

Proceedings of the Second 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 Tuesday, the 3rd August, 1937

1. OATH OF ALLEGIANCE

The following members were sworn in—

1. Mr. B. I. Barry,
2. Babu Rabindra Nath Aditya.

THE HON'BLE THE SPEAKER : I nominate the following hon. members to form a Panel of Chairmen for the present session—

1. Babu Hirendra Chandra Chakravarty,
2. Miss Mavis Dunn,
3. Maulavi Abdul Matin Chaudhury,
4. Col. A. B. Beddow.

STARRED QUESTIONS

Representation of backward tribal people of the plains in Government services

SRIJUT RUPNATH BRAHMA asked :

- *1. Will Government be pleased to state—
- (a) How the Government have been treating the unrepresented backward tribal people of the plains in the matter of appointments under the Government ?
 - (b) Whether the Government propose to give special preference to the backward tribal candidates of the plains ?
 - (c) Whether the Government propose to reserve proportionate percentage of the Government appointments on population basis for the backward tribal people of the plains ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, I will reply to the three questions together. In the matter of appointments no distinction is made between the tribal people of the plains and the hills. Under rule 307 of the Assam Executive Manual appointments are either on a Provincial, Divisional or District basis and under the existing scheme of proportionate communal distribution, the number of tribal people within

the area concerned determines the number of appointments to which they are entitled. The rule also lays down that if suitable candidates are forthcoming, appointments shall be made only from the residents in the area concerned. Thus in a plains district a certain number of appointments are intended for the local tribal people, whose claims are sympathetically considered.

SRIJUT RUPNATH BRAHMA : Do Government reserve appointments according to the population basis for the backward people of the plains ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, I have already answered that if suitable candidates are forthcoming from the local tribal people in a plains district, a certain number of appointments will go to the local tribal people.

SRIJUT KARKA DALAY MIRI : পাৰ্বাৰী আৰু ভৈৰৱৰ যি বিলাক পিচপৰা জাতি আছে, তেওঁ বিলাকক যদি যোগ কৰা যায় তেনেহলে ভৈৰৱৰ পিচপৰা জাতি বিলাকে privilege পাব বুলি আপুনি আশা কৰেনে আৰু plainsৰ কাৰণে বিশেষ বন্দবস্ত বৰা উচিত হ'ব বুলি নাভাবেনে ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, I have already answered that, so far as the plains districts are concerned, if suitable candidates are forthcoming they will get their proportionate share so far as district appointments are concerned.

SRIJUT KARKA DALAY MIRI : চাৰি পাঁচ বছৰৰ আগতে অনেক গ্ৰেজুয়েটে প্ৰভিন্সিয়েল চাৰ্জিট আৰু এড্‌ভোকেটৰ ডিপাৰ্টমেণ্টৰ চাকৰিৰ কাৰণে চেষ্টা কৰিছিল—এই বিষয়ে আপোনাৰ খবৰ আছিলে বা অনুগ্ৰহ কৰি তাৰ উত্তৰ দিবনে? সেই বিলাক বিষয়ে ভাবি চিন্তি চাইছেনে ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, the hon. member wants an answer about certain matters which happened four or five years ago. I want notice of that question.

SRIJUT RUPNATH BRAHMA asked :

*2. (a) Will Government be pleased to state, if there is any one from the backward tribal people of the plains of the Assam Valley now serving in the Assam Civil Service ?

(b) If so, what is his name and home district ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : None, Sir. (b) Does not arise.

SRIJUT KAMESWAR DAS : On a point of information, Sir. Has there been any modification in the mode of putting and answering questions? I mean the Starred questions? We find that the hon. questioner has been reading his questions, whereas under the rules he is not required to do so.

THE HON'BLE THE SPEAKER : Yes. There is no necessity for reading out the printed question. As soon as the Secretary calls out the number, I think the Hon'ble Minister concerned should make his reply. In this case the hon. member started reading his question and that is how it happened.

SRIJUT RUPNATH BRAHMA: I want to know whether there were any candidates for the Assam Civil Service when recruitments were made during the last five years.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I have already answered that question, Sir. The question relates to things that happened five years ago and I have not the relevant facts in my memory.

SRIJUT GOPINATH BARDOLOI: Shall I put it within one year, shall I put it within two years?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: No, Sir. The question is "if there is any one from the backward tribal people of the plains of the Assam Valley now serving in the Assam Civil Service." I have given the answer for that. But if information is asked about past years, one year, two years or longer period, I think, Sir, no supplementary question arises.

Re Finance Minister's Tour to Bombay

BABU DAKSHINA RANJAN GUPTA CHAUDHURI asked:

*3. Will Government be pleased to state—

(a) Why the Finance Minister and the Finance Secretary went on tour to Bombay and what sum has been spent on that account?

(b) What tangible result, if any, has accrued from the tour?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The Finance Minister and the Deputy Secretary, Finance, attended the Conference of Financial representatives of different Governments convened by the Government of Bombay, at Bombay, and a sum of Rs. 1,240-4-0 was spent on the travelling allowance of these two officers.

THE HON'BLE THE SPEAKER: The Hon'ble Minister has not given the reply to (b).

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: It has not been called, Sir.

THE HON'BLE THE SPEAKER: It is not necessary. The Hon'ble Minister may answer all the sub-questions when the question itself has been called.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: May I point out, Sir, that it will be more convenient if supplementary questions are put after each sub-clause has been answered? Otherwise, one hon. member may want to ask supplementary question first on (b) and another may want to go back to (a) and it will be very difficult both to the House and to the Government. It is only from the point of view of convenience that I suggest that every sub-clause may be finished one after another.

THE HON'BLE THE SPEAKER: The practice elsewhere is that the question is answered as a whole and then the supplementary questions are started. Members of the House may put supplementary questions in the order in which they choose the questions to which they will ask supplementaries.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I am quite willing to follow that practice, Sir. Then the answer to (b) will be that the exchange of views among the Finance Ministers of various provinces who attended the conference and the exploration of avenues of ways and means under the Government of India Act and subsequent discussion were very helpful in showing what could and what could not be attempted. The discussions served to prevent the possibilities of different provinces diverging on

general principles. The printed proceedings have recently been received and are under examination. It is yet too early to state what tangible results would accrue to the province.

BABU RABINDRA NATH ADITYA : May I know how the Government of Bombay can advise the Government of Assam on the special problems of our province ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Certain general principles were discussed and decided upon. Of course Bombay has absolutely no knowledge of the peculiarities of Assam and the discussions were on general lines.

SRIJUT GOPINATH BARDOLOI : May we know the principles agreed upon in Bombay ?

✓ THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The proceedings make a big brochure and are confidential so far.

SRIJUT GOPINATH BARDOLOI : May we have a rough idea of the general principle ? After all they cannot be many and certainly the House must have a general idea of the principles agreed upon by the representatives of this province and those of the other provinces ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : So long as the Bombay Government do not release their proceedings for publication and do not consider them any more confidential, I am not in a position to disclose the principles now.

SRIJUT GOPINATH BARDOLOI : May we know whether there was any investigation as to the sources of further revenue and incidence of taxation ?

✓ THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Various questions were discussed. As I have already said, the reports of the proceedings are held confidential and I cannot disclose them.

MR. NABA KUMAR DUTTA : Was that conference, convened by the Bombay Government, open to press ?

✓ THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : It was not open to the press.

MR. NABA KUMAR DUTTA : Why not open to the press ?
(No answer.)

MR. HIRENDRA CHANDRA CHAKRAVARTI : Did the Finance Ministers' Conference take into consideration the financial position of each province separately or of all the provinces together ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I cannot disclose the proceedings.

MR. ARUN KUMAR CHANDA : Is there any chance of its publication considering the fact that the Ministry that convened the conference has been thrown out of office ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : That is left to the Bombay Ministry now.

SRIJUT GOPINATH BARDOLOI : How long is it going to be confidential ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Until it is declared to be not so.

SRIJUT GOPINATH BARDOLOI : Would it not have been more desirable to take the House into confidence before the Hon'ble Minister attended the conference ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The House was not in session at the time the invitation came.

BABU RABINDRA NATH ADITYA : This sum of Rs.1,240 is going to be paid from the finances of the province and I think the House has a right to know the proceedings of the conference.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Is that a supplementary question or an argument, Sir ?

THE HON'BLE THE SPEAKER : That is an argument.

MR. FAKHRUDDIN ALI AHMED : What is the special benefit that the province derived from this conference ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I have already answered that and I have nothing to add to it.

BABU RABINDRA NATH ADITYA : Did the Hon'ble Minister benefit by the trip ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : No; on the other hand I got badly injured during the journey and I am still suffering.

SRIJUT RAJENDRA NATH BARUA : May I know who invited this conference ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The Bombay Government.

SRIJUT SARVESWAR BARUA : Why should not the cost be charged to the Bombay Government ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : That is a matter of inter-provincial etiquette.

SRIJUT SIDDHI NATH SARMA : Is it for the benefit of the Bombay Government that the conference was convened at Bombay ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : No, Sir, it was for general discussion.

SRIJUT SIDDHI NATH SARMA : Why was not the opinion of this House taken before ?

THE HON'BLE THE SPEAKER : The Hon'ble Minister has already said that the House was not in session and it was not possible to consult the House.

SRIJUT SIDDHI NATH SARMA : How does the Hon'ble Minister in charge propose to benefit the Province by his experience gained in the Conference ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I have already said that we have received the proceedings lately. We had no time to go through it. I expect to go through the proceedings and see what benefit we can derive.

BABU HIRENDRA CHANDRA CHAKRAVARTI : Sir, did the deliberations of that Conference have any effect on the Assam budget while it was being framed by the Hon'ble Finance Member ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : None, Sir.

SRIJUT MAHI CHANDRA BORA : Are we, therefore, to understand, Sir, that the Hon'ble Finance Member was unsuccessful in his having the treasure trove in Bombay ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The hon. member is free to make his own deductions, Sir. I have nothing more to add.

Sylhet Immigrant Line in the district of Sylhet

MAULAVI ABDUL MATIN CHAUDHURY asked:

*4. (a) Is it a fact that owing to the increase of population within the Sylheti Immigrant Line in the district of Nowgong, hundreds of people are without any land in that area ?

(b) If so, do Government propose to open the area, bounded on the north by Jamunamukh, on the south by Kharikhana, on the east by river Kapili and on the west by Boithol, for settlement by Sylheti immigrants?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: (a) Government have received no such complaint. It is reported however by the Deputy Commissioner that there is still land available for settlement in what used to be known as the "Sylheti Block" consisting of over 1,14,464 *bighas* 1 *katha* and 2 *lessas* altogether in the three mauzas of Namati, Ronghong and Hojai.

(b)—Until the above-mentioned area is fully settled Government do not propose to consider the opening up of further blocks of land for Sylheti immigrants.

SRIJUT MAHI CHANDRA BORA: Does the Hon'ble Member mean that the land which has been thrown open for the Sylheti settlers has not been occupied by them?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: That is the reply. It has not yet been fully occupied.

SRIJUT PURNA CHANDRA SARMA: Is it all the available waste land that is reported by the Deputy Commissioner?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The Deputy Commissioner reports that there is still land available in the Sylhet block, and until that land is occupied by immigrants from Sylhet, it is not proposed to throw open any new waste land for settlement.

SRIJUT PURNA CHANDRA SARMA: What is the area of the total block?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: It is 1,14,464 *bighas*. That is the total area.

SRIJUT PURNA CHANDRA SARMA: Does it include the occupied area also?

MR. FAKHRUDDIN ALI AHMED: What is the area still unoccupied?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have no information. I want notice.

MAULAVI MUNAWWAR ALI: Is the Sylhet block one distinct by itself?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: A certain block has been assigned for the settlement of the Sylheti immigrants. Special favour has been shown to them, it appears.

Bhogdoi bridge on the Assam Trunk Road

SRIJUT DEBESWAR SARMAH asked:

*5. Will the Government be pleased to state—

(a) If the Government are aware that the "Bhogdoi" bridge on the Assam Trunk Road between miles 189-190 is very narrow and it endangers life and safety of pedestrians?

(b) If so, do the Government propose to make provision for two foot-paths on both sides by extension of the bridge?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:

(a)—It is not more narrow than many other bridges in Assam. Its actual width between wheel guards is 10 feet 6 inches which is narrow sufficient for single line traffic.

(b)—No. If the new Road Improvement scheme is accepted and financed this section of the Trunk Road and with it this bridge will be widened.

KHAN BAHADUR MAULAVI KERAMAT ALI : Is the Hon'ble Minister aware that this bridge is within the Jorhat town and that all the traffic in the Jorhat town comes by this bridge ?

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

KHAN BAHADUR MAULAVI KERAMAT ALI : Is the Hon'ble Minister aware that there have been accidents on this bridge because of its narrowness ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I am not aware of that, Sir.

KHAN BAHADUR MAULAVI KERAMAT ALI : Will the Hon'ble Finance Minister enquire whether there were such accidents, and if it is a fact, may I know whether steps will be taken to widen the bridge ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : On a suitable question being put or on a suitable representation being made, I will make enquiry.

Arrest of Srijut Santiram Deka

†SRIJUT DEBESWAR SARMAH asked :

*6. Will the Government be pleased to state—

(a) Whether the Government are aware that Srijut Santiram Deka was arrested under the orders of the Assistant Commissioner, Mr. S. N. Maitra posted at Gauhati, by his chaprasi for not agreeing to exchange a bad coin alleged to have been given by the chaprasi ?

(b) Whether the said Santiram Deka has asked for permission to allow him to sue the Assistant Commissioner for his illegal arrest and detention ?

(c) Whether the permission has been given, and

(d) If not, why not ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI :

(a)—Government are aware of the arrest of Srijut Santiram Deka on a report made by Mr. S. N. Maitra to the Police to the effect that he had been trying to pass a bad coin.

(b)—The answer is in the affirmative. The gentleman asked for sanction under section 197 of the Criminal Procedure Code to prosecute Mr. Maitra under section 342 of the Indian Penal Code.

(c)&(d)—The question does not arise, as the petitioner Srijut Santiram Deka withdrew his application for permission as the result of an amicable settlement.

SRIJUT OMEO KUMAR DAS : Was it, Sir, under the pressure of the Deputy Commissioner of Kamrup that the application was withdrawn ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I do not think so, Sir. It was an amicable settlement arrived at between the parties.

SRIJUT OMEO KUMAR DAS : Did the settlement take place at the bungalow of the Deputy Commissioner ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I have no information, Sir.

SRIJUT KRISHNA NATH SARMAH : What was the amount at which it was settled ?

†Question put by Srijut Omeo Kumar Das on behalf of Srijut Debeswar Sarma.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have no information, Sir.

MR. ARUN KUMAR CHANDA: What were the terms of the compromise, Sir?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have not that information at hand. If the hon. member wants, I can forward it to him.

MR. FAKHRUDDIN ALI AHMED: Is the Hon'ble Minister aware that the Deputy Commissioner took nearly six hours' time to settle the terms of this compromise?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: No, Sir.
SRIJUT OMEO KUMAR DAS: Was the permission of Government taken for the compromise?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: This is a compoundable offence and we are not concerned so long as the petitioner himself withdraws his application for sanction.

MR. FAKHRUDDIN ALI AHMED: Did the Hon'ble Minister compel Mr. Maitra to pay Rs.500 to Santiram Deka?

KHAN BAHADUR MAULAVI KERAMAT ALI: Did the Government ever enquire into the matter whether Mr. Maitra was in fault?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: No such enquiry was made as the matter was compromised.

MR. FAKHRUDDIN ALI AHMED: Did the Deputy Commissioner bring about the settlement on his own initiative?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not know that the Deputy Commissioner brought about the settlement. The parties themselves did it, I should think.

MR. FAKHRUDDIN ALI AHMED: May I know, Sir, whether the Deputy Commissioner was not present when the settlement was arrived at?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I cannot say, Sir.

MR. FAKHRUDDIN ALI AHMED: Will the Hon'ble Minister try to collect the information?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: So long as there was no forced compromise, I am not prepared to make an enquiry.

MR. FAKHRUDDIN ALI AHMED: May I know, Sir, whether the Deputy Commissioner was instructed by Government or did he effect the compromise on his own initiative?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I cannot follow, Sir. Is the question whether the Deputy Commissioner compelled the petitioner to compromise?

MR. FAKHRUDDIN ALI AHMED: My question is whether Mr. Maitra was compelled to bring about a settlement, as also Santiram Deka, by the Deputy Commissioner?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: We have heard no such allegation. If the allegation is specifically made by the hon. member that the Deputy Commissioner compelled the parties and if the hon. member can take the responsibility for that allegation, I am prepared to make an inquiry.

MR. FAKHRUDDIN ALI AHMED: I am prepared to take full responsibility in this matter and I would ask the Hon'ble Minister to enquire into the matter.

Improvement of Roads in Jorhat subdivision—Dhodar Ali

SRIJUT DEBESWAR SARMAH asked :

*7. Will the Government be pleased to state—

(a) Whether the Road Board has taken up the Dhodar Ali from the Desoi bridge to Debraparhat in Jorhat subdivision, and Tihu-Barpeta Road *via* Sarukhetri in Barpeta subdivision ?

(b) If not, do the Government propose to see that these roads are taken up early ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA :

(a)—The answer is in the negative.

(b)—The new programme for improving the communications in Assam includes a proposal for improving the Dhodar Ali from the Desoi bridge past Debraparhat. The Tihu-Barpeta Road *via* Sarukhetri is not included in the new programme of improvements.

Settlement of Pandu-Amingaon Ferry

SRIJUT DEBESWAR SARMAH asked :

*8. Will the Government be pleased to state—

(a) If it is a fact that the Pandu-Amingaon Ferry was settled with Rai Bahadur Chandra Ketu Narayan Sing for a period of seven years ?

(b) If it is a fact that there was an attempt to settle it with him for the year 1935-36 ?

(c) If it is a fact that the said Rai Bahadur is a man from Bihar ?

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

(a)—Yes, under the orders of the late Government.

(b)—It is not understood what is meant by "an attempt". The ferry was settled with him but the settlement was annulled on appeal.

(c)—Yes.

KHAN BAHADUR MAULAVI KERAMAT ALI: May we know whether any tenders were received from any local men ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The ferry was settled by the previous Government and I think there were tenders from some local men also.

MAULAVI GHYASUDDIN AHMED: May we know how many ferries have been settled with the Rai Bahadur in the Assam Valley ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I cannot say the total number of ferries settled with the Rai Bahadur. I am concerned with only Local Board ferries and I do not know how many Public Works Department ferries are settled with him.

SRIJUT KRISHNA NATH SARMAH: Is it a fact that this Rai Bahadur has got monopoly for ferry services in Assam for several years and is it not a fact that he has been shown special favour in this regard ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I know this Rai Bahadur has got monopoly for seven years for the Pandu-Amingaon ferry. He got the lease from the late Government.

MAULAVI GHYASUDDIN AHMED: Who held the lease of this ferry before this Rai Bahadur ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Srijut Baneswar Das,

MAULAVI GHYASUDDIN AHMED : For how many years this ferry is in existence ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : I am sorry I have to ask for notice on this point.

Nowgong Girls' High School

SRIJUT PURNA CHANDRA SARMA asked :

*9. Has the attention of the Government been drawn to the Girls' High School at Nowgong ? If so, do they propose to take up this school and if so, when ?

9.—THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : Government do not contemplate taking over this Venture School, but the question of giving it a grant-in-aid will be considered when funds permit.

SRIJUT PURNA CHANDRA SARMA : Is the Hon'ble Minister for Education aware that this is the only Girls' High School in the district of Nowgong ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I am not aware of that fact, but I say that a suitable grant will be made to this institution when funds are available.

DR. MAHENDRA NATH SAIKIA : May we know when funds will be available ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : When the present budget will be passed by this House.

SRIJUT PURNA CHANDRA SARMA : Is it a fact that the Director of Public Instruction rather gave an assurance to the public of Nowgong that a grant of Rs.7,000 would be made this year for the construction of a suitable building for this institution ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I am not aware of that. I do not know whether the Director of Public Instruction had any authority to say like that.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI . Am I to take it from this that the Hon'ble Minister of Education disassociates himself from what the Director of Public Instruction might have said or might say on this point ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I am not to follow what the Director of Public Instruction is supposed to have said, but I can say that the question of a grant will be considered.

SRIJUT PURNA CHANDRA SARMA asked :

*10. Will Government be pleased to state the number of High English Schools in the district of Nowgong, the number receiving Government aid and the amount they are receiving ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : There are four High Schools in the Nowgong district including the Government High School of which two are aided—one getting Rs.100 a month and the other Rs.60 a month. The third is unrecognised and therefore, unaided.

SRIJUT PURNA CHANDRA SARMA : Which is the third high school ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : The Raha High School.

SRIJUT PURNA CHANDRA SARMA: Is the Hon'ble Minister for Education aware of another high school started recently and often visited by the Inspector of Schools and the Director of Public Instruction?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I am not aware of that. Perhaps the report will come to us. As far as I know from my office there are only four, including the Government High School.

SRIJUT PURNA CHANDRA SARMA: Has not anything been mentioned in the report of the Director of Public Instruction regarding the Silghat High School?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I have no information on that.

SRIJUT MAHI CHANDRA BORA: Am I to understand that the existence of the Silghat High School has not been known to the Hon'ble Education Minister?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: It is not known to me from the office record.

SRIJUT PURNA CHANDRA SARMA: How long the Raha High School is going on without recognition and grant from the Government?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I want notice on that.

List of Institutions for vocational training

SRIJUT PURNA CHANDRA SARMA asked:

*11. Will Government be pleased to state the number of institutions for vocational training in each district and the contribution of the Government for each of them?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: A list of the institutions of which Government is aware, with particulars asked for, is laid on the table.

Commercial Carrying Company

SRIJUT SIDDHI NATH SARMAH asked:

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

- (a) The terms of the contract between the Commercial Carrying Company, Limited, and the Government of Assam for granting monopoly to the Company to run motor service in the Shillong-Gauhati-Pandu Road?
- (b) When will the contract between the Commercial Carrying Company, Limited, and the Government of Assam terminate?
- (c) Whether there is any condition for renewal of the contract after its termination?
- (d) If the answer to question (c) is in the affirmative, will the Hon'ble Minister in charge be pleased to state the terms for the renewal of the contract?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:
(a)—A copy of the contract between the Government of Assam and the Commercial Carrying Company is placed on the Library table. The

contract runs over to 20 paragraphs and therefore I do not propose to discuss the terms here.

(b)—The contract will expire on the 31st December, 1938.

(c)—There is no condition of renewal.

(d)—Does not arise.

SRIJUT SIDDHI NATH SARMAH asked :—

*13. Will Government be pleased to lay on the table a copy of the contract between the Commercial Carrying Company, Limited, and the Government of Assam for the information of this House ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I have already said that the contract has been placed on the Library table.

Total principal amount of debt of the Province of Assam

SRIJUT SIDDHI NATH SARMAH asked :

*14. Will Government be pleased to state—

(a) The total principal amount of debt of the Province of Assam outstanding on the 1st April 1937, and the total amount of interest accruing on the same up to that date ?

(b) What will be the annual amount of interest payable on that debt ?

(c) How do Government propose to pay up the debt with interest ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA :

14. (a), (b) & (c)—Sir, I am taking 14(a), (b) and (c) together. According to the revised estimates for 1936-37, the total amount of debt outstanding on the 1st April 1937, is 46 lakhs 78 thousand. This figure is subject to alteration when the final accounts for that year are known. This amount has been provided by the Government of India as a short term loan to be repaid within 18 months of the advent of provincial autonomy, the rate of interest being 2 per cent. per annum. As the Government is unable to find such a large sum from its current resources, it is proposed to float a loan in the open market for the purpose early in the financial year 1938-39. It is impossible to say, at present, what the terms and conditions of that loan will be ; but all repayments of the principal and interest thereon will be charged on the revenues of the province, under section 78 (3) (b) of the Government of India Act, 1935.

SRIJUT KRISHNA NATH SARMAH : May I know what was the amount which was wiped out by the Government of India at the advent of the provincial autonomy ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : That the hon member will know when I introduce the Budget.

SRIJUT KRISHNA NATH SARMAH : When the actuals for 1936-37 are expected ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : About September.

Principal bases of land revenue assessment

SRIJUT GOPINATH BARDOLOI asked :

*15. (a) Is it a fact that the productivity of the soil and the income therefrom are the principal bases of land revenue assessment ?

(b) Is it a fact that both the gross as well as the net income from tea cultivation per bigha are many times more than such income obtained from ordinary cultivation ?

(c) Is it a fact that if the bases of assessment are such as are described in question 24, assessments on ordinary cultivation have been excessive in comparison to such assessment on rich individual tea planters and capitalistic tea companies ?

(d) If the answer to above is in the affirmative do Government propose to revise the revenue policy of Government with a view to remove this discriminative policy of Government ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI :

(a)—The hon. member is referred to the rules at Part VI of the Resettlement Manual which lays down the principles of re-assessment as they existed at the time when the present settlement was made. The seven chief factors to be borne in mind by the Settlement Officer which are laid down in rule 111 do not include either the productivity of the soil or the income therefrom. These are referred to in rule 112 as only of a general and uncertain value as a check on the assessment proposed. The principles underlying these rules have since been incorporated in section 8 of the Land Revenue Reassessment Act of 1936 which will govern future settlements.

(b)—This is probably true if only the land actually under tea is taken into consideration, but most tea companies hold at least an equal area which is not under tea and is used only as grazing or fuel reserve as well as rice land for coolies. They also have heavy capital expenditure and have to pay income-tax on part of their profits.

(c)—Does not arise. Tea land is nearly all *faringati* and is assessed at a rate slightly higher than the *faringati* land in most villages. Moreover Government is not competent to revise the present assessment until the expiry of the settlements in each district.

(d)—Does not arise.

SRIJUT GOPINATH BARDOLOI : Will the Hon'ble Minister for Revenue please state if tea lands are assessed at the same rate as those areas that are not under tea cultivation.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I think the lands which are not under cultivation are charged at the usual *faringati* rate.

SRIJUT GOPINATH BARDOLOI : And these are maintained as part of the State land ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : These are included in the lands which are kept by tea garden proprietors.

SRIJUT LAKSHESVAR BOROOAH : What is the rate per *bigha* of fee simple lands ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I want notice of this.

Appointment of Jail Visitors

SRIJUT PURNA CHANDRA SARMA asked :

*16. Will the Government be pleased to state whether they received any letter from any member of the Legislative Assembly for permission to visit the Jails ? If so, was the permission granted and if not, why not ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Yes, they received a letter from the hon. member himself. Permission was granted to him and to certain member of Legislative Assembly of his party each to visit certain jails in order to enable them to study prison conditions in Assam and to suggest any steps they considered necessary for the introduction of a policy of prison reform. The only exception was made in the case of Srijut Purna Chandra Sarma who was given also permission to visit the Shillong Jail.

SRIJUT PURNA CHANDRA SARMA asked :

*17. Will Government consider the desirability of appointing every member of the House a visitor of the local jails ? If so, will the Government issue instructions to the local authorities to do the needful ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : The hon. member is undoubtedly aware that every jail in the province has got a number of visitors consisting of official chairman and certain number of non-official members, namely, four in the district and two in Subdivisional Jails. The Commissioners of Divisions make the appointment of the non-official members and they have instructions to consider the claims of members of the Legislature and appoint as many of them as possible within the limits prescribed by rule 20 of the Assam Jail Manual, Volume I, if they possess the requisite qualifications. Government do not consider it necessary to appoint every member of the House *ex officio* a visitor to his local jail, nor have they any reason to believe that every member will appreciate such nomination.

SRIJUT PURNA CHANDRA SARMA : Will the Hon'ble Minister in charge of the Jail be pleased to state what is meant by the requisite qualification ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : The qualifications which have been laid down under rule 20 of the Jail Manual.

SRIJUT PURNA CHANDRA SARMA : The reply is rather evasive. We have not got copies of the Jail Manual on our tables just at present.

THE HON'BLE THE SPEAKER : Such informations are available from the Government publications.

SRIJUT KRISHNA NATH SARMAH : Will the Hon'ble Minister in charge of Jails be pleased to state whether any Jail visitors in the past suggested any reforms in the Jail ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I have not got any such report from any newly appointed visitor as yet. Whether any visitor in the past made any remarks, it is not possible for me to say just now.

SRIJUT KRISHNA NATH SARMAH : There was a Muhammadan convict who was forced to cut his beards by the Jail authority, and I understand that there is a Jail visitor at Jorhat. Has any report been received by the Government from that Jail visitor ?

THE HON'BLE THE SPEAKER : The hon. member is giving a new information to Government.

BABU HARENDRA NARAYAN CHAUDHURI : Is it the policy of the Government to select only the Rai Bahadurs and Khan Bahadurs as Jail visitors ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : We cannot hear anything from this side of the House (laughter).

BABU HARENDRA NARAYAN CHAUDHURI : Are the Rai Bahadurs and Khan Bahadurs only selected as Jail visitors men considered safe from the view point of the Government ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I object to this statement, Sir.

Barpeta-Kholabandha Public Works Department Road

SRIJUT GHANASHYAM DAS asked :

*18. Is the Hon'ble the Minister in charge aware that the Barpeta-Kholabandha Public Works Department road is the only route connecting the subdivision with the only steamerghat therein ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The answer to this question is in the affirmative.

SRIJUT GHANASHYAM DAS : It is not audible from this place.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The answer is 'yes' (laughter).

SRIJUT GHANASHYAM DAS asked :

*19. Is it a fact that this road every year goes under water for several months including even the greater portion of it lying within the Barpeta Municipal area ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Yes, it is only a fair weather track.

SRIJUT GHANASHYAM DAS asked :

*20. Do the Minister in charge propose to order raising the said road above flood level during the next dry season ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : No. The road lies directly across the line of the Brahmaputra floods and any permanent road would be exceedingly costly to construct and owing to the changes in the river it is doubtful if it could maintain continuous connection with the steamerghat.

SRIJUT KAMESWAR DAS : Is it a fact that the road was taken up by the Road Board in its first programme to be maintained by improved method of mechanical appliances ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Yes, the road was proposed for improvement by mechanical appliances in the first Road Board programme but it had to be dropped from the second Road Board programme, because the road remains under water from June to October and during the rest of the year it is maintained only as a fair weather track.

SRIJUT KAMESWAR DAS : Was any expert opinion taken for improving the road when it was included in the first Road Board programme ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Yes, but opinion was given only to improve the surface by mechanical appliances and not for spending any money in raising the road or metalled.

SRIJUT KAMESWAR DAS : Was not the opinion taken to raise the road above flood level ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : No, Sir.

Trial of Criminal cases in Nalbari

SRIJUT SIDDHI NATH SARMA asked :

*21. Is it a fact that a First Class Magistrate is sent from Gauhati to Nalbari every week to try criminal cases there ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Yes, Sir.

SRIJUT SIDDHI NATH SARMA asked :

*22. If the answer to question 21 above is in the affirmative, will the Hon'ble Minister in charge be pleased to state—

- (a) How often the said officer goes to Nalbari ?
- (b) What works are done by the said officer at Nalbari ?
- (c) Whether a copy of the resolution urging the Government of Assam to discontinue the holding of the Criminal Court at Nalbari on the ground stated therein, passed in a meeting of the members of the Lawyers' Association, Gauhati, held on the 2nd July, 1937, and copies of similar resolution to the same effect from the public of the affected places, have been received by the Government of Assam ?
- (d) If so, what steps do Government propose to take in view of the public demand stated above ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Question 22 (a) : Once a week

Question (b) : Trial of criminal cases.

Question 22 (c) : Yes, both for continuance as well as against it. The number of resolutions received against the abolition of the court will far exceed the number of the resolutions in favour of abolition.

Question 22 (d) : The matter is engaging the attention of the Government.

(DISCUSSION ABOUT SUPPLEMENTARY QUESTIONS TO UN-STARRED QUESTIONS)

THE HON'BLE THE SPEAKER : We have finished an hour which was allotted for questions.

SRIJUT SIDDHI NATH SARMA : There have not been adequate answers to my supplementary questions, Sir.

THE HON'BLE THE SPEAKER : Of course, these questions have not been sufficiently answered. If hon. member wants they can be taken up to-morrow.

SRIJUT PURNA CHANDRA SARMA: Sir, I want to make a submission. In my question No.11 it was answered by the Hon'ble Minister in charge that the reply was to be found in a statement laid on the table. I do not find it on my table.

KHAN BAHADUR MAULAVI KERAMAT ALI: On a point of information, Sir. May we know whether the unstarred questions will be taken up first to-morrow?

THE HON'BLE THE SPEAKER: No, to-morrow starred questions will be taken up first. After the answers to starred questions are finished, the unstarred questions will be taken up.

KHAN BAHADUR MAULAVI KERAMAT ALI: Is this the practice to be adopted daily? Then the unstarred questions may not come at all in this Session. They may lapse.

THE HON'BLE THE SPEAKER: No; I think there is some difficulty in the procedure. Now the whole object of distinguishing questions—starred and unstarred—has been lost sight of. The original intention was that supplementary questions should be put to starred questions only and the answer to the unstarred questions will be laid on the table. Now a practice has grown up here that supplementary questions are also allowed on the answers to unstarred questions and I shall consider whether if on a particular day if there is sufficient time for the answering of unstarred questions, whether the questions which are put up for that day should be taken up on the next day for supplementary questions to be put. There cannot be any question of lapsing of unstarred questions answered.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: May I submit, Sir, that it is very difficult for Government to bring heavy files every day if we do not know which of the unstarred questions will come up.

THE HON'BLE THE SPEAKER: It is not at all difficult for the mighty Government to do so.

SRIJUT GOPINATH BARDOLOI: Might I suggest one thing, Sir, with reference to the placing of statements on the Library table? It would be convenient if the statements are laid on the table of the House so that hon. members might see them when convenient.

THE HON'BLE THE SPEAKER: I think the statement is already laid on the table. My Secretary told me that a printed copy was placed on the table of each member.

SRIJUT GOPINATH BARDOLOI: I do not mean that, Sir. I mean the copy of the contract between the Government and the Commercial Carrying Company being placed on the Library table.

THE HON'BLE THE SPEAKER: This is the practice which has grown up here and I think if the hon. member feels any inconvenience for placing them on the table of the Library, he can inform me and I shall consider whether they would be laid there or on the table of the House.

SRIJUT SARVESWAR BARUA: When the starred questions are answered the papers laid on the Library table are not available at the time and the putting of supplementary questions on them is not possible without knowing what statements are placed on the Library table.

THE HON'BLE THE SPEAKER: I shall give my ruling whether the statements should be laid on the Library table or on the table of the House. Let us consider the next business.

ADJOURNMENT MOTION REGARDING FASTING RESORTED TO BY SRIJUT BEPIN CHANDRA CHAKRAVARTY IN CONNECTION WITH THE LOCKOUT IN THE DHUBRI MATCH FACTORY.

MR. FAKHRUDDIN ALI AHMED: Sir, before the commencement of to-day's sitting, I left with the Secretary of the Assembly a written statement of the matter to be discussed under an adjournment motion to move which I now seek your consent and the permission of the House. May I read it?

"That the House do adjourn for the purpose of discussing a definite matter of urgent public importance to wit, the imminent danger to life by fasting, resorted to by Srijut Bepin Chandra Chakravarti, leader of the Dhubri Match Factory Workers' Union, as the culmination of the lock-out of the said Factory, due to refusal of the employers to concede to the legitimate demands of the workers, regarding wages, hours of work, etc."

THE HON'BLE THE SPEAKER: Is he fasting till to-day?

MR. FAKHRUDDIN ALI AHMED: Yes, Sir, the lock-out is continuing till this day and a number of people are suffering still as a result of the lock-out.

THE HON'BLE THE SPEAKER: Will the Hon'ble Chief Minister say anything?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: We have no official knowledge of the fast, we have no report from our District Officers.

SRIJUT GOPINATH BARDOLOI: Does he not read newspapers?

THE HON'BLE THE SPEAKER: What is the source of information of the hon. member?

MR. FAKHRUDDIN ALI AHMED: I went to the spot myself after the commencement of lock-out. I found that workers were starving and people were suffering as a result of this lock-out and the day I left Dhubri their leader took to fasting and I know it from a definite source that he is continuing his fasting. As a matter of fact this matter has been reported in practically all the newspapers, and had the Leader of the House cared to read the papers he would have found it in every newspaper.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: May I know, Sir, when the hon. member left Dhubri?

MR. FAKHRUDDIN ALI AHMED: About a week ago.

SRIJUT GOPINATH BARDOLOI: I can give something about it on my own authority. A man of our party was sent from Goalpara to Dhubri and he came back with the information that 350 men had been thrown out of employment by this lock-out. Their case was taken up by Srijut Bepin Chandra Chakravarti, who was fasting till last Saturday. The same information is available from two persons, who have come to Shillong all the way from Dhubri.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: On another point of information, Sir, is this the gentleman who is the Secretary of the Workers' Association of Calcutta?

SRIJUT GOPINATH BARDOLOI: He is the Secretary of the Trade Union.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Calcutta or Dhubri?

SRIJUT GOPINATH BARDOLOI: He is an employee of the Dhubri Match Factory.

MAULAVI ABDUL MATIN CHAUDHURY: May I point out, Sir, that the Hon'ble Chief Minister has said that he has no information about the hunger strike.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Official information.

MAULAVI ABDUL MATIN CHAUDHURY: It has been the rule in the Legislative Assembly that the reason that Government have no information is not a sufficient reason for disallowing an adjournment motion.

Mr. T. C. Goswami sought to move the adjournment of the house to discuss the hunger strike of certain state prisoners, and Sir Alexander Mudiman opposed the motion on the ground that he would not be in a position to give a proper reply on the matter.

The PRESIDENT ruled:—"The fact that the Government is not ready to give a proper reply to the question raised by the motion for adjournment is no ground on which the Chair can disallow that motion".

THE HON'BLE THE SPEAKER: Of course, the information has been supplied by the hon. member who has tabled the adjournment motion and he has given sufficient reasons to show that this information is quite correct and the fast is still continuing. Having regard to this fact, I hold that the motion is in order. Has the hon. member leave to move the adjournment motion? 20 members will have to rise in their seats.

(At this time more than 20 members rose in their seats).

THE HON'BLE THE SPEAKER: Hon. member has got leave to move his adjournment motion and I fix 3-30 to-morrow to discuss this motion.

MAULAVI ABDUR RAHMAN: Sir, we are entering into the business of the House. We know one hon. member of the House late Kshirode Chandra Dev.....

THE HON'BLE THE SPEAKER: Order, Order. The matter will be coming up in proper time and in a proper way.

CONDOLENCE MOTION ON THE DEATH OF BABU KSHIRODE CHANDRA DEV

✓ THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Before we begin the proceedings of our session to-day I have got the painful duty of lamenting the death of one of our hon. members, the late Kshirode Chandra Dev. It is doubly painful to me because I had been in close touch with him for over 3 years as I worked with him in the Montague-Chelmsford Reformed Council. A perfect gentleman, a ready wit, he was liked by all. His humorous speeches used not merely to amuse but also enlighten the members of the House. I could never believe that when I parted with him the other day after the last Assembly session I was bidding "good bye" for ever though he was prophetic. When I remarked to him how emaciated he was looking, he told me that perhaps I would never see him again as he was suffering from dropsy

and he showed me his swollen feet. A public man of undoubted ability and forceful but genial personality, I expected that his enlightening speeches and weighty remarks would enliven the debates in this House for long, but fate ruled otherwise, and we mourn his loss here today. I hope the hon. members of this House will agree with me in proposing a vote of condolence and sending a message of our grief at the bereavement to the family of the deceased. I understand his old father is still alive, and my whole heart goes out to him in the irreparable loss that he has suffered.

With these few words I commend my motion to the acceptance of the House.

SRIJUT GOPI NATH BARDOLOI: Sir, I really thank the Hon'ble Leader of the House for having moved this condolence motion. I cannot however speak in the same terms as he has done. My acquaintance with the late Mr. Kshirode Chandra Deb was very short-lived, but during the very short period of acquaintance from what I saw of him I can only say that I have lost a dear brother; we have lost a dear comrade in our work and we have lost a dear Deputy Leader. It is indeed very sad that he should have been taken away from us just in the prime of his life, that a person who used to enlighten the whole House with his ready wit and with good humour should have been taken away so suddenly. Sir, I do not want to make a long speech, but I think that just as the country has shown sufficient honour to him in the various meetings that have been held in his memory, I think this House should also honour him by adjourning the business of this House for some minutes.

I hope my proposal will receive the acceptance of this House.

✓ **MAULAVI ABDUL MATIN CHAUDHURY:** Sir, On behalf of the Muslim League Party I desire to associate ourselves with the motion of condolence that has been moved by the Hon'ble Chief Minister. By the sudden death of the late Babu Kshirode Chandra Deb we have lost, nay the province has lost, one of its most prominent public men. By his death the public life of the province has suffered a loss which it is hard to make up. By his death we mourn not only the death of a prominent public man but to many of us it is a personal bereavement because Kshirode Babu was one of our dearest friends—he was one of the most lovable of men. A reference has been made to his wit and humour, he used to enliven every company where he happened to be. He was popular both with Hindus and Mussalmans. He was a very prominent public speaker and swayed the masses by his eloquence in any meeting that he attended. He was a distinguished man of letters and he has left his mark in Bengali literature. From the days of non-co-operation he threw himself heart and soul in every political struggle, and suffered courageously for his conviction. Public life in the province is distinctly poorer by his premature demise. So, I request you to convey to the bereaved family our sense of loss and condolence on the death of so dear a friend, so sincere a patriot.

MR. F. W. HOCKENHULL: Sir, the European group desires to record its sorrow at the news of the death of Srijut Kshirode Chandra Deb.

With the shadow of bereavement hanging over us we can forget all differences of party, race or creed, and appraise the value of our late colleague as the man he was. Indeed it is one of the happiest compensations of political life that however fierce the argument, however keen the debate, once we have left the arena, we are at liberty to discover in each other those qualities which lead to mutual respect and quite often personal friendship. Speaking in this sense, therefore, I am merely stating the fact that the death of our deceased colleague is a loss to the Province as

well as to this Assembly. He was an ardent patriot, and no nobler epitaph could be desired by any of us.

I should not be fulfilling my duty were I to neglect this opportunity of sympathising with his party (and particularly with the leader of the party), for his services have been appreciated to the extent of electing him to the office of Deputy Leader. To them at the commencement of their tenure of office in opposition we extend our sincerest sympathy in a loss which is almost irreparable.

We desire to be associated in the message of condolence which you, Sir, will be forwarding to the family of the deceased member.

BABU KAMINI KUMAR SEN: Sir, on behalf of the Independent Party to which I have the honour to belong I also beg to associate myself with the resolution of condolence which has been placed before the House, and also with all that have been said by the previous speakers. I had the privilege of knowing Babu Kshirode Chandra Deb for a pretty long time, and from what I knew of him I can confidently assert that in him we have lost an ardent patriot and distinguished public man. From the beginning of his public career he was fighting for the popular cause, and he suffered much for it. In this Assembly we had the privilege of hearing him only for a few days, but his forceful speeches and witty interpellation in the last Montagu-Chelmsford Council will be long remembered by the public. We are sorry to lose him at this time and the country is distinctly poorer by his loss. With these few words, Sir, I join myself with the resolution of condolence and the prayer for his departed soul.

MR. NABA KUMAR DUTTA: Sir, I beg to take this opportunity to associate myself with the request for a motion of condolence for the departed soul. I fully associate myself with what has been said by the Hon'ble Leader of the House. The sudden death of Mr. Kshirode Chandra Deb coming on us at this great political juncture of this country's history is a sad and irreparable loss. He was a prominent and able speaker, and had been elected as Deputy Leader of his party for his merit and ability, and he was popular both with the people of the Surma Valley and the Assam Valley, and I on behalf of the Indian planters of the Assam Valley offer my deepest sorrow at the demise of this personage.

MAULAVI MUNAWWARALI: On behalf of this side of the House I fully associate myself with the motion of condolence moved by the Leader of the House. My personal acquaintance with Babu Kshirode Chandra Deb began in 1919 while he and I were members of the Sylhet District Bar. Sir, since then I have known him more intimately than many of us here. He was a genial personality; he was the wittiest man I knew; he was the most beloved of all in the circle of lawyers. Then, as a public man, he rushed headlong into the field of politics and he spared himself no pains; he spared nothing, he scamped nothing in trying to bring about the emancipation of the country which was dearest to his heart. He suffered incarceration, he suffered privation and what not? Sir, only the other day he was in our midst and his genial temperament did not fail to electrify the hearts of each and every one of us. His departure from amongst us has been felt throughout the length and breadth of this province and his memory has been fittingly honoured.

Our hearts are full today and we do not know how to express our sorrow at the great bereavement. We consider the loss a personal one. The country has suffered a grievous loss and House is poorer for it. His soul is in eternity and our prayers go to the Almighty for his eternal salvation. On this sorrowful occasion, I mourn the great loss in the melancholy vein of

Sir Walter Scott :

" He is gone on the mountain.

" He is lost to the forest.

" Like a summer-dried fountain.

" When our need was the sorest."

And, alas, Mr. Kshirode Deb, the patriot, has been snatched away when, indeed, the Country's need was the sorest."

KHAN BAHADUR KERAMAT ALI : Sir, I join myself whole-heartedly on behalf of the Moslems of the Assam Valley with every word that has been said by my predecessors on this motion of condolence.

DR. MAHENDRANATH SAIKIA : Sir, on behalf of the United Peoples Party, I beg to say a few words. My words fail to express my heart-felt sorrow on the sudden and unexpected death of Kshirode Babu. Sir, I had never any opportunity in my life to know him personally. But, Sir, in the beginning of the last session of the Assembly, from the very mode of his behaviour and the few questions he put, he had impressed me quite favourably and I had no doubt that he was a capable Councillor. Sir, after condolence meetings were held and the proceedings published in the papers it was stated that he was a first class parliamentarian. Then people who went through the papers enquired of me about the deceased I told them that he was surely a first class parliamentarian and a sincere worker so far as public service was concerned. Sir, every soul departs from this world but it is its good work that lives for ever. And Kshirode Babu's public career will remain for ever behind him.

With these words, I join whole-heartedly with the ideas expressed in the motion.

MR. ARUN KUMAR CHANDA : Sir, as the newly elected Deputy Leader of Congress Party, I feel as if I shall be failing in my duty if I did not add my humble voice to this chorus of grief. Babu Kshirode Deb requires no introduction in this House. Those of us who were privileged to witness his preliminary bouts with the Treasury Benches will ever regret that the fulfilment of so great a promise was not granted to us. He was a first rate politician ; wit and humour and invectives were weapons in his political armoury which he used with such natural grace that they rather pleased than offended the parties against whom they were employed.

It is very tragic to contemplate that such a promising career should have been cut short with such tragic suddenness. Our beloved Deputy Leader has not only left behind him his wife and children but an old father on whom the infirmities of age are growing very fast. Babu Kshirode Chandra was the great son of a great father. His father was a respected leader of the Bar who is being held in very great esteem by the people. Government at one time, conferred on him a title but in the twenties of the century when the country was swayed by the non-co-operation movement, this old gentleman thought nothing of sacrificing a large and lucrative practice and relinquishing his badge of dishonour and hurling himself into the vortex of that movement headlong. Such is the father who kindled the fire of patriotism in the breast of his son. Our hearts must go out to him in this terrible bereavement.

Sir, Babu Kshirode Chandra has set in a blaze of glory. He has died in the active service of his motherland and there is little for us to do now but to pray that he may rest in peace where he has gone ; and may his spirit watch over us as we try with faltering steps to achieve the function of the object which was so dear to his heart to reach that goal which was his dream till the last days of his life.

THE HON'BLE THE SPEAKER : The Hon'ble Leader of the House, the hon. Leader of the Opposition, the hon. Leader of the Moslem League party,

the hon. Leader of the European party, the hon. Leader of the United Moslem party and other hon. members of the House, I fully associate myself with what has been said on this melancholy occasion of a condolence motion on the death of our dear friend and colleague Babu Kshirode Chandra Deb. The late Babu Kshirode Chandra Deb, was indeed a patriot in the truest sense of the term. A grand nephew of the late Rai Bahadur Dulal Chandra Deb, who was held in high esteem both by the people and the Government and a grand son of the great Rai Bahadur Sitamohan Das—Kshirode Chandra could have easily carved out for himself a career of comfort and ease by accepting service under Government. But the urge to work for the independence of the country was so strong on him that from the day he entered life he devoted his talents and time to the service of the country and never shrank from adopting a life of struggle and strain of suffering and disappointments, which is generally the lot of a true lover of the country. In the year 1924, perhaps within four years of his joining the Bar, we found him here as a member of the Legislative Council, which has now been replaced by this Hon'ble Assembly. As a whip of the Swaraj Party he at once came into prominence as a well-equipped member of the House, and hon. members who have spoken on this occasion have all referred to his high ability as a politician and a literary man and to his power of debate. He had a winning personality and his pleasant manners endeared him to all, and when the country was expecting much from him as a member of this House, the cruel hand of death has taken him away, and we are here to-day to mourn the grievous loss this House and the country at large has sustained. A relation of mine, Kshirode Chandra was dearer to me as a friend and comrade in my political activities. My words fail me to give adequate expression to the poignant feeling of personal loss and bereavement which is on me. As hon. members desire a condolence message would be sent to the bereaved family and as a mark of respect this House would remain adjourn from now till 2 p.m. including the time of recess.

SUPPLY TO PRESS REPORTERS OF THE LIST OF BUSINESS AND OTHER NECESSARY PAPERS

SRIJUT MAHI CHANDRA BORA : On a point of information, Sir. Hitherto the practice was to supply to the non-official reporters of the press gallery the list of business and other necessary papers that have been supplied to the members of the Assembly on the floor of this House. But this practice was not followed so far as the first period of the sitting of this Assembly session is concerned.

THE HON'BLE THE SPEAKER : That is not on account of any neglect on the part of the Assembly Department. I have given my direction and perhaps papers have been supplied by now.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR RE THE ALLOTMENT OF DAYS FOR PRESENTATION AND GENERAL DISCUSSION OF THE BUDGET, ETC.

THE HON'BLE THE SPEAKER : I have to announce the message of His Excellency the Governor regarding allotment of days during the present session for presentation and general discussion of the budget, discussion of estimates of expenditure charged upon the revenues of the Province other than estimates relating to expenditure referred to in paragraph (a) of sub-section (3) of section 78 of the Act, voting of demands for grants, moving of

further demands for grants and for placing the authenticated schedule of authorised expenditure, and also for private members' business. The message runs thus—

“For the purposes of sub-section (1) of sections 78 and 79 and sub-section (2) of section 80 of the Government of India Act, 1935, and in pursuance of rules 12, 14(1), 15(1), 16, 17(2)(b) and 19 of the Assam Legislative Assembly Rules, Part I, I, Robert Niel Reid, hereby appoint the following days for the presentation to the Legislative Assembly of the statement of the estimated receipts and expenditure of the Province for the year 1937-38 and for the subsequent stages in respect thereof in the Legislative Assembly during its August session, 1937, namely:—

Tuesday, the 3rd August	Presentation in the Legislative Assembly.
Saturday, the 7th August	1. General discussion in the Legislative Assembly. 2. Discussion of estimates of expenditure charged upon the revenues of the province, other than estimates relating to expenditure referred to in paragraph (a) of sub-section (3) of section 87 of the Act in the Legislative Assembly.
Monday, the 9th August ...	...
Tuesday, the 10th August ...	...
and		
Thursday, the 12th August (up to midday adjournment).	...	Voting on Demands for Grants in the Legislative Assembly.
Monday, the 16th August up to 1 p.m.	...	
Tuesday, the 17th August up to 1 p.m.	...	
Thursday, the 19th August ...	...
Friday, the 20th August ...	...
Saturday, the 21st August ...	...
Monday, the 23rd August ...	...
Tuesday, the 24th August ...	...
Wednesday, the 25th August	1. Moving of further Demands for Grants, if any, otherwise voting on Demands for Grants in the Legislative Assembly. 2. Placing of the authenticated Schedule of authorised expenditure before the Assembly.
Tuesday, the 31st August ...	...
Wednesday, the 1st September	

This order shall be subject to my revision, if necessary, from time to time.

Shillong,
The 27th July 1937.

(Sd.) R. N. REID,
Governor of Assam.”

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR REGARDING ALLOTMENT OF DAYS FOR PRIVATE MEMBERS' BUSINESS

“In pursuance of rule 17 of the Assam Legislative Assembly Rules, Part II, I, Robert Niel Reid, hereby allot the following days for private members' business during August session of the Assam Legislative Assembly, 1937:—

Wednesday, the 4th August ...	...	1. Private members' Bills.
Friday, the 6th August ...	...
Thursday, the 12th August... (after lunch)	...	2. Private members' Resolutions (if time permits).
Saturday, the 28th August ...	...

Thursday, the 5th August	} Private members' Resolutions.
Friday, the 13th August ...	...
Friday, the 27th August ...	...
Monday, the 30th August ...	...

This order shall be subject to my revision, if necessary, from time to time.

Shillong,

The 27th July 1937.

(Sd.) R. N. REID,

Governor of Assam.

STATEMENT MADE BY THE HON'BLE SPEAKER REGARDING GENERAL DISCUSSION OF THE BUDGET

THE HON'BLE THE SPEAKER : In this connection I want to make a statement before the House. His Excellency has allotted the following days for the general discussion of the Budget and for the discussion of the estimates referred to in rule 17(1) (b) of the Assembly Rules, Part I—

7th August, Saturday,

9th August, Monday,

10th August Tuesday,

12th August, Thursday (half day).

Under rule 14(3) it is open to me to prescribe a time limit for speeches in this connection, if I think necessary. It will be somewhat difficult for me to fix a time limit until and unless I know how many members desire to take part in the discussion on a particular day. In order to regularise matters and to allot a suitable time limit for speeches, I would request the Leaders of party groups to give me the names of their party members who desire to speak on the subject on different dates, at or before 2 p.m., to-morrow (the 4th August, 1937).

Individual members who do not belong to any party are also requested to come to an agreement amongst themselves and inform the Assembly Department at or before 2 p.m., to-morrow, Wednesday, the 4th August 1937, the names of hon. members who would like to take part in the general discussion and also, if possible, the date or dates on which each of them desires to speak.

I need hardly say that I am proposing this arrangement to the hon. members with a view to attain a smooth conducting of the general discussion of the budget. It is never meant to restrict the speeches to the hon. members whose names would be supplied. If, after the speeches of the hon. members whose names would be supplied to me there is time other members would be getting their chance to speak.

STATEMENT MADE BY THE HON'BLE LEADER OF THE HOUSE REGARDING THE COURSE OF GOVERNMENT BUSINESS

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA :
With your permission, Sir, I desire to make a statement about the course of Government business during this session.

The Government business, which is to be taken up to-day, is already shown in the day's agenda, a copy of which has been placed on each member's table. I need not detail it again.

If the motion for taking into consideration the following Bills is accepted by the House to-day, we propose that the Bills be considered clause by clause on the 14th August, and then to move that they be passed :—

1. Assam Speaker's Salary Bill, 1937.
2. Assam Deputy Speaker's Salary Bill, 1937.
3. Assam Ministers' Salary Bill, 1937.
4. Assam President's Salary Bill, 1937.
5. Assam Deputy President's Salary Bill, 1937.
6. Assam Court of Wards Amendment Bill, 1937.

We also propose to introduce the Assam Removal of Disability Bill, 1937, for the consideration of the House at a later date.

After the Bills are disposed of we also propose that elections of representatives of this House to the various Boards and Committees be held.

We propose to take up any unforeseen Government business on the 31st August and 1st September after the disposal of the Government business allotted for these days by His Excellency the Governor.

STATEMENT MADE BY THE HON'BLE SPEAKER ABOUT THE CONSIDERATION OF PRIVATE MEMBERS' BILLS

THE HON'BLE THE SPEAKER: I want to make another statement before the House. The Provisional programme of business will show that Private members' Bills will be taken into consideration, clause by clause, on the 12th and 28th August. Under rule 59(1) notice of amendments, if any, to these Bills must reach the Assembly Department three clear days before the day on which each Bill will be so considered. That is, notice of amendments, if any, to Bills which will be taken into consideration clause by clause on the 12th August must reach the Assembly office before 3 p.m. on the 8th August. As the 8th is a Sunday, hon. members are requested to hand over the notices, if any, on the 7th August. Similarly notices of amendments, if any, to Bills which will be considered clause by clause on the 28th should reach the Assembly Office before 3 p.m. on the 24th August.

As regards the Government Bills, hon. members have just now heard from the Hon'ble the Leader of the House that such Bills will be taken into consideration clause by clause on the 14th August. Notices of amendments, if any, to these Bills should therefore reach the Assembly Office before 3 p.m. on the 10th August.

I hope hon. members will kindly stick to this requirement of the rule.

SPEECH OF THE HON'BLE THE CHIEF MINISTER INTRODUCING THE BUDGET FOR THE YEAR 1937-38

✓ THE HON'BLE MAULAVI SA'YID SIR MUHAMMAD SAADULLA :

1. I rise, Sir, to present to the House, the budget estimates of the Government of Assam for the financial year 1937-38. As this is the first budget under the new constitution, I would like to place before the hon. members a short survey of the changes that have been wrought in the financial arrangement of the province.

2. Before the year 1921, a system of financial arrangement known as the Financial Settlement was in vogue in India under which system only very small sources of revenue were given to the provinces. We were, therefore, entirely dependent upon the Central Government and only those provinces who could bring pressure upon and influence the Central Government received large doles to meet their requirements while small and uninfluential provinces like Assam received but a scanty pittance. During this period, I remember having been told by a high official of the then Assam Government that at one time the Government of India complained that Assam did not open its mouth wide to receive a bigger dole.

3. The Montagu-Chelmsford Reforms of 1921 brought in a considerable change and the provinces were supposed to be made completely independent of the centre in the matter of their resources. And the financial settlement which goes by the name of the Meston Award was based on a very rosy picture of the provincial income and many of the provinces were asked to contribute annually certain determined sums towards the coffers of the centre. During this period, which luckily for us ended in the year 1927-28, our poor province was made to pay to the central exchequer a sum of Rs. 15 lakhs annually for six years and a sum of Rs. 7 lakhs in the last year, though provinces much more developed and with fatter purses were exempted from such a payment. During the continuance of the Meston Settlement the only advantage which Assam with other provinces derived was that it could look upon the Central Government as its Banker and any deficit in the provincial revenues over its requirements was advanced by the Centre as loans. The province could also draw upon the Government of India for any sums that were required for its development. Originally these loans were designed to be repaid by a system of equated annual payments in a fixed number of years.

4. But the present financial arrangement which has come into force as a result of the Report of Sir Otto Niemeyer is entirely different. The main features of the new arrangement have been concisely detailed in paragraph 3, page 8 of the Memorandum on the Budget Estimates, a copy of which along with the Detailed Estimates and Demands for Grants for the year 1937-38 and the Accounts for the year 1936-37 have been supplied to hon. members already. Under the present arrangement, with certain help from the Central Government, the provinces must stand on their own legs so far as their income and expenditure are concerned. If there be a deficit in any year, that deficit shall have to be met by borrowing in the open market.

5. Although we must be thankful for small mercies, I cannot let pass this occasion without recording an emphatic protest against the meagre subvention recommended by Sir Otto Niemeyer and which has found favour with the authorities. This amount is entirely disproportionate to the growing needs of Assam and the past demands made upon her and the extra expenditure incurred for the Government of India, a short description of which I gave while introducing the budget in this very hall for the year 1933-34. Under the Meston Settlement Assam paid the colossal sum of 97 lakhs as contribution to the Central exchequer while she had incurred an expenditure of nearly half a crore for the maintenance of the semi-military organisation, the Assam Rifles which is mainly required as a militia for guarding the Eastern Frontiers. This expenditure should have been borne entirely by the Central Government as they do for guarding the North-West Frontier.

6. Assam has been described by the Simon Commission, the precursor of the present reforms, as "the least developed of the Governor's provinces" and she was recommended for special consideration by the Federal Finance Committee presided over by Lord Eustace Percy who estimated, after going through the memorandum submitted by the Assam Government and hearing our witness that the annual deficit of the province will be in the neighbourhood of 65 lakhs. We had high hopes when the Joint Parliamentary Committee in paragraph 260 of their report made the significant admission "It is certain that Assam urgently needs an assured increase in its revenue", and the same was recognised in paragraph 59 of the White Paper of the Constitution Bill that "Some of the existing provinces notably Assam are likely to need assistance for a time", that our legitimate requirements will be met either by a fixed and sufficient subvention or by assignment of a growing source of revenue.

But to our great misfortune we have been given a recurring contribution of 30 lakhs only, a contribution which is even less than half of what the Percy Committee determined as our deficit on the existing scale of administration. Like Bengal and the jute export duty, this province should have been assisted by the assignment of either the whole, or a portion, of the proceeds of the excise duty on petrol and kerosine produced within the boundaries of the province. But all our claims for participating in this source of revenue have gone unheeded. Of course by the return of 62½ per cent. of the jute export duty to the growing provinces we gain to the tune of about 11 lakhs. But this gain is a very minute fraction of our present requirements. I am planning to approach the higher authorities again on the subject of a suitable help to the province whose needs are very many and who has got no elastic source of revenue.

7. Sir, with these preliminary remarks, I now come to a discussion of the budget proper. Hon. members will find that not only the figures of estimates for the current year but also the system of accounting has undergone a complete change. In the budget estimates for the current year a new departure had to be made showing the expenditure required for non-excluded areas and excluded areas. Also in the place of the familiar terms 'Voted' and 'Non-voted', we have now 'Voted' and 'Charged'. It is customary at the time of introducing the budget estimates for any year to consider the accounts of three years, namely (1) the year for which accounts have been closed—and in the present case it is the year 1935-36, (2) the accounts for the year 1936-37 which, though in a sense closed, still require certain final adjustments to be made and (3) the current year for which I present the budget estimates to-day.

1935-36

8. As regards the year 1935-36, hon. members will find from Appendix B at page 107 of the Memorandum of Budget Estimates for 1937-38, a summary showing that though the province was apprehending a *minus* balance of over 45 lakhs on the year's working, the actual deficit however turned out to be a little over 41 lakhs, and that this deficit was eventually converted into a loan from the Government of India. I need not take the time of the House by pointing out the reasons for this saving of about 4 lakhs as the important variations both in revenue and expenditure have been explained in this statement.

1936-37

9. Before I take the hon. members through a review of the position of our finances in 1936-37 I must explain in short the system of accounting. The budget estimates of any particular year are based on the actuals of nine months of the

previous year and an intelligent guess for the rest, viz., three months. After nine months' working of any particular year the results are compared with the original estimates and a revised estimate is prepared. In normal years there is very little difference between the Revised estimates and the actuals of any particular year. Immediately after the close of the financial year the actual figures are not available because certain adjustments, sometimes even inter-provincial, have got to be made. Minor adjustments are generally made in April and the figures thus arrived at are known as the March preliminary figures. But the final adjustments are generally made in September when the actual figures for any particular year's working are available and that is called the March final accounts. I have to explain the system of accounting for the simple reason that we have not arrived at the stage of obtaining the actual figures of the year 1936-37. We have to go by the revised estimates of that year in the remarks that I will make about the working in that year.

10. At page 5, statement D of the volume of Accounts for the year 1935-36 and the Revised Estimates for the year 1936-37, hon. members will find that according to the revised estimate of 1936-37 the provincial deficit was estimated to amount to Rs. 46,78,000. I am glad, however, to inform the House that the deficit actually will be about Rs. 32 lakhs. This decrease in the deficit is due to the perceptible increase in the principal heads of revenue as disclosed in statement A of the volume of Accounts for the year 1935-36 at page 1. Although under Land Revenue the increase there is shown as 1½ lakhs under the Revised Estimate the actual increase under Land Revenue up till the end of March was a little over 4 lakhs. Another significant improvement in revenue is under Forest and Excise. Hon. members will get some information about this increase from the memorandum at pages 16 and 20. This welcome increase in our revenue was backed by a reduction in expenditure by about 4 lakhs, thanks to the insistence of the Finance Department on the observance of rigid economy in every department. As hon. members will find the necessary information from statement B at page 2 of the volume of Revised Estimates, I need not detail them here.

1937-38

11. Let me now take the budget estimates for the year 1937-38. It is necessary before I proceed to bring to the notice of the House three facts. Firstly, the year began with His Excellency the Governor authorising expenditure to enable the business of the Provincial Government to be carried on for six

months from the date of the commencement of Part III of the Constitution Act under the provisions of the Government of India Commencement and Transitory Provisions Order, 1936. Secondly, the budget proper which I now present before the House is really a budget for the six latter months of the year and it had to be prepared on the figures that were calculated by my predecessor. Thirdly, in preparing the budget we have taken into account the subvention of Rs.30 lakhs from the Central Government as part of our revenue receipts. Thus the total receipts from revenue heads amount to Trs.2,84,74. The expenditure from revenue for the same period including expenditure on the new schemes proposed is estimated at Trs.2,82,48. In other words the excess of revenue over expenditure is estimated to amount to Rs.2,26,000.

12. I will speak about the new schemes later on. It may be questioned why, when there is a demand for various projects in the nation-building departments, I have kept over Rs.2 lakhs unutilised. As is known to hon. members, on account of the vagaries of nature in the shape of floods and earthquake, the province at any time may be faced with an unexpected demand and it is but prudent to keep something in hand to fall back upon for times of emergency.

13. Hon. members must have wondered over the statement C of Capital Revenue and Expenditure. As this is a very difficult subject, I think it is my duty to try and explain what is included in it.

From 1st April 1937 this Government has taken over all liabilities of the various Provident Funds, all deposit of local funds, etc., and also the house building, motor car and other advances and will have to provide the requisite sums when any call upon these funds arises. The net effect of taking over all these deposits is that in the budget year Assam stands to gain Trs.10,80. The gain is actually Trs.13,30 as the Government of India have provided in cash Trs.4,00 to cover the unexpended balance of their grant for the economic development of rural areas which could not be spent in the year in which it was granted. Of this sum of Trs.4,00, Trs.2,50 is proposed to be spent this year. The various items are dealt with below.

i. State Provident Funds.—The estimate of Trs.15,11 on the receipt side represents the subscriptions to the various funds while the estimate of Trs.7,78 on the expenditure side covers the final withdrawal from the funds on retirement and temporary advances made during the year. The excess of Trs.7,33 on receipts over outgoings is decreased by Trs. 3,73 if allowance is made for interest charges provided in the revenue portion of the budget.

ii. *Subvention from the Road Development Fund.*—This represents the contribution from the Petrol Tax Fund and appears on both sides of the account as under the new proposals of the Government of India only the amount actually required for expenditure in the year will in future be given to the provinces.

iii. *Fund for economic development of rural areas.*—The sum of Trs.78 on the receipt side represents the Government of India's grant for (1) Co-operative training (Trs.13), (2) Livestock improvement scheme (Trs.30), (3) Assam Livestock Association (Trs.15), and (4) purchase of irrigation pumps (Trs.20). The expenditure side provides for the expenditure of this sum and also for the expenditure of a portion of the grant of Trs.5,00 received in a previous year for the economic development of rural areas.

iv. *Depreciation fund.*—The provisions represent the payments to and withdrawals from the fund, the former to cover the depreciation on machinery in the Press and the latter for the renewal of worn out machines.

v. *Deposits of local funds.*—The entries under this head represents the receipts and expenditure during the year of the various local bodies, departmental and judicial deposits such as deposits in the Civil and Criminal cases, securities of contractors, etc., and of advances of pay, travelling allowance, etc.

vi. *Loans and Advances by provincial Governments.*—The estimate of Trs. 8,00 on the receipt side represents recoveries of agricultural loans, loans to local bodies, miscellaneous loans, and house building and motor car advances, while a sum of Trs. 3,19 on the expenditure side represents the advances proposed to be made in the budget year, the main item being a loan of Trs. 45 to the Shillong Municipal Board for its sewerage scheme.

vii. *Remittances within India.*—This head covers payments by cheques by the Public Works and Forest Departments, etc., which though they may appear in the revenue account as expenditure are not finally adjusted till the cheques are actually cashed. In order to watch this, the remittance head is opened on both sides of the account.

So far items which appear on both sides of the account have been dealt with. There remains only a few heads on the expenditure side.

viii. *Payment of commuted value of pensions.*—The normal provision of Trs. 3,00 has been made and the figure of Trs. 1,28 represents the net amount after the write back to the revenue heads of the capital and interest repayments of pensions commuted in former years. These write backs are spread over fifteen years.

ix. *Payment to retrenched personnel.*—The *minus* entry represents the gratuities paid to retrenched personnel in former years which have to be written back to the revenue account in five years.

14. The main liabilities of the province on the introduction of the new constitution will be—

(a) Deficit for 1936-37—Trs. 32,00.

(b) *Balance of Provident Funds.*—The actual figure up to the end of 1935-36 is 81 lakhs round and it is estimated that a further liability of Rs. 9 lakhs will accrue in 1936-37 making a total liability on 1st April 1937 of Rs. 90 lakhs which the Government of India has transferred to Assam.

15. I think I should also mention to the House the position as regards our debt and other obligations. As an outcome of the recommendation of the Niemeyer report, all debts to the Government of India contracted prior to the 1st April 1936 have been written off from the 31st March 1937. The amount thus written off is Trs. 1,77,88. This has resulted in a saving to the Provincial Government of equated payments which up to last year amounted to Rs. 10 lakhs principal and Trs. 8,89 in interest charges. For this relief our thanks must go to the Central Government. But we must remember that under the new financial arrangement we had to take over the total liability of the State provident funds from the Central Government. And these liabilities as mentioned before were estimated on the 1st April 1937 to be Rs. 90 lakhs. The enormity of this figure, however, need not stagger hon. members for this is a liability the payment of which is rather remote. As will appear from the statement C already referred to, the capital income from the State provident funds is about Rs. 15 lakhs and the expenditure under the same head during the current year is estimated to be Trs. 7,78. The surplus that is shown in the capital income and expenditure statement has gone to increase our closing balance to Rs. 35 lakhs odd whereas our opening balance at the beginning of the year was Rs. 22 lakhs.

16. While I am on this subject of the closing and opening balance, I must point out to the House that under the new financial arrangements we must have a minimum treasury balance of Rs. 13 lakhs while the minimum balance to be maintained with the Reserve Bank has been provisionally laid down at Rs. 5 lakhs. As has been explained at page 8 of the Memorandum the Central Government has been good enough

to provide gratis this sum of Rs. 18 lakhs ; and on behalf of the Province, I acknowledge with gratitude this timely help. I may also mention that we have approached them with the request to exonerate the province from payment of the loan taken to tide over the deficit of Rs. 32 lakhs of last year. If our prayer is granted our estimates of the current year will be relieved of Trs. 87 provided for interest charges.

17. It would thus appear that on paper we have a surplus closing balance of some Rs. 17 lakhs but as I have already mentioned while dealing with the Capital Income and Expenditure, the major portion of this surplus is represented by the excess of Provident Fund income over the annual expenditure. Against this surplus is however to be offset the 4 per cent. interest which is given to the depositors on their provident fund contributions which amounts to nearly Rs.4 lakhs. I am considering whether we could invest this surplus in starting a famine or flood relief fund for the province.

18. On the revenue proper expenditure side, there are certain new items of expenditure which I need not dilate upon here. This increase in expenditure appears under the head General Administration and is due to the expenditure on the Assam Public Service Commission, the Revenue Tribunal and a substantial increase under the heading Legislative Bodies.

19. I need say very little about the estimates of the subjects that are under my portfolio. Under Police proper I have budgetted for an expenditure of Trs. 26,37 as against Trs. 27,68 for last year.

But there is an increase of Trs. 92 under Special Police, the Assam Rifles. Previous to 1st April 1937 the Government of India used to bear four-fifths of the total expenditure on Assam Rifles subject to a maximum of Rs. 16 lakhs. Since the new constitution however the Assam Rifles has become a Federal Force but portions of it have been treated as necessary for the internal security of the province and now Assam has to contribute 15/55ths of the total expenditure on the force.

Formerly the Local Government had to bear all the pension charges of the Force as they received the recoveries for the ration supply. But now the force having become Federal, the recoveries will be credited to the Central Government. We have, therefore, represented that they should bear the pension charges of the Assam Rifles both of the past and the future. In case of our contention being upheld we stand to gain by just over a lakh of rupees annually and this will cover our increased expenditure due to this force under the new arrangements.

20. The only other Department under my charge that I need speak about is the Public Works Department. Hon. members will find the figures for this department and the explanatory note at pages 60-63 of the Memorandum of Budget estimates.

In this Department also, my budget figures for both income and expenditure for the current year is much below the revised of 1936-37 and the actuals of 1935-36. The reduction in income is due to the smaller amount received from the Central Road Development Fund, *viz.*, Trs. 11,06 as against Trs. 17,45 and Trs. 13,70, while expenditure under Communications under the budget year is estimated at Trs. 11,12 as against Trs. 17,77 and Trs. 13,76 of the previous years respectively.

We are however preparing another road development scheme to be spread over 10 or 5 years, whichever the Government of India favours, from advances from the Central Road Development Account. I hope to place that scheme before our Communications Board during the current Session of the Assembly for their consideration. Should we be so fortunate as to get the Government of India's approval to our scheme, our Public Works Department budget on both sides will show an increase.

21. While on the subject of Communications, I may as well mention that pursuant to our policy of seeing the countryside better in all respects and the rural people happier than before, we have provided the sum of Trs. 60 for improvement of village roads from the Central Government's grant for rural uplift and we have restored the cut in grant to local bodies to the extent of Trs. 22 which the previous Government proposed.

22. I now come to the new schemes which the Government wants to include in the budget for the current year. These will be found from page 79 onwards of the Budget Memorandum. It will be seen that we propose to utilise a sum of Rs. 1,42,000 odd for non-recurring and Rs. 1,36,000 odd for recurring expenditure during the current year from the very exiguous revenue surplus that we expect and that out of this sum a lion's share has gone to the Education Department. This Government was criticised for not submitting their programme of work before the public earlier. But as I consider that an ambitious programme which has no co-relation with the actual state of finance is not only misleading but positively injurious to the best interest of the country, I was chary of holding out high hopes to the people at large. It is well understood that the budget of a Government reflects their policy. And I have no doubt that our list of new schemes partially reflects the policy of this Government as regards the nation building departments,

Subject to the limitations of finance, we have aimed at an expansion of education in every branch from the University down to the Primary. Should the House approve we want to make a small beginning in helping our private colleges, and we want to increase our grant-in-aid for improving private secondary schools. Our idea is to expand primary education and we want to increase the number of primary schools receiving Government aid and we also aim at helping the special schools that have been struggling for many years past. We propose to increase the number of stipendiaries for engineering education. We have not forgotten even the schools that cater for the children of the labour force in the tea estates. Similarly, our aim has been to bring medical relief to the country side and towards that end we propose to increase the number of epidemic units by two and to start on a new principle, *viz.*, of encouraging by means of a subsidy the opening of private dispensaries in the heart of the villages.

23. It may be argued that the sums provided are small. I plead guilty to the charge. But I must say that a small beginning in the right direction is better than no action at all. Besides, I should remind hon. members of what I said in the very beginning, namely, that these figures are only for the latter six months' of the financial year and not a twelve months' provision.

24. Sir, we want to tackle the unemployment problem, both by means of a village reconstruction or rural uplift scheme and also otherwise. As my speech on the subject of rural uplift has been extensively noticed and criticised in the local press, I presume that hon. members' attentions have been drawn to it and, therefore, I refrain from reiterating my ideas before this House. I am sorry that the completed scheme is not yet ready for discussion at the present juncture. But I will certainly avail myself of a future opportunity and take the hon. members into my confidence and benefit by their advice and criticism.

25. To tackle the question of unemployment, we propose to start on an experimental measure an agricultural colony for educated youths. We also want to give training to our educated young men in small cottage industries which we hope will be of benefit to the province. Similarly for expanding the activities of the Agricultural Department we are providing a sum of Rs.20,000 to be equally divided for village reconstruction and agricultural demonstration. I am hopeful that the rural uplift scheme will provide for employment of some of our educated youths.

26. As my Hon'ble Colleagues will speak on their respective subjects in detail while introducing their departmental budgets, I refrain from saying anything further on the subject.

27. I am sure that in the budget as framed, friends and critics will find two obvious omissions. They are (1) any relief on the land revenue question and (2) any provision for supply of rural drinking water from provincial resources. I had noticed an expectation in certain quarters that an announcement regarding a further remission in the amount of land revenue to be paid by our raiyats will be made by me now. I can only say that the question has not escaped notice of this Government and the matter is still under consideration of my Hon'ble Colleague the Revenue Minister. An appropriate statement on the subject will come forth in proper time. The Ministry have done their best to relieve hardship of the agriculturists and have suspended the realisation of the outstanding balance—a sum of Trs. 6,89—of the agricultural loans that have been granted from time to time. Some of the advances were taken as early as 1929 and we feel that it is no use carrying this big amount on paper and we have ordered a thorough enquiry into the matter with a view to remission in case of those who are really unable to pay.

28. As regards the provision for supply of good drinking water in the rural areas, hon. members will find that there is provision of a sum of Rs.1,55,000 from the grant of Rs.5 lakhs for rural uplift made by the Central Government. As the funds which we could utilise is limited we could not supplement that provision although we are quite alive to its importance.

29. It has been the intention of this Government to appoint a Committee of Resources and Retrenchment with a view to improve our ways and means provision without surrendering efficiency in the services. We hope that in the next budget estimates to be presented before this House we will be able to distribute an increased allotment for the purposes which are dear to all, namely, the betterment of the backbone of the nation in matters economic, hygienic and educational.

30. Sir, I feel that I have left many things unsaid. But our Finance Department has done its utmost in the explanatory memorandum of the budget estimates to explain all important matters and I feel that if I attempted to speak further on the details, I shall only be wasting the time of the House. If any hon. member wants further elucidation on any point in the budget my services are at his disposal. I have also asked our Deputy Secretary Mr. Jones to attend the Assembly Chamber during the period and he will be available at the Secretaries' Room all the time that the budget is being discussed. Hon. members may freely utilise his intimate knowledge of the budgetary matters.

31. Sir, with these words, I beg to present to the House the budget estimates of the province of Assam for the year 1937-38.

SPEECH OF THE HON'BLE EDUCATION MINISTER

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

I rise, Sir, to present to the House the Budget Estimates of the Departments under my charge for 1937-38 with some introductory remarks. I shall deal first with Education. At the outset I must thank my Hon'ble Colleagues with whose co-operation and support I have been in a position to lay before the House the largest budget for educational needs that has ever been laid before a Legislature in this province.

Sir, Education is recognized as the foundation of all nation-building schemes, and upon it rests the whole structure of the social, political and economic development and welfare of the province. With the inauguration of the New Constitution the urge for educational advance, possibly along a new path, has sensibly quickened. The question has been exercising the mind of every Government and schemes of educational reconstruction are framed, though not yet given a practical shape. We have our own scheme of educational reconstruction, already formulated and printed. But every step forward requires money and time.

There are several problems awaiting solution. Primary education, the corner-stone of every educational reconstruction, is in urgent need of expansion, as a preliminary to the introduction of the principle of compulsion, as embodied in our Primary Education Act. Another question connected with the improvement of primary education is the centralisation and unification of its control as designed in the proposals for the constitution of a Primary Education Board. Then, secondary education requires reinforcement and gradual readjustment to the needs of modern life and requirements of the country, which we shall be free to deal with when a Board of Secondary Education will have to be constituted, as in Bengal, in view of the impending withdrawal of its control by the Calcutta University. The introduction of vocational education requires, according to the Abbot Report recently published, a preliminary survey of the educational requirements of the industries and commerce of every province, and stands in need of co-operation with industry and commerce, which does not now exist in India in any organised form. Possibilities of such co-operation have lately been explored at a conference called by our Ministry of Agriculture and Industries. Again, the education of girls, which is practically the education of the mothers of the nation,

should receive increasing attention and encouragement. The backward communities and special classes should be assisted to approach the general level of educational advance in order to participate in the uniform progress of the country. The more orthodox section of the community should, where possible, be encouraged to fall in line with the general system, on the basis of what they hold so near and dear to their heart. Lastly, there is the question of the establishment of a University in Assam, a scheme of which has been already prepared by an expert. These are some of the problems which must be faced with the advice and support of the hon. members. All this requires time and money, as I have already said; but we must make a beginning, where possible, as best as we can within the limited means and resources at our disposal.

Sir, I must now refer only to the important features of the Budget Estimates, as copies of all the detailed estimates together with an Explanatory Memorandum have already been in the hands of hon. members. In the current year's budget the total provided for Education, including European and Anglo-Indian Education, is Rs.35,73,000, which, as I have already said, is the highest expenditure figure that we have yet attained in Assam for educational needs. Of this total, a sum of Rs.34 lakhs is to be voted by the House, and the balance, *viz.*, Rs.1,73,000 is charged to the revenues of the province, or, as we used to call it, "non-voted". The total provision for Education is divided between two grants, the first being to European and Anglo-Indian Education, which represents a small budget of Rs.88,000 only. I need hardly make any remarks on this provision in the budget beyond the fact that, subject to certain provisos, the Government is bound, under Section 83 of the Government of India Act, to provide for European and Anglo-Indian Education a sum which shall not be less than the average of the grants under the head in the ten financial years ending on the 31st March, 1933. I need hardly say that we as a Government have no intention to reduce this grant, and that it is our duty to devote the same care and attention to the fostering of European and Anglo-Indian Education as that of any other form of education. As regards our budget for Education other than European and Anglo-Indian, the total provision amounts to Rs.34,85,000 and includes New Schemes amounting in the current year to Rs.1,16,000 as additional grant, of which a sum of Rs.97,000 is recurring. Details of these schemes occupy pages 85 to 92 of the Budget Memorandum. I may inform hon. members that these schemes have been selected with utmost care with an eye to most essential points, as suggested in my introductory remarks. Owing to the fact that our resources are limited, we had to exclude with great reluctance several schemes of

great value to the people, and all we can hope for is that, with the improvement of our financial position we may be able to provide extensively in this respect.

Looking at the New Schemes, it will be seen that the biggest item is a recurring grant of half a lakh of rupees, in addition to a recurring grant of Rs.40,000 in the previous year, for the expansion of primary education. The next largest item is an additional recurring grant of Rs.40,000 for the purpose of including deserving secondary schools in the aided list and increasing grants to those that are inadequately aided. A sum of Rs.5,000 has also been provided as building grants to some of the secondary schools which are desperately in need of extension. We have also tried to promote secondary education among girls and have provided for grants amounting to Rs.8,400 for Girls' High schools as well as Rs.3,500 as a building grant for the extension of the Mission Girls' High School at Shillong, which is the only high school in the province which caters for the needs of the hill girls. Funds have also been provided for the establishment of a hostel for the Government Girls' High School at Dibrugarh. Most of the Hon'ble members may be aware that the reformed madrassas are variants of the ordinary secondary schools, designed to stimulate secular education among the more orthodox section of the Muslim community. We have made a lump provision of Rs.10,000 for these new madrassas to be brought on to the aided list and for giving increased grants to the existing ones. We have also renewed grant to the Jagannath Barua Aryya Bidyalai and increased the grant to the Commercial School at Gauhati. We have not forgotten the claims of the labour force in the tea gardens, for whose education funds have been provided in the New Schemes. Funds have also been provided for the establishment of a Government Middle English School for the Mikirs in the Mikir Hills. We have also provided funds for the production of suitable text-books in Assamese for High English schools, which are now required, under the new Matriculation Regulations, to impart instruction through the medium of the vernacular. It has been found that there is a paucity of suitable text-books in the Assamese language and the introduction of Assamese as a medium of instruction in the Assamese High schools has unfortunately been postponed until suitable text-books are available. Within the limits of our present resources we have made a small beginning in helping two private colleges, one of which at Jorhat is starting the degree classes and the other at Silchar proposes to open a female section. A small addition to the staff of the Cotton College at Gauhati has been sanctioned to remove the restriction on admission. The need for the further expansion of the two Government Colleges and

for grants to private colleges will be examined and efforts will be made to meet their requirements as funds permit. A training Class for Assam teachers has been opened in the St. Edmund's College, Shillong, and the authorities of the college have agreed to accept a contribution of Rs.5,000 for the first three years and Rs.8,000 thereafter, as compared with an average of Rs.15,000 paid to the Bengal Government. The budget provides for the construction of a hostel for the accommodation of these teachers, at an estimated cost of Rs.14,500. Hon'ble members will find from the list of the New Schemes that we have restored the post-graduate scholarships tenable at the Dacca School of Engineering and provided an additional allotment for the creation of one free-studentship in each of the Government colleges, which will ultimately increase to eight in number, one in each of the four classes of the two colleges. Charges on account of (1) Normal or Training Schools (2) Institutions for higher Sanskrit learning, etc., are shown under "Government Special Schools". We have also provided in the current year's budget Rs.2,910 for the institution of Title Classes in the Sylhet Government Madrassa in order to develop it into a full-fledged institution and provide for higher Islamic learning. The two institutions, namely the Sylhet Government Sanskrit College and the Sylhet Government Madrassa, so developed, will perform, standing side by side, their noble mission, as they are destined to preserve the sacred tradition and culture of each section of the important community; and it will be a great thing for the future of the country if they promote any interchange of higher scholarship with each other and bring it into line with modern developments in the field of research.

Forests

Under the head "Forests" there is little that calls for comment. The final figures for 1936-37 show a gratifying increase in net revenue, amounting to Rs.4,92,000. It is hoped that during the coming year this position will be maintained, if not bettered, since markets show signs of improvement and the Forest Department are doing all they can to improve marketing facilities. A ten years progressive plantation programme has also been drawn up to ensure a sustained yield for the future and the steady improvement of our forest estate. The Forest Service is under reorganisation, which is likely to result in reduction in the higher ranks. It may be mentioned that in this year's budget statement accounting has been simplified by the removal of the distinction hitherto prevailing between revenue and capital expenditure. All expenditure is now put under the head "10—Forests".

BUDGET SPEECH OF THE HON'BLE REVENUE MINISTER

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI:—

Sir, I am in charge of the following portfolios :—

1. Land Revenue,
2. Judicial and General which includes Jail Administration,
3. Legislative Department.

I am afraid the account that I shall give of my budget for the current year will not be half as interesting as that of the Hon'ble Minister for Education who has just finished. I therefore propose to be as brief as possible in introducing the budget which concerns me.

Following the example laid down by the Hon'ble Chief Minister, I have avoided incurring new expenditure as far as practicable. From a monetary point of view there is hardly any new scheme worth mentioning. I have purposely avoided expenditure because I wished that all the available surplus might be either utilised for expansion of nation-building departments or kept as probable reserve against calamities which are unfortunately almost always annual occurrences.

Land Revenue.—I shall first of all deal with the subject of Land Revenue. This represents the largest source of income for the Government being more than half of its actual provincial receipts. The collection of land revenue, to a great extent, gives us an idea of the economic condition of the people. I will take only the collection of land revenue for the last five years which forms an interesting basis for reviewing the economic position of the *raiyats*. The actual collections for the years 1932-33, 1933-34, 1934-35, 1935-36 and 1936-37 were respectively Rs.1,01,13,000, Rs.95,52,000, Rs.1,01,57,000, Rs.98,09,000 and Rs.1,06,50,000. From these figures it would appear that the depression was lowest in the year 1933-34 and that collections have improved since then and have been in excess of the amounts estimated in our budgets. Actually the improvement was so tangible in the estimate of some of our district officers that in the last year there was an impression that the annual reduction hitherto granted might be decreased. But the then Government realised that in order to accelerate the process of recovery of the economic condition of the *raiyats* it would be advisable to continue the reduction granted and accordingly remission varying from 1 to 3 annas in the rupee was continued

irrespective of the fact that the improved economic condition would seem to justify a slight decrease in the remission. Actually during the year 1936-37 collections differed very little from the budget estimate and were even a little in defect until the month of February. But the month of March 1937 constituted a record in revenue collections and not only made up the previous deficiency but resulted in an excess of over 4 lakhs over the revised figure. This collection has led us to budget for a collection of Rs.1,14,00,000 in the current year which, we have every expectation, will be realised in the absence of unforeseen floods or disaster.

I must not be understood, however, to prepare the House for a decision that the Government would not continue the reduction which has been hitherto granted and which, the Government realises, has been a source of material benefit to our struggling *raiya*s and has enabled them to a great extent to readjust their position. The weather condition in some parts of the province is giving us some anxiety and the want of adequate quantity of rainfall is being viewed with great apprehension. Whether or not temporary reduction will be granted for the year 1937-38, *i.e.*, 1344 B.S. and, if so, to what extent I am not in a position to say now. But I may repeat what the Hon'ble Chief Minister has said that the question of reduction of land revenue commensurate with the economic condition of the *raiya*s is engaging our most anxious consideration. These questions are generally gone into by the Government after the reports from the district officers are received. A decision on this point is usually made in the month of October based on revenue collections and prices of food grains and also the condition of the crop and occurrence of floods or other calamities, if any.

Hon. members have seen that a resolution aiming at permanent reduction of land revenue by 50 per cent. in terms of the Congress election manifesto, has secured a fairly high place in the ballot. There is also a resolution by the hon. member from North Lakhimpur asking for reduction of 50 per cent. land revenue for the year 1344 B.S. only. I do not wish to detain the House in making any observations on those resolutions at this stage and I prefer to keep my remarks on these subjects until the resolutions come before the House for discussion.

Agricultural Loan.—The Hon'ble Chief Minister has already told the House about our attitude towards the realisation of agricultural loan. It has been suspended throughout the

province and a thorough enquiry is being made in order to enable us to grant adequate relief by way of remission in cases of real hardship.

Fisheries.—I now turn to the Fisheries. Here also the figures given in the budget memorandum will show a continuous increase in revenue since the year 1934-35, and we have budgetted accordingly for a total of Rs.3,80,000 in the current year. The figure in the year 1932-33 when the depression was starting was Rs.3,99,000.

Miscellaneous.—Under the head "Miscellaneous" the revised figure for 1936-37 followed the progress of actuals, and for the current year we anticipate a collection of Rs.20,000 more than the revised for 1936-37. This is mainly due to the increased production of mineral oil of Digboi from which the share of this Government is only the royalty, which is estimated at Rs.6,40,000 during the current year.

Expenditure.—On the expenditure side there is not very much to note. I have only to mention here an experiment which was tried this year to induce mauzadars in the Assam Valley to return to the old system of paying up their mauza demands in full by the 31st of May. Orders were issued last November that the mauzadar who paid his revenue in full by that date would receive commission at the rate of 10 per cent. on the first Rs.15,000 of his collection instead of only on the first Rs.10,000 during the current year. The experiment was a failure in the Sibsagar district where only one mauzadar paid up by that date but was elsewhere successful. As a result 41 mauzadars cleared their dues by the 31st May as against 13 by the same date last year. The extra cost to the Government was Rs.10,250. The continuance of this experiment for further years is still under consideration and I shall be glad to hear what the hon. members think of this new experiment.

Resettlement.—Hon. members—at least those hailing from Cachar—must have doubtless noticed that no provision has been made in the budget for the undertaking of settlement operations in the district of Cachar—the last settlement of which will expire on 31st March 1938. During the last cold weather a special officer was appointed to enquire into the desirability of resettlement and to estimate its probable results. His report has been under consideration of this Government for some time but no final decision has yet been reached. If it is decided to undertake resettlement, the report of the special officer will be published in accordance with the terms of section 6 of the Land Revenue Re-assessment Act which was passed by the old Council last year, and Government will take into consideration any objections which may be filed to the report. It will be necessary

in any case to extend the settlement by two or three years since time must necessarily elapse before proposals could be ready for a fresh assessment, and I can assure the House that no steps will be taken towards the resettlement until the matter has been placed before the Assembly and funds voted.

Debt Conciliation Board.—One other small matter to which I desire to draw the attention of the House is the Debt Conciliation Act which the old Council brought on to the statute book last year. The formation of two Debt Conciliation Boards under the Act as an experimental measure is under consideration of the Government at present and it is expected that they will function from the next cold weather. It will be agreed that on the success of these two Boards and of the Boards which may be created in the future will depend greatly the relief of agricultural indebtedness.

JAILS AND CONVICT SETTLEMENTS

In these days of Prison Reforms it is recognised that Jails should not be merely devices for preventing commission of offences or punishing offenders but they should, if possible, be turned into training institutions where those who did not know how to earn an honest living or live like decent and self-respecting citizens may learn how to do that. With this end in view the Government are taking such steps as they can within the limits of available funds.

Hon. members will be interested to learn that the Government is attaching great importance to the improvement of secular education inside the Jail. Now there are such arrangement only in Gauhati, Tezpur and Sylhet Jails where work which extorts admiration of all classes of visitors is carried on. Last year the budget provided for teachers for the Silchar, Jorhat, Nowgong and Dibrugarh Jails but unfortunately it was found impossible to entertain them for reasons of economy. I am glad to be able to say that provision for these has now been included in the budget of the current year. The Gauhati Jail was fortunate enough in securing the services of a retired headmaster of a Government Aided High School and, considering the strain that the large number of pupils of varying ages and in different grades of ignorance are causing to him, it has been decided to raise his pay by a small

amount this year. I must mention here that this admirable work was started by my predecessor Rai Bahadur P. C. Dutt, at the suggestion of the then Inspector-General of Prisons, Colonel Cameron, and due tribute must be paid to their sympathetic consideration for this class of our fallen fellow beings.

In order to give them a good and useful training in *weaving* we have provided in this budget a sum of Rs.7,153 for a factory in Nowgong Jail. It is hoped that the money invested in this factory will not only be repaid by providing suitable employment to our prisoners inside the jail but also will help them in earning an honest livelihood outside it.

In order to give the prisoners an opportunity of retrieving themselves whenever they can without injuring the public, I am separately introducing at this session a "Good Conduct Prisoners' Probational Release Bill" on the lines of a similar piece of legislation in the Punjab where, so far as the report goes, it has proved very successful. I need not enter into details at this stage. Suffice it to say that it has been found to be a great incentive to good conduct in jails.

The above will give an indication of the spirit in which the Government is reviewing the important matter of treatments to prisoners in jails. I am glad to mention here that some hon. members of this House who are closely studying the question of improvement of condition in Jail have been permitted to visit their local jails in the province, the only exception being in case of Mr. Purna Chandra Sarma, who has been allowed to visit Shillong Jail also. The Government will give due consideration to any suggestions that these hon. gentlemen may make as a result of their investigation and will take up the question of revision of the Jail Manual if it finds it necessary to do so.

Some hon. members—I remember the names of my hon. friends, Dr. Mahendra Nath Saikia and Srijut Purandar Sarma—have tabled resolutions recommending total abolition of "Ghani" labour in the jails. All that I can say is that Government has been already considering the question in all its aspects and I can assure the House that the proposal will receive our most sympathetic considerations. In passing I may inform the House that under the order of the Hon'ble Chief Minister, who was then in charge of Jails, the amount of daily task of oil pressing has already been reduced by half since 1931.

JUDICIAL DEPARTMENT

Turning to Judicial Department I may mention of a new scheme costing only Rs. 8,700 for constructing a small court building at Gauhati for the Subordinate and Assistant Sessions Judge. Now-a-days this court has to sit in the local Public Library to the great inconvenience of the litigant as well as the general public. This provision will be found in the Public Works Department budget, but I have mentioned it as the item is connected with the Administration of Justice.

I had to make provision also for the temporary post of an Additional and Subordinate Sessions Judge, Assam Valley Districts, for six months. This has been necessitated by the volume of work which the High Court and this Government consider can only be met by the making of this appointment. On the advice of the Ministry, therefore, His Excellency the Governor has, under section 254 of the Government of India Act, 1935, proposed to appoint an experienced and able lawyer from the Assam Valley. It will be agreed that such a step is fully in accord with the modern conditions of the province.

Two other matters which deserve notice may be stated here. One is that the Government has recommended the holding of a Circuit Bench of the Calcutta High Court in Gauhati and Sylhet if it does not involve additional expenditure to the province. The other information that I intended to give to the House is that we are giving serious considerations to the proposals for creation of a separate Judicial Service for our province, and the information gathered so far leads us to hope for an early materialisation of the scheme.

GENERAL DEPARTMENT

Boiler Inspectorate.—Referring to one other new scheme falling under the head “ 47.—Miscellaneous Department ” I may inform the House that the Boiler Inspection has become a very heavy task in recent years and the Inspectorate has only been able to expedite it by the temporary appointment of an outsider during the cold weather. This arrangement is unsatisfactory and Government therefore propose to recruit from within the

province a third Inspector possessing necessary qualifications who will form a permanent member of the staff. The cost of this new officer will be covered by the fees received for inspection and thus will not be a burden on Provincial Revenues.

LEGISLATIVE DEPARTMENT

Finally I have only to deal with the Legislative Department. There is only one item of new expenditure under this department costing a lump sum of Rs.4,000. This is an unavoidable expenditure. Hon. members may remember that the daily fees of the Associate Pleaders was reduced to Rs.10 per diem as a measure of retrenchment when 10 per cent. cut in the salaries of Government servants was introduced. But their case somehow escaped notice when the cuts in salaries were restored. The Government considers that regard being had to the strenuous nature of the work which an Associate Pleader has to do, a fee of Rs.10 per diem is quite inadequate and has therefore decided to restore it to Rs.16 per diem. We also received petitions from some Government Pleaders and Public Prosecutors for restoration of their daily fees as well. After due consideration of the proposal in all its bearings the Government has decided not to provide for it in this year's budget.

One other matter, and that should be the last, which I desire to bring to the notice of the House is the construction of the *hostels* for the members. According to the old plan there was to be three different hostels—one for caste Hindus, one for scheduled caste Hindus and the third for the Moslem members. The present Government considers construction of separate buildings on communal lines highly objectionable and unnecessary under the modern day conditions.

In accordance with the view expressed above, the building which has been recently completed and originally intended only for caste Hindus has been thrown open for admission of all classes of members in the session. If the House does not strike a discordant note, the additional accommodation to members will very probably be provided by way of extension to the main building. There will, however, be separate kitchens to suit the religious susceptibilities of both Hindus and Moslems. I hope this arrangement will be found satisfactory to all concerned.

SPEECH OF THE HON'BLE MINISTER FOR LOCAL SELF-GOVERNMENT

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

1. Sir, I beg to present to the Assembly the estimates of Revenue and Expenditure under my departments which are Excise, Medical, Public Health and Local Self-Government for the financial year 1937-38.

2. The portion of my budget is concerned only with receipts amounting to about Rs.40,18,000 and an expenditure amounting to Rs.28,00,000 including the amounts for new schemes which is about Rs.87,000. The grants to local bodies are not included in these figures as the demands for these grants will be presented by the Honourable Chief Minister.

EXCISE

3. I will now begin with Excise. The estimate of receipts from Excise is Rs.35,48,000. This includes all revenue from spirits, opium, hemp and other drugs. The estimate of expenditure under this head is Rs.4,82,000 of which Rs.4,57,000 is to be voted by this House, and the remainder, only Rs.24,400 being charged to the revenues of the province which is non-voted. I think this House will be much interested to notice the fall in opium revenue. The estimated revenue for 1937-38 from opium is Rs.12,65,000. The revenue from this source is dwindling every year. It will not be very long before it will disappear altogether. Hon'ble Members will be interested to know that in 1926-27 the revenue from opium alone was Rs.39,92,000 and according to this budget of 1937-38 it stands at Rs.12,65,000. The number of consumers in 1926-27 was 92,000, and now up to 1st April 1937 there are only about 40,000; the consumption of opium in 1926-27 was 30,000 seers, but now according to this budget it is estimated at 8,900 seers.

4. These figures will speak for themselves. If the figures of the decrease of revenue show also the corresponding decrease in the actual consumption then we are sure that in a few years this province of ours which has been the worst province in India in the consumption of opium will be made free from this terrible malady which has been the cause of great degeneration to thousands of our fellow-countrymen.

5. There are evil forces working in the province for the sake of their own gain against whom Government has to contend. We shall do all that we can to fight against smuggling which is

the greatest enemy to the opium policy. It is our determination to see the opium habit wiped out from Assam by adopting means that will actually lead us to success.

6. The receipts from other excisable articles are found at page 9 of the Detailed Estimates. I need not repeat them here. The Government of Assam has for many years purchased its requirements of spirits from a firm in Calcutta. Once the Assam Government had its own distillery, but it was found cheaper to import spirit from Calcutta and the distillery was closed down. There are however industrial reasons for establishing a distillery in this province. As a result, the sugar industry will grow. This Government is considering this question whether it will be beneficial from all standpoints to start a distillery in the province.

MEDICAL

7. I will now speak of the Medical budget. The detailed head of receipts under XVII.—Medical, will be found at page 17 of the budget. The whole amount is Rs.1,82,000. These are receipts from Medical school fees, General hospital receipts, Mental hospital receipts, Sale of medicines and contributions.

8. The detailed heads of Expenditure are found on pages 123-132. The estimate of Expenditure is as follows:—

			Rs.
Voted	...	...	10,29,300, and
Charged	...	...	4,13,200

This Government is deeply conscious of the fact that the province requires more hospitals and dispensaries. It will be my earnest endeavour, if funds permit, to see that more medical aid is given to people living in rural areas by establishing dispensaries or subsidizing private medical practitioners and dispensaries.

I will now mention a few new schemes which have been incorporated in this budget. They will be found on pages 93 to 97 of the Memorandum on the budget estimates.

There is a provision for establishing a Leper Asylum at Barpeta. The Local Board of Barpeta, and also the Municipal Board, will contribute Rs.2,500, and the Government Rs.5,000 this year—Rs.3,000 of which would be non-recurring and Rs.2,000 recurring.

There is also a provision to help the Leper Colony at Jorhat by giving the Society that has established this Colony a recurring grant of Rs.2,000 annually. In this colony there are already 78 leper patients who are well taken care of and treated. There is also a provision of Rs.1,074 to be given as an additional recurring grant to the Leper Asylum at Gauhati.

In the list of new schemes we have put in a recurring amount of Rs.12,000 for subsidizing private qualified medical practitioners who will settle in particular selected rural localities. These will receive a subsidy of Rs.20 to Rs.25 per month each according to the density of population served. The Government will also provide an initial outlay of about Rs. 150 in medicines and appliances for each subsidized doctor. This is a new experiment. If we find it successful and helpful to the public we shall extend the system. Rupees 8,000 will be used this year of this amount.

We have also a provision of Rs.2,000 to help the Local Board of Goalpara towards the construction of a Female Ward attached to the Goalpara Dispensary.

There is also a provision to appoint a Civil Assistant Surgeon as a teacher of Hygiene and Medical Jurisprudence at the Berry-White Medical School, and another provision for appointing a non-medical science graduate (a M.Sc.) as teacher of Physics and Chemistry at the Berry-White Medical School, Dibrugarh.

This plan will no doubt increase the efficiency of the School.

There are other important schemes which I do not need to mention here. Hon. members will find them all in the list of new schemes in the Memorandum of budget estimates.

The total amount of new schemes under the head "Medical" comes to Rs. 30,585 for this year.

Before I leave this point I may tell the House, Sir, that this Government has decided to allow girl medical students to study in the Berry-White Medical School, Dibrugarh. At present there is no proper arrangement for girl medical students in this school, but this Government has already granted permission to two girl students to enter this school. Our Assam girl medical students have during all the past years been sent to the Campbell Medical School at Calcutta. This Government gives to the Bengal Government as contribution for the share of the expenditure of this Medical School a sum of Rs. 7,000 annually. A certain amount of expenditure will have to be incurred in order to accommodate our girl students in the Berry-White Medical School. A complete scheme will be worked out for this, and if necessary a supplementary demand will be presented to this House. And in future we shall be able to save the Rs.7,000 given annually as a contribution to the Bengal Government for the two seats reserved now for our girls in the Campbell Medical School.

PUBLIC HEALTH

Under Public Health, Sir, there is an estimate of receipts amounting to Rs.2,88,000. The receipts include sale proceeds of sera and vaccine amounting to Rs.1,07,000 and contribution for economic development of rural areas, for water supply—Rs.1,55,000 and village sanitation—Rs.20,000—being the amounts expected to be spent this year out of the first Rs.5 lakhs grant given by the Government of India in 1935-36 for rural uplift.

I may mention here that this House will see a statement laid on the table of a second grant of 5 lakhs which the Government of India has promised to give to Assam for rural uplift. Out of this amount 3 lakhs will be used for the supply of drinking water to rural areas. There will be a three years' programme for spending this amount in rural areas.

The first grant of 5 lakhs has not yet all been spent.

The estimate of expenditure under Public Health amounts to Rs.8,79,000.

The list of new schemes included in this budget is found in the Memorandum of budget estimates on pages 95-98. In the list there is a provision for the treatment of Yaws and also an amount for the extension of water-supply in Tura town, which is needed very urgently.

Another important provision will be found for the proposal to appoint two Epidemic Units this year in addition to the 5 Units we have at present. Each unit consists of 3 Sub-Assistant Surgeons and 6 Disinfectant carriers, and 3 peons. The explanation for this provision is found in the remarks at page 98 of the memorandum. I do not need to repeat it here.

I may mention here that in the last outbreak of cholera in South Sylhet some Epidemic Units from the Assam Valley also had to be sent to Sylhet. The epidemic was combated from the beginning. The Government received daily telegrams of the progress of the campaign and of the new cases, deaths and the spread and control of the epidemic. By inoculation and other means adopted the epidemic has been successfully controlled and stopped.

There is another new provision of Rs.16,000 in the list of new schemes to be given as a grant to the Tezpur Municipality in order to provide the Mental Hospital and Jail at Tezpur with an adequate supply of water.

The whole amount of new schemes under Public Health is Rs.31,638.

I wish we had more money. If we had money we would give a good well or wells in every village in Assam. It will be the policy of this Government to see that drinking water is supplied as much as possible to the villages in the province. The amount of 3 lakhs of rupees to be used for giving good drinking water to the rural population out of the second grant of 5 lakhs from the Central Government will go a great way to help the rural population.

LOCAL SELF-GOVERNMENT

Now I come to the Department of Local Self-Government. In this Department, Government has to deal with 18 Municipalities (including the new Municipality of Tinsukia), 8 Small Towns, 19 Local Boards, and several Village Authorities.

The hon. members know that the Local Boards and Municipalities have their own income. The Government gives grants annually to Local Boards. The grants for communications will be found at page 171 of the printed budget while contributions to Local Bodies for general and special purposes will be found at page 188. Other grants for Medical and Public Health purposes will be found in the portion of the Detailed Estimates dealing with these departments.

The Grant-in-aid to Local Boards for communications is Rs.4,00,368. This includes Rs.60,000, which is the amount estimated to be spent for village roads out of the Government of India grant for rural uplift. The grant to the Municipal Boards is Rs.31,176.

The general purposes grant to the Local Boards is as in the previous year, Rs.1,77,245. There was a proposal by the late Government to cut this grant by Rs.22,000 but this Government has restored the cut as already stated by the Hon'ble Chief Minister. The general purposes grant to the Municipal Boards is Rs.67,290. These grants are found at page 188 of the budget.

It is my intention to see more Village Authorities established in different parts of the Province.

This is all I have to say in regard to the estimates of my Departments.

SPEECH OF THE HON'BLE MINISTER FOR AGRICULTURE :

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN :

Sir, I am concerned with 5 departments, namely Agriculture, Industry, Co-operative Credit, Registration and Veterinary.

As hon. members are aware, we have been able to present to you a balanced budget with a small surplus. Out of this surplus there is unfortunately little money available for my departments. I will now deal with the budget of each of my departments separately.

In the Co-operative Credit Department as you will see there has been no change from the preceding year in expenditure. Although strengthening of the staff is desirable and the provision for a separate audit staff is necessary to secure better control and examination of the accounts of the societies and to enable the Inspectors to pay greater attention to the educative side of the movement, it is not possible to find funds for this much-needed extra staff. There is, however, a silver lining. As hon. members are aware, my predecessor in his budget speech last year referred to the deputation of two Inspectors of Co-operative Societies to the Punjab for training. These officers have since returned and the co-operative educational training of our existing Inspectors is in progress. For this we are grateful to the Government of India as it is mainly due to the funds provided by them that we have been able to carry out this most essential part of our co-operative programme. The scheme of co-operative training has been a boon to this province, as for want of facilities, nothing could be done in the past to train our staff and also the office bearers and members of societies in co-operative work. The scheme was sanctioned by the Government of India only after receiving an assurance from our Government that the two Educational Co-operative Inspectors would be permanently retained by us after the expiry of the scheme so as to ensure permanent continuance of co-operative training.

Turning to Industries, you will find that the total expenditure shows a considerable rise from the figures of previous years. Most of this, however, is due to the fact that the whole cost of the Director of Industries and his establishment is now shown in this budget and not divided as previously between the heads "Industries" and "Co-operative Credit". There is nothing much in the shape of provision for new expenditure. We have however been able to provide some money for stipends for industrial training. It is hoped that the boys who will get training in such industries as glazed pottery, metal working including electro-plating, boot and shoe making and umbrella making, will, after completion of their training, start small cottage factories to the advantage of themselves as well as to the province.

The provision for industrial loans, though it intimately concerns the Industries Department, does not fall within the Industries budget but within grant No. 31.—Loans and

Advances by Provincial Government—which will be moved by the Hon'ble Chief Minister. We have retained the same budget provision for these loans as in the previous year, *viz.*, Rs. 15,000. Industrial loans are issued in all deserving cases after proper scrutiny of applications, examination of security offered and on production of proof as to the possibility of the success of the ventures. As much as Rs. 5,000 was granted last year to one single applicant who is running successfully a weaving factory with power looms in the Karimganj Sub-division.

Although we have not been able to make much provision for new expenditure, it is gratifying to note that with the grant provided by the Government of India for the development of handloom and sericultural industries, we have been able to do a good deal. We have introduced dyeing in fast colours and calico printing in various designs by several demonstrations in the interior of the province. Our fine silk weaving course at Gauhati and durrie weaving course at Sylhet have also been useful in training some of the boys in these new lines. The work of our soap demonstration class has been very satisfactory and a few of the trained boys have already started small soap factories of their own and are running them successfully. We hope in future to introduce instructions in some more subjects. In sericulture we have now got 120 model rearing houses in important silk rearing centres of the province. From the grant received from the Government of India, these model rearers have been provided with improved appliances and a number of seed examiners were appointed who are examining the layings with a view to eliminate diseased seeds. It is hoped that with these improvements, the sericultural crop of the province will slowly improve both in quality as well as in quantity. The sericultural demonstrators also are introducing improved labour saving appliances, *e.g.*, improved eri-spinning machines and improved reeling machines which enable the rearers to produce better yarn in more quantities, and thus help them in earning a little more than before.

With the improved finances in future, I have every hope that we shall do much more for industrial development of the province.

Coming to Agriculture, the variations from the budget of 1936-37 has been fully explained in pages 51-53 of the Memorandum. Hon'ble members will notice that we expect to spend the following sums out of grants promised to us by the Government of India :—

- (a) Rupees 30,000 for starting breeding centres in the interior ;

(b) Rupees 15,000 to the Assam Livestock Association, and

(c) Rupees 20,000 for Boro irrigation.

We have also been able to make an increased provision of Rs.10,000 for Agricultural demonstration.

Complaints have been frequent that sufficient demonstrations, even with the staff available, cannot be carried out with the funds available and hence this provision.

In addition to the above an Agricultural Inspector and a Demonstrator have been provided for North Lakhimpur and a Demonstrator each for Habiganj and Mankachar. A sum of Rs.1,500 has also been provided for starting a small agricultural training farm at Kokilamukh near Jorhat. Some of the boys, who have been trained, will work here under the guidance of the Agricultural Department. A sum of Rs.2,000 has also been provided under the Head—Provincial advances and loans for granting loans to boys. Pending consideration of the whole policy of Agricultural colonies for unemployed youths it is proposed to advance loans to those to settle on the land and who have not the necessary capital themselves. Two stipendiaries have also been sent to the Allahabad Agriculture College. Provision has been made for starting a research station for citrus fruits with the assistance of funds to be provided by the Indian Council of Agricultural Research. Work will be started as soon as a site is selected in consultation with Indian Council of Agricultural Research.

The work of growing Boro paddy under irrigation will be continued and the necessary funds have been provided under Demonstration. It has not been possible to work out in detail, during the short time, any new schemes which can be given effect to at once. Members have, however, undoubtedly seen in the newspapers the scheme for organising a few model villages. This work will be taken up as soon as the details are worked out in consultation with the various departments concerned. In the meantime, a sum of Rs.10,000 has been allotted for this purpose under the Head—57.—Miscellaneous. The Director of Agriculture has also been asked to work out the following detailed schemes :—

- i. Starting an Agricultural Colony.
- ii. Developing the fruit industry in Assam.
- iii. Agricultural school.

These appear to my mind the most urgent needs for the province and it is hoped to give effect to them as far as possible with the funds available when the details have been worked out.

The marketing survey is being carried out under the direction of the Agricultural Marketing Adviser to the Government of India and it is hoped that it will be possible to start some tangible work during the next year.

As regards Registration, the late Government in the last few years effected a considerable amount of retrenchment in this department by closing down offices. As a result of this the public are, I fear, suffering considerable inconvenience in certain places. For example, the departmental Registry office at Dibrugarh which was opened some years ago as an experimental measure was closed down as a departmental office and reverted to its old status as the part-time job of an Extra Assistant Commissioner. This has given rise to complaints from the mercantile community of this important town. The question of re-establishing a departmental office there is now under consideration of the present Government. Government are also considering the possibility of re-opening the office at Katigora which was closed in 1933 for financial reasons. No provision for opening new offices has been made in the current year's budget but I hope with the consent of my Hon'ble Colleagues to be able to effect some improvement in this regard either by taking a supplementary grant later in the year or by providing for them in next year's budget.

Hon'ble members will find details of the Veterinary budget at page 54 of the budget memorandum. This budget follows the usual lines and nothing new has been incorporated in it. There has unfortunately been a considerable amount of cattle disease—principally rinderpest—during the year and we have not had sufficient veterinary staff to deal with the epidemic satisfactorily. There is little doubt that this department requires considerable strengthening to enable it to perform its essential duties. A scheme for its reorganisation has been prepared and is now under the consideration of Government. It is useless endeavouring to improve the breed of cattle in Assam unless we make adequate provision for their treatment during outbreaks of cattle disease when there is a heavy and continual demand upon our veterinary establishment—a demand which, under the present conditions, we are unable to supply. I am glad to be able to announce that with a view to help the owners of cattle on tea gardens I have been able to arrange for the training of tea garden doctors in the method of inoculation of cattle by serum. This will, it is hoped, be of considerable advantage to the tea industry.

DISTRIBUTION OF PRINTED BUDGET SPEECHES TO HON. MEMBERS.

THE HON'BLE THE SPEAKER: Before we proceed to the next item of business I require 3 minutes for distributing the speeches to the hon. members.

MAULAVI ABDUR RAHMAN: Will it be a rule that the speeches of the Hon'ble Ministers should be distributed in advance before they actually deliver their speeches?

THE HON'BLE THE SPEAKER: Very well, I shall consider that.

PRESENTATION OF NOTIFICATION No. 656-L.S.-G., UNDER SECTION 296(3) OF THE ASSAM MUNICIPAL ACT, 1923.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Sir, I beg to present Notification* No. 656-L.S.-G., dated the 13th February 1937, under section 296(3) of the Assam Municipal Act, 1923.

SRIJUT DEBESWAR SARMAH: Sir, is there any good in presenting this Notification now because this has already been given effect to? This is a belated measure.

THE HON'BLE THE SPEAKER: You can raise this question at the proper time.

PRESENTATION OF THE REPORT IN CONNECTION WITH RURAL DEVELOPMENT.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Sir, I beg to present the Report** in connection with the special grants from the Government of India for rural development. The Report is laid on the table.

THE ASSAM SPEAKER'S SALARY BILL, 1937.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I beg, Sir, to move to introduce the Assam Speaker's Salary Bill, 1937. The reasons for this are given in the Statement of Objects and Reasons and I have nothing more to add.

The motion was put and carried.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I beg, Sir, to move that the Bill be taken into consideration on the 14th August. I am providing this time for the purpose of enabling hon. members to table any amendments if they like.

MAULAVI ABDUR RAHMAN: Sir, on a point of order. This House was definitely given to understand by the Hon'ble Speaker that he was not going to accept more than Rs.500 as he is a Congressman. But, Sir, I do not understand why the Government have provided Rs.1,000 a month.

THE HON'BLE THE SPEAKER: That matter would come up when the Bill is taken up clause by clause and the hon. member can raise the question then.

The motion to take the Bill into consideration on the 14th was put and carried.

*Appendix A.

**Appendix B.

THE ASSAM DEPUTY SPEAKER'S SALARY BILL, 1937.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I beg, Sir, to introduce the Assam Deputy Speaker's Salary Bill, 1937.
The motion was put and carried.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I beg, Sir, to move that the Bill be taken into consideration on the 14th August.

The motion was put and carried.

THE ASSAM MINISTERS' SALARIES BILL, 1937.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I beg, Sir, to move that the Assam Ministers' Salaries Bill, 1937 be introduced.
The motion was put and carried.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I beg, Sir, to move that the Assam Ministers' Salaries Bill, 1937 be taken into consideration on the 14th August.

The motion was put and carried.

THE ASSAM PRESIDENT'S SALARY BILL, 1937.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I beg, Sir, to move that the Assam President's Salary Bill be introduced.
The motion was put and carried.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I beg, Sir, to move that the Assam President's Salary Bill be taken into consideration on the 14th August.

The motion was put and carried.

THE ASSAM DEPUTY PRESIDENT'S SALARY BILL, 1937.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I beg, Sir, to move that the Assam Deputy President's Salary Bill, 1937, be introduced.

The motion was put and carried.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I beg, Sir, to move that the Assam Deputy President's Salary Bill be taken into consideration on the 14th August.

The motion was put and carried.

THE ASSAM COURT OF WARDS (AMENDMENT) BILL, 1937.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Sir, I beg to introduce the Assam Court of Wards (Amendment) Bill, 1937.

This Bill contains provisions of a non-controversial nature. As the hon. members know we were so long governed by the Bengal Court of Wards Act and in the March 1935 session of the Council certain hon. members drew the attention of the House to the fact that Bengal passed an amendment and asked Government to consider the desirability of introducing an amended Act on the same lines in this province also. Since then the Government has been considering the desirability of introducing an Amendment Bill similar to the Bengal Act of 1935.

Hon. members will find from the Statement of Objects and Reasons clearly the salient points which require attention. One important amendment is this. Under the present Act a creditor may execute a decree against the Court after the expiration of one year from the date of the decree. On account of this provision many Courts of Wards Estates have found it extremely difficult to help the ward. As soon as an estate is taken over by the Court the creditors think it is very easy to realise the money by enforcing the decree. We have therefore made provision that for the next four years the creditor will not be able to execute the decree and for a further period of 7 years so long as the interest is paid year after year. That is an important amendment which we are seeking to make in the Bill.

Another important amendment which requires some notice is that which is mentioned in paragraph 2 of the Statement of Objects and Reasons. Section 23 has been amended to provide that all properties which have been released by the Court can be attached for realisation not only of revenues which are in arrears but also for other dues of Government including loans by Government or rent to superior landlords. Now-a-days we can take over charge of the Zamindaries and also of patni taluks. It is therefore the duty of the Court of Wards to see that the dues of the superior landlords are not lost. There is some difference in the legislation of Bengal as regards the effect of non-submitting the claims of creditors. Under the Eastern Bengal Act if the creditors did not submit their accounts within a certain time then the dues were considered to be discharged. But the Western Bengal Amendment Act provides that the debts are not discharged but the interest ceases to run. We have adopted the latter provision. And I think, Sir, that as this Bill admits of no controversy and is intended for the smooth working of the court of wards and for the benefit of the wards themselves the Bill should be brought on the Statute Book as early as possible.

The motion for introduction was put and carried.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: On a point of information, Sir, I have not mentioned about the motion for the passing of the Bill also.

(The Assembly Secretary explains to the Hon'ble Minister.)

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, I beg to move that the Bill be taken into consideration clause by clause to-day if it is not inconvenient to the House. After all this is a non-controversial motion.

RAI BAHADUR PROMODE CHANDRA DUTT: That won't do.

THE HON'BLE THE SPEAKER: No. Any member will be at liberty to move amendments if he had notice of such a motion before the House. As there is no such notice the Bill cannot be considered clause by clause now.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Then Sir, I move that the Bill be taken into consideration on the 14th August.

RAI BAHADUR PROMODE CHANDRA DUTT: May I point out, Sir, one thing? If the Bill is to be taken into consideration on the 14th August, the motion from the hon. mover will be that the Bill be taken

into consideration. Then the question about the clauses arise and there will be a further postponement for the purpose of enabling the members to move amendments. That will take time.

THE HON'BLE THE SPEAKER: That is why I pointed out that the Bill be taken into consideration now.

MR. F. W. HOCKENHULL: Sir, are we not entitled to discuss the principles of the Bill when it is taken into consideration on the 14th, which may be clause by clause?

THE HON'BLE THE SPEAKER: The taking of the Bill clause by clause will have to be postponed again, because the consideration has been postponed to the 14th.

MR. F. W. HOCKENHULL: Is the Hon'ble Minister aware of the situation?

THE HON'BLE THE SPEAKER: The motion before the House is that the motion that the Bill be taken into consideration be postponed to the 14th August.

(The motion was carried.)

THE ASSAM GOOD CONDUCT PRISONERS' PROBATIONAL RELEASE BILL, 1937.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I beg to introduce, Sir, the Assam Good Conduct Prisoners' Probational Release Bill, 1937.

MAULAVI MUNAWWAR ALI: Does the hon. mover introduce the Bill or beg leave of the House to introduce the Bill?

THE HON'BLE THE SPEAKER: The Bill has already been published in the *Gazette* and so the Bill is being introduced.

The motion was put and carried.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I now beg, Sir, to move that the Bill be circulated for eliciting public opinion before the 30th September 1937.

I want to say, Sir, a few words in support of this motion. I cannot inaugurate a discussion of this Bill better than by quoting some observations which have been made by Mr. Bulubhai Desai, the Leader of the Congress Party in the Legislative Assembly. He says that criminals should not be regarded as outcasts but merely as victims of circumstances. Further on he says in his foreword to the book by Colonel Tarapore, called *Prison Reforms of India*, which was recently published by Colonel Tarapore, an I. M. S. Officer of Burma, he says "that it may be taken as an axiomatic truth that habitual criminals are made more inside than outside the jail and that it should be the endeavour of every civilised Government

to try to release those prisoners before all chances of making themselves useful citizens are destroyed." Sir, we generally send prisoners to jail by way of punishment ; and the object of the State in doing so is first of all that the prisoner may not commit similar offences against society. That is one reason. Another reason is that the punishment inflicted on him should have some deterrent effect on other persons similarly inclined to commit such offences. Then the third and most vital reason, which has generally now come into prominence, is that, if possible, an attempt should be made to reform the habit of that prisoner while under the control of the Authorities of the Jail where he is to observe prison discipline.

Now it is generally agreed that the Government should have some authority to release prisoners before time under certain circumstances. That is recognised by section 401 of the Criminal Procedure Code which authorises the Local Government to grant premature release to prisoners. There are three general principles for such release. The first is when the trying court itself recommends that mercy should be shown to a particular prisoner who otherwise, according to the terms of law, would be required to undergo a severe sentence. The second is in the case of gross miscarriage of justice. Government can exercise its prerogative when it finds that on the mistake of the Court some punishment was awarded to a person who is subsequently found to be innocent. And thirdly, under the present Jail Manual there is a provision which enjoins upon the Jail authorities with the aid of an Advisory Board to review the sentence of those prisoners who have undergone five years' imprisonment or half the period of a long-term imprisonment, whichever is longer. The District and Sessions Judge is also one of the members of the Board. When the Advisory Board is satisfied that the prisoner is worthy of being realcased before his fullterm, recommendation is made to the Government and the Government either accepts that recommendation or rejects it. These shortly are the three circumstances in which the Government exercises its jurisdiction under section 401 of the Criminal Procedure Code. But it is believed that this provision is not quite enough. Government should have some power to release prisoners who have proved themselves to be of good conduct and whose antecedents are good, and who, after release, are expected to take up a new life and prove themselves to be useful citizens of our society. What do we generally find now-a-days ? We find that whenever a long term prisoner comes out he comes back generally as a moral and physical wreck. In absence of a prospect of release before time he has no incentive to behave himself properly and he has no incentive to learn any work inside the Jail. For this reason, Sir, there has been a move in every part of the civilised world to try to make the jail a reformatory institution as well where the prisoners may learn some work and try to prove good citizens after they come out of the jail. It is for this reason that we have introduced this Bill in this session.

Sir, I cannot claim any initiative in this matter, because this Bill has been drawn on the lines of the Punjab legislation. The Inspector General of Prisons of the Punjab in a recent conference said that this legislation had proved very useful in the Punjab and as a result of this legislation the number of prison offences has considerably decreased in jails. Only in very rare cases the license granted so far had to be revoked. So it shows that if a prisoner is released for his good conduct in jail before the expiry of his full term he gets a chance of proving himself to be a worthy citizen and he generally does not abuse the privilege.

But there is one thing to be said against this Bill. If our criminals know that they can be released before their time then the deterrent effect of imprisonment and punishment may disappear. And there is another reason: it will involve some sort of additional cost because we have to appoint some officers to look after those prisoners after their release and see whether they are behaving properly or not and we shall have to help or organise some institutions which can take charge of them and look after their welfare. It is in order to know what the public think of this Bill and whether it is practical in this province or not, that I move that the Bill be circulated for the purpose of eliciting public opinion before the 30th September 1937. After the opinions are received we shall come to the House for subsequent steps, if opinions received warrant such a course?

THE HON'BLE THE SPEAKER: The motion before the House is that the Bill be circulated for the purpose of eliciting public opinion thereon.

The motion was carried.

STATEMENT MADE BY THE HON'BLE SPEAKER REGARDING MOTIONS FOR AMENDMENTS TO GOVERNMENT BILLS.

THE HON'BLE THE SPEAKER: In the early part of the day I made a statement and asked the hon'ble members to send their motions of amendments to the Government Bills before 3 p.m. on the 10th August. That was the time fixed on the proposal of the Hon'ble Chief Minister that Government Bills would be taken up clause by clause on the 14th August next.

The statement was made by me on the supposition that the Ministers in charge of the Bills would make simple motions to-day for taking the Bills into consideration at once and that if the hon'ble members would allow those motions to be carried to-day the Bills would be coming up on the 14th August to be considered clause by clause under Rule 58 of the Assam Legislative Rules, Part II, along with the amendment which any member might propose to the clauses of the Bills. Under rule 49(a) a Bill may be taken into consideration by the Assembly either at once or at some future day. The Ministers have chosen to adopt the latter course of postponing the consideration of the Bills to the 14th August next. Now that the motion has been carried, the 14th August would be a date for the discussion of the Bill according to the provision laid down under rule 50(1) of the Assam Legislative Assembly Rules, Part II. It would be then open to the members to move motions in terms of rule 50(2), viz., any motion for referring the Bill to a Select Committee or for circulating it for the purpose of eliciting public opinion thereon. If no motions under the provisions of rule 50(2) are moved and the motion for taking the Bill into consideration be carried on the 14th August a subsequent date will have to be fixed for taking up the Bills to be considered under rule 58 of the Legislative Rules, Part II. So the requirement of sending in amendments to the Bills on the 10th August next does no longer hold good in view of the procedure that the Hon'ble Ministers have adopted with regard to the Bills.

STATEMENT MADE BY THE HON'BLE SPEAKER REGARDING RULES FOR THE ISSUE OF CARDS TO THE VISITORS' GALLERIES

THE HON'BLE THE SPEAKER: Now, before we disperse, I have got to make another statement and that is with regard to the *rules for the issue of cards to the visitors' galleries. Hon. members have, by this time, come to know that I have framed certain rules under Rule 102 of the Legislative Assembly Rules, Part II, for regulating the admission of visitors during the sittings of the Assembly. These undoubtedly are rules which have introduced a change in the old practice that was hitherto followed in the matter of issuing cards to visitors. It is therefore my duty to explain to the hon. members the circumstances under which these rules have come to be framed.

During the last April session over 800 cards were issued for seats in different galleries, and they were all for the whole session. Majority of these cards were issued on the recommendations of hon. members. There were some instances of hon. members recommending as many as 30 or 40 cases each for issue of cards for A and B galleries. The various officers in Shillong also recommended the cases of members of their office staff, their relations and friends. Thus there was absolutely no restriction as regards the limit of accommodation. The number of recommendations was so large that we could neither refuse the issue of cards, nor could we give them proper accommodation. In view of what happened last session, the Public Works Department warned this Department that they would not be held responsible if the galleries collapsed in the event of persons in excess of the accommodation available in each gallery being admitted every day.

In the circumstances, it was my most unpleasant duty to frame these Rules to make a standard for all, and in framing them, a good deal of time had to be spent in consulting the Rules of almost all other major provinces and those of the Indian Legislative Assembly. We had also to take into our serious consideration the past experiences in the matter and the limitation of seats available and the responsibility of this Department. The restrictions in these Rules have been made with a view to give a chance to every interested person to come by rotation to attend the proceedings. But the hon. members know that I have already instructed the Secretary to relax the Rules as regards time limit of applications as far as accommodation permits for the 3rd and 4th August especially to accommodate the friends and relations of hon. members. I may, however, mention here that I do not claim that these Rules are all ideal Rules; they will be tentatively in operation now and are liable to be altered in the light of experience as to how these Rules will work during the present session. And I think hon. members of the House will realise the situation I was in.

I need hardly add that it is my earnest desire that the friends and relations of members of this House and the public who are interested in the proceedings of this House should get all possible opportunities for admission to the galleries when the session is on. At the same time, I must also see that a working principle in the matter is established and I would request the hon. members of this House to realise the situation and help me in the matter in any way they think best.

The Assembly was then adjourned till 11 a.m. on Wednesday, the 4th August, 1937.

A. K. BARUA,

Shillong,
2nd September 1937.

Secretary,
Assam Legislative Assembly.

APPENDIX A

The 13th February 1937

No. 656-L.S.-G.—In exercise of the powers conferred by section 296(2)(i) of the Assam Municipal Act, 1923 (Assam Act I of 1923), as subsequently amended, and in supersession of all previous notifications publishing the rules for the conduct of municipal elections in Assam, the Government of Assam are pleased to make the following revised rules:—

Revised rules

**RULES FOR THE ELECTION OF MEMBERS OF MUNICIPAL
BOARDS UNDER THE ASSAM MUNICIPAL ACT, 1923, AS
SUBSEQUENTLY AMENDED**

1. (a) In these rules unless there is anything repugnant in the subject or context—

- (1) "the Act" means the Assam Municipal Act, 1923 (Assam Act I of 1923), as subsequently amended.
- (2) A "bye-election" means an election held under section 21 of the Act.
- (3) "corrupt practice" shall be deemed to mean and include any act or omission which may be declared to be a corrupt practice in rules for the election of members to the provincial legislature, so far as the same may be capable of application to elections under those rules.
- (4) "election day" means the date fixed for an election under rule 2;
- (5) A "general election" means an election held under section 17 of the Act.
- (6) The term "Magistrate" shall have the same meaning as in section 3, sub-section 17 of the Act.
- (7) "polling booth" means a structure permanent or temporary set aside within a polling enclosure for the recording of votes;
- (8) "polling enclosure" means an enclosure or building set aside for the admission of voters under rules 25 and 26;
- (b) A person shall be deemed to be resident within the limits of a municipality or area referred to in rule 3(2) if he—
 - (1) ordinarily lives within those limits; or
 - (2) has a regular place of business within those limits; or
 - (3) has his family dwelling-house within those limits, and occasionally visits it; or
 - (4) maintains within those limits a dwelling house ready for occupation in the charge of servants or friends or relatives, and occasionally occupies it.

A person may be resident within the limits of more than one municipality at the same time.

2. (1) The dates for elections shall be fixed by the Magistrate—

(a)(i) in the case of a general election under section 17(1) by an order issued not later than the expiry of the third year following the completion of the last general election.

(a)(ii) in the case of a general election under section 293 or section 294 of the Act, by an order issued at least three months before any such election, and

(b) in the case of any other election or bye-election, by an order issued as soon as possible after the vacancy arises, but at least 50 days before any such election or bye-election.

(2) The Magistrate shall communicate the date fixed for any election to the Chairman who shall forthwith publish the same in the manner prescribed by rule 4, Part VIII of the rules published with Notification No.1041-E., dated the 8th March 1924. The date of election shall also be notified by the Magistrate in the *Assam Gazette*.

(3) The Magistrate shall not less than three months before the date fixed for any general election undertake the general revision of the register and the Board shall supply him with such particulars as he may require.

2A. If the electorate in any municipality fails within a prescribed time to elect the number of members in any ward to be elected in accordance with the provisions of section 10, a date shall be fixed by the Magistrate for another election in that ward and in case the electorate still fails to elect the number of members at such second election the Local Government may appoint members to complete that number.

QUALIFICATION OF VOTERS

3.(1) No person not being a British subject or a subject of any State in India shall, unless this restriction is removed by the Local Government with the approval of the Governor-General in Council in the case of any person or class of persons, be entitled to vote at an election.

(2) Every person of the full age of twenty-one years being a British subject or a subject of any State in India, who is at the time of publication of the register under Rule 16 and has been for a period of not less than twelve months immediately preceding the date of such publication resident in any area within the limits of a municipality, or in any area in which the municipal board exercises jurisdiction under any law or order for the time being in force, and has been duly registered as a voter in accordance with the provisions of rules 5 to 16 and who—

- (i) has during the twelve months immediately preceding the date of such publication, paid in respect of any rates an aggregate amount of not less than two rupees, or one rupee eight annas in the case of the Sylhet Municipality; or
- (ii) has, during the twelve months aforesaid paid or been assessed to the tax imposed by the Indian Income-tax Act, 1922 (XI of 1922); or
- (iii) being a graduate or licentiate of any University, or having passed the Intermediate Examination of the Calcutta University or the corresponding standard of that University or any other University, or holding a license granted by a Government Medical School to practise medicine, or being a barrister, or holding a certificate authorising him to practise as a pleader or as a mukhtear or as a revenue agent, or holding any office or employment carrying a salary of not less than Rs.50 a month, occupies a holding, or part of a holding in respect of which there has been paid during the twelve months aforesaid in respect of any rates an aggregate amount of not less than two rupees, or one rupee eight annas in the case of the Sylhet Municipality; or
- (iv) being a retired, pensioned or discharged officer, non-commissioned officer or soldier of His Majesty's regular forces or of the Assam Rifles occupies a holding or part of a holding in respect

of which there has been paid during the twelve months aforesaid in respect of any rates an aggregate amount of not less than two rupees, or one rupee eight annas in the case of the Sylhet Municipality ; or

- (v) is a manager or person in charge of a company or firm or business owning or occupying any land or building within the limits of the municipality or area aforesaid separately numbered and of which the annual value is not less than Rs.50 per annum ; or
 - (vi) has paid not less than Rs.50 per annum as rent in respect of the occupation by him of a holding or part of a holding for which there has been paid during the twelve months aforesaid in respect of any rates an aggregate amount of not less than two rupees, or one rupee eight annas in the case of the Sylhet Municipality ; or,
 - (vii) being a woman, is registered as an elector in the municipality or area aforesaid for elections to the Legislature of the Province ; or
 - (viii) is registered as an elector for elections to the Legislature of the province in respect of an educational qualification ;
- shall be eligible to vote at the election of members of such municipality.

4. At elections held in newly-created municipalities, or at elections held before municipal taxation has been imposed in respect of any area which has been added to a municipality, every person shall be eligible to vote, who has attained the age of 21 years, is at the time of the publication of the register under Rule 16 and has been for a period of not less than 12 months immediately preceding such election resident within such municipality or area and has been duly registered as a voter in accordance with the provisions of rules 5 to 16 inclusive, and who—

- (1) during twelve months immediately preceding the creation of the municipality was assessed to a tax of not less than one rupee under the provisions of Chapter XII of the Act ; or
- (2) prior to the creation of the municipality or the addition of such area was qualified under the rules framed under section 89(2)(i) of the Assam Local Self-Government Act, 1915, to vote at an election of members of a Local Board established in respect of the area included in the municipality or the added area, as the case may be.

PREPARATION AND PUBLICATION OF ELECTORAL ROLLS

5. (1) The Magistrate shall prepare in Form A appended to these rules a Preliminary Electoral Roll for the municipality containing the names of all persons qualified to vote under the Act and the rules thereunder and after causing it to be printed shall, not less than 60 days before the date fixed for a general election under section 17(1) of the Act, publish it at the municipal office and at such other places as he may think fit.

(2) The name of each voter shall be entered in the Preliminary and Final Electoral Rolls for the ward or section of municipal voters in which he ordinarily resides.

(3) In a municipality where a separate arrangement is made for recording the votes of female voters, separate Electoral Roll, both preliminary and final, shall be prepared for male and female voters.

(4) As soon as the Preliminary Electoral Roll has been published, the Chairman shall give public notice, as widely as possible, within the municipality that the roll has been prepared and may be inspected at the municipal office during working days and hours and shall state in the notice at what other places it may be inspected.

Provided that if any public holiday excepting a Sunday intervenes between the date of publication of the Preliminary Electoral Roll and the last date of filing claims or objections under rule 9 the Roll shall be kept ready for inspection by the public even on such holiday between the hours of 10 a.m. and 5 p.m.

6. Within 30 days after the announcement of the date of a general election within a municipality, any company, body corporate, firm or other association of individuals or any joint family, entitled to vote through one of its members as its representative, shall send a letter to the Magistrate stating the qualification entitling it to vote and the name of the person who will vote on its behalf.

If two or more members of a joint family are entitled to vote the names of such members shall be included in such letter.

Any person entitled to vote under clauses (iii), (iv), and (vi)* of the rule 3 (2) shall also send a letter to the Magistrate stating his qualification. Persons claiming registration under these clauses must state the number of the holding on the municipal register and in the case of those claiming under clause (vi) must furnish the rent receipt as evidence.

7. The Magistrate may by an order in writing appoint suitable persons to assist him in preparing the Preliminary Electoral Roll in respect of any ward or wards.

8. Any paper to be delivered to or demanded by the Magistrate or the Chairman under these rules shall be deemed to have been delivered to the Magistrate or to the Chairman, if it is delivered to any officer of the municipality authorised in this behalf at the municipal office during working hours, and the Chairman shall by an order in writing so authorise an officer and have a copy of such order pasted on the municipal notice board for the information of the public.

9. Any claim for the insertion of a name in the electoral Roll or any objection against any entry in the Preliminary Electoral Roll shall be preferred to the Magistrate in respect of the Preliminary Electoral Roll within 10 days of its publication. The Magistrate shall not entertain any claim or objection received after 5 p.m. on the 10th day :

Provided that if the 10th day is a Sunday or a public holiday, claims and objections may be filed till 5 p.m. on the next open day.

10. Any person (hereinafter called the objector) may file a claim or objection on behalf of any person interested :
Provided that the person filing the claim or objection is authorized in writing by the person interested on whose behalf such claim or objection is filed.

11. Any claim or objection shall be in writing and signed by the objector and shall state the grounds on which it is based, and where it relates to an entry in the Preliminary Electoral Roll shall give the reference to or the particulars of that entry.

12. (1) Every objector whose claim or objection is entertained under rule 9 shall be served with a notice by the Magistrate specifying the place where and the time when his claim for objection will be heard and

*NOTE.—Clauses I, II, V, VII and VIII were omitted *vide* Notification No.983-L.S.-G. dated 9th March 1937.

notifying him that he may there produce or cause to be produced by an agent authorized in writing such evidence as he may wish. A person claiming entry under clause (i) of rule 3 (2) shall produce a receipt showing payment of rates to the board.

(2) When objection is made to the inclusion in the Preliminary Electoral Roll of the name of any person recorded therein, the Magistrate shall serve on such person a notice stating the grounds of such objection and specifying the place and the time fixed for the hearing of such objection and notifying him that he may there produce or cause to be produced by an agent authorized in writing such evidence as he may wish.

(3) Every such notice shall be in writing and shall be served (a) on the objector at the address given in his claim or objection or, failing such address, at the address entered in the Preliminary Electoral Roll, and (b) on a person to whom objection is taken under sub-rule (2) at the address given in the Preliminary Electoral Roll:

Provided that a notice may be served by the Magistrate by sending it to the person concerned by registered post or even by ordinary post, if a certificate of posting is kept.

13. The Magistrate shall cause to be published from time to time on the notice board at the municipal office a notice showing generally the dates on which and the place at which the Magistrate will sit for hearing claims and objections.

14. The Magistrate shall dispose of all claims and objections by the 10th day after the last day of filing such claims and objections under rule 9.

It shall be the duty of a Chairman to produce all relevant or necessary documents or papers in his power and otherwise render necessary assistance to the Magistrate in the discharge of his duties.

15. On the date which is fixed for the hearing or to which the hearing may be adjourned, the Magistrate shall hold a summary enquiry into the claims or objections preferred, and after considering any evidence produced under rule 12 or 14 shall record orders either allowing or disallowing the claims or objections. For the purposes of the enquiry the preliminary Electoral Roll as published shall be presumed to be correct and complete until the contrary has been proved.

16.(1) The Magistrate shall then cause the roll to be amended in accordance with any orders passed under rule 15 and shall authenticate the amendments in token that this has been done.

(2) The roll thus amended shall be the Final Electoral Roll, and after being printed and, if necessary, renumbered serially, shall not less than 30 days before the election day be published in the same manner as the Preliminary Electoral Roll.

17. The final Electoral Roll shall remain valid for all fresh elections and by elections held under sections 13G and 21 of the Act:

Provided that for the purpose of such elections, held during each year subsequent to that in which the general election was held, the Magistrate shall, during the month of April of each such year, have the Electoral Roll corrected by including in it the names of all persons, not already on the Roll, who possess the necessary qualifications for being voters for the year, and by exclusion therefrom of the names of such persons who have since died or otherwise become disqualified for being voters for that year. The Magistrate, shall, for this purpose, publish a notice calling for claims, for the inclusion of names and objections against any entry in the existing Roll. For the disposal of the claims and objections the provisions of rules 9 to 16(1) shall be held to be applicable so far as possible. The corrections thus made shall be printed and annexed to the existing Roll and the Roll

thus corrected shall be published at the municipal office and shall at all times be open to inspection by the ratepayers at the municipal office. All persons whose names have been included in the corrected Roll shall be entitled to vote at elections held during the year :

Provided further that a fresh Electoral Roll shall be prepared and published for each general election held under section 17 of the Act.

NOMINATION AND REGISTRATION OF CANDIDATES

18. Any male person entitled to vote under these rules and not disqualified under section 13 of the Act, shall be qualified to be elected a member of the Board.

19. (1) Not less than 30 days before the election day the Board at a meeting shall fix for the nomination of candidates a date which shall not be less than 15 days before the election day. On or before the date of nomination so fixed every candidate for election shall cause to be delivered to the Chairman a nomination paper in Form B annexed to these rules. The Chairman shall forward the list of candidates to the Magistrate.

(2) No nomination paper shall be valid if it is not signed by the candidate, or if it does not give the particulars required in columns 2, 3, 4 and 5 of the said form, or if it is not signed in columns 6 and 7, respectively, for each ward or section for which the candidate proposes to stand by at least one voter of each such ward or section as proposer and one voter of each such ward or section as seconder of the candidate.

(3) Not less than 30 days before the election day the Magistrate shall publish a notice in Form C annexed to these rules at the municipal office fixing the time at and date on which the nomination papers will be scrutinised by him, such date being not less than 15 days before the date fixed for the election.

(4) At the time and on the date so fixed, the Magistrate shall, scrutinise all nomination papers in the presence of the candidates or their agents, if they appear, and shall register as candidates all those whose nomination papers are found to be valid.

(5) Not less than 10 days before the election day the Magistrate shall publish at the municipal office a list of the candidates registered under sub-rule (4). These candidates shall be deemed to be registered as such from the date of publication of the list.

20. Any candidate may withdraw his candidature by a notice in writing which must be subscribed by him and be sent to the Magistrate within three days of the date of his registration as a candidate under rule 19(5) or rule 22(2), as the case may be. A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be renominated as a candidate for the same election.

21. As soon as possible after receipt of a notice of withdrawal under rule 20 the Magistrate shall cause written intimation thereof to be published in some conspicuous place in the municipal office, and, if the municipality has been divided into wards or sections also in the ward or section to which the matter relates.

22. (1) If any person who has filed a nomination paper under rule 19(1) finds that his name is not included in the list of candidates published by the Magistrate under rule 19(5) or disputes the right of any other candidates to be on such list, he may appeal to the Commissioner or if the

list was published by a Magistrate other than the District Magistrate, to the District Magistrate, in writing within three days of the date of publication of such list. The officer hearing the appeal shall make such order as to the insertion or omission of the name as appears to him to be just and shall forward a copy of his order to the Chairman so as to reach him not less than 5 days before the date of the election; and the Chairman shall on receipt of the order amend the list, note upon it the date of such amendment, and forthwith publish at the municipal office and, if necessary, in the respective ward or section or wards or sections the amendments made in the list.

(2) A person whose name has thus been newly inserted in the list shall be deemed to be registered as a candidate from the date of such insertion.

(3) The order of the District Magistrate or Commissioner shall be final. 23. Not less than 4 days before the date fixed for the election the Chairman shall publish at the Municipal office a revised list of candidates containing all the alterations and amendments made in such original list whether by the order of the District Magistrate or Commissioner under rule 22 or in consequence of the withdrawals of candidates under rule 20. The revised list thus published shall be the final list of candidates for the election.

CONDUCT OF ELECTION

24.(1) All registered candidates shall be declared to be duly elected if their number is not more than the number of vacancies.

(2) In all such cases, the declaration shall be made by the Chairman in writing, against the name of the candidate concerned, in the final list of candidates published under rule 23.

(3) If the number of registered candidates is greater than the number of vacancies, a poll shall be held.

25.(1) Before the date of publication of the final list of candidates under rule 23, the Board at a meeting shall fix the place or places (hereinafter referred to as polling centres) at which the poll shall be held on the election day and the hours between which voters shall be admitted into the polling enclosures:

Provided that if they fail to do so, the Chairman shall fix such hours and such polling centres

(2) The poll shall be held at the time and at the polling centres so fixed.

Provided that where it is considered necessary, separate polling centres may be fixed for the recording of votes by female voters.

(3) Notice of such time and such polling centres shall be given by beat of drum and by the publication of notices at the municipal office at the same time as the publication of the final list of candidates under rule 23.

26. After the hours mentioned in the notice referred to in rule 25 no person shall be admitted within the polling enclosure but the votes of all duly registered voters who are already within the enclosure shall be recorded.

27. Each voter shall be entitled to vote for the ward or section in respect of which his name has been registered, and for no other, and to give as many votes as there are vacancies for each ward or section for which he is thus entitled to vote:

Provided that where the municipality has not been divided into wards or the voters into sections, each voter shall be entitled to vote for as many candidates as there are vacancies in the entire number of members. Provided also that he may give all or any number of the votes to which he is entitled to any one candidate.

28. (1) There shall be in each ward or section at least one polling centre.

(2) Where there are two or more polling centres in a ward or section the Board shall cause a notice to be published showing the names and serial numbers as given in the Final Electoral Roll of persons whose votes will be recorded at any specified polling centre in the ward or section.

(3) The Chairman may, if he thinks necessary, provide more than one polling booth in a polling centre and shall cause a notice to be published at the gate of each polling booth showing the serial numbers, as given in the Final Electoral Roll, of persons whose votes will be recorded at the booth.

(4) The Magistrate shall appoint a polling officer who is neither himself a candidate for election nor the agent of the candidate to preside over the election at each polling centre, and where there are several polling centres in one ward or section shall declare one of the polling officers to be chief polling officer.

(5) If a polling officer for any reason fail to attend, the Magistrate shall appoint another fit and proper person who is not himself a candidate or the agent of a candidate, to take his place.

(6) To assist the polling officer, there shall be appointed by the Board at a meeting an Election Committee consisting of not more than five ratepayers of the ward or section who are not themselves candidates or agents of candidates. No election shall be void because any or all of the members of the committee fail to attend: if less than three members attend, the polling officer may appoint other ratepayers not being themselves candidates or agents of a candidate up to the number of three and the persons thus appointed shall then be deemed to be members of the Election Committee.

29. (1) On the morning of the election day the Chairman shall supply the polling officer with the following:—

- (a) a ballot box provided with an aperture for receipt of voting papers;
- (b) an instrument for stamping the official mark on such papers;
- (c) a copy of the Final Electoral Roll, with the particulars prescribed in rule 28 (2);

(d) a bound book or books containing as many voting papers serially numbered in foil and counterfoil as there are voters entered in the Final Electoral Roll for that polling centre, and other persons entitled under rule 36(1) to vote at that polling centre:

(2) The Chairman shall cause to be provided at each polling centre sufficient writing materials with which voters may mark the voting papers.

(3) The official mark shall be kept secret until the commencement of the polling.

30. The voting paper shall be printed in English in Form D annexed to these rules. The names of candidates shall be printed in the principal vernacular character of the district, in alphabetical order.

31. With the object of safeguarding the secrecy of the ballot and of preventing undue crowding, the Chairman shall divide each polling booth into two rooms or compartments hereafter called the inner and outer compartments. Votes shall be recorded in the inner compartment.

32. (1) On the election day the polling officer shall admit to the outer compartment of the polling booth the candidates and such agents as may be selected by the candidates, to assist in the identification of voters provided that there shall be present at one time, in addition to the candidates, not more than one agent of each candidate.

(2) Only voters, members of the Election Committee and such other persons (if any) as the polling officer may by special directions admit, shall be allowed to enter the inner compartment of the polling booth.

(3) No candidate or agent of a candidate shall be admitted into the inner compartment except for recording his own vote.

(4) The polling officer shall regulate the number of voters to be admitted at any one time into either the inner or the outer compartment.

33. Immediately before the commencement of the poll the polling officer shall satisfy such persons as may be present in the outer compartment that each ballot box is empty and shall then lock it and place upon it his seal in such manner as to prevent its being opened without breaking such seal.

34. The candidates and their agents shall not speak to or address any intending voter in the polling booth, but may submit to the polling officer objections to a voter on any of the following four grounds:—

- (1) That his name is not on the Final Electoral Roll of the ward or section in respect of which the election is being held.
- (2) That his claim to be a certain voter shown on the Final Electoral Roll is false.
- (3) That he has already voted.
- (4) Where there is more than one polling centre in a ward or section, that under rule 27 he is not entitled to record his vote at the polling centre in respect of which the objection is raised.

35. The procedure for recording a vote shall be as follows:—

- (i) There shall be no voting by proxy.
- (ii) As each intending voter enters the outer compartment, his name and his number in the Final Electoral Roll shall be called out, so that everybody present can hear them.
- (iii) No objection to an intending voter shall be entertained except on the grounds mentioned in rule 34.
- (iv) Any objection shall be summarily decided by the polling officer, who may for this purpose take such evidence as may be available on the spot.
- (v) If after taking such evidence the polling officer disallows the objection or if no objection is raised, he shall hand the voter the foil of a voting paper for the ward or section and shall allow him to proceed to vote.
- (vi) Immediately before a voting paper is delivered to a voter, it shall be marked on the back with the official mark and an indication shall be placed in a copy of the Electoral Roll against the number of the voter to denote that he has received a voting paper, but no note shall be made of the particular voting paper which he has received.
- (vii) The number of the voter in the Final Electoral Roll shall be marked on the counterfoil of his voting paper.
- (viii) A voter who has received a voting paper shall forthwith be directed by the polling officer or a person (not being a candidate or his agent) deputed by the polling officer for this purpose, to a place set apart therefore in the inner compartment and shall there mark a cross, within the space headed "voter's mark" on the voting paper, against the name of any candidate for whom he intends to vote. He shall then conceal his vote by folding the voting paper and shall put the paper so folded into the ballot box. He shall vote without undue delay and shall quit the polling enclosure as soon as he has put the voting paper into the ballot box.

- (ix) If the voter is illiterate or is unable to make a cross thereon the polling officer shall either give such assistance as may be required by the voter for the purpose of recording his vote or shall himself mark the vote on the voting paper according to the direction of the voter at the place set apart within the inner compartment under clause (viii) of this rule provided that if the voter so request he shall do so in the outer compartment. The voter shall then put the voting paper folded as prescribed in clause (viii) into the ballot box.

36. (1) A polling officer or a member of an Election Committee at a polling centre where he is not entitled to vote shall be allowed to record his vote there on his producing a certificate on a voting paper from the polling officer of another polling centre that he is entitled to vote at such other centre.

(2) His vote shall be recorded in the manner prescribed in rule 35 except that his voting paper after being filled in and folded as there prescribed shall be placed with the certificate in a sealed envelope by the polling officer and sent to the polling officer of the other polling centre who shall remove it from the envelope and put it in the appropriate ballot box.

37. It shall be the duty of the polling officer and the Election Committee to see that votes are recorded with the utmost secrecy, that the number on the voting paper handed over to a voter is not divulged to any other person, that no persons are admitted to either compartment except under these rules and that persons who have recorded their votes or against whom objections have been allowed are caused to leave immediately. It shall also be their duty to see that these rules and any special direction given by the polling officer thereunder are strictly observed.

38. (1) On the conclusion of the poll, the polling officer shall, with the assistance of the Election Committee, in the presence of the candidates or their agents, if any—

(a) satisfy himself that the seals affixed to the ballot boxes under rule 33 are intact, and either

(b) forthwith, when there is only one polling centre in the ward or section, open the ballot box and scrutinise the votes in accordance with rule 39 or

(c) When there are several polling centres in the ward or section send to the chief polling officer the ballot boxes and the books of counterfoils and unused foils of voting papers and the marked copy of the Electoral Roll properly sealed with his own seal and the seal of such candidates or agents as may desire to affix their seal.

(2) The chief polling officer shall thereupon with the assistance of the Election Committee in the presence of the candidates or their agents if any, satisfy himself that the seals are intact, open the ballot boxes and scrutinise the votes in accordance with rule 39.

39. Any voting paper not marked, marked otherwise than with a cross, or marked elsewhere than in the space provided for the purpose or on which more crosses are marked than there are vacancies, or on which a cross is so placed as to make it doubtful to which candidate the vote has been given, or on which any mark is made by which the voter may be identified shall be invalid. A note to this effect shall be made upon it by the polling officer and it shall not be included in the count.

40. (a) When the voting papers have been scrutinised, the polling officer or chief polling officer shall with the assistance of the Election Committee, in the presence of the candidates or their agents if any, count

the valid votes and declare to be elected in any ward or section the candidate or candidates to whom the highest number of votes has been given.

(b) If there be an equality of votes and if the number of vacancies does not admit of all the candidates who have obtained an equality of votes being elected, he shall by drawing lots in such manner as he may determine select one of such candidates whom he shall declare to be elected.

41. The polling officer or chief polling officer shall forthwith, if not himself the Chairman, report in writing the result of the election to the Chairman.

42. When a candidate has been elected for more than one ward or section,—

(a) he shall be declared by the Chairman to have been elected for such ward or section if any, out of those wards or sections in which the election has been uncontested,

(b) otherwise, within five days from the date of the election, he shall declare which of such wards or sections he will represent:— and if he fails to make such declaration, the Chairman shall forthwith declare the ward or section which such candidates shall represent. In either case such candidate shall be held to be elected in the ward or section in respect of which a valid declaration has been made under this rule and in every other ward or section for which the said candidate has been elected the result of the election shall be determined as if no votes had been recorded for him:

Provided that, if there is no other candidate for whom votes have been recorded to fill the vacancy thus caused, a fresh election shall be held.

43. A second election shall begin at the stage from which the original election failed, *e.g.*, if the election failed at the time of polling a fresh poll only shall be held, or if the election failed for want of candidates, fresh nominations shall be called for.

44. When the voting papers have been scrutinised and counted, the polling officer or the chief polling officer, as the case may be, shall forthwith replace them in the ballot box from which they were taken and seal it in the manner prescribed by rule 33 and rule 38 (1) (c). He shall also seal up the books of counterfoils and unused foils of voting papers and also the copy of the marked Electoral Roll with his own seal and the seal of such candidates or their agents as may desire to affix them. If he is not himself the Chairman, he shall make them over with the ballot box to the Chairman to be kept in safe custody until the books and the voting papers are destroyed under rule 45.

45. On the expiry of 30 days from the date of the declaration of the result of the election, or, if an election petition has been filed under section 13A of the Act, as soon as possible after the disposal of the petition, the voting papers in the ballot boxes and the sealed books containing unused voting papers and counterfoils shall be destroyed in the presence of such member or officer as the Board at a meeting may appoint for this purpose.

46. The list of duly elected candidates for the whole municipality shall be forwarded by the Chairman through the Magistrate to the Commissioner of the Division for publication by him in the *Assam Gazette*.

47. In a municipality where the Magistrate is the Chairman, the duties assigned to the Chairman in these rules shall be discharged by the Vice-Chairman.

48. If in any case such a course appears to the Local Government to be necessary it may direct that the Magistrate shall perform all or any of the duties assigned by these rules to the Chairman or the Board at a meeting. Provided that the Magistrate shall always perform such duties for the purpose of the first election in a newly-created municipality.

49. No person having directly or indirectly by himself or his partner or otherwise any share or interest in any contract or employment with, by or on behalf of the Board or holding any office of profit under the Board shall directly or indirectly engage in canvassing for votes or otherwise assist in the election of any candidate otherwise than by giving his own vote. Any breach of this rule will render an employee liable to dismissal and any such contract liable to be determined without compensation, without prejudice to any other remedies civil or criminal that may be open to the Board.

50. All costs incurred in the preparation, printing and publication of the Electoral Rolls the publication of notices, the holding of elections or the taking of any other necessary action under these rules, shall be payable by the Board out of the municipal fund. In the case of a newly-created municipality in which no municipal fund has been formed the Magistrate of the district shall advance such sums as may be required, and such sums shall be recoverable from the municipal Board within six months.

51. Whoever commits a corrupt practice at an election shall be punishable with a fine not exceeding five hundred rupees.

FOR REGULATING AND DETERMINING THE PROCEDURE TO BE FOLLOWED IN ENQUIRIES INTO ELECTION PETITIONS

52. An election petition may be filed in the office of the Magistrate, or in the court of the District Judge. If the Magistrate receives such petition and finds that it complies with the provisions of the law he shall forward it without delay to the District Judge.

53. The following rules shall be observed for the preservation of election papers enunciated below :—

- (i) Preliminary electoral roll in Form A.
- (ii) Claims and objections with reference to the preliminary electoral roll in Form A.
- (iii) Final electoral roll in Form A.
- (iv) Nomination paper in Form B.
- (v) Voting paper in Form D.
- (vi) Election petitions and proceedings and orders of the Judge thereon.

The papers in items (i) to (v) shall be preserved in the office of the Board and those in item (vi) in the office of the Judge.

The papers in items (i), (ii) and (iv) to (vi) shall be destroyed after three years or as soon as the next general election has been completed and those in item (iii) shall be preserved for twelve years and shall, before deposit in the Board's office, be duly authenticated by the Magistrate.

FORM A

[RULE 5(1)]

Preliminary/Final Electoral Roll for male/female voters for.....ward or section.....
of.....municipality.

Serial No.	Number in assessment list	Name of voter	Father's name or in the case of a female voter, husband's name	Age	Period of residence	Address	Particulars of qualification	Remarks
1	2	3	4	5	6	7	8	9

Registering Authority

FORM B

[RULE 19(1)]

Nomination paper

Serial No.	Name of candidate and his serial number in the Final Electoral Roll (Form A) with the particulars of the ward or section in which he is registered*	Denomination (e.g., Hindu, Muhammadan, etc.)	Address	Ward or wards or the section or sections of municipal voters to represent which election is sought	Signature of voter proposing, and his serial number in the Final Electoral Roll (Form A)*	Signature of voter seconding, and his serial number in the Final Electoral Roll (Form A)*	Remarks
1	2	3	4	5	6	7	8

*State whether the number refers to the Electoral Roll for males or females.

Date.....193 .

Signature of the candidate.

(Perforated)

CERTIFICATE OF DELIVERY

The nomination paper of....., a candidate for election from ward or section No..... of.....municipality was delivered to me on (date).....at (hour).....

Signature.

FORM C**NOTICE UNDER RULE 19(3)**

Nomination papers of all candidates for election received under rule 19(1) will be scrutinised by the Magistrate on.....between the hours of.....candidates and other interested persons may be present at the scrutiny.

Magistrate.

.....Municipality.

Date.....193 .

FORM D

(Front)

(RULE 30)

Voting paper No. _____

Number of vacancies _____

COUNTERFOIL

Voting paper No.*

Voter's number in the Final Electoral Roll.

FOIL

Serial No.	Candidate's name	Voter's mark
(1)		
()		
(2)		
()		
(3)		
()		
(4)		
()		

INSTRUCTIONS

1. As many votes as there are vacancies may be given.

2. Votes in excess of the number of vacancies may not be given.

3. A cross (×) should be placed opposite the name or names of candidate or candidates for whom it is desired to vote, a cross being made for each vote.

(Back)

Voting paper No.....

*The serial number should be printed on the face of the counterfoil and on the back of the voting paper.

APPENDIX B

A REPORT IN CONNECTION WITH THE SPECIAL GRANTS FROM THE GOVERNMENT OF INDIA FOR RURAL DEVELOPMENT

The Government of India made in 1935-36 an allotment of rupees five lakhs for rural development. The amount was voted by the Central Assembly not by the local legislature, and is therefore held in a deposit account. The Assam Legislative Council was, however, consulted on the mode of expending the grant, and the following motion was finally passed at the May-June session, 1935 :—

"This Council approves of the programme prepared by the Government of Assam and considered by the Committee appointed by this House (a copy of which has been supplied to all the members of this Council) for the utilization of the sum of Rs.5,00,000 granted by the Government of India for schemes of rural reconstruction in the province of Assam ; but recommends that, for the purpose of advising Government as to what particular projects under each main head should be taken up in each district, the Deputy Commissioner should, so far as may be practicable, invite one or more Council members to sit on the informal local Committee constituted for that purpose in each district or subdivision.

'Programme for expenditure of the grant of five lakhs of rupees from Central Revenues for improvement of the conditions of life in rural areas.

"It is proposed to submit the following schemes of rural reconstruction to the Government of India for the expenditure of the grant of rupees five lakhs expected by this province.

I. A sum of Rs. 3,00,000 for rural water-supply to be distributed by the Government according to the needs of different districts.

II. A sum of Rs. 1,00,000 for village roads to be distributed by the Commissioners after consultation with District Officers and local boards, provided that the local boards concerned undertake to maintain the roads on completion at their own cost.

III. A sum of Rs. 40,000 for discretionary grants to be administered by the Commissioners for purposes, of public utility.

IV. A sum of Rs. 40,000 for village sanitation in the form of grants to be made by the Commissioners to village authorities or other suitable agencies.

V. A sum of Rs. 20,000 for the purchase of irrigation pumps to expand the area on which *boro* paddy may be safely cultivated, under the control of the Director of Agriculture."

The recommendations of the Council were followed and the programmes framed with the advice of the local committees have and are being carried out. The actual work is not in all places far advanced, the total expenditure up to December 1936 being Rs.1,10,448-12-0 (as in margin*). It is unlikely that the full amount will be expended until the end of 1937-38 or even later. The only deviation from the programme approved by the Council was due to the failure of a water-supply scheme at Jowai in Khasi and Jaintia Hills: the embankment failed to hold water, and it was necessary to divert the

	Allotment	Expenditure upto December 1936
*	Rs.	Rs. a. p
1. Water supply	3,00,000	31,084 12 6
2. Roads ..	1,00,000	21,119 12 6
3. Discretionary grant.	40,000	18,276 14 3
4. Sanitation ..	40,000	14,585 0 0
5. Irrigation ..	20,000	25,332 4 9(a)

(a) The allotment was exceeded with the approval of the Government of India against the expectation of further grant, the excess being Rs. 5,382-4-9.

balance of this district (Rs. 3,780-4-11 out of Rs.4,000) to a road scheme (Jarain to Dawki).

The Government of India have now promised a further grant amounting to five lakhs of rupees which will only be actually handed over when the present grant has been expended. This grant is however subject to definite conditions, which the Assam Government are not at liberty to modify. These are briefly :—

(1) that the number of purposes selected should be reduced rather than increased. The Government of Assam had represented the need of funds for cattle breeding in consonance with the appeal of His Excellency the Viceroy, and proposed schemes—

- | | |
|--|------------|
| (a) for financing a provincial Cattle Breeding Association | Rs. 15,000 |
| (b) for expanding the work of the Livestock Branch | ... 50,000 |

These proposals were accepted by the Government of India but it is not permissible further to enlarge the objects of expenditure.

(2) that the money should not be spent hurriedly but should be judiciously spread over a definite period, preferably 5 years.

The Assam Government intend that the programmes should cover a period at least up to 31st March 1940.

(3) that to the extent of at least 80 per cent. of the grant a contribution should be obtained from the rural population either in money, labour or kind, amounting to one-half of each allotment from the grant. The purpose of the condition is to ensure a genuine interest among the beneficiaries, and to make the money go further.

The Government of Assam believe there will be no difficulty in meeting this condition, and have instructed District Officers to assess the actual contribution in work, supplies, land or money to be expected from the people themselves for each item of the schemes. The cattle breeding and irrigation schemes, for which there is no ostensible and assessable contribution from the people, absorb as it is nearly 20 per cent. of the grant. The District Officers have however been instructed to report to Government any case in which difficulty is experienced in satisfying the condition.

(4) that the discretion of the District Officer should be limited as little as possible in spending the allotment made to him. The control should in fact extend only to defining as clearly as possible the purposes selected and

arranging for inspection and review by officers to be appointed by Government. This condition, which the Assam Government must accept, involved the consequence that District Officers will have a free hand in allotting their quotas to the several heads—

Water supply.

Village roads.

Sanitation.

Discretionary expenditure—

provided that the objects selected fall within the scope of the motion.

Inspection and review have now been arranged. It is not intended to fetter the discretion and initiative of the District Officer otherwise than by requiring him to form and consult an Advisory Committee, when framing or revising his programme and by restricting the amount spent by him without the advice of his advisory committee to 10 per cent. of his allotment. These committees will be reconstituted for the preparation of the revised programmes by selection from members of the new legislative chambers.

(5) that the grant should to the extent of 33½ per cent. at least be distributed according to rural population. The distribution of the sum of Rs.4,15,000 (deducting Rs.65,000 for cattle breeding schemes and Rs. 20,000 for irrigation, which purposes are not susceptible of distribution on a population basis) has been made according to rural population, *vide* statement below. It must be explained that an allotment otherwise than on a population basis of even one-third of the grant would only be admissible under the Government of India's orders for "special local schemes" or "specially needy districts". The programme approved by the Legislative Council did not contemplate special schemes (excepting irrigation), and the needs of water-supply, village roads and village sanitation, though varying in degree, are intense throughout the province.

PROVISIONAL DISTRIBUTION OF Rs. 4,15,000 ACCORDING TO RURAL POPULATION

	Population	Amount Rs.
1. Cachar, including North Cachar Hills ..	570,531	27,160
2. Sylhet	2,724,342	1,31,126
3. Goalpara	812,748	42,488
4. Kamrup	976,746	47,012
5. Darrang	584,817	28,148
6. Nowgong, including Mikir Hills portion ..	562,581	27,077
7. Sibsagar, including Mikir Hills portion ..	933,326	44,923
8. Lakhimpur, including Lakhimpur Frontier Tract.	724,582	34,875
9. Garo Hills	190,911	9,189
10. Naga Hills	178,844	8,608
11. Lushai Hills	124,404	5,988
12. Khasi and Jaintia Hills	109,926	5,291
13. Sadiya Frontier Tract	53,345	2,567
14. Balipara Frontier Tract	5,148	248
Total ..	8,622,251	4,15,000

APPENDIX C

RULES MADE BY THE HON'BLE SPEAKER REGULATING
ADMISSION TO THE ASSEMBLY PREMISES OF VISITORS
AND REPRESENTATIVES OF THE PRESS

ADMISSION TO ASSEMBLY CHAMBER

1. No persons other than—
 - (a) a member or officer of the Assembly,
 - (b) a chaprasi accompanying a Secretary or Minister, or
 - (c) a clerk or peon of the Secretariat having a letter of authority referred to in rule 9, shall be admitted to the Assembly Chamber or its precincts unless he is in possession of a ticket of admission duly signed by the Secretary to the Assembly.
2. (1) Strangers and accredited reporters of newspapers and recognised news agencies will be admitted into the gallery for visitors in the Assembly Chamber during the sittings of the Assembly on the production of tickets of admission.
- (2) Accredited reporters of newspapers and recognised news Agencies (hereinafter described as Press Reporters) will be entitled to apply in the manner indicated in rule 24 to the Secretary direct, *i.e.*, through no member, for obtaining tickets of admission.
- (3) In the case of a stranger seeking admission as a visitor the ticket shall have to be obtained through a member of the Assembly.
3. Application for tickets of admission for a visitor will have to be made to the Secretary in the prescribed form obtainable by a member from the Assembly Office.
4. Such application should reach the Secretary at least two clear days before the date of admission. Office will receive such applications on every working day till 2 p.m. Applications received after 2 p.m. on a particular day will be considered to have been received on the following day.
5. Such tickets shall be available for one day only; no tickets shall be transferable; provided that in the case of Press Reporters if they so desire in writing, such tickets may be available for the period of the session noted therein.
6. (1) Admission tickets shall be shown by their holders on arrival to the Police Officer on duty at the main gate and also at the entrance to the various galleries.
- (2) Every holder of a ticket other than a Press Reporter, provided that his ticket is good for more than one day, shall deliver up his ticket to the Police Officer at the main gate when leaving the Assembly Chamber :

(Explanation.—It shall not be necessary for a ticket-holder to deliver up his ticket when leaving the Assembly Chamber at the luncheon interval or at any other time during the sitting hours of the day if it is his intention to return after the adjournment, but no person shall be re-admitted without a ticket.)
- (3) After the close of each day's meeting, the said Police Officer shall hand over all admission tickets so delivered up to him to the Head Assistant of the Legislative Assembly Department, who shall thereupon file the same.

7. Strangers including the Press Reporters will not be permitted in any part of the Assembly Chamber except the gallery marked on their tickets. All strangers including the Press Reporters will enter by the public entrance at the west of the Chamber, holders of tickets for the 'A' gallery passing by the north corridor.

8. The Speaker reserves to himself the right of ordering any visitor in which category a Press Reporter is also included at any time during a session of the Assembly to leave the Assembly Chamber, notwithstanding that he holds an admission ticket, and upon being so ordered, the visitor shall forthwith leave the Chamber.

9. Every Secretariat clerk and menial whom it may be necessary to send to the Assembly Chamber on the occasion of any meeting of the Legislative Assembly shall be provided with a letter of authority signed by an Under-Secretary or Registrar, as the case may be.

10. The following accommodation is available in the different galleries:—

A Gallery—Front row consisting of 22 seats are allotted for ladies. Fifteen seats in the second row are intended for members of the Assam Legislative Council. The other 7 seats in the second row and the 2 back rows consisting of 44 seats are intended for gentlemen entitled to get 'A' cards.

B Gallery—consists of two parts—

No. 1 consists of 65 seats.

No. 2 consists of 28 seats.

Special Gallery—Sixteen seats for distinguished visitors only.

Press Gallery—Eighteen seats meant for accredited representatives of the Press.

The "Governor's Box" is reserved for His Excellency the Governor and the Government House party.

Official Gallery—Secretaries to Government and Heads of Departments who are likely to be required in connection with the Assembly proceedings or are officially interested may occupy seats in this gallery. Admit cards for this gallery are obtainable from the Assembly Secretary. The Head Assistant or the Senior Assistant of the Assembly Department may also occupy a seat in this gallery whenever his services are likely to be required by the Assembly Secretary.

11. The Secretary will issue tickets of admission in each gallery or part of a gallery to the extent of accommodation available, and no further.

12. The Secretary with the orders of the Speaker retains the power to refuse or cancel any card without giving reasons.

13. Applications for admission cards from Government Officers attached to the various offices at Shillong must come through their Heads of Offices or superior officers. The Gazetted officers posted at Shillong intending to be a visitor shall apply to the Secretary for tickets.

In all cases the date for which admission is asked for should be clearly mentioned in the application.

14. Assembly Members desiring to apply for admission of a family member, friends and relations to the galleries are requested to use the prescribed forms.

15. Each Member of the Assembly shall be entitled to obtain from the Secretary two tickets for every day during session, subject to the condition that accommodation is available in a particular gallery.

N. B.—Attention of the members is drawn to the fact that accommodation in the various galleries is limited and that besides their recommendations, recommendations are obtained from many others such as Heads of different offices, Departments and Educational institutions in Shillong.

If the members recommend a large number of cases it will mean denying issue of tickets to all others. The attention of the members is also drawn to the fact that, unless otherwise ordered by the Hon'ble Speaker, A Gallery Cards are, as a general rule, issued to Government title-holders, Gazetted officers and others who are considered entitled to get such cards in consideration of their status in life and other qualifications.

No claim from a person who does not fall within these categories for an A Gallery Card will stand only on the ground that an A Gallery Card was issued to him on any previous occasion.

Members are therefore requested to be very chary in recommending applications for passes particularly to students, school girls and ladies.

16. Whenever a card is issued on the recommendation of a member, the card will be handed over to the member ^{himself} _{herself} or to any other person authorised in writing by the member to receive the card or sent to ^{his} _{her} residence, but it will, in no case, be made over to any other person.

17. A member recommending a stranger for a pass shall be responsible for the behaviour of the person concerned during his admission to the galleries.

18. All applications received within the prescribed time will, *if accommodation permits*, be complied with. But when the number of applicants exceeds the number of seats available in any one gallery, the seats shall be allotted by ballot *but in no case shall admit cards be issued beyond the capacity of a gallery.*

19. *Children under 12 years of age will not be admitted to the gallery.*

20. Each card shall specify (1) the name of the visitor and (2) the date or dates for which it is valid and it shall be signed by the Secretary.

21. *On no ground shall passes for one day be valid for another day.*

22. Tickets for the use of students (boys or girls), subject to the provision in regard to age in rule No. 19, will be very sparingly issued. Heads of the Institutions should therefore be very strict in their recommendation for tickets to students and they must be responsible for the conduct of the students admitted to the gallery on their recommendation. *An application for admission tickets for students must bear on it a certificate from the Head of the Institution to which the students recommended belong that they are capable of understanding the proceedings of the Assembly. Ordinarily no tickets will be issued to students unless their teachers undertake to accompany them.*

23. As accommodation for ladies is very limited, issue of tickets to girls, particularly to school girls, will be restricted, in case they ask for seats in the ladies' gallery.

24. Manager, Editor, or a Proprietor of a newspaper or a recognised news Agency desiring to send a representative to the Assembly meeting must apply to the Secretary for a ticket stating the name of the representative they propose to send with his permanent address and his address at Shillong. An admit card will be issued to the representative by name and shall not be transferable. *Only one such ticket may be issued for any one newspaper.* No ticket for a Session of the Assembly will be issued to any one as a Press Reporter unless an application in that behalf is submitted to the Secretary, in the form and manner prescribed by this rule.

Admission to the Press Gallery is ordinarily restricted to dailies and recognised news agencies. *No one except accredited representatives of the Press will be allowed admission to the Press Gallery.*

25. Any wilful misrepresentation of the proceedings of the Assembly and any unfair criticism levelled against any one connected with the proceedings of the Assembly by a Press Reporter will be considered good ground for withdrawal of the pass forthwith if it were given for a session, or for refusal of issue of a pass for future sessions.

26. Visitors must see that silence is maintained whilst the Assembly is sitting. Demonstrations by applause or otherwise in the galleries are strictly prohibited. Movements of any kind which are likely to disturb the proceedings of the House must under all circumstances be avoided by the visitors in the galleries.

27. No sticks, weapons, umbrellas, books or newspapers will be allowed into the galleries.

28. No one will be allowed to stand in any part of a Gallery, *particularly on the steps and on the passage leading to the "Governor's Box"*.

29. On special occasions, *e.g.*, joint sittings of both Chambers or when His Excellency comes to address both Houses, special arrangements may be made without previous notice by the Speaker as regards admission to the various galleries according to his discretion.

By order of the Hon'ble the Speaker,

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