribute 50 per cent. of the expenditure that will be incurred for village development work ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : There are many villages which are willing to contribute 50 per cent. of the expenditure by kind or labour.

SRIJUT GAURI KANTA TALUKDAR : Are Government aware that the Advisory Board of Gauhati sadar subdivision have written to Government pointing out that the villagers are not in a position to contribute 50 per cent. of the expenditure ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Does the hon. member mean to say that the villagers are not willing to have tanks and roads, etc.

MR. FAKHRUDDIN ALI AHMED : May we know, Sir, on what source of information the Hon'ble Minister is stating that the villagers are willing to contribute 50 per cent. of the expenditure ?



THE HON'BLE REV. J. J. M. NICHOLS-ROY: Some villages have already applied saying that they want to have the schemes in their places.

MR. FAKHRUDDIN ALI AHMED: Has the Hon'ble Minister received any direct information from the villagers?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The villagers have applied to the district officers.

MR. FAKHRUDDIN ALI AHMED: Is the Hon'ble Minister aware that the Deputy Commissioner of Kamrup has informed the Government that the villagers in Kamrup district are not able to contribute 50 per cent.?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That is not contribution by money. It is a contribution by kind or labour and our instruction is to that effect.

MAULAVI ABDUR RAHMAN: May I know, Sir, whether it is compulsory or optional?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: One of the conditions laid down by the Government of India is that the contribution should be either by kind or labour.

MR. FAKHRUDDIN ALI AHMED: Is the Hon'ble Minister aware that the contribution of labour is impracticable as far as construction of ringwells are concerned?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That may be so, Sir.

MR. FAKHRUDDIN ALI AHMED: How does the Hon'ble Minister then say that the villagers can make contribution by way of labour for construction of ringwells?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: They might contribute in some other way by digging wells, etc.

KHAN BAHADUR MAULAVI KERAMAT ALI: Can this Government go beyond the condition that has been laid down by the Government of India?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: No, Sir.

BABU RABINDRA NATH ADITYA: May we know whether this Government are ready to adopt economic planning as regards the village reconstruction?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have already replied to that, Sir. If funds permit we are ready to spend lots of money for the sake of rural reconstruction.

SRIJUT GAURI KANTA TALUKDAR: If the villagers cannot contribute 50 per cent. then what will happen as regards this grant. Will Government be pleased to relax this condition?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: This condition has been laid down by the Government of India and we cannot relax that.

SRIJUT GAURI KANTA TALUKDAR: The condition should be relaxed in view of the fact that the people of Assam are not in a position to contribute 50 per cent.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have already replied to that, Sir.

KHAN BAHADUR MAULAVI KERAMAT ALI: Will it not be possible for Government to withdraw the condition from those districts in which the people do not want to contribute 50 per cent. and give it to those districts where the people want to contribute 50 per cent. of the expenditure? (*Hear! hear!*)

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That question will have to be considered by Government.



SRIJUT PURNA CHANDRA SARMA: Are the present Government prepared to meet the excess expenditure in the case of those villages where they cannot afford to pay the amount demanded from them?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: No, Sir, Government will not be prepared to do that because it will be detrimental to some other villages which are willing to make the contribution?

SRIJUT GAURI KANTA TALUKDAR: Sir, if this condition is not relaxed the schedule caste and the backward people will not get the benefit of this grant.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That is not the intention, Sir. I do not understand why they will not get this grant. I think they will be willing to contribute by labour or kind.

MAULAVI MUHAMMAD AMJAD ALI: Are Government aware that among the many thousand indentured coolies in the tea gardens, there is not a single Assamese?

MR. BAIDYANATH MOOKERJEE: Please do not use the word 'coolie'.

MAULAVI MUHAMMAD AMJAD ALI: And the people of Assam are averse to this sort of labour.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I do not see how that question arises.

BABU DAKSHINARANJAN GUPTA CHAUDHURI: May we know, Sir, what steps Government have taken to know the needs of the villages?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have not heard a single word of the hon. member *(laughter)*.

THE HON'BLE THE SPEAKER: The hon. member will please repeat his question.

BABU DAKSHINARANJAN GUPTA CHAUDHURI: My question is that I want to know what steps Government have already taken to know the real needs of the villages.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have myself gone into the villages and seen the needs of the villages. Everybody who lives in Assam knows the needs of the villages.

BABU DAKSHINARANJAN GUPTA CHAUDHURI: I could not follow the Hon'ble Minister *(loud laughter)*. I want a reply to my question.

MR. FAKHRUDDIN ALI AHMED: Is the Hon'ble Minister aware that unless the condition is relaxed, the whole plan will be a failure?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I could not follow the question of the hon. member.

MR. FAKHRUDDIN ALI AHMED: My question is this, Sir, is the Hon'ble Minister aware that unless the condition is relaxed with regard to the contribution of 50 per cent. the entire plan will be a failure?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I am not aware of that, Sir. I have already replied that there are some villages who want to contribute 50 per cent.

SRIJUT SARVESWAR BARUA: May we know, Sir, from which District Officers the Hon'ble Minister has got the information that people are willing to contribute 50 per cent.?

KHAN BAHADUR MAULAVI KERAMAT ALI: Perhaps the Hon'ble Minister has got the information from the Sibsagar district.

SRIJUT SARVESWAR BARUA: May I know whether this is the only solitary district from which the Hon'ble Minister got the information?

KHAN BAHADUR MAULAVI KERAMAT ALI: May I request the Hon'ble Minister to transfer all the money to the Sibsagar district where the people may be willing to contribute 50 per cent.?



**BABU DAKSHINARANJAN GUPTA CHAUDHURI:** On a point of order, Sir. My friend Khan Bahadur Maulavi Keramat Ali is not a member of the Cabinet that we should get the reply from him.

**MR. ARUN KUMAR CHANDA:** Is a private member allowed to speak?

**THE HON'BLE THE SPEAKER:** Having regard to the fact that when Khan Bahadur Maulavi Keramat Ali is replying to questions in place of the Hon'ble Minister as to which district is capable of contributing funds, I think, naturally all the questions should therefore be addressed to him. *(Laughter.)*

**SRIJUT PURNA CHANDRA SARMA:** Sir, are not Government aware whether the villagers have refused to make this contribution?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I have not got any complaint, Sir, about this. It has not come to the notice of Government.

**SRIJUT GAURI KANTA TALUKDAR:** Are not Government aware that the Deputy Commissioner of Kamrup has informed Government that the villagers are not in a position to contribute 50 per cent.?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** That is the same question that has been asked several times.

**MR. ARUN KUMAR CHANDA:** Is it the Government policy to only benefit the inhabitants of those villages which are inhabited by rich people like Khan Bahadur Keramat Ali?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** Where the people are poor they will have to dig their tanks and to make their roads.

**KHAN BAHADUR MAULAVI KERAMAT ALI:** Is the Hon'ble Minister aware that our people are willing to contribute thatch and bamboos which may be converted into money?

**SRIJUT SARVESWAR BARUA:** Thatch and bamboos for constructing wells? *(Laughter.)*

**KHAN BAHADUR MAULAVI KERAMAT ALI:** Land and labour for constructing the wells.

**THE HON'BLE REV. J. J. M. NICHOLS-ROY** replied:

113.—As stated in the report mentioned above Deputy Commissioners and Subdivisional Officers are carrying out their programmes with the help of Advisory Committees. Each of these Committees contains when practicable not less than 4 M.L.As.

**MR. NABA KUMAR DUTTA:** May I know who appoints these committees?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** The committees are chosen by Deputy Commissioners.

**MAULAVI ASHRAFUDDIN MD. CHAUDHURY:** Is the Hon'ble Minister aware that in the Habiganj subdivision the names of all the 4 M.L.As. have not been included?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I think that if the hon. members will write to the Deputy Commissioner or to the Subdivisional Officer their names will be included.

**BABU KAMINI KUMAR SEN:** It means that they will have to apply?

**MR. BAIDYANATH MOOKERJEE:** What about those people who represent more than one district?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** In that case they will have to write to the Deputy Commissioner in which district they would like to serve.



**Annual grant by Government towards education, communication, etc., to all Local Boards**

MAULAVI GHYASUDDIN AHMED asked :

\*114. Will the Hon'ble Minister in charge be pleased to state—

- (a) The annual grant given by Government towards education, communication and for general purposes to all the Local Boards of the province for the year 1935-36, 1936-37 and 1937-38 ?
- (b) On what principles these grants have been made ?
- (c) The number of schools maintained by each Board of the province ?
- (d) The total mileage of roads under each Local Board of the province ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied :

114. (a)—The grants made by Government to the various Boards during 1935-36 will be found in paragraph 3 of the *Resolution on the Working of Local Boards in Assam* for the year 1935-36 a copy of which will be found on the Library table. A similar resolution for 1936-37 is in the course of compilation and will be shortly published. Final figures for the current year are not yet available.

(b)—The needs of the various Boards and the funds available.

(c) & (d)—Appendices A and C to the Resolution referred to in (a) above supply this information.

MAULAVI GHYASUDDIN AHMED: May I know who makes this distribution, the Commissioner or the Local Government ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The distribution is made by the Commissioner.

MAULAVI GHYASUDDIN AHMED: Is the Hon'ble Minister aware that the Commissioner has deducted a sum of Rs.1,000 from the Communication grant of the Dhubri Local Board for the year 1937-38 ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I will accept it as a correct statement if the hon. member says so.

MAULAVI GHYASUDDIN AHMED: Will the Hon'ble Minister be pleased to enquire why he made the deduction ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I think there must be some reason for that. The deduction has not been made in only one Local Board.

MAULAVI ABDUR RAHMAN: Are the grants for communications being reduced every year ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: It must have been reduced this year on account of financial distress.

MAULAVI GHYASUDDIN AHMED: Is it not a fact that the Dhubri subdivision has the largest number of mileage of roads than any other subdivision, and is it also not a fact that its income from local rates is the highest in the province ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: If the hon. member refers to the grant for communications, the question is a general one.

SRIJUT BELIRAM DAS: Will the Hon'ble Minister be pleased to state whether a proportionately increased rate of grant is proposed to be given by Government for backward areas ?



THE HON'BLE REV. J. J. M. NICHOLS-ROY: It all depends on circumstances. I cannot say off-hand what the basis of the distribution is.

MAULAVI ABDUR RAHMAN: Are Government aware that there is a great demand for improvement of communications under the Local Boards in the province?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That goes without saying.

MAULAVI ABDUR RAHMAN: Do Government propose to take any step to increase the grants to the Local Boards?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Funds permitting, Sir.

MAULAVI AMJAD ALI: What is the principle adopted for distribution?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Each case is decided separately on its merits.

SRIJUT BELIRAM DAS: Are Government aware that 27 lower primary schools have been closed by the Board for want of funds and most of them belong to backward localities?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: It may be so, but I am not aware of it. That is the look-out of the Local Board.

SRIJUT BELIRAM DAS: Will Government make an enquiry and come to the relief of the Local Board?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: It is for the Local Boards to come up to Government and state their needs.

MAULAVI AMJAD ALI: Is it not a fact that the Goalpara Local Board has already approached Government for a grant for education?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have no information.

MAULAVI AMJAD ALI: Will the Hon'ble Minister take it from me that in this very session of the Assembly the Hon'ble Minister has replied that the Goalpara Local Board has applied for a grant for education.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That will be considered by the Education Department.

KHAN BAHADUR MAULAVI KERAMAT ALI: Is the Hon'ble Minister aware that the Jorhat Local Board has also applied?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I think many Local Boards have applied, and the Government have no funds to supply the needs of the Local Boards in these matters.

MAULAVI GHYASUDDIN AHMED: Is the Hon'ble Minister aware that there are as many as 50 venture schools in the Dhubri subdivision and that for want of funds, they could not be taken up.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I think the case of each Local Board will be considered by Government when the grant for education is distributed to the different Local Boards.

MR. BAIDYANATH MOOKERJEE: The general answer is "when funds permit". May we know what Government has done to increase the revenue?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I am afraid this Assembly does not want the Government to increase the revenue.

MR. NABA KUMAR DATTA: Does Government want to introduce taxation in some form?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have already said that the Assembly wants a reduction of revenue and not an increase of revenue.



MR. BAIDYANATH MOOKERJEE: I did not say land revenue only. The answer given by the Hon'ble Minister is evasive. He wants to avoid the difficulty by giving a misleading reply. He wanted to behave us by taking advantage of the word revenue. Land Revenue is not the only revenue.

MAULAVI ABULUR RAHMAN: Is the Hon'ble Minister aware that the Habiganj Local Board has asked Government for Rs.7,000 for the improvement of the Sherpur-Nabiganj Road?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I am aware of that, but I am afraid we have no money.

### HON'BLE SPEAKER'S RULING ON THE PRESENTATION OF A SUPPLEMENTARY DEMAND

THE HON'BLE THE SPEAKER: Order, Order.

The point of order that was raised yesterday by the hon. member Rai Bahadur Promode Chandra Datta relates to the supplementary demand for Rs.25,300 under the general Head 25—General Administration, based on a statement under section 81 of the Government of India Act presented on the 13th December last. This sum represents a part of Rs.78,446 under sub-head R.—Commissioners, which was refused by the vote of the Assembly during the last budget session when the Assembly was called upon to vote on the annual estimate of expenditure for the current year. The authenticated schedule under section 80 of the Government of India Act giving full effect to this vote of the Assembly was laid before the Assembly on the 1st September 1937. This demand is made for the purpose of providing for the establishments of the two Commissioners for our months from the 2nd of September 1937 to the 31st of December 1937. It has come out from the speech of the Hon'ble the Finance Minister that so much of this amount as was necessary to keep up the establishments consisting of officers, clerks and menials up to 30th November from 2nd September 1937 has been spent. By asking to vote on this demand the House is, therefore, virtually asked to accord its sanction to three-fourths of the amount already spent over and above the authenticated schedule and necessarily against the vote of the House, and also to sanction the remaining one-fourth to be spent at the end of this month. The point has, therefore, been raised whether this supplementary demand is in order in view of the fact that the items of expenditure were considered by the House on the annual financial statement during the last budget session and that the House rejected the expenditure of Rs.78,446 budgeted for these items of which the present expenditure of the demand is a part. Having regard to all the circumstances under which the present demand has been put forward the point of order has raised a very constitutional issue and I allowed discussion yesterday in all its various aspects. I now propose to give my ruling as follows:

In going to decide this point of order the first thing that is necessary to be realised is what is a supplementary demand. It is obvious that a supplementary demand is a demand which is contemplated by section 81 of the Government of India Act. Section 81 runs as follows:—

"If in respect of any financial year, further expenditure from the revenues of the province *becomes necessary* over and above the expenditure heretofore authorised for that year, the Governor shall cause to be laid before the Chamber or Chambers a *supplementary statement* showing the estimated amount of that expenditure, and the provisions of the preceding sections shall have effect in relation to that statement and that expenditure as they have effect in relation to the annual financial statement of expenditure mentioned therein."



From this section the definition of a supplementary demand may be deduced as follows, that is, a supplementary demand is a demand for expenditure based upon a statement which is supplementary to the annual financial statement required to be presented before the House under section 78 of the Government of India Act and which has become necessary over and above the expenditure authorised in the authenticated schedule presented before the House under sub-section (2) of section 80 giving effect to the vote of the House under sub-section (2) of section 79 of the Government of India Act, on the items of expenditure shown in the Annual Financial statement. But the whole question of deciding whether the particular demand is a supplementary demand will depend upon a full comprehension of the meaning of the expression '*becomes necessary*' over and above the expenditure heretofore authorised for that year and also the full meaning of the expression '*supplementary statement*'.

Section 81 of the Government of India Act really embodies the White Paper proposals in this respect which received full approval at the hands of the Joint Parliamentary Select Committee. The White Paper paragraph 100 is the proposal in this respect which gives a clear indication of what is meant by a supplementary statement and when the meaning of the expression '*supplementary statement*' becomes clear, it makes clear also the meaning of the expression '*becomes necessary*'. In order to indicate that the procedure relating to financial matters as laid down in its paragraphs 95 to 99 is also applicable to supplementary demands paragraph 100 runs to this effect.

"The provisions of paragraphs 95 to 99 inclusive will apply with the necessary modifications to proposals for the appropriation of revenue to meet the expenditure *not included* in the annual estimates which it may become necessary to incur during the course of the financial year".

So it is very clear that the supplementary statement must be a statement of expenditure which is not included in the annual estimates and it is only that expenditure which can be called to have become necessary.

While the definition of a supplementary demand is thus deduced from the phraseology of section 81 it may however be useful to consider at this stage what is meant by a supplementary demand in relation to financial matters that are dealt with in the House of Commons in the British Parliament.

In Campion's "Introduction to the Procedure of the House of Commons" supplementary estimates have been described as estimates supplementary to the main estimates and what is meant by this is explained by Redlich in his book "Procedure of the House of Commons" at page 131, Volume III, where a supplementary grant has been described as a supplementary grant that is required when an estimate already granted for some service or for some special purpose is found to be inadequate or where a sum has been granted and it is found to be too small for the object in view or account where some unforeseen call for expenditure arises during the course of this session. The last contingency most commonly caused by military expedition, naval mobilisation and like events; in short, by the demands of the foreign policy". And again, Campion at page 237 of his book has also shown that an additional estimate for providing money for some new head of expenditure arising in the course of the same financial year is also called a supplementary grant for the obvious reason that such an expenditure may also be considered to be unforeseen.



In May's Parliamentary Practice at page 500 the whole thing has been very succinctly put as follows.—

"A supplementary estimate may be presented either for a further grant to a service already sanctioned by Parliament, in addition to the sum already demanded for the current financial year, or for a grant caused by a fresh occasion for expenditure that has arisen since the presentation of the sessional estimates, such as expenditure newly imposed upon the executive Government by Statute, or to meet the cost created by an unexpected emergency such as an immediate addition to an existing service, or the purchase of land or of work of art".

The present Constitution is admittedly largely based on the principles of British Parliamentary system and from what I have shown before, it would appear that the provision made in section 81 of the Government of India Act is nothing different from what we find in the British Parliamentary system about the nature of supplementary grants. And by employing the expressions "supplementary statement" and "becomes necessary" the section has provided for the circumstances under which supplementary demands are presented in the House of Commons. Even under the old Constitution which preceded the present Constitution under the Government of India Act of 1919, although the Act did not provide any definition of a supplementary demand and had no counterpart of section 81 of the present Act, the rules that were originally framed regarding supplementary demand were based on the principles of British Parliamentary practice and clearly indicated what the nature should be in rule 32 of the Provincial Council Rules. It ran as follows: "An estimate shall be presented to the Council for a supplementary or additional grant when—

- (i) the amount voted in the budget of a grant is found to be insufficient for the purposes of the current year; or
- (ii) the need arises during the current year for expenditure for which the vote of the Council is necessary upon some new services not contemplated in the Budget for that year.

(2) Supplementary or additional estimates shall be dealt with in the same way by the Council as if they were demands for grants.

It appears to me that it is this rule, *viz.*, rule 32, as was originally framed when diarchy was installed in the Provinces under the old Government of India Act, that has in different language been practically enacted by section 81 of the present Act. This rule worked well although section 72D of the old Act provided for the finality of the votes of provincial Councils on financial matters relating to transferred departments and gave a right to the Governors to restore grants or items of expenditure composing a grant relating to reserved departments, rejected or reduced by the Councils, till 1924. In 1924 the first trouble arose in Bengal when during the Budget session of the year 1924-25 the Ministers' salaries were refused by the Council. It is well-known that at a subsequent session of the Council in the same year a supplementary demand was brought forward for restoring the rejected salaries of the Ministers, and that a point of order was raised about the legality of such a supplementary demand which was followed by a litigation in the High Court. That case was disposed of finally by the High Court declaring the supplementary demand as illegal on an interpretation of rule 32 and restraining the President of the Bengal Council from putting the demand to vote. That case is reported in 40 C. L. J. page 515. From the learned and lucid judgment of late Mr. Justice C. C. Ghose it would appear clear that a supplementary grant for a rejected item of expenditure in the same year was not legally justified. He analysed the whole British Parliamentary practice and the provisions,



in the Government of India Act and the Provincial Council rules and declared the supplementary demand to be quite illegal. His analysis shows that his main ground was that on the same grounds that were present at the time of the annual estimates and were discussed while rejecting the demand cannot form a ground for supplementary demand.

It is on account of this trouble that arose in Bengal that the Government of India found it necessary to add to rule 32 a sub-rule to provide against the contingency that led to the trouble.

That judgment was delivered on the 7th July 1924 and by different notifications in the month of July of the same year a sub-rule to the following effect was added as sub-rule (2) to rule 32 for the different provinces and renumbering sub-rule (2) as (3). The added sub-rule was as follows :—

"An estimate may be presented to the Council for an additional or supplementary grant in respect of any demand to which the Council has previously refused its assent or the amount of which the Council has reduced either by a reduction of the whole grant or by the omission or reduction of any of the item of expenditure of which the grant is composed".

It cannot be imagined that when section 81 was drafted, Parliament did not consider the whole of Provincial Councils, Rule 32 with the Sub-rule (2) added newly for the first time in 1924, and if they really considered this rule they could have foreseen the possibility of a similar contingency that happened in 1924 in Provincial Councils and in enacting section 81 they could have used such language as could have shown that the entire rule 32 has really been embodied in it (*hear ! hear !*).

It appears to me that section 81 is self-contained and self-explanatory and whether a supplementary demand is admissible or not must be determined solely by its provisions. In other words, the terms of the section are such as preclude the necessity for a separate rule in the Legislative Assembly Rules for indicating the circumstances under which a supplementary demand can be placed before it. In our present Assembly Rules which are mere adaptation of the old Council Rules and Standing Orders, under sub-section (3) section 84 of the Act, there is rule 93 with two sub-rules which run to this effect :—

"93(1) When a supplementary estimate is laid before the Assembly under the provisions of section 81 of the Act, it shall, in the case of expenditure charged upon the revenues of the province, be dealt with in the same way as Demand for Grants :

Provided that when funds to meet proposed expenditure on a new service can be made available by re-appropriation, a demand for the grant of a token sum may be submitted to the vote of the Assembly, and if the Assembly assents to the demand, funds may be so made available.

(2) A demand may be presented to the Assembly for an additional or supplementary grant in respect of any demand for grant to which the Assembly has previously refused its assent or in respect of the amount which the Assembly has previously refused."

The first sub-rule only refers to section 81 of the Act and provides for a discussion of a supplementary demand relating to expenditure charged upon the revenues of the province. Really there was no necessity for the sub-rule in view of the Governor's Rules 17(2)(b) which provides for the same thing. The proviso and the second sub-rule are really reproductions of the proviso and sub-rule (2) of the Indian Legislative Assembly rule 49.

It is really this sub-rule 93(2) therefore which should be considered in the light of what I have said before. To my mind it appears that this



sub-rule 93(2) found place in our Assembly rules on account of the fact that the framers of the Rules perceived that the phraseology in sub-section (2) of section 79 of the present Act, where it provides as to how a Legislative Assembly will exercise its right of votes with regard to a demand, is exactly similar to Sub-section (6) of Section 67 A of the Government of India Act of 1919, overlooking the fact that the justification of such a rule in the Central Legislative Assembly Rules was there by reason of the provision in sub-section (7) of the said Section 67 A, that the Governor General might ignore the vote of the Assembly and restore a reduced or refused grant and that, possessing that right there was nothing to prevent him from again presenting a rejected or reduced demand for reconsideration by the Assembly. The objection to Rule 93(2) is that if it be construed to give an absolute right to Government to present before the Assembly a demand for an additional or supplementary grant in respect of any demand for grant to which the Assembly has previously refused its assent or in respect of the amount which the Assembly has previously reduced, ignoring the terms of section 81, it will be anomalous or inconsistent with the provisions thereof. The reasonable interpretation of this rule, therefore, would be that whatever right it seeks to give to Government must be subject to the provisions of section 81 of the Act, that is, if a supplementary demand of the nature indicated by this rule is to be placed before the Assembly, it will have to be shown that it has become necessary under one or more of the varied circumstances under which a supplementary demand, in the British House of Commons can be entertained. That is, such a demand to be in order must fulfil the conditions laid down in section 81 of the Act. Rule 93(2) which is really in substance rule 32(2) of the old Council Rules and has not been adapted in the Assembly Rules of nine of the Province in India (*hear! hear!*). It is only in the rules of this Province and those of Bihar that this rule has been incorporated. In those nine provinces the Governor's Rules relating to supplementary demand are the only rules. To my mind it appears that most likely it is these considerations which I have shown before, which really led the framers of the Assembly Rules for nine provinces not to adopt Rule 32(2) of the old Council Rule, as being unnecessary.

How a rejected demand or a reduced demand may be presented as a supplementary demand in the course of the same year on the ground that it has become necessary can be very well imagined. Taking the instance given by the Hon'ble the Finance Minister, the other day, suppose in the Annual Estimate which was presented before the House during the Budget Session there was an item of expenditure providing for 'flood relief' which the Assembly totally refused to vote. On an actual occurrence of the flood, that refused item of expenditure can be easily presented before the House on the ground that it has become necessary.

In the light of what I have shown, therefore, it will have to be seen whether the present demand to which the point of order relates can be presented at this session of the Assembly as a supplementary demand under the provisions of section 81 of the Act. In other words it will have to be seen whether the expenditure for which the approval of the House is being sought has become necessary for which a supplementary statement can be presented.

In the explanatory note to the Supplementary Statement that has been presented it has been stated as follows: 'In the case of the Commissioners' establishment a notice of discharge had to be issued to officers, clerks and menials under article 436 of the Civil Service Regulation, and the intention is that the officers should cease to function on the 1st of January 1938.'



It, therefore, appears clear that the House is called upon to take into consideration the intention of the Government after the vote of rejection of the substantial sum of Rs. 78,446 which was included in the Annual Estimates in the last Budget Session for the items of expenditure shown in the supplementary statement, and to decide whether they should give their vote in favour of this supplementary demand. The Hon'ble the Finance Minister in his speeches has shown that he is ready to implement the wishes of the House so far as the present year is concerned, although there is uncertainty as to whether the Secretary of State would accept his proposal about the retention of one Commissioner and the abolition of the other. From his speeches he is definite in giving the assurance on my query that whatever the Secretary of State would do in respect of his recommendations he is determined to give effect to the verdict of the House for the abolition of the Commissioners' establishments so far as the current year is concerned. The vote of the House during budget session rejecting the entire sum of Rs. 78,446 has undoubtedly given rise to an unforeseen event necessitating the discharge of the officers, clerks and menials of the two Commissioners' establishments by paying them gratuity, or three months salary by complying with the provisions of article 436 of the Civil Service Regulation, which gives them an enforceable right against Government; and in recognition of that legal right when they have been retained although under a notice of discharge, the other expenditure in the shape of allowances, contingencies, etc., became necessary to utilise their services for whatever the work might be got from them. So having regard to the fact that the Hon'ble the Finance Minister has repeatedly asserted in the course of his speeches that the Commissioners' establishment would be abolished on the 1st of January 1938, although he is not sure as to what the Secretary of State would do in regard to his recommendations for retaining one Commissioner I am disposed to hold that the House should consider the Demand on its merits. On my query whether it would not be better to wait till the Secretary of State's decision has been obtained as there is yet time up to the 31st of March, the Hon'ble Finance Minister said as follows: "I tried my best to get the Secretary of State's decision before this session. We have not got it yet. We wired on the 1st December and in reply to that the Foreign Department replied that owing to general important questions arising out of the proposal it would be impossible to get the views of the Secretary of State by the 8th instant and they suggested that the Legislature be invited to restore the cut. That the reply which I got and I am sticking to my original proposal". This statement of the Hon'ble the Finance Minister should be taken into consideration along with the statement that he is always anxious to uphold the dignity and prestige of the House and that it is for these reasons that he has taken the step of deciding to discharge the staff of the Commissioners' establishments from the 1st January 1938. So far as the Chair is concerned, I cannot dispute his sincerity and in this view I hold that *prima facie* further expenditure has become necessary in terms of section 81 and I cannot but therefore hold the motion to be in order. (*Applause.*) It is for the House to decide whether actually they can depend upon the assurance of the Hon'ble the Finance Minister that the establishments of the Commissioners would be abolished from the 1st of January 1938, and between the House and the Government it is not the business of the Chair to intervene and say that actually the Commissioners' Establishments would not be discharged. In this view I have no other alternative than to put the motion before the House to be discussed by the House on its merits. I should also point out to the House that their vote rejecting expenditure of Rs. 78,446, although a determined vote raising a vital issue



involving a policy, cannot take them beyond the current year so far as the question of expenditure is concerned. On the contrary also I should point out that the vote on this supplementary demand if it be in its favour cannot be by any stress of Parliamentary procedure be construed to mean that the hon. members of this House are agreeing to accept the proposal of Government that one of the Commissionerships should be retained, on the simple ground that the vote of the House on this supplementary demand which relates to expenditure for four months up to 31st December has been sought on the distinct case as set out in the Supplementary statement that the establishment would be dispensed with from 1st January 1938. If Government want to take the verdict of the House for getting a reversal of the decision implied in the vote of rejection of the expenditure of Rs. 78,446 in conformity with the proposal which the Finance Minister has indicated in his speech that one of the Commissioners should be retained, Government will have to adopt some other procedure.

I cannot but point out that it would have been far better for Government to wait till the decision of the Secretary of State was obtained and shape their proposal for the supplementary demand according to the decision of the Secretary of State. It appears from what has been said by the Hon'ble the Finance Minister in answer to my queries and also in his original speech while presenting the supplementary demand that another supplementary demand would be necessitated by the decision of the Secretary of State whatever it may be—It may be for providing one or two clerks for one of the Commissioners—it may be for providing more clerks for both the Commissioners. I am not to say now whether such a supplementary demand would be in order or not and to anticipate what course the House would advise themselves to adopt with regard to that supplementary demand. What I want to point out is that the vote of the House rejecting the expenditure for the establishments of the Commissioners was a determined vote for the purpose of imposing its will and control over the Government. Government without a desire to implement the wishes of the House the vote indicated, and acting upon their own decision of quite a different nature, instead of presenting supplementary demands from time to time, have got another different and a better parliamentary procedure to follow. On the rejected expenditure provided for in the annual financial statement different supplementary demands at different times in the course of the same year offends against strict Parliamentary practice. The objection to such supplementary demands very clearly appears from what Gladstone declared in 1862. He regarded supplementary estimates with 'great jealousy'; though very plausible in theory he thought that in practice nothing tended so much to defeat the efficacy of Parliamentary control as the easy resort to supplementary estimates. He said "To render this control effectual, it was necessary that the House of Commons should have the money transactions of the year presented to it in one mass and one account. If it is to be a set of current transactions with a balance varying from time to time the House would never know where it was. If supplementary estimates were easily and frequently resorted to, the House would be obliged in self defence to appoint a permanent Finance Committee". Austin Chamberlain in a speech in the House of Commons in August 1921 described supplementary estimates as the 'weak joint' in the armour of any Government. And in the case relating to Ministers' salaries in Bengal quoted before Mr. Justice C. C. Ghose, said that supplementary estimates tend to diminish the control of the Legislature and, if for large sums, really amount to a breach of contract between the Government and the Legislature.



I have reviewed the various aspects of the question and, having regard to the fact that a Rule Making Committee of the Assembly is functioning to revise the present rules and frame new Rules for the Assembly, I have taken some pains to show how the old Rule 93 came to be incorporated in our present Legislative Assembly Rules, and how it is now really unnecessary.

Finally, the ruling of the Chair is that a supplementary demand in respect of any demand to which the Assembly refused its assent or in respect of the amount which the Assembly has previously reduced would be in order if it can be shown that it has become necessary on grounds from which the Chair can come to the conclusion that it is *prima facie* so. Here in this particular case relying upon the speeches of the Hon'ble the Finance Minister and on the assurance given by him, I find there are sufficient grounds for me to hold that the present supplementary demand is in order. It is now for the House to consider whether they would act upon the assurance of the Finance Minister and vote for the demand or reject it. Therefore, there should be a discussion on this demand. (*Applause*).

### SUPPLEMENTARY DEMAND FOR GRANTS

RAI BAHADUR PROMODE CHANDRA DUTT: Sir, I rise to oppose this demand *in toto*. I say *in toto*, because, not only does it ask for the pay of the establishment, but also for the continuance of the offices. If it had been only for the day my attitude and I am certain the attitude of this House would have been different. But here I find, Sir, that Government is trying to exploit the necessity of paying the establishment to keep alive the offices of the Commissioners for four months, in spite of the mandate of this House to the contrary. The House will remember that the Government of Assam did not like their vote in regard to the cutting off of the expenditure for the offices. They did not like this order at all, and therefore as a first step they challenged the right of this House to cut off that amount. It was not till after the Advocate General came and pointed out their blunders and you, Sir, supported the view of the Advocate General that the Government of Assam came to their senses. Even after that, Sir, they tried to get round that vote. They in effect said—'You have given us the direction not to spend money any further on the Commissioners' offices, but the money is in our custody and we have got the spending in our hands. We shall go on spending.' And there was a sinister motive behind that, Sir, as was pointed out yesterday, and that is that they were expecting orders from the Secretary of State. If the Secretary of State accepts their recommendation, then one office would be necessary for the Commissioners. If the Secretary of State says that both Commissioners should be retained, then both offices will have to be retained. So they thought that the offices should not be dispersed now in case there would be the necessity of reassembling them again. It is only with that object that they are keeping these offices alive for four months.

Now, Sir, what should be the attitude of the Assembly towards this action of theirs? Once we yield to this supplementary demand, we will have to yield all along the line. So let us make it clear to the Secretary of State that we do not want these Commissioners.

Now, Sir, how does the Secretary of State come in? I would refer the House to section 246 of the present Government of India Act. "The Secretary of State shall make rules specifying the number and character of the civil posts under the Crown..... which are to be filled by persons



appointed by the Secretary of State....." Power have thus been given under this Act to the Secretary of State to specify by rules number and character of the posts. Sir, no rules have up to now been made. But under section 276—"Until every provision is made in the appropriate provisions of this part of this Act, any rules made under the Government of India Act relating to the Civil Services of, or civil posts under, the Crown in India which were in force immediately before the commencement of Part III of this Act, shall, notwithstanding the repeal of that Act, continue in force so far as is consistent with this Act, and shall be deemed to be rules made under the appropriate provisions of this Act." This means that the old rules will continue until new rules are framed.

Now, Sir, under the old rules the Secretary of State had the power to prescribe cadres of Civil Services and posts for this province, and it was provided under those rules that there should be two Commissioners for this province. Those rules hold good now. But, Sir, new rules are in course of preparation and this is the time for us to strike. Let us make it clear that we do not want the Commissioners and insist that in the new rules it should be provided that there should be no Commissioners for this province. If we make it clear to the Secretary of State, then he will surely take note of our wishes. And the only way we can express our wish and emphasize it is by rejecting this demand. If the demand had been only for the emoluments of these officers I would not have objected to it. But the demand is really for continuing these offices and that with a definite purpose. I say, Sir, there is a definite method in the way they are proceeding. The Hon'ble the Finance Minister seems to be an adept in the trick of his trade. He knows well how to get round the vote of this House. He has spent the money without asking us, although he had the opportunity to do so before spending it. And when the Secretary of State's order comes, he will, I am sure, come up again with another supplementary demand.

Of course, Sir, he has given us an assurance that he will do away with the offices of the Commissioners whatever the decision of the Secretary of State may be. We, Sir, are bound to accept those assurances. But, Sir, our experiences have not always been consistent. Assurances given with the best of instructions and in all sincerity have not always been fulfilled. Therefore, Sir, I would ask the House not to rely on assurances from anybody. After all, the assurance is that he will not continue these offices after the 1st of January 1938. But what about these four months? He has spent the money in spite of our direction to the contrary. In other words he faces us with a *fait accompli*. We should definitely tell that we cannot and will never tolerate this.

MAULAVI ASHRAFUDDIN MD. CHAUDHURY Sir, so far as the *bona fides* of the statement of the Hon'ble the Finance Minister is concerned, we need not go behind that. I should rather say we should take the matter *prima facie*. The intention of the Hon'ble the Finance Minister is clear. He cannot say that after four months he will be again coming with a further demand, and I think it is his intention that the Commissionership should not continue in deference to the emphatic desire of the House.

So far as the present demand is concerned, it is only to satisfy Article 436 of the Civil Service Regulations. These people must be given some three months' notice, and that was never contemplated at the time the refusal was made. These three months should be given, but the Hon'ble the Finance Minister should have explained the circumstances under which he is rather late in coming up by one month. After all, I think, by agreeing to this supplementary demand, we are rather giving effect to our own wishes, as was emphatically given out by the resolution that was carried. Of course



the time will come when, if we find that the Hon'ble the Finance Minister is not sincere in his statement, we can regulate our votes and our opinion accordingly. But so far as the present demand is concerned, the object is there and the statement is there and I wish that the House should also be taken into the confidence of the Government. On the assurance given by the Hon'ble Minister we find that the Hon'ble Speaker has also ruled.....

THE HON'BLE THE SPEAKER: I was concerned with the *prima facie* case and you are concerned with the real facts, which you can infer and base your decision on.

MAULAVI ASHRAFUDDIN MD. CHAUDHURY: *Prima facie* we all should take it. We need not go behind the statement. The *bona fide* statement is there and we all must take it. If we find something else,—in his move,—of course he will have to come with a supplementary demand and at that time we have got our own turn and we can see whether he is going to flout the voice of this House. We must not at the same time forget that so far as this House is concerned we are all going under the Government of India Act. We must see the limitations under which the Hon'ble Minister is placed. We must also see if he is not in any way carrying the wishes of the House. With these few words, Sir, I recommend that, having regard to the special circumstances, we shall all be agreeable to support the demand and to see that the original resolution is carried.

MAULAVI MUNAWWAR ALI: Mr. Speaker, Sir, I am sure if the House were aware of Rule 436 of the Civil Service Regulations, the verdict of the House might have been otherwise (*hear, hear*), viz., that the employees are entitled to a gratuity that has been asked for now would have been provided for. The House would have reduced the amount of Rs.78,000 and odd to a figure so as to enable Government to give that gratuity. I for one have not been able to see my way to doubt the sincerity of Government in pressing for the supplementary demand at least in this case. It is the continued opinion of this House that the two posts of Commissioners must be abolished. It has been reiterated times without number. Sir, it is not that by voting for the supplementary demand the House will in any way be committed to the principle of reversion. As you have made it clear beyond the shadow of a doubt that by voting this demand, the House does not revise its previous opinion. Sir, that certainly is the true and correct interpretation of the matter. We are not a whit behind anybody in upholding the honour and dignity of the House. We stick firm by our verdict which we recorded in the last Budget Session and if the Hon'ble Minister or the Local Government comes forward to stultify our verdict we will know what to do. But, Sir, I see absolutely no reason whatsoever to refuse this supplementary demand. There is also the question of humanity behind it. These poor clerks must get something before they retire from the services they hold. I say, Sir, there should be no jarring note on this supplementary demand. It should be possible for us, Sir, not to divide the House on this issue and let the supplementary demand be accepted.

MAULAVI ABDUR RAHMAN: Mr. Speaker, Sir, as regards the motion that is now before the House, I have got this much to say that we by a vast majority of the House refused the total demand that was brought before the House towards the cost of establishments of the two Commissioners of the Province. Now, that this supplementary demand has been made, many things have been spoken both for and against it, and the legal aspect of the question has been very nicely decided too. But, Sir, I want to speak a few words in connection with the merits of the question. It



was very justly remarked by the hon. Rai Bahadur yesterday that there is no question of mercy in the matter. Of course it is very harsh on our part when we imagine that some employees of our Province are going to be thrown out of their employment. But, Sir, from a broader point of view, when we judge the whole situation, we cannot but be a bit harsh, because our country is not so wealthy as to maintain luxuries. It is the popular demand,—it is the crying necessity of the country that all unnecessary expenditure which the provincial exchequer has to meet, should be discarded and with that view in mind the motion was adopted by the House that the establishments of the two Commissioners of the Province should be abolished. Now, Sir, the policy and the principle that have been given to the House by the present Constitution should be looked into. By the learned verdict that has been declared by the Chair it is clear that the speech of the Hon'ble the Finance Minister has definitely assured the House that Government is not going to defy the clear wish of the House in any matter. But, Sir, my view in this regard is that Government without coming forward with a supplementary demand, as was justly pointed out by the hon. leader of the Congress Party, could meet this expenditure under section 52 of the Government of India Act, and those officers could be asked to retire after the 30th November last. The amount that we are to meet now for the month of December appears to me to be wholly unnecessary. Of course, the amount that we are to sanction for the month of December may be very small, but I am not concerned with the amount, I am not concerned with the pay of the employees—I always want to be very firm on the principle and policy of the House. I find it, Sir, a real infringement on the rights and privileges of the House that have been conferred under the present Constitution. If our Executive do not pay very careful consideration to the wishes of the House, we have our remedy. As I have already referred that by allowing this supplementary demand, the rights and privileges of the House will be infringed, and so, I am, on principle, opposed to it.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: Mr. Speaker, Sir, I need not waste the time of the House by entering into a detailed discussion on the merits of this question. The only question that is before the House is whether the dignity of the House will be enhanced or impaired by holding out this demand. The House has already shown its strength by abolishing the establishment of the Commissioners. Let not this show of strength be tyrannous. It is only fair and equitable that this House should give those poor clerks the due to which they are entitled, not only under law, but on equity also (*hear, hear*). So, in this view of the matter it will be a gracious act on the part of this House to vote for this demand and to uphold the much talked of dignity of the House.

MR. JOBANG D. MARAK: Sir, I agree with what has been said by my hon. friend Khan Sahib Maulavi Sayidur Rahman. This House is a noble House and the members are also noble, and as such they should be more reasonable and sympathetic. Sir, when I was going back to my place during the last session of the Assembly, many of my friends at Gauhati said that we are very unkind to them. Many hon. members who made speeches on the floor of this House referred to various rules and Acts. Of course, it is very good to know them but the main question is that we should show and give justice and equity to these poor people. These people did not know that the offices of the Commissioners would be abolished. They entered the service on the understanding that their services are permanent and pensionable and now they have become disappointed at the abolition of the establishment of Commissioners' offices. Now the Hon'ble



the Finance Minister has already explained in detail the very need for bringing this supplementary demand which is now before the House. It is now for the Hon'ble House to decide whether they should accept this demand or refuse it. As I have already said, Sir, rules and regulations are good but there are some points in it. People should not suffer simply for some quibbles of law—or rules and regulations. For the sake of equity and justice, I think, it will not be fair to reject this supplementary demand. With these few words, Sir, I support the supplementary demand as presented by the Hon'ble the Finance Minister and I hope this Hon'ble House will accept the demand.

**SRIJUT GOPINATH BARDOLO :** I rise, Sir, to say a few words in reference to the motion that is before the House. We have already said very definitely that we are not out to deprive the poor clerks of their salaries or their remunerations. *(A voice : loud please).* I suppose I am loud enough to be heard by the House. But what we are really anxious from the beginning is that the wishes of the House should have been respected by Government. The cut motion that was passed during the last session of the Assembly indicated that we should get rid of the posts of both the Commissioners. Our idea in refusing the grant of the staff was merely indicative of that attitude. We were therefore very painful to hear the Hon'ble the Chief Minister again coming before the House with a proposal for retaining one Commissioner. In our opinion, Sir, he should have accepted the verdict of the House and if any question was necessary to be taken up to implement the wishes of the House on that matter, he should have taken full steps in regard to that. Even now I stand for the same attitude. I wish that the House should not be divided on this issue if the Hon'ble the Chief Minister be pleased to assure us that he is willing to convey the wishes of the House in the matter, namely, that we do not want both the Commissioners to the Secretary of State. That is, our position, Sir, is in regard to abolition of the posts of the Commissioners. I am glad, Sir, that in this matter we have also the support of my hon. friend Maulavi Munawwar Ali who has just now spoken and the great mover of the motion, hon. Maulavi Abdur Rahman. Then, Sir, we want another assurance from the Hon'ble Minister, namely, that a supplementary demand on the subject should not be forthcoming. This will only indicate that Government is acting according to the wishes of the House. We want an assurance that there should be no more supplementary demand or for the matter of that any demand for the staff of the Commissioners in future.

**MR. F. W. HOCKENHULL :** Sir, we accept the supplementary demand at its face value. We have no other view than that we should get some value from this Staff in return for the 3 months' emoluments which are due to them in any case. We are quite prepared to accept the assurance of the Chief Minister that he intends to abolish this Staff from the end of the year. That being so, we support the motion for the Supplementary Demand.

**THE HON'BLE THE SPEAKER :** I think, the Hon'ble the Chief Minister should reply.

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA :** There are only two minutes' time at our disposal.

The House then adjourned to 2 O'clock.  
*(After lunch.)*

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA :** Mr. Speaker, Sir, I must congratulate the hon. leader of the opposition on the stand that he has taken. I quite realise what has prompted him to ask two assurances from me. The first one is that this Government will try to



follow the dictates of the House and attempt to retrench the two posts of Commissioners. I mentioned yesterday, and also when I placed the statement before the House, that there are certain legal difficulties in suddenly abolishing the two Commissioners' posts simultaneously. I mentioned that there were certain legislative difficulties; there were some Acts which conferred some statutory duties upon the Commissioners—in particular I mentioned the Local Self-Government Act and the Municipal Act. Unless we prepare ourselves by modifying these present enactments, it will be impossible to remove both Commissionerships, for if there be no Commissioners but at the same time the Local Boards function under the present Acts as they will be, the actions of the Local Boards may be declared to be *ultra vires* if taken to a Court of Law. These are some of the considerations which prompted me forthwith to recommend the abolition of one post only.

The second assurance which my friend opposite wanted is that I should assure him and the House that there will be no supplementary demand as regards this establishment during the current financial year. You, Sir, put the same pertinent question to me yesterday, and the reply that I gave yesterday still holds good—that I do not want to bring any, but shall have to be guided by the Secretary of State's decision.

I cannot congratulate my former Colleague the hon. Rai Bahadur Promode Chandra Dutt, in what he said to-day and on the stand that he has taken as regards this supplementary demand. Certain hon. members have already spoken that in presenting this demand for only four months, I am implementing the wishes of this House and not flouting its decision as my hon. friend the Rai Bahadur says. He said that in principle these people on account of the provisions of the Civil Service Regulations have got to be given an emolument, or a gratuity, and I think he said that he would have been only too glad to vote for such a sum, but he could not lend his support to this office being kept on for four months, after the vote of the Assembly. Sir, I need not reiterate what I said yesterday that it was with the intention of getting the best value for the money we are paying that we kept this establishment up to the day for which the supplementary demand is being put to the vote of the House. Everyone knows what are the implications in this demand and in your exhaustive ruling to-day you have cleared the point.

SRIJUT GOPINATH BARDOLOI: Sir, before the division is called we wanted to know from the Hon'ble the Chief Minister what is his present position in regard to the retention of one Commissioner, we know what it was when he asked the Secretary of State to abolish one post. He has said nothing as to what he is going to do now. My query to him was as to whether he is going to take steps to write to the Secretary of State for the purpose of seeing that both the Commissioners are not kept. That is what I wanted of him.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I could not follow my friend, Sir. The question of the Commissioners directly does not come in; the question is as regards the establishments of the Commissioners. In passing, I mentioned that I had already recommended to the higher authority that the post of at least one Commissioner should be retrenched, and I also placed before the same authority the desire of the House that both the Commissioners should go. In view of the legal difficulties that I have already mentioned I did not recommend that the two posts should go forthwith.

SRIJUT GOPINATH BARDOLOI: Cannot these legal difficulties be removed and is Government prepared to do it?



THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Yes, it can be done by an enactment by the House. These Acts will have to be discussed by this House as well as the Upper House.

SRIJUT GOPINATH BARDOLOI : Is Government prepared to do that ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The matter will be considered when we get a reply from the Secretary of State.

The motion was put and adopted. The grant was voted.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs.5,850 be granted to the Minister in charge to defray certain charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head—50—Civil Works (other than Tools and Plants).

Grant originally voted by the Assembly—Rs. 3,93,117.

II.—Sub-head under which this supplementary grant will be accounted for by the Public Works Department.

50.—Civil Works (other than Tools and Plants)—Original Works—Buildings—Medical ... .. Rs.5,850.

I explained the other day that the major portion of this demand was from the M. C. Barua Memorial Funds which came to our hands only after the last budget was framed.

The demand was put to the House and carried.

## PRESENTATION OF A NOTE ON THE FINANCIAL SITUATION OF THE PROVINCE

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I beg, Sir, to present a note\* on the financial situation of the province with reference to actuals of 1936-37 as compared with the revised for that year. A copy of the note\* has been laid on each hon. member's table.

## DISCUSSION ON THE REPORT OF THE LAND REVENUE COMMITTEE

THE HON'BLE SPEAKER : Next item is discussion on the Report of the Land Revenue Committee and considerations of motions and amendments thereon. There is a motion in the name of Srijut Siddhi Nath Sarma.

SRIJUT SIDDHI NATH SARMA : I beg, Sir, to move "That, this Assembly rejects *in toto* the recommendations of the Land Revenue Committee and the Resolution of the Government based thereon as being against the expressed recommendation of the House and insists on a reduction of 33 per cent in land revenue for *Khiraj* Estates as passed by the House in its last budget session."

Sir, in relation to the subject now before the House, the Hon'ble the Revenue Minister, instead of giving effect to the unanimous decision of the House has appointed a Committee without its sanction. It is possibly true, that the Hon'ble the Revenue Member made some reference regarding the formation of a Land Revenue Committee but it is also true, that the House did not lend its approval to the formation of any Committee of this kind. One of the pleas put forward by Government for the formation of the Committee was that it was in accordance with the terms mentioned



by Khan Sahib Sayidur Rahman in his last speech. But from what is stated to the Press on the subject, it will appear that he did not advocate for appointment of any Committee. I read the relevant portion of his statement on this point. I am reading from the *Shillong Mail* :

"What has followed since then, however, cannot be approved by me. I did not advocate for an appointment of any Committee. The Committee was a superimposition of the Ministry. Its recommendations only whittle down the resolutions adopted by the House. It will be my duty now to go against the main body of recommendations. I issued a statement protesting against the recommendations of the Enquiry Committee but through the kindness of the Press it did not see the light of day. The most objectionable features of the recommendations is that it makes invidious distinction between districts so much so that the districts of Lakhimpur and Nowgong are outside the purview of their recommendations. Some mischievous people are giving out that I am responsible for this. Everyone who had cared to go through the proceedings of the Assembly know that I voted for the suspension of enhancement of land revenue falling due to this year in many districts and I asked for an all round reduction of 33 per cent. revenue in all the districts. I am not connected with the Revenue Enquiry Committee. These mischievous remarks do not give credit to the authors thereof".

This is the statement of Khan Sahib Sayidur Rahman and has been published in the *Shillong Mail*. Sir, I now realise that the same hon. member has tabled a motion accepting the recommendations of the Committee thereby implying also, I believe, the acceptance of the Committee. It is difficult for us to understand why and how this change in his opinion has undergone within this short period.

MAULAVI ABDUR RAHMAN : On a point of information, Sir, may we know when this report was published in the papers ?

SRIJUT SIDDHI NATH SARMA : November 18, 1937. But the fact remains, that his statement to the press which was meant for the voters must be taken in the capacity of a representative of the people. Sir, we from this side of the House protest against the formation of a Committee from the very beginning. In our opinion it was distinctly unconstitutional, *ultra vires* and surely against the spirit of the resolution adopted by the House. We, as a party, are anxious to see that the dignity and prestige of the House are maintained at all cost and are always prepared to stand up against any invasion against the rights and privileges of the House. It is in the consciousness of this high sense of duty that we disassociated ourselves from the Committee from the very beginning. In our opinion the Government have done a grave wrong to this House by not acting according to the wishes of the House, and by presenting their decision against the said wishes, they have added insult to the injury. I, therefore, wish the House to stand for its prestige and dignity; and at any rate re-affirm its previous attitude regarding this matter.

Regarding the recommendations, we desire to submit at the outset that the Congress as a party is not going back from their previous position of 50 per cent. reduction of land revenue. But that does not mean that we should stand against the unanimous resolution of the House. If we have not been able to convince the House about the amount of reduction that we sought for, it must be considered to be a misfortune of our tax-payers. But on the other hand what are these recommendations of the Land Revenue Enquiry Committee or the Government resolution



thereon? Do they afford sufficient relief to our poor tax-payers? It will be seen, Sir, that the districts of Nowgong and North Lakhimpur have been taken out of consideration altogether. Certain towns.....

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, I question that.

SRIJUT SIDDHI NATH SARMA: Town of Nowgong and the district of North Lakhimpur. Certain towns where the poor and the rich must alike live and deprived of the benefit of any concession. In other places also this concession has been varied without sufficient and satisfactory reasons. The Government have arbitrarily fixed the poverty standard for holders of pattas of Rs.12 and below. Thus the whole decision of Government is based on guess work without any system in it.

From the examination of the details of the recommendations it will be seen that recommendation No.1 is meaningless, because it will extend only to a limited number of men who have the hardihood to disobey Government order and continue possession in spite of the same. This 50 per cent. reduction should not therefore blind the House by its apparent display of generosity.

The second recommendation although it is apparently in consonance with the spirit of the resolution would apply only to a very limited number of men. In Assam Valley there are very few people including those in the lowest stage of poverty who do not pay land revenue of more than Rs.12. In order to eke out a barest living a man must cultivate at least 4 puras of land, in other words, pay at least Rs.16 and above. On account of the peculiar nature of the soil and the habits of the cultivators very few of them grow more than one crop in a year. Naturally, therefore, they have to take bigger parcels of land and pay much more than Rs.12 as land revenue, in paying which they have been reduced to the lowest stage of poverty in these days of depression. I hope, therefore, that the House will not be misled by this move of Government. Then again the standard by which a 12 rupee or less patta holder has been accepted as poor is quite wrong; for may not a rich man have more than one patta of Rs. 12 or less? Therefore, Sir, the standard accepted by Government is not a just standard and should be unacceptable to the House.

Regarding recommendation No. 3, it will be admitted, Sir, that the Lalungs and Mikirs of the Hills are the poorest of the agriculturists, but this recommendation will exclude such pattadars of the Hills. It is therefore not without adequate reason that the hon. Srijut Dhirsing Deuri retired from the Committee at this stage of the proceedings.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I question that also.

SRIJUT SIDDHI NATH SARMA: But it is in the proceedings that he was not present and he had retired.

I have already stated, Sir, about the people living in the towns. The main point is whether the present assessment in towns is excessive or not. In our opinion there are thousands of poor men living in towns who deserve consideration of the House.

Regarding other points, I do not like to make any reference as they do not concern the main issue of reduction.

Sir, in our opinion the whole issue of reduction has been sought to be confused by bringing into consideration certain extraneous matter. In our opinion, on account of trade depression and gradual exploitation



of our people due to realisation of taxes at excessive rates, all lands as a whole have been unable to bear the heavy taxes that are being imposed to-day.

If remission is wanted it is wanted on that basis and therefore the reduction should be universal. If a man makes a little extra earning through his relatives that can never be counted as an incidence of income from the land. Therefore the fixation of any standard other than that based on incidence of taxation of the land for the purpose of determining the rate of reduction is bound to be arbitrary and therefore unacceptable to the House. This point of view was particularly stressed by the leader of the opposition in his speech on the subject of reduction of land revenue and I do not propose to take the time of the House by repeating them again.

Lastly, Sir, the reduction calculated by the Committee is without any basis and has been grossly exaggerated. They have not been worked on actuals and have been a purely guess work as the entire recommendations of the Committee and the resolution of Government thereon have been. I once more repeat Sir, that we, as a party, desire to respect the wishes of the House for a flat rate of 33 per cent. of reduction although we do not forego the right to press for 50 per cent. reduction of land revenue. Sir, we beg to say that we have the support of the entire country behind us for the attitude taken by us. It will be seen that no less than 200 public meetings were held in different parts of the country unanimously condemning the Ministry for not giving effect to this resolution of the House. I hope, Sir, that hon. members will take note of this resolution, will pay heed to their piteous appeal and grant them redress at present, at least in terms of the resolution adopted by this House.

THE HON'BLE THE SPEAKER: There are three other motions standing in the name of Srijuts Rajendra Nath Barua, Gauri Kanta Talukdar and Babu Rabindra Nath Aditya. They are practically in the same terms. Do the hon. members want to move them.

BABU RABINDRA NATH ADITYA: No, Sir, we do not want to move them.

THE HON'BLE THE SPEAKER: There is another motion standing in the name of Khan Sahib Maulavi Sayidur Rahman. Does he like to move it?

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: Yes, Sir.

SRIJUT KAMESWAR DAS: I also want to move my motion, Sir.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: Mr. Speaker, Sir. As a mover of the amendment that was adopted by this House in the last session I owe to the House to explain what exactly is my position with regard to the decision that has been arrived at by Government on the recommendation of the committee. At the time of moving the amendment I moved for a motion of reduction at the flat rate of 33 per cent. and said that I would give the Ministry some latitude as regards reduction. For the remembrance of the House I would like to read relevant portion of the speech that was made by me at the time.

I would not want to tie their hands. I want to give them some latitude to the Hon'ble Ministers in the matter. If the Hon'ble Minister gives this relief to the extent of 33 per cent. of reduction to the *bonafide* agriculturists who are unable to pay, who generally pay annual revenue to the extent of Rs.25 or Rs.30, I think the object of the resolution will be



served. Of course I am for giving him latitude in the matter for their judicious discretion. I would ask him to atleast to give effect to the resolution to this extent namely to grant reduction to the extent of 33 per cent. to those people who needed most.

SRIJUT RAJENDRA NATH BARUA: On a point of information, Sir. Is the fact that 25 per cent. reduction was contemplated in the speech of my hon. friend there?

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: I have made it clear. The Hon'ble Minister said that Government was agreeable to accept the amendment in the light of my speech but afterwards the amendment was put and carried by the House without a division. That I thought altered the position. The appointment of a Committee therefore, as it will be clear from my speech, I did not advocate. The appointment of a Committee could not be appreciated by me and its recommendations also fell far short of my expectations. I issued a statement which has just been read and I still hold that the recommendations of the Committee are inadequate. The decision of Government based on those recommendations had not meet the wishes of the people, and there has been a strong feeling in the country.

THE HON'BLE THE SPEAKER: Has the hon. member read his amendment?

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: I did not read my amendment, Sir. I thought I would do it afterwards. However, Sir, I beg to move "that this Assembly considers the recommendations of the Revenue Enquiry Committee as inadequate in many respects but having due regard to the present financial position of the Government of Assam accepts the decision of the Government based on those recommendations for what it is worth and at the same time urges upon the Government to implement the amendment adopted by the House during the last session, e.g., remission of revenue at the flat rate of 33 per cent. as soon as funds permit".

Sir, I do not accept the recommendations of the Committee but I accept the decision of Government. SR

MR. FAKHRUDDIN ALI AHMED: On a point of information, Sir. Did the words 'funds permit' not occur to the hon. member when he moved the amendment during the last Budget session.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: It occurred to me and that is why I moderated my speech.

I shall refer to the inadequacy of the recommendation a little later. Now there is a strong feeling of disapproval everywhere.

We on this side of this House instead of taking up the position of irresponsible critics must place ourselves in the position of the Ministers, and try to understand their difficulties. We shall have to judge the matter from their standpoint. It behoves us to review the considerations which lead our Ministry to arrive at this decision. We cannot lightly brush aside the decision as unacceptable or reject it as unworthy of consideration. SR

We appreciate the difficulties of Government in giving full effect to the amendment that was carried. We realise to our regret that at this stage of unstable finance Government cannot afford to lose 30 lakhs, although we think that more liberal remissions than those proposed could have been granted. We also appreciate, Sir, the inequity of a flat rate reduction. Our attitude towards the decision of Government, therefore, is not antagonistic but sympathetic. We trust in the good sense of the Hon'ble Minister who has the reputation of being a friend of the un-friended poor. He will no doubt give very careful consideration to the demand of



the people, to their grievances, and lastly to the inadequacy of the reliefs granted. We must give him credit for acting *bonafide* to meet the wishes of the people.

Now as regards the inadequacy, in the first place we think that 33 per cent. reduction should have been granted to all *pattadars* paying Rs.40 and under, because most of these indigenous poor cultivators have to pay an average annual revenue of Rs.40 or so. Payers of Rs.12 and under are mostly squatters without any fixed abode. Secondly, Sir, this 50 per cent. reduction will benefit only a very small percentage of the people. Nothing is mentioned about the payment of arrears of revenue. Recommendation No. (i) of the Committee says—"All over the plains districts of the province, the previous holders of estates, the settlement of which were annulled for failure to pay the revenue on account of poverty and, who are still in possession should be restored to their previous status with a 50 per cent. reduction in their original revenue; the outstandings shall be left to the discretion of the Government". But it is not mentioned there whether the *pattadars* will have to pay the arrears of revenue, or not. If they have to pay the arrears of revenue then I think the relief that is going to be granted will be only nominal and will not be availed of by them. Thirdly, Sir, I do not understand why town lands have been deprived of relief No. (ii) *viz.*, "all over the districts above referred to all *Khiraj* estates assessed to a revenue of Rs.12 and less should be allowed a reduction of annas 5 in the rupee irrespective of the fact whether previously they were given annas 3, annas 2 or anna 1 in the rupee". So, Sir, this concession has been withheld from the *pattadars* of towns. There are many poor people in the towns also. Then why should they be excluded from this benefit? Then fourthly about the deferred enhancement. The deferred enhancement, Sir, should not have been mixed up with these remissions. As this decision relates to this year only, it should have been definitely stated in recommendation (v) which district was meant. If it be Lakhimpur, as I thought it was, I protest against this unequal treatment, Sir. Because this very House gave a verdict against the proposed deferred enhancement in Lakhimpur district. Then why should it be adjusted against the proposed remission?

I hope, Sir, the Ministry will take these criticisms in the spirit in which they are offered and try their level best to act up to them.

One thing has to be remembered and that is that this resolution refers to this year only, namely 1937-38. So the verdict of the House had already been recorded, and I still stick to that decision of the House. It is now up to Government to give full effect to this. We only wish that they will be in a position to grant greater and greater relief as the financial situation goes on improving day by day. The Ministry must realise that the ill-fed, ill-clad and ill-housed people on the country-side are looking wistfully towards them for a full share of the relief claimed. The sooner they can grant them that, the better. So in conclusion I appeal to the Ministry to give their earnest thought to the matter and act to the resolution that was adopted by this House. With these remarks, Sir, I move my amendment for the acceptance of the decision for what it is worth, and at the same time I ask the Ministry to implement these resolution.

THE HON'BLE THE SPEAKER: The motion moved is—"That this Assembly considers the recommendations of the Revenue Enquiry Committee as inadequate in many respects but having due regard to the present financial position of the Government of Assam accepts the decision of the Government based on those recommendation for what it is worth and at the same time urges upon the Government to implement the



amendment adopted by the House during the last Session, e.g., remission of revenue at the flat rate of 33 per cent as soon as funds permit".

MAULAVI NAMWAR ALI BARBHUIYA: May I know from the hon. mover whether, when he speaks of 33 per cent. reduction, he intends to include the Cachar district also?

THE HON'BLE THE SPEAKER: It is for the whole province.

MR. ARUN KUMAR CHANDA: Sir, my hon. friend Khan Sahib Sayidur Rahman has acquired a great reputation as an authority on amendments. He is always ready and available to come up with amendments at very psychological moments. But the House has witnessed today the edifying spectacle of his bringing an amendment to his own statement published in the columns of the *Shillong Mail* of the 18th instant.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: I still stand by that statement, Sir.

MR. ARUN KUMAR CHANDA: Sir, my previous speaker, the hon. Mr. Sarma, has already drawn the attention of the House to the fact that the Ministry treated this House with scant courtesy in constituting a Committee which was not desired by the House. It is my desire now, Sir, to invite the House to examine and see how shabbily they have treated my district, Cachar. It is because of this, Sir, I feel that it is a matter on which I could not persuade myself to cast a silent vote. It is to be borne in mind that the last re-settlement of Cachar dates back to the year 1918 when the prices of agricultural produce were very high as a result of the aftermath of the Great War. Soon after there was a sharp decline in the prices of agricultural produce. And then to crown Cachar's sufferings and woes, came the great devastating floods of 1929. Since then the floods have been a sort of a hardy annual in my district, and the alternating bouts of drought have also played havoc with our crops from year to year. It is well known to the House that Government felt compelled to grant a substantial amount of agricultural loans and gratuitous relief in my district, and in spite of the harshest of measures which a civilized Government could adopt in the realisation of their dues, a large part of that loan still remains outstanding. Government know better than any one else that also since 1929 a substantial part of the land revenue of the district of Cachar continues to remain outstanding.

Sir, the Hon'ble the Revenue Minister in the last Session was pleased to remark that there was a sign of return of prosperity in the district of Cachar, because there had been a rise in the collection of land revenue.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Will the hon. member please refer me to the report in which it is said?

MR. ARUN KUMAR CHANDA: I will do it to-morrow. I have not got the Gazette just now. Sir, I also desire to draw the attention of the House to a few figures which tell their own tales. Before the year 1930, revenue sales were practically unknown in the district of Cachar. But in a question which I put in the current Session—it remains to be answered, but I have got the printed answer; I think I can refer to that Sir (The Hon'ble Speaker:—Yes)—the Hon'ble the Revenue Minister states that the amount realised for default of Kists as process fees only in the year 1934-35 is Rs.20,276, and the number of estates sold in that year is 32.

In the year 1935-36, the amount realised for the		
default of Kists as process fees	...	Rs.
Number of estates sold	...	36,687
In the year 1936-37 the amount realised for		29
default of Kists as process fees	...	30,00,300
The number of estates sold	...	and odd.
		49



And only yesterday, Sir, I received a telegram from the Secretary of the Bar Association to the effect: "Kindly move Revenue Minister for postponement of revenue sales till harvest gathered stop. Immediate intervention necessary as 43 Mahals on sale to-day more pending for Monday".

So, I believe, Sir, this is sufficient to bring home to the House the destitute character of the masses in the district of Cachar. Now, Sir, my previous speaker, Mr. Sarma, has charged the Hon'ble the Revenue Minister with flouting the wishes of the House in constituting a Committee. I charge the Ministry with this and also with breach of faith. The Hon'ble the Chief Minister stated in the last Session: "certain remarks have been made by my hon. friend Mr. Namwar Ali Barbhuiya from Cachar complaining that Cachar did not get the same treatment as the rest of the temporarily settled areas, I can assure him, Sir, if by enquiry we find that the Cachar people are not in a position to pay this, they will get the full benefit of the 33 per cent. reduction". That was the statement which was made by the Hon'ble the Chief Minister. I am the last person, Sir, to cater for valley jealousy. I do not grudge my friends of the Assam Valley for what crumbs of mercy have been made available to them. But what I submit is that I desire to invite the attention of the House to invidious distinction which the Hon'ble the Revenue Minister has made in case of my district. There is nothing to justify this attitude of Government towards Cachar; no data on which it could have been justifiably arrived at. Sir, the condition of the people of Cachar is well-known to Government and the fact that the other Valley in the province has received a higher rate of reduction than the district of Cachar is in the circumstances an obvious act of serious injustice.

I also desire to draw the attention of the House to the very able note of dissent which my hon. friend Mr. Namwar Ali Barbhuiya has felt compelled to attach to the report of the Revenue Enquiry Committee. He says "The paying capacity of the people of my district has gone down very much after the devastating flood of 1929 and this is proved beyond doubt by the amount of agricultural loans remaining unrealised after 7 years' strenuous attempts on the part of the authorities by all kinds of coercive measures and the amount of arrear of Land Revenue at the close of each year also the Civil Court Sales of immovable property.

The paying capacity of the people of the temporarily-settled districts of the Assam Valley is higher than that of my people and it is proved from the amount of Excise income of Government although it must be admitted that the indigenous Assamese agriculturists are much less laborious than the Bengali of the other Valley.

I, therefore, regret very much that I have to write this note of dissent but I am sure I have made myself sufficiently clear how I was compelled by stress of circumstances to adopt this course."

So, I submit, Sir, that in this case I am in very good company because he is a member of the Revenue Enquiry Committee. He was present at the time the Committee deliberated and arrived at certain conclusions. And he has been compelled by stress of circumstances to write a note of dissent. I stand by that note of dissent. I also stand by the amended resolution of the last Session, and further I stand by the statement of my hon. friend Khan Sahib Sayidur Rahman—not as amended here but as published in the *Shillong Mail* of 18th November last!

BABU LALIT MOHAN KAR: Mr. Speaker, Sir, the fate of the resolution recommending reduction of 33 per cent. of land revenue has by this time become known to all. It is very regrettable that responsible Ministers of the autonomous Government should have so carelessly flouted



the public opinion and the opinion of this House (*hear! hear!*). The question before us is now more or less a question of principle. How does the Council of Ministry dare to act contrary to the wishes of the House? How does this Committee not intended by the members venture to go against the verdict of this responsible House? Are we to understand that the Council of Ministers has no respect for the opinion of the Assembly? It is no doubt a typical instance of responsible Government under the present Constitution, which is said to have conferred upon us the right of self-Government! To what extent should reduction of land revenue be effected is not the question now. But the question is how the rights and privileges of the House can be maintained. Let me hope, Sir, that the hon. members of the House will not be lacking in courage to uphold the prestige and dignity of the House. We are standing in the threshold of a new era, and let not fear and frown dissuade us anybody from the right course.

With these few words, Sir, I support the amendment moved by my hon. friend Mr. Sarma.

**MAULAVI MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** Mr. Speaker, Sir, I am sorry that I feel disinclined to lend my whole-hearted support to the amendment moved by my friend Khan Sahib Sayidur Rahman (*hear! hear!*). It was his own amendment, Sir, recommending 33 per cent. reduction of land revenue to *Khas Mahals*. That was accepted by the Assembly during its last Session. The Hon'ble the Revenue Minister moved that 25 per cent. flat reduction be granted, and reduction to the extent of 33 per cent. be granted to those who are real cultivators, and to determine the ways and means to give effect to this quota of reduction a Committee be appointed. Sir, the House was unanimous in rejecting the motion of the Hon'ble Minister. Now, Sir, I fail to understand how, on the face of that amendment of Khan Sahib Sayidur Rahman, the Council of Ministers could appoint a Committee to determine the ways and means to give effect to that amendment. By this, Sir, the Council of Ministers have not only flouted the decision of this Hon'ble House, but they have hit the dignity and prestige of this Hon'ble House. They have made invidious distinction between land and land, between district and district. It is surely not abiding by the clear and unambiguous decision of the House. I am not prepared to be contended until and unless an assurance is given by Government that they will give effect to the decision of the House, i.e., they will reduce the land revenue upto the extent of 33 per cent. without making any distinction between land and land, plot and plot, district and district (*hear! hear!*).

**SRIJUT LAKSHESVAR BOROOAH:** Mr. Speaker, Sir, my hon. friend Srijut Siddhinath Sarma moved a resolution in the last autumn session of the Assembly recommending 50 per cent. reduction of land revenue. He marshalled facts to show that since 1893 to 1925-26, the incidence of taxation rose from 0-11-4 pies per bigha to 0-16-08 pies per bigha, without any corresponding improvement of the condition of the *raiya*s. He also pointed out that according to the Government report in the settlement before last the incidence of taxation was 0-11-4 pies when the price of paddy was Re.1-5-0 per maund. Although the price of paddy in the last settlement came down to Re.1-2-0 the incidence of taxation rose to Re.1-6-0 per bigha. According to the report of the taxation ment of India the burden of taxation on the poor agriculturists was Rs.4-12-9 as against the daily income of Re.0-1-6 per day. Sir, these facts fully justified the claims of the poor agriculturists to a reduction of 50 per cent. of land revenue, but other considerations prevailed with the hon. members of this House whether administration will be possible



with the huge reduction of revenue that 50 per cent. remission would entail. The hon. members after giving due consideration to the cause of the Government as well as to the cause to the *raiylats* were in favour of voting for 33 per cent. reduction and the motion of my hon. friend Khan Sahib Maulavi Sayidur Rahman was unanimously adopted in this House to this effect. It may be remembered that the Hon'ble the Revenue Minister during the course of the debate suggested that an Enquiry Committee should be constituted but the whole House disapproved this suggestion as they did not like diletory method. After the decision of the House, the Hon'ble the Revenue Minister also suggested that the amendment should be given effect to in the light of the alterations suggested by the hon. mover of the amendment in his speech but this suggestion was also resented from all quarters of the House. So, Sir, in the natural course of things, we hoped that the Hon'ble the Revenue Minister who represents the Popular Ministry and who belongs to a party which claims to represent the popular will of the agriculturists would uphold the dignity of the House by carrying out the amended resolution unanimously passed by this House. I am extremely sorry that the Hon'ble the Revenue Minister thought it better to call a Revenue Enquiry Committee which in fact whittled down the unanimous decision of the House. Sir, the recommendation of the Committee met with universal indignation and alarm throughout the length and breadth of this province. As soon as the recommendation of the Enquiry Committee saw the light of the day, meetings at every nook and corner of the province were held and are being held condemning the decision of the Revenue Enquiry Committee as well as condemning the action of the Hon'ble the Revenue Minister. The other day only I received a telegram from my constituency. Most probably my hon. friend the Ho'ble the Revenue Minister has also received a copy of the telegram. The telegram reads thus "Tingkhong Rayats pray 33 per cent. revenue reduction without distinction and endorse last Assembly's resolution." Failing as we unfortunately did in 50 per cent. reduction the poor rayats should be at least granted 33 per cent. reduction of revenue. Without committing myself to the recommendation of the Revenue Committee I assert that its recommendations are not accepted for the following reasons. Firstly because, according to the amendment of Khan Sahib Maulavi Sayidur Rahman, the reduction of 33 per cent. was to be given effect to from 1937-38 and onwards whereas the recommendation of the Committee is that the period should be limited only to 1937-38, and thus the recommendation of the Revenue Committee strikes at the very root of the amendment of my hon. friend Khan Sahib Maulavi Sayidur Rahman. The first clause of the recommendation of the Land Revenue Committee, places the defaulter in a land of uncertainty for the Local Government may or may not grant remission of the accumulated arrears of revenue to the defaulter. The second clause which gives relief to *patta* holders of Rs. 12 and under will benefit a very small percentage of the agricultural population. It is well-known that an average agriculturists require at least 16 *bighas* of paddy land and about 6 *bighas* of homestead land for locating their houses and planting other crops, for which he has got to pay Rs. 25 approximately. The recommendation contained in clause 2 does not give any adequate relief to the agriculturists that live in joint family. The revenue for such lands held by joint-family is usually Rs. 50. The recommendation No. 8, affects my district and I shall be failing in my duty if I do not speak on it. Sir, much earlier than the amendment in question was passed, the House by a large majority carried a cut motion stopping the operation of deferred enhancement and I do



not see any reason why the people of Lakhimpur district should not get the benefit of 33 per cent. reduction also. The Hon'ble Minister may probably know the benefit of deferred enhancement will be enjoyed by those *pattadars* whose revenue was increased by 25 per cent. So the *pattadars* whose revenue was increased by less than 25 per cent. will have to pay the enhanced revenue. With regard to other clauses my predecessors have dwelt on them and I do not wish to repeat them.

THE HON'BLE THE SPEAKER : The Hon'ble Minister may give his reply.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Mr. Speaker, Sir, when this resolution was discussed in the budget session of the Assembly I, on behalf of Government, made the position very clear. We were in favour of granting relief to the agriculturists, and we were in favour of granting the greatest possible relief to those persons who needed it. That was the policy and the principle which we had in our view when we came to a decision on the recommendation of the Land Revenue Enquiry Committee.....

KUMAR AJIT NARAYAN DEV : On a point of information, Sir. What is the policy of Government in this matter as regards the district of Goalpara ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : The same policy has been pursued in temporarily-settled area of Goalpara as in other places.

Sir, the House by an overwhelming majority of votes rejected the recommendation for a reduction of land revenue by 50 per cent. In the course of the discussion I said that it would be necessary to form a committee to enquire into the economic condition of the *raiya*s, how far the burden of land revenue has stood in the way of economic progress, and what device could be found out to give them adequate relief. Sir, I have gone through the proceedings of the Assembly again, and although I suggested the formation of a committee in my very first speech I find that no one disapproved of the idea of the formation of that committee by any overt speech. On the other hand, Sir, I find that my hon. friend Mr. Ashrafuddin Md. Chaudhury expressed his approval of the idea of the formation of the committee. Sir, the amending resolution of my hon. friend Khan Sahib Sayidur Rahman was accepted, as has been stated, without a division of this House, and I made it perfectly clear that I accepted his amendment in terms of the speech which he delivered and in terms of what I have myself said.

Sir, that was the amending resolution, and the amending resolution contained a recommendation that reduction should be granted at 33 per cent. Now, Sir, it was up to Government either to accept that recommendation or not to accept that recommendation. Sir, we gave our most serious consideration to that resolution, and instead of acting on our own responsibility we stood by the pledge that we gave that we shall consult a committee consisting of hon. members of this House. Accordingly in order to get this assistance, that co-operation, from the hon. members of this House, the Government constituted a committee and invited 3 members from the party opposite to sit on that committee. Sir, if these hon. members had instead of boycotting that committee at the eleventh hour, decided to co-operate with it they might have influenced the decision of the members to arrive



at a different decision and which decision might have been accepted by the Government if they were convinced of its reasonableness. Sir, I said at the very beginning that Government was not bound to accept the reduction at a flat rate of 50 per cent. and therefore in order to devise the means as to how we could give the greatest relief we consulted a committee composed of at any rate three experienced revenue officers. I mention the name of Mr. Dawson who was the Member of the Revenue Tribunal, Mr. Patton, Revenue Secretary, and Mr. Durgeswar Sarma who is the present Director of Land Records. Added to that we had the advantage of the ripe experience of Khan Bahadur Mufizur Rahman who had retired after a distinguished career as Assistant Director of Land Records. Sir, I hope the hon. mover of this amendment, I mean Mr. Sarma, realises the position into which he has thrown himself. He is, or at any rate he belongs to a party which is out to give relief to poor agriculturists. If the House accepts the amendment what does it mean? It means that the principle which actuated Government to give relief up to 50 per cent. has to be turned down altogether, *i.e.*, that no person should get a reduction of 50 per cent. Is not that the plain meaning of the acceptance of this amendment? *i.e.*, that it is urging on Government not to give any relief beyond 33 per cent. which this House passed. The Government were prepared from the beginning to go up to 50 per cent. in deserving cases. Now, Sir, that is a very acceptable principle, and it will also have to be admitted by every real Congressman, but I am really disappointed to find that the Congressmen of this province do not accept this principle, but what do we find.....

KHAN BAHADUR MAULAVI KERAMAT ALI: On a point of information, Sir. Is it not a fact that there was a resolution in the name of one of the Congress members for a 50 per cent. flat rate reduction?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Yes, there was a resolution from a Congress member for a flat rate reduction at 50 per cent. In other provinces the Congress Ministry has nowhere exceeded a flat rate of reduction at 20 per cent. But what was the Congress manifesto in Assam at the time of the elections? They were out to reduce the revenue by 50 per cent. But what was the principle adopted by the Indian National Congress in the election manifesto? It reads thus "Pending the formation of a fuller programme the Congress reiterates its declaration made at Karachi that it stands for a reform of the system of land tenure and revenue and rent, and an equitable adjustment of the burden on agricultural land, giving immediate relief....." (I want the House to note with care the words "giving immediate relief"), "to the smaller peasantry by a substantial reduction of agricultural rent and revenue now paid by them and exempting uneconomic holdings from payment of rent and revenue".

MR. BAIDYANATH MOOKERJEE: On a point of information, Sir. Has the Hon'ble the Revenue Minister accepted that Congress manifesto?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I did not go out for election on that manifesto and I did not give the promise that the *raiylats* will get a 50 per cent. reduction. But I say that the principle of giving substantial relief to the smaller peasantry has been accepted by this non-Congress Government and it is only up to a Congress Member.....

SRIJUT KAMESWAR DAS: May I know on a point of information, Sir, how much amount is involved in the recommendation No.1 which gives 50 per cent. to certain classes of people?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I shall reply to that in the course of my speech.



Now, Sir, has the hon. member of the party opposite given us any indication as to who should be called smaller peasantry if they want to give special consideration and opportunity to the smaller peasantry? Sir, by the recommendation they make, they want a fifty per cent. or a 33 per cent. flat rate, applicable to rich and poor alike. If they say that they want 33 per cent. for all and 50 per cent. for the poorer peasantry, I could have understood them and they will be carrying out the Congress principle faithfully. Nothing of the sort. Here in Assam Government want to give effect to the principle; it did not depend entirely on its own judgment but requested co-operation in their decision from as many as three members of the Congress party and invited them to take part in this Committee and advise Government. But that request was not heeded to. That only shows that their clamour for the substantial reduction of land revenue is not a genuine one.

I will now draw attention of this House to what exactly other provinces have done in this matter of land revenue reduction. I have got the latest information and I have here a letter from Bengal, dated 22nd November 1937. I will give to the House the state of affairs in the other provinces.

In Bengal it is about ten per cent. to the estates under direct management of Government in two districts only, Chittagong and Pabna. The grounds are partly local conditions and partly general fall in prices of agricultural produce. No general remission as a whole was granted on account of economic depression.

In Bihar none whatsoever. Be it remembered that it is a Congress Province.

In the North-West Frontier Province, a Congress Province again, Rs.50,000 and the remission of a further sum of Rs.50,000 which is under consideration. The demand of land revenue is nearly 21 lakhs and this will make about 5 per cent. of remission.

Then Sind; there is no flat rate of reduction here. Some are granted no reduction at all and the reductions where granted are graded from zero to 25 per cent. and no remission is allowed there when prices have not fallen by 15 per cent.

In Bombay, also there is no flat rate of reduction and the rate given ranges from zero to 25 per cent. and there is no remission where prices have not fallen by 25 per cent.

MR. BAIDYANATH MOOKERJEE: On a point of information, Sir, is the Hon'ble Minister ready to follow these provinces in other matters also?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: That is not an intelligent enquiry.

In Central Provinces, and Berar there is no remission. That is also a Congress Ministry province.

In United Provinces the reduction is about 16 per cent.

MR. BAIDYANATH MOOKERJEE: I think, Sir, the comparison is not at all intelligent.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I cannot help if it is not intelligible to the hon. member. It is God who gives intelligence to us and no Government however obliging it can help the hon. member in this matter.

In Orissa next, which is again a Congress Ministry province—in Ganjam district alone i.e., to say only in one district out of the whole province, the remission is from 9 to 12 per cent. And the rate is not flat.



In the Punjab it is less than 3 per cent. remissions amounting to 11½ lakhs of rupees out of a demand of Trs. 4,33,000 was granted throughout the province but in four localities additional concession to the extent of 20 to 40 per cent. was also given in the case of colonies. So in the Punjab it has gone from 3 to 40 per cent. It is a very high rate of concession in the Punjab but that, I may remind the House, is a non-Congress province like Assam.

**SRIJUT PURNA CHANDRA SARMA:** On a point of information, Sir, may I know the schemes adopted by the Congress provinces in the matter of water-supply and irrigation?

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI:** In no province, Sir, has any other scheme been ready. On the other hand I read from the speech of the Hon'ble the Revenue Minister of Central Provinces, where he says that he had no time to draw up a scheme: that he mentioned in answer to a question put to him whether he could not draw up a scheme.

**THE HON'BLE THE SPEAKER:** The question asked is whether there was any scheme in other provinces on irrigation?

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI:** Scheme for irrigation and not for remission? I did not know that my hon. friend would so quickly wander from land to water.

Now, Sir, let us look towards this poor benighted province of Assam. Formerly, Sir, the rate of reduction was 6¼ to 18¾ per cent. Now it is from 12½ to 50 per cent. It has been urged by my hon. friend Sriji Siddhi Nath Sarma and it was approved by the hon. the Leader of the Opposition with a broad smile that this remission of 50 per cent. is a *chhalaki*. But that will not I think be admitted by my hon. friend from Tezpur where in that unfortunate district a large number of estates was annulled and the settlement holders will all have to be granted reduction of 50 per cent. Let me explain to the House the consequences of the decision which has been arrived at by this Government. Now, Sir, this decision of Government will land Government into an additional sacrifice of Rs.11 lakhs. So that roughly speaking the total remission of land revenue of this province will amount to nearly 30 lakhs of rupees, i.e., out of the total demand of 1 crore and 20 lakhs of rupees we have to grant 30 lakhs. But in this connection I may inform the House that the total demand of 1 crore and 20 lakhs include also the revenue derived from the tea estates all of which will not get benefit from this reduction. So roughly calculated it comes to this: that out of 1 crore of rupees we are giving remission of nearly 30 lakhs and therefore the Government decision is behind the resolution of this House by only 3 per cent. Therefore, Sir, if we have to give any further reduction than this what are we to do? We shall have either to make very drastic retrenchment which will affect our nation-building and beneficent institutions or we shall have to increase our resources by ushering measures of additional taxation. As regards these two matters Government did not like to anticipate the decision of the Retrenchment Committee which was offered by the Hon'ble the Chief Minister and which, with the usual and praiseworthy courtesy which my hon. friend Opposite shows to the Hon'ble the Chief Minister, has been fully co-operated by many Congress members of this House.

**MR. BAIDYANATH MOOKERJEE:** That was the desire of the House, but the Land Revenue Committee was not desired by it.

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI:** A layman becomes more enthusiastic than a lawyer himself (*loud laughter*). How he is going to defend the Congress party for their non-participation in my Committee? But what defence has my hon. friend—the champion of that



party who do not require any defence from him—what defence has he for that party for their participation in the Line System Committee? The idea of a committee was criticised by almost every one of that group, still that group has participated in that Committee.

MR. BAIDYANATH MOOKERJEE: In his own language, I can explain that I did not mean that.....

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Is it a point of order, or explanation or information?

MR. BAIDYANATH MOOKERJEE: On a point of explanation. In his own language, Sir, I can explain but I cannot give him the power of understanding. I did not mean any defence. The group is strong enough to defend itself. Sir, I have not come here to defend any particular group but to plead for everybody's cause, when it is just.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am glad that my hon. friend is not attempting to defend that party, because they do not seek his defence for they know that his defence will lead them to a deeper ditch.

Now, Sir, there are three courses open to Government, *viz.*, either to make a drastic retrenchment or to increase the burden of taxation and there is a third means which was suggested by my hon. friend Maulavi Abdur Rouf as well as by my friend Maulavi Osman Ali Sadagar. They said that there was no necessity of worrying about remission, it will place Government in a sound financial condition if they allow all waste lands to be occupied by the Mymensing immigrants. Maulavi Osman Ali Sadagar mentioned that he has seven thousand applications and if those applications were granted, Government would be more than compensated.

Now we have two different Committees—the Committee for retrenchment and resources and the Line System Committee. Therefore, until we heard the decision of those Committees and until we knew our position as to how we could carry on the present Government, we could not go beyond the limit of safety.

Sir, I fully recognise and I hope my hon. friends of the Revenue Committee will not mind my saying that the report has not been quite perfect, because the Committee had to arrive at their conclusion rather hastily. The next demand for land revenue falls due in January and at least one month's notice must be given to the Revenue Officers so that the *chitas* and *jamabandis* may be corrected. Now in order to give effect to the resolution we had to devise some means. If we had left it to inquiry by our revenue officers there would have been all sorts of allegations. Primarily the inquiry would have been made by Mandals and Patowaries and supervised by the Kanungoos, and there would have been allegations against the Mandals for taking bribe and showing a rich man as a poor man and so on. I also recognise that this recommendation of the Committee has some defect in that some rich men will be able to get the benefit of 33 per cent. reduction and a small number of poor people will also be deprived from the benefit of 33 per cent. reduction. But we have no other basis to go than this, because if we had left all these things for inquiry by our revenue officers there would have been more troubles and discontent and all sorts of allegations made against them. Therefore we had adopted this criterion of Rs. 12. Those of my hon. friends who were pleased to peruse the note of dissent of Mr. Dawson have also seen how according to him a *patta* of Rs. 8 would have been more appropriate. I am also referring to the remarks made by Mr. Dawson in his note of dissent in which he said that so far as the *pattas* of Rs. 12 are concerned, this relief will be



received by at least 53 per cent. of the *patta* holders. So is it not an adequate relief? Can anybody rightly say that we are whittling the amended resolution which was passed by this House?

Now I will mention how Cachar and Sylhet are being benefited. Up to the last year the benefit of remission which the agriculturists of Cachar got was only one anna in the rupee. Now for all *pattas* for which 12 rupees have to be paid, they will get remission of Rs. 3-12-0 in place of 12 annas and yet it is very hard to please my hon. friend Mr. Chanda because he is determined not to be pleased with anything that I do. Similarly in the Jaintia Pargana up to 1937 they used to get two annas in the rupee, i.e., that got the relief of only Re. 1-8-0 in a *patta* of Rs. 12 and now they will get the relief of Rs. 3-12-0. Well, Sir, that is not a small relief. Similarly the Hon'ble House will be pleased to remember that in the Assam Valley districts the relief will be only from three to five annas or three to four annas whereas in the Surma Valley districts the relief will be from 1 to 5 annas and 2 to 5 annas.

So, Sir, notwithstanding the parochial tone of my friend Mr. Chanda's speech, I will tell him that, if he carefully examines the recommendations of the Committee and the resolution of Government he will find that very substantial relief is going to be given to the poor people of the districts of Sylhet and Cachar.

MAULAVI GHYASUDDIN AHMED: What about temporarily-settled estates?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Where they got before one anna, they will get five annas in respect of *khiraj* estates assessed to a revenue of Rs. 12 and less. In regard to other *khiraj* estates paying above Rs. 12 as revenue they will get one anna more.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI: May I know if any part of Sylhet barring the Jaintia Parganas will get the benefit?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: We are considering the relief to temporarily-settled areas only.

KUMAR AJIT NARAYAN DEV: What about the tenants of Bijni?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: That was not the subject matter of the Enquiry Committee?

KUMAR AJIT NARAYAN DEV: I mean the temporarily-settled area.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: If there is any temporarily-settled area there, I will remember their case.

KHAN BAHADUR MAULAVI MAHMUD ALI: Is the Hon'ble Minister aware of the present financial plight of Cachar, Ratabari, Patharkandi, etc.?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I take it that the poor man's plight is very bad. Such people will get five annas in the rupee whether they belong to Cachar or Assam Valley districts; only my town of Gauhati will not get any relief.

Now, Sir, I may refer to page 6—note of dissent of Mr. Dawson—of the proceedings of the Land Revenue Enquiry Committee. There a calculation is made of the present remission and the Committee's proposed remission if three anna in the rupee be allowed. Where the Committee's new remission will be Rs.3-12-0 the proportionate new remission will be Rs.3-12-0. Where the Committee's new recommendation is Rs.2-13-0, the proportionate new remission should have been Rs. 2-8-0. Where the Committee's recommendation is Re. 1-14-0, the proportionate new remission should have been Re. 1-4-0.



Let us look to the liberality that has been shown by the Committee in its recommendation which has been accepted by Government. Then as regards the areas where deferred enhancements were brought into force, they will also get some benefit.

**SRIJUT MAHADEV SARMA:** On a point of explanation, Sir. I beg to submit that in Tezpur several hundreds of *pattas* have been annulled even where people paid their revenue in full.

**THE HON'BLE THE SPEAKER:** I want to remind the hon. member that he is forfeiting his right of speech in Assamese.

**MR. F. W. HOCKENHULL:** Sir, as the House already heard from the Chief Minister the Tea Industry will receive no benefit at all from the remission contemplated by the Government scheme. In this matter, therefore, we can afford to take a detached view. It is due to us to explain our position to the House.

In the first place, although we benefit not at all, it was in a spirit of co-operation that we decided that this Group should be represented on the Committee.

Secondly, it has been stated that Government has declined to take the mandate of the House. In my view, Sir,—I am open to correction if I am wrong—a resolution is not quite in the same category as other business. It is a recommendation by this House to Government, whose duty it is to consider the implications and, having done so to report to the House what it is prepared to do. The ultimate responsibility is Government's and Government's alone.

Now, Sir, it has been my privilege to plead the case of Assam's finances both in London and in Delhi. It has always surprised me to discover how much of our position was known to the people concerned and the first question they invariably asked was—What we are doing ourselves. I would here enter a caveat regarding our responsibility for finance lest, in our desire to assist the poor, we place the Province in an embarrassing position. At the beginning of this week we passed a Resolution authorising the Hon'ble the Chief Minister to take up once again with the Central Government the question of the Petrol Excise. At the end of the week, as the result of this remission, we find ourselves giving away 30 lakhs of rupees, which is the equivalent of the Niemeyer Award. Furthermore, we are already indebted to the Central Government to the extent of 30 lakhs, for which we are paying interest for a limited period at the rate of  $1\frac{1}{2}$  per cent. Shortly we shall be obliged to go into the open market. I would remind the House that it may be difficult to float that loan at a reasonable rate of interest.

Now, Sir, just a word as a member of the Committee. I have to confess that the Committee was placed in a very difficult position. It met hurriedly soon after this Resolution was passed and had a most inadequate opportunity of studying the question because the time allowed to it was limited by the necessity for commencing next year's Budget almost immediately. In consequence it was supplied with but limited data.

May I impress on the Hon'ble Minister the necessity for not letting matters stand as they are. We need a thorough scientific investigation of this difficult problem and I hope in the light of the fact that the Committee is to be a Standing Committee, they will have adequate opportunity of reviewing the facts before any decision is arrived at which affects 1938-39.

Lastly, Sir, there are one or two questions I would like to ask the House.

The first is, are we prepared to accept the proposal that in the present plight of Assam's finances we should give remission at a flat rate to the rich—and sometimes to the really rich—as well as to the poor?



Secondly, do we think that the Nation-building Services can afford the loss which this remission entails? I ask this in no light manner because this problem must be faced as soon as remission has taken effect.

The Committee added a rider to its recommendation, *viz.*, that the remission should be met by equivalent savings. It must be borne in mind that the Retrenchment Committee cannot report for at least a year to come.

I cannot let this opportunity pass without stating that we think there are other and better methods of helping the poor agriculturists. Perhaps this is our hobby. Remissions after all are merely palliatives but real help should be given by encouraging better agricultural practice, and for this more money must be expended on the Agricultural Services.

For our part, we are prepared between now and the next Session, to offer for the consideration of the Agricultural Department certain definite schemes which we hope it will be found possible for them to accept.

SRIJUT GOPINATH BARDOLOI: Sir, in view of the fact that the debate may take a little more time, may I request you to prolong the sitting of the House by about half an hour?

THE HON'BLE THE SPEAKER: Will the debate be finished in half an hour? Is it the desire of the House to continue? I myself feel that this is an important debate and should not go unfinished. If it is the desire of hon. members, we may sit longer and have the debate finished.

(Many hon. members said, yes)

KHAN BAHADUR MAULAVI KERAMAT ALI: May I remind you, Sir, that the Muhammadan members cannot sit after 5, as they must go for their prayers. So the debate should not take more than an hour.

THE HON'BLE THE SPEAKER: I shall see for half an hour longer and if the debate is not finished, it will be adjourned.

SRIJUT RUPNATH BRAHMA: May I know from the Hon'ble the Revenue Minister whether there is any provision of joint and family *pattas* in the tribal areas?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, so far as the year 1937-38 (1344 B.S.) is concerned, that is to say, the year for which the revenue will fall due on the 15th of January, we have no specific recommendation as regards these *pattas*. But we are quite conscious of the fact, although we have not got a definite report. Again that some hardship may be caused to joint *pattadars*. Again it was suggested that in some tribal areas the *patta*, where there is clan system, is still going on in name of a single person and that although several families are interested in the *pattas*. But there was no time for such enquiry this year. As far as future years are concerned we shall have to consider what method can be devised in order to give relief to these classes of people.

KHAN BAHADUR MAULAVI MAHMUD ALI: Sir, in consideration of the financial plight of the people I think the Ministry is not justified in not granting them remission of land revenue at the rate of 33 per cent. or more. We know the financial capacity they had before 1929, that is before the unprecedented flood of 1929. Before that year they never demanded any reduction, I mean the people of the Surma Valley. Since that time their financial condition has been very bad and every year they are demanding reduction. The former Government granted one anna reduction. At that time we pressed that it was an unequal distribution. We find that the Surma Valley people are not given the proportion of relief that they should have got. Now, Sir, all the people are not equally affected and the relief given should be proportionate to the capacity of the people. Therefore



reduction in the same proportion is not, I think, justified. This should vary according to the paying capacity of the people in the different parts affected. The Committee have given their advice and Government have come to the House for a decision thereon. I do not want, Sir, to criticise the personnel of the Committee. The Committee did what they could with due regard to the financial position of the Government as well as of the people. I think Government's position is bad enough financially and from that point of view the Committee's recommendation has gone far enough perhaps. They have sufficient demands on their purse in the shape of commitment in the matter of primary education, medical school, water-supply and so many other things. Also the other day this House passed a resolution for the establishment of a High Court in the province. There is also the question of the establishment of a university in the province.

Unless there is money how they will do any of them? Unless the people come forward to pay according to their capacity how the Government can do even something for them? Sir, no money, no work (*laughter*). Therefore, Sir, I think they should pay revenue according to their financial condition. Hence, I think the decision of the Committee is made equitable. Sir, I am from a place the condition of which I know. The condition of the Surma Valley people, especially of the Cachar district and Karimganj—which were very seriously affected by flood in 1929—is very bad, and it is not a bit better. At the time of flood Government granted many sorts of relief, still more because they have not come out from their financial difficulties. So I request the Ministry—especially the Hon'ble the Revenue Minister who always pressed for 50 per cent. reduction in the former Council—to do something in that direction. I believe he is quite conscious of that position and his present position, and he knows the present plight of the people of the Province. He can do justice and truly I can say the present members of the Council come here to gain popularity without considering the financial condition, the administrative policy of the administration as a whole. Sir, I say that the Hon'ble the Revenue Minister should consider the plight of the Surma Valley people, especially of the Cachar district and Karimganj and some part of Habiganj [*A voice*: What about Sunamganj and Maulvibazar?]. I do not know of Sunamganj. Owing to the flood of 1929, and also for want of outlet of water in the railway lines, they did not get their paddy and their financial condition is going from bad to worse. So, Sir, I think they should be granted more reduction and the Hon'ble the Revenue Minister should consider their financial position.

Again, Sir, unless and until we improve the financial position of the people especially of the agriculturists we cannot do anything. We cannot continue granting remission indefinitely. So, Sir, we should try to improve their condition and how to do that the Retrenchment Committee will decide. One thing I submit, Sir, that there are vast tracts of land which are not yet granted to the people which will fetch money to the exchequer and their financial position—rather the financial position of the Province as a whole—will improve. The line system should be withdrawn, so that people from outside may come and bring money with them.

With these few words, Sir, I resume my seat.

MAULAVI ABDUR RAHMAN: Mr. Speaker, Sir, I rise to oppose the motion that has been moved by Khan Sahib Sayidur Rahman (*hear, hear*). Sir, first of all I shall try to speak out some facts which the Hon'ble the Revenue Minister has tried to place before the House. The Hon'ble the Revenue Minister, in his lengthy and emotional speech, has said that it is the Congress only which adopted a programme for the reduction of revenue. But I do not admit it to be true. Perhaps you know that there is a recognised



Moslem political institution, that is the All-India Muslim League and the second item of the programme of the Muslim League is to the effect.

“প্রভার খাভান হ্রাঙ্গের বৈধভাবে পর উত্থাপন করা”

The resolution that was adopted by the House in the last Session had nothing illegal in it. It was a simple resolution recommending to the Government for the reduction of 33 per cent. of land revenue. There was nothing to the effect that there should be force or anything on the part of the Government. So, I should say that the resolution was a very legal one. The principle of the Muslim League is to try for the reduction of revenue of the poor tenants.

Sir, there are two recognised and well-known political institutions in the country, one is the the Congress and the other is the Muslim League and so far my knowledge goes, most of the hon. Muslim members of the House are the members of the Muslim League.

MAULAVI ASHRAFUDDIN MD. CHAUDHURI: On a point of information, Sir. Has my hon. friend resigned from the Muslim League?

MAULAVI ABDUR RAHMAN: Certainly not. Sir, the first part of the motion moved by Khan Sahib Saiyidur Rahman that “This Assembly considers the recommendations of the Revenue Enquiry Committee as inadequate in many respects” has got my support. That is quite all right, but after that he puts a “but”, and that “but” has upset the whole thing. Sir, the Hon’ble the Revenue Minister has placed before the House some figures comparing the position of other Congress Ministries and other Governments of the country with ours. I am not concerned with them. I myself stand—and I think all the hon. members shall stand—on principle. A man can never attain perfection of life unless he is a man of strong principles. There is no question of race, there is no question of favouritism or anything of the kind. A man must stick to his own principle if he wants to be a man.

KHAN BAHADUR MAULAVI KERAMAT ALI: Like yourself.

MAULAVI ABDUR RAHMAN: Certainly, I do it hundred times. I am not like my hon. friend Khan Bahadur Keramat Ali. Sir, what is the story of this unhappy resolution? It was tabled by the Congress people that there should be a reduction of 50 per cent. of land revenue, and to that there was an amendment of Khan Sahib Sayidur Rahman that the reduction should be 33 per cent. There is nothing ambiguous in between these two resolutions. The difference was only in figures; the main resolution was for 50 per cent. whereas the Khan Sahib’s was for 33 per cent. There was also a third amendment from the Government block which was moved by the Hon’ble the Revenue Minister. That resolution was for a flat reduction of 25 per cent. only. Then this ill fated resolution. Then Sir, this ill-fated resolution, as far as I remember, had to be discussed on the floor of the House for more than two days and due consideration was given to the resolution from all quarters of the House. Then what was the fate of the resolution? Government had to go one step further and the Congress had to come one step down. My hon. friend Khan Sahib Maulavi Sayidur Rahman adopted a *via media* course and moved a resolution for 33 per cent. reduction. He said that he was neither for 50 per cent. nor for 25 per cent. but he was for a *via media* course. It is really a wonder to me that how such a talented man like Khan Sahib Maulavi Sayidur Rahman can depart even from his *via media* position.

KHAN BAHADUR MAULAVI KERAMAT ALI: We do not understand whether the hon. member says “talented man or talentless man” (*laughter*).



KHAN SAHIB MAULAVI SAYIDUR RAHMAN: On a point of personal explanation, Sir. I may inform the hon. member that I have not swerved from my position.

THE HON'BLE THE SPEAKER: An hon. member is not entitled to attack any hon. member in the manner adopted.

KHAN BAHADUR MAULAVI KERAMAT ALI :The Hon'ble Speaker has ruled that he cannot attack any hon. member.

MAULAVI ABDUR RAHMAN: This very word "but" has created all this trouble (*laughter*). There was an understanding that our Ministers would always carry out the wishes of the House and we were also assured by the Hon'ble the Chief Minister that the decision of the House would not be flouted. As regards other matters there might be some justification but in regard to this matter, I don't think there can be any justification on the part of the Hon'ble the Revenue Minister or any other Ministers that they can depart from the expressed wishes of the House. Sir, the Hon'ble the Revenue Minister has argued that the hon. mover of the previous amendment said in his speech that some latitude should be given to Government for the formation of such an Inquiry Committee. But Sir, just after the adoption of this amended resolution it was brought before the hon. Chair whether the House is to stand by the resolution or by the argument that was set forth.

MAULAVI JAHANUDDIN AHMED: The hon. member has said in his speech that all the trouble has been created by the word 'but'. Now Sir, we find that he is also using the word 'but' very frequently.

THE HON'BLE THE SPEAKER: The hon. member has got only two minutes' time more.

MAULAVI ABDUR RAHMAN: As far as I remember, Sir, we were definitely given to understand that the House should stand by the wordings of the amended resolution. That being the position, our Ministers did not even try to carry out the wishes of the House. From a question which was put in this session of the Assembly by my hon. friend Maulavi Maqbul Hussain Chaudhury, I gathered that more than Rs. 100 has been spent towards the expenditure incurred by the members who attended the Revenue Inquiry Committee. I must hold, Sir, that this expenditure is rather an abuse of public money, of which we are so many custodians. There was no suggestion from any hon. member that a committee should be formed and that some inquiry should be made into the matter. It is clear from the wordings of the resolution that they have flouted the decision of the House regarding 33 per cent. reduction which was to be given to all alike. There was no question whether some people deserve 33 per cent. reduction or not. No Government can make any invidious treatment whenever any law is enacted for the purpose of levying certain tax. The rate should always be uniform on all occasions irrespective of any consideration of poverty or any thing of the kind. If any sympathy is to be shown to anybody, the House may do so. Government has shown such spirit of sympathy in the past by way of relief to the poor by granting the agricultural loan. But in remitting land revenue no discrimination should be made.

THE HON'BLE THE SPEAKER: The hon. member's time is up.

KHAN BAHADUR MAULAVI KERAMAT ALI: The hon. member is talking irrelevant things.

MAULAVI ABDUR RAHMAN: My hon. friend Khan Bahadur Maulavi Keramat Ali has become more irrelevant by taking his stand on his legs more frequently though he has reached the age of 60 (*laughter*).



MAULAVI MUHAMMAD AMIRUDDIN: Mr. Speaker, Sir, the Minister in-charge of Revenue seems to be weighed down by an idea of predestination to accept the recommendations as submitted by the Revenue Inquiry Committee. What is this Committee after all, Sir? This Committee consisted of as many as nine signatories along with two officials, Mr. J. A. Dawson, I.C.S., Member of the Revenue Tribunal and Mr. D. Sarma, the Director of Land Records. In a House consisting of 108 members having had unanimous verdict as to the reduction of land revenue to the extent of 33 per cent. in the face of a resolution for a reduction of 50 per cent. of the land revenue, I think, the formation of that Committee was a very misconceived measure and any decision arrived at by that Committee must have been also a very misconceived one. But the Committee has been so very cleverly and tactfully formed (*hear, hear*) that it has become very difficult to repudiate their recommendations (*hear, hear*) as it is found that, some hon. members of light and leading, representing almost all the groups except that of the Congress have been chosen to form the Committee and give their opinion as to what may be a more suitable reduction, not seriously affecting the interests of the Government but they have recommended different rates of remissions that are far too disappointing and at the same time altogether unacceptable to the self-respecting members of the Hon'ble House. I have not, therefore, the least hesitancy to say that if the recommendations as they stand are at all given effect to by this House it will be a very serious step taken by this House towards taking the province more or less from provincial autonomy towards provincial autocracy. The attitude of the House during the budget session on the day when the resolution for 50 per cent. reduction came up for discussion was very much favourable towards its acceptance, but a very clever device on the part of some hon. gentleman of this House averted it as a calamity by moving an amendment motion of a reduction of 33 per cent. as a *via media* at the most psychological moment.

THE HON'BLE THE SPEAKER: This is not at all parliamentary language. The hon. member should not use such words as would impute motive to any member or members.

MAULAVI MUHAMMAD AMIRUDDIN: The *via media* having been suggested by some of my hon. friends the House had subsequently to yield to his wishes and also to the amended resolution of my hon. friend Khan Sahib Sayidur Rahman, and for the acceptance of that resolution urging for a remission of 33 per cent. I think, the Government ought to thank the hon. mover and to yield to the wishes of the House. But at the same time Government ought to find out fresh avenues for the financial development of the province. It is no use crying over the present financial position of the province, but the Government ought to find and open out avenues to improve the financial condition. There is sufficient waste land in the province, but with only 19 per cent. of the land within the districts of the Assam Valley under cultivation. How can the Government expect to improve the present financial condition of the province? Now, Sir, after the acceptance of a further amendment on the same subject moved to-day before the House by same very hon. friend Khan Sahib Sayidur Rahman will mean a step taken entirely against the sense of the House, the declared will of the House, the principle of an autonomous Government, and against all manner of parliamentary etiquette and lastly against all forms of parliamentary proceedings.

With these words I oppose the motion.



KHAN BAHADUR MAULAVI MUFIZUR RAHMAN: Mr. Speaker, Sir: It is an admitted fact that we require improvement of communications, improvement of sanitation, improvement of water-supply, improvement of agriculture, and we require money for all these projects and also for a medical school and other things. It is also a known fact that we are so poor that there is very little room for further taxation. Considering the financial condition of the province the Government could not have done better on the recommendation of the enquiry committee to help the poor agriculturists. Now formerly in the previous years there was a distinction made between district and district, but this time, thanks to the Hon'ble the Revenue Minister for giving an assurance on the floor of this House, poor are poor everywhere—no distinction whatever has been made—and true to his words he has given remission at the rate of annas 5 per rupee to the poor agriculturists who are paying Rs.12 and below. Of course those paying higher revenue do not want relief so much, and so they have been given one anna more.

With these few words I support the amendment moved by my hon. friend Khan Sahib Sayidur Rahman.

SRIJUT GOPINATH BARDOLOI: Mr. Speaker, Sir. I think we can sit for another half an hour. This matter is very important and as the 20th is a private members' business day, we may not have time to finish it on that day.

THE HON'BLE THE SPEAKER: No, it will be taken up on the 21st which is the day for Government business to which these motions under discussions relate.

It is not the sense of the House that the House should sit any longer to-day. I adjourn the House to 11 a.m. the day after to-morrow.

The House stands adjourned to 11 a.m. on Monday, the 20th December 1937.

SHILLONG :  
*The 4th January 1938.*

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



## APPENDIX A

NOTE ON THE PRESENT FINANCIAL SITUATION OF THE PROVINCE WITH REFERENCE TO THE ACTUAL RECEIPTS AND EXPENDITURE OF THE YEAR 1936-37 AS COMPARED WITH THE REVISED FOR THE YEAR

## I.—SUMMARY

	Revised	Actuals	Result + or -
1	2	3	4
	Trs.	Trs.	Trs.
Opening balance... ..	4,04	4,04	...
Receipts... ..	2,79,89	2,89,25	+9,36
Total ... ..	2,83,93	2 93,29	+9,36
Expenditure ... ..	3,30,71	3,23,94	-6,77
Closing balance ...	-46,78	-30,65	-16,13

1. The revised estimates for the year 1936-37, which were prepared in January last, placed the receipts for the year at Trs. 2,79,89 and the expenditure at Trs. 3,30,71 thus anticipating a deficit balance of Trs. 46,78. The final accounts of the year, however, show that receipts amounted to Trs. 2,89,25 and charges to Trs. 3,23,94 resulting in a deficit closing balance of Trs. 30,65. A temporary loan of this amount has been sanctioned by the Government of India bearing interest at  $1\frac{1}{2}$  per cent. It will have to be repaid during 1938-39 by means of a loan to be floated in the open market.



## II.—REVENUE

2. The revised estimates and the final actuals for the year 1936-37 are compared in the following table:—

Heads of Revenue	Revised	Actuals	Result+or—
I	2	3	4
	Trs.	Trs.	Trs.
II.—Taxes on Income ...	3,62	3,16	—46
III.—Salt ...	9	7	—2
V.—Land Revenue ...	1,24,85	1,29,76	+4,91
VI.—Excise ...	36,09	35,90	—19
VII.—Stamps ...	17,75	18,29	+54
VIII.—Forests ...	15,60	16,85	+1,25
IX.—Registration... ..	1,73	1,63	—10
XVI.—Interest ...	48	44	—4
XVII.—Administration of Justice	180	1,86	+6
XVIII.—Jails and Convict Settlements	60	53	—7
XIX.—Police ...	1,67	1,65	—2
XXI.—Education ...	3,68	3,63	—5
XXII.—Medical ...	1,74	1,72	—2
XXIII.—Public Health ...	1,14	1,14	...
XXIV.—Agriculture ...	1,10	1,04	—6
XXV.—Industries ...	31	31	...
XXVI.—Miscellaneous Departments.	76	1,96	+1,20
XXX.—Civil Works ...	22,33	21,93	—40
XXXIII.—Receipts in aid of super-annuation.	20	19	—1
XXXIV.—Stationery and Printing...	44	57	+13
XXXV.—Miscellaneous...	90	86	—4
XXXIXA.—Miscellaneous adjustments between Central and Provincial Government.	8,71	9,86	+1,15
Civil deposits ...	1,00	89	—11
Revenue in England...	5	5	...
Provincial Loan Account.	5,24	5,48	+24
Appropriation for reduction or avoidance of debt.	10,46	10,46	...
Government Press—			
Depreciation Fund	10	17	+7
Provincial subvention from Central Road Development Account	17,45	18,76	+1,31
Suspense ...	...	9	+9
Total ...	2,79,89	2,89,25	+9,36



The more important variations are explained below :—

II.—*Taxes on income* (—Trs. 46).—The receipts under this head depend largely on the prosperity of the tea and oil industries. The tea industry did not have as prosperous a year as was anticipated.

V.—*Land Revenue* (+Trs. 4,91).—The increase is mainly due to better realisation of arrear revenue owing to the gradual improvement in economic conditions.

VII.—*Stamps* (+Trs. 54).—The increase was due to better receipts than were anticipated by the introduction of the Stamp Amendment Act, 1936.

VIII.—*Forest* (+Trs. 1,25).—Owing to increased demand for timber due to the improvement in the jute industry in Eastern Bengal.

XXVI.—*Miscellaneous Departments* (Trs. 1,20).—Due to introduction of Motor Vehicles Taxation Act, 1936, from 1st March 1937. From that date the fees hitherto received by local bodies were credited to Provincial revenues.

XXX.—*Civil Works*.—(—Trs. 40).—Due to smaller expenditure from the amount received from the Central Road Development Account.

*Miscellaneous adjustment between Central and Provincial Governments* (+Trs. 1,15).—Due to an increase in this Government's share of the export duty on jute on the basis of actuals.

*Provincial Loan Account* (+Trs. 24).—Due to repayment (Trs. 1,34) of half of the loan taken by Bijni Estate instead of the usual instalment of Trs. 22, partly counterbalanced by a fall of Trs. 98 under recoveries of agricultural loans.

*Provincial subvention from Central Road Development account* (+Trs. 1,31).—Due to a larger allotment from the General Fund of the Central Road Development Account than was anticipated.

### III.—EXPENDITURE

3. The revised estimates and the final actuals for the year 1936-37 are compared below in the following table :—

Heads of Expenditure	Revised	Actuals	Result + or —
1	2	3	4
<i>Reserved</i>	Trs.	Trs.	Trs.
5.—Land Revenue ... ..	16,18	16,48	—32
7.—Stamps ... ..	42	45	+3
8.—Forests ... ..	11,45	11,29	—16
8A.—Forests ... ..	45	44	—1
10.—State Railways ... ..	44	44	...
12.—Miscellaneous Railway expenditure.	...	...	...
15B.—Navigation, Embankments, etc.	64	62	—2
19.—Interest on ordinary debt ...	6,34	636	+2
21.—Appropriation for reduction or avoidance of debt.	10,46	10,46	...
22.—General Administration ...	27,83	27,33	—50
24.—Administration of Justice ...	9,95	9,71	—24
25.—Jails and Convict Settlement...	5,28	5,24	—4
26.—Police ... ..	26,68	26,75	+7
26.—Police (Assam Rifles) ...	3,42	3,42	...
27.—Ports and Pilotage ... ..	21	10	—11
30.—Scientific Departments ...	4	4	...



Heads of expenditure	Revised	Actuals	Result + or -
1	2	3	4
	Trs.	Trs.	Trs.
31.—Education (European) ...	85	88	+3
32.—Medical ...	1	1	...
87.—Miscellaneous Departments ...	73	73	...
41.—Civil Works... ..	60,77	57,31	-3,46
43.—Famine Relief ...	20	11	-9
45.—Superannuation Allowances and pensions.	15,67	15,57	-10
46.—Stationery and Printing ...	3,31	3,57	+26
47.—Miscellaneous ...	4,08	3,94	-14
52.—Extraordinary Charges ...	3	3	...
52A.—Forest capital outlay not charged to Revenue.	21	20	-1
60B.—Payment of commuted value of pensions.	1,77	1,54	-23
Government Press Depreciation Fund—	10	12	+2
61.—Payment of gratuities to retrenched personnel.	-8	-8	...
S.—Advances from the Provincial Loans Fund.	10,46	10,46	...
Loans and advances by Provincial Government.	1,94	1,45	-49
Provincial subvention from Central Road Development Account.	17,45	16,51	-94
Suspense ...	...	9	+9
Civil Deposits ...	90	82	-8
Deposit account of grants for the economic development and improvement of rural areas.	1,20	64	-56
<i>Transferred</i>			
6.—Excise ...	5,30	5,27	-3
9.—Registration ...	1,57	1,56	-1
22.—General Administration ...	1,09	1,07	-2
30.—Scientific Departments ...	...	...	...
31.—Education (Transferred) ...	33,60	33,78	+18
32.—Medical ...	13,00	13,65	+66
33.—Public Health ...	7,33	7,10	-23
34.—Agriculture ...	8,09	7,89	-20
35.—Industries ...	2,25	2,24	-1
37.—Miscellaneous Departments ...	1	1	...
41.—Civil Works ...	3,88	3,77	-11
46.—Stationery and Printing ...	75	95	+20
47.—Miscellaneous ...	2,60	2,62	+2
Expenditure in England ...	11,23	10,98	-25
Total ...	3,30,71	3,23,94	-6,77



The more important variations are explained below :—

5. *Land Revenue* (—Trs. 32).—Due mainly to smaller charges on commission for land revenue collections owing to some mauzadars not drawing their commission before the close of the year.

22.—*General Administration* (—Trs. 50).—Saving due to lesser expenditure under election charges which could not be accurately estimated.

24.—*Administration of Justice* (—Trs. 24).—Savings occurred under “District and Sessions Judges, Process-serving Establishment” and “Criminal Courts” mainly due to economy under diet allowance to witnesses and jurors.

41.—*Civil Work* (Trs. 3,46).—Saving mainly due to the fact that the allotments made for different works could not be spent in full by the Executive Engineers for various unavoidable reasons before the close of the year.

46.—Stationery and printing { Reserved (+Trs. 26).  
 { Transferred (+Trs. 20).

Owing to the failure of a certain contractor to carry out the terms of his contract during 1934-35 and 1935-36, Government found it necessary to cancel the contract and to make other arrangements for printing of forms for 1936-37 and this resulted in increased expenditure.

*Payment of commuted value of pensions (—Trs. 23).—*Due to non-drawal of a sum of Trs. 22 by certain pensioners before the close of the year.

*Loans and Advances by Provincial Government* (—Trs. 49).—Lesser demands for agricultural loans and loans to local bodies than were anticipated at the time when the revised was framed.

*Provincial Subvention from the Central Road Development Account* (—Trs. 94).—Savings on allotments made for petrol tax projects due to various unavoidable reasons, such as (i) delay in receipt of materials, (2) delay in land acquisition, etc.

*Deposit Account of grants for the development and improvement of rural areas.*  
(—Trs. 56).—Due to smaller expenditure than anticipated.

32.—*Medical (+ Trs. 66).*—Due to adjustment of arrear charges for the Calcutta Medical College and the Campbell Medical School. This was not anticipated when the revised was framed.

33.—*Public Health* (—*Trs.* 23).—Owing to petty savings under various heads subordinate to “Epidemic diseases”.

*Expenditure in England (—Trs. 25).—*Due to petty savings under various heads.

*IV.—1937-38*

4. *Prospects for 1937-38.*—The total provincial revenue receipt (excluding subvention from the Government of India) for the first six months totalled Trs. 1,09,18 as compared with the Trs. 1,11,70 during the corresponding period of 1936-37. It is impossible at this stage to say accurately what the actual position at the end of the year will be, but judging from the progress of actuals it is very likely that revenue receipts will be down by Trs. 6,43 and capital receipts by Trs. 2,68. Under Land Revenue there is likely to be a fall of 6 lakhs due partly to the proposal to grant further remissions of land revenue and partly to the postponement of deferred enhancements in Lakhimpur, while under capital heads there is likely to be a fall of Trs. 2,00 owing to postponement of the realisation of the outstanding agricultural loans.



On the expenditure side, while a saving of Trs. 75 is anticipated under some heads, there will be an excess of Trs. 2,93, under others of which Trs. 1,90 will be due to members of the Legislatures if their Emoluments and Allowances Bill, as originally passed by the Legislative Assembly, becomes law and also the holding of a large number of sessions (Trs 1,25) and about Trs. 65 for the offices of the two Commissioners of Divisions up to 31st December, 1937. A sum of about Trs. 40 will also be required under "Famine Relief" for giving relief to people in the districts affected by floods and scarcity.

The original budget for the current year estimated a revenue surplus of Trs. 4,46 but present indications are that there will be a revenue deficit of Trs. 4,15 and that the estimated closing balance of Trs. 37,26 will drop to Trs. 29,02.

*Dated, Shillong :  
The 7th December 1937.*

A. G. PATTON,  
*Secretary, Finance Department.*