

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 Saturday, the 21st August 1937

QUESTIONS AND ANSWERS

STARRED QUESTIONS

Newspaper article re "Clever Device to save Assam Ministry"

SRIJUT SIDDHI NATH SARMA asked :

*152. Has the attention of the Hon'ble the Chief Minister been drawn to an article under caption "Clever Device to save Assam Ministry" published in daily "Advance" of the 14th July 1937 ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

Yes, since the hon. member supplied the cutting from the newspaper.

SRIJUT SIDDHI NATH SARMA: Did the Hon'ble Minister in charge receive a copy of the letter in question before this question was put ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I did not receive any such letter. I understand a 'bearing' letter came to my house but my servants refused to accept it. I do not know whether it was that letter.

SRIJUT SIDDHI NATH SARMA asked :

*153. (a) Is it a fact that the said article was written by Maulavi A. T. Wasey, B.L., of Shillong ?

(b) Is it a fact that the article was circulated among the Moslem Members of the Assam Legislative Assembly and Council including the Muhammadan Members in the Ministry ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

153. (a)—The cutting does not mention the name of the author and Government have no knowledge in the matter.

(b)—Government have no information.

SRIJUT SIDDHI NATH SARMA: Will he take it from me that the article was written by Maulavi A. T. Wasey ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I will accept the hon. member's statement.

SRIJUT SIDDHI NATH SARMA asked :

*154. Is it a fact that Maulavi A. T. Wasey has been nominated as a member of the Shillong Municipal Board this year ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

Yes.

SRIJUT SIDDHI NATH SARMA asked :

*155. Is the Hon'ble Chief Minister aware that there has been an apprehension in the minds of the general public that the article referred to in question No.152 has been inspired by the Ministry ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

The alleged apprehension is absolutely unfounded, as the Ministry never inspired the article, nor had they any knowledge of it.

SRIJUT SIDDHI NATH SARMA asked :

*156. If the answer to the question 155 above is in the negative will the Hon'ble the Chief Minister be pleased to announce before this House that he dissociates himself from the views expressed in the said article referred to in question No.152 ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

Unless, the entire article is before me, I am not in a position to declare any views on it.

SRIJUT SIDDHI NATH SARMA asked : I can supply him with a copy of the article.

SRIJUT JOGENDRA NATH BARUA asked :

*157. Has the attention of Government been drawn to the article in bi-weekly " Assamiya " of the 22nd June 1937 under the caption " অসমীয়াৰ দলং " ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

Government have seen the article referred to.

SRIJUT JOGENDRA NATH BARUA asked :

*158. Is it a fact that the Railway authorities have asked for a contribution of Rs.84,000 (eighty-four thousand of rupees) for allowing the use of a footpath only alongside the "Bridge" ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

No.

SRIJUT JOGENDRA NATH BARUA asked :

*159. Is Government aware of popular agitation about the necessity for a path apart for vehicular traffic ?

*160. Will Government be pleased to take steps for advising the Railway authorities to provide for passage for vehicular traffic also over the said bridge ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

159 and 160.—The hon. member is referred to the replies given to questions 362 and 363 asked at the current session of the Assembly by Srijut Gauri Kanta Talukdar.

SRIJUT JOGENDRA NATH BARUA asked :

*161. (1) Has any communication passed between the Government of Assam and the Railway and Bridge authorities on the subject of a bridge over the Brahmaputra ?

(2) If so, will Government be pleased to inform this House as to the contents and lay the same on the table ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

(1)—Yes.

(2)—No.

SRIJUT KRISHNA NATH SARMAH asked :

*162. Whether Government in view of the assurance given in April last for the supply of forest materials to the sufferers for purpose of constructing houses, propose to ask the Forest Department as mentioned in the Government communique, to expedite the supply to those sufferers who will take advantage of the offer ?

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

162.—In accordance with the statement made on the subject in their communique, Government asked the Forest Department to give every assistance to villagers requiring forest produce to enable them to rebuild their houses. The Forest Department advertised this fact through the local mauzadar but nobody came forward for assistance.

SRIJUT KRISHNA NATH SARMAH : Has it been communicated to the people concerned ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : It was communicated to the mauzadars of the areas concerned.

MR. FAKHRUDDIN ALI AHMED asked :

*163. Is it a fact that participation in Congress movement by Government pensioners was regarded as a gross misconduct and therefore a number of pensioners were penalised and debarred from drawing the pensions ? If so, will Government be pleased to state—

- (a) the number of persons whose pensions have been withheld for joining the Congress movement ?
- (b) Whether the pensions of these persons were withheld prior to or after the suspension of the Civil disobedience movement ?
- (c) When and for what reasons the pension of Dr. Hari Krishna Das, retired Civil Surgeon, was withheld ?
- (d) Whether participation in Congress activities is regarded as a gross misconduct and a ground for withholding the pensions ?
- (e) Whether Government propose to refund the pensions so withheld and to rescind such orders ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

163.—No, but Government pensioners who gave active support to, or advocacy of, movements which aimed at the subversion of Government established by law in British India were penalised and their pensions either withheld or withdrawn under Article 351 of the Civil Service Regulations.

(a)—The number of persons whose pensions were withheld for the reason given in the reply to question No. 163 is three. In one case the pension was subsequently restored though not with retrospective effect. In another case the pensioner died without expressing regret but half of the arrears of pension was paid to his family. The pension of the third person is still withheld.

(b)—If March 1931 (when the settlement between Mr. Gandhi and Lord Irwin was signed) is taken as the date of suspension of the Civil disobedience movement, the first two cases were before and the third after the suspension of the movement.

(c)—The reason is given in the reply to question No. 163.

(d)—No, *vide* answer given to question No. 163.

(e)—The pensioner concerned is at liberty to submit an application to Government through the proper channel (*i.e.*, the Deputy Commissioner and the Commissioner). It will then be considered on its merits.

MR. FAKHRUDDIN ALI AHMED : May I enquire if Dr. Hari Krishna Das sent several petitions for the restoration of his pension ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : He may have done so, but I am not aware of it.

MR. FAKHRUDDIN ALI AHMED : Am I to understand that the pension of Dr. Hari Krishna Das was withheld after the suspension of the Civil disobedience movement ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I have already answered that question.

MR. NABA KUMAR DATTA : Is it not a fact that Dr. Hari Krishna Das represented his case ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : We are not aware of any representations.

MR. NABA KUMAR DATTA : If he makes an application now will Government reconsider his case ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : When the representation is received, the case will be considered on its merits.

*164. (Member absent.)

SRIJUT RAJENDRA NATH BARUA asked :

*165. Will the Hon'ble Minister for Local Self-Government please state on whose recommendations persons are nominated to the Municipal Boards ?

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

Recommendations are, of course, received from local officers and are considered by Government before the nominations are made.

SRIJUT RAJENDRA NATH BARUA asked:

*166. Will the Hon'ble Minister, Local Self-Government, be pleased to state—

- (a) Whether nomination of members to the Municipal Boards was made in conformity with the percentage of different communities of rate-payers within the different Municipalities?
- (b) Whether any Mahomedan gentleman was nominated in Goalpara and Sibsagar Municipalities?
- (c) (i) Whether any one was nominated from the depressed class community to the Golaghat Municipal Board; and
(ii) if not, why not?
- (d) The special qualifications (educational or public) of the Mahomedan gentleman who was nominated to the Golaghat Municipal Board?
- (e) Whether the name of Maulavi Hamid Bakht a retired Government servant and President of the Local Anjuman was recommended for nomination to the Golaghat Municipal Board by the Subdivisional Officer or Deputy Commissioner?

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

166. (a)—The population of each community and the number of votes are taken into consideration.

(b)—Yes: one in each.

(c) (i)—No.

(ii)—Because, with only two persons to be nominated it was considered that the Muslim and the Christian communities had a prior claim.

(d)—Government must refuse to discuss the qualifications and merits of private gentlemen who have been nominated to Municipal Boards.

(e)—Recommendations for nomination made by Subdivisional and District Officers are confidential documents and Government must refuse to disclose their contents.

SRIJUT RAJENDRA NATH BARUA: What are the grounds that led the Hon'ble Minister to believe that the Christians had a better claim than the members of the depressed classes?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: On account of the numbers and on account of the Local rates paid by them.

SRIJUT RAJENDRA NATH BARUA: Does the Hon'ble Minister mean to say that the number of Christians in Golaghat is larger than that of the depressed classes?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Yes, Sir, I think that was the position. I gave the figures in reply to unstarred question No. 92.

SRIJUT RAJENDRA NATH BARUA: With regard to 166(b). I refer to unstarred question No. 92 and to its reply. I here I find percentage of Mahomedan population is 37.9 and percentage of successes at the last election 40, in Goalpara. In Sibsagar percentage of Mahomedan population is 30 and success at the last election 33.3. Why then, the Government did nominate one Mahomedan gentleman to each of the Municipal Boards of Goalpara and Sibsagar in spite of Mahomedan over-representation in election in preference to other communities not represented fully by selection.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Muhammadans in Goalpara are not over-represented. The percentage is 37.9 and the number of Muhammadans elected is 4. But we have to take the number of those who have also to be nominated although the percentage according to the population basis is correct.

BABU KEDARMAL BRAHMIN: Have Government nominated any Marwari in the Sibsagar Municipality?

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

BABU KEDARMAL BRAHMIN: Was any Marwari nominated last year?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That I cannot tell.

SRIJUT RAJENDRA NATH BARUA: Did the Hon'ble Minister receive any representation from the depressed classes for nomination in the Municipal Board of Golaghat?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: As far as I am aware Government received a representation.

SRIJUT RAJENDRA NATH BARUA: Why was not any gentleman nominated?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have already answered that.

SRIJUT PURNA CHANDRA SARMA: Are the Muhammadans of that Municipality represented in the Municipal Board?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Yes, they are represented but they are under-represented.

SRIJUT PURNA CHANDRA SARMA: Are the Christians represented in the Municipal Board?

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

BABU KEDARMAL BRAHMIN: Did the Rate-payers' Association forward a representation to the Government?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I cannot say now. I have not got the file with me.

MR. FAKHRUDDIN ALI AHMED: What is the percentage of the Marwari population in the Sibsagar Municipality?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I cannot say, I have not got the file with me now.

Salary of the Member of the Revenue Tribunal of Assam

SRIJUT SIDDHI NATH SARMA asked:

*167. Will Government be pleased to state if they are prepared to advise His Excellency the Governor to fix the salary of the Member of the Revenue Tribunal of Assam at not exceeding Rs.1,000 per month in the interests of economy provided its immediate abolition is not possible?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

167.—The abolition of the Revenue Tribunal is not feasible as it is laid down in section 296 of the Government of India Act that there must be such a Tribunal.

The question of its personnel and the salary to be paid to the Member has recently, in connection with a Bill sent in by a member of the Assam Legislative Council, been under the consideration of Government who are advised that the constitutional position is not free from doubt, and a reference is being made to the Government of India. This Government are unable to make any further statement at present.

Hon'ble Finance Minister's tour to Bombay

SRIJUT SIDDHI NATH SARMA asked :

*168. Will the Hon'ble Minister in charge be pleased to state what expenditure from the Provincial Exchequer was incurred by the Hon'ble the Finance Minister and his party in connection with the conference of Finance Ministers of some of the Provinces held in Bombay ?

*169. Will the Hon'ble Minister in charge be pleased to state for the information of the House what experience and knowledge did he derive from the Conference and how he proposes to benefit the Province by that experience ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

163.—Rupees 1,727-2-0.

169.—The hon. member is referred to the reply given to starred question No. 3(b) asked by Babu Dakshina Ranjan Gupta Chaudhuri at the current session of the Assembly.

SRIJUT SIDDHI NATH SARMA : May we know what was the cost of the party that accompanied him ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I have given the total.

Visitation of Congress members by Government officers

SRIJUT SIDDHI NATH SARMA asked :

*170. (a) Is it a fact that Congress members of this House during their stay in Shillong in connection with Assembly work are particularly visited by officers, informers and watchers by the Criminal Investigation Department ?

(b) If so, does the Hon'ble Minister in charge propose to relieve the Congress members of this House from such visitation ?

*171. (a) Is the Hon'ble Minister in charge aware that there is an apprehension in the minds of the general public that they are employed by the Ministry to procure informations about the movements of the Congress party ?

(b) Does the Hon'ble Minister in charge propose to relieve the taxpayers of the province from the burden of maintaining the department by substantial reduction in its expenditure ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

170. (a)—No.

(b)—Does not arise.

171. (a)—No.

(b)—Government have this matter under consideration.

Unequality of tolls over bridges in both the Valleys

SRIJUT KRISHNA NATH SARMAH asked :

*172. Is it a fact that the tolls over bridges in Surma Valley and Assam Valley roads are unequal ? If so, why is the difference ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

172.—The hon. member is referred to the answer given to question No. 417(b) (iii) during this session of the Assembly.

KHAN BAHADUR MAULAVI KERAMAT ALI: Is it a fact that the Dikhu, Desang and Dehing bridges are treated as first class bridges whereas the bridge on the Surma river is treated as second class bridge ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I require notice of that question.

KHAN BAHADUR MAULAVI KERAMAT ALI: Is it a fact that the toll of the Dikhu, Desang and Dehing bridges is Re. 1 per trip while the toll on the Surma bridge is only annas 8 ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I will take my hon. friend's statement as correct.

KHAN BAHADUR MAULAVI KERAMAT ALI: If so, why is this difference ? Is not the Surma bridge bigger than any of the bridges in the Assam Valley ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I require notice of the question.

QUESTIONS AND ANSWERS

UNSTARRED QUESTIONS

Amount of expenditure incurred for Muhammadan Education

MAULAVI ABDUL HAMID KHAN asked :

413. Will Government be pleased to state—
the amount of expenditure incurred for Muhammadan education in the Surma Valley and Assam Valley respectively ?

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

413.—For the year 1936-37 the expenditure was as follows :—

	Rs.
Surma Valley	1,69,233
Assam Valley	86,665

RULING GIVEN BY THE HON'BLE THE SPEAKER AS TO
WHETHER SUPPLEMENTARY QUESTIONS CAN BE PUT ON
UNSTARRED QUESTIONS WHEN THE QUESTIONER IS
ABSENT

THE HON'BLE THE SPEAKER: The hon. member is absent.

SRIJUT PURNA CHANDRA SARMA: On a point of information. If the questioner is not present, cannot the supplementary questions be asked by any other member ?

THE HON'BLE THE SPEAKER: The other day I ruled that when the answer of an unstarred question is placed on the table then it would be taken that the question has been answered. Now this list of questions and answers was placed on the table on the 7th August 1937 and if the hon. member was present then it may be taken that the question was answered. I think in that view supplementary questions can be put. It is not necessary that the member who put the question is to put the supplementary question. Any other member can do so. In this view I rule that it would be right to allow supplementary questions to be put on the answer of the question called.

MR. FAKHRUDDIN ALI AHMED : Is the Hon'ble Minister aware that Muhammadan education in the Assam Valley has not received any encouragement and impetus from the Government in the previous years ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : Does that question arise ?

MR. FAKHRUDDIN ALI AHMED : Yes, it does arise. (*Laughter*).

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I am not acquainted with that fact.

MR. FAKHRUDDIN ALI AHMED : Has the Hon'ble Minister made any provision for Muhammadan education in the Assam Valley in this year's budget ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : If the present budget is passed I will consider that question.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : There is no provision separately in the new scheme for Surma Valley and Assam Valley.

MR. FAKHRUDDIN ALI AHMED : In the budget there is a provision for special education for Muhammadans. Am I to understand that the whole provision has been given to the Sylhet Madrassa ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : No.

BABU HARENDRA NARAYAN CHAUDHURI : The amount spent for the Assam Valley is much less than what is spent in the Surma Valley. I want to know whether this niggardly treatment to our sister valley is due to the unwillingness on the part of the Government to spend more money or whether it is due to the lesser number of students in that Valley ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : Due to lesser number of students.

SRIJIT PURNA CHANDRA SARMA : Are Government prepared to revise the policy of imparting sectarian education at this juncture in favour of primary education ?

THE HON'BLE THE SPEAKER : When the question is intended to get from the Minister an answer about a policy, I think a separate question may be put instead of a supplementary question.

MAULAVI JAHANUDDIN AHMED : Will the Hon'ble Minister in charge be pleased to state the sum that is spent in Goalpara district for Muhammadan education ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : If that question arises, I require notice.

MR. FAKHRUDDIN ALI AHMED : On what basis is the amount allotted to the Surma Valley and to the Assam Valley ? On the population basis or on the number of students ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : It is based on the demand of education by population.

MR. FAKHRUDDIN ALI AHMED : Does the Hon'ble Minister mean to say that there is no demand for Muhammadan education in the Assam Valley ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I think there is very little demand as compared with the Surma Valley.

MAULANA ABDUL HAMID KHAN : Sir, সমস্ত আসাম ভেলীতে একটিও সিনিয়র মাদ্রাসা নাই। এই অভাবের দরুন বা সিনিয়র মাদ্রাসা না থাকার দরুন যে সমস্ত ছেলে জুনিয়র মাদ্রাসা পান ক'রে তাগরা ইসলামি শিক্ষা হইতে সম্পূর্ণ বঞ্চিত হইতেছে। এই অভাব দূর করিবার জন্য সরকার কোন সিনিয়র মাদ্রাসা স্থাপন করিবার ইচ্ছা রাখেন কি ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: The matter is under our consideration. When the budget will be passed we shall consider these questions.

MAULAVI MUNAWWAR ALI: Is it a fact that the Sylhet Madrassa Alia is a provincial institution?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: It is a provincial institution.

KHAN BAHADUR MAULAVI KERAMAT ALI: Is it a fact that the Berry-White Medical School is a provincial institution?

THE HON'BLE THE SPEAKER: That question does not arise.

MAULANA ABDUL HAMID KHAN: গৌরীপুর জুনিয়র মাদ্রাসাকে দিনিয়র পরিণত করিবার জন্য গত ৫৭ ৭৯র গাবৎ অনবরত আবেদন জানানো হইয়াছে। বহুমান গৌরীপুর মাদ্রাসাকে দিনিয়র মাদ্রাসা করিবার জন্য অনুমতি দেওয়া হইবে কি?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I have already replied that this question will be considered.

MAULAVI JAHANUDDIN AHMED: Has Government provided some sum for the Gauripur Madrassa in Goalpara?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: A lump sum is provided for Madrassas. This is also included

Census of unemployed youths

MR. BAIDYANATH MOOKHERJI asked:

414. Will Government be pleased to state if they propose to undertake an enquiry into the extent of unemployment amongst the educated youths in Assam?

415. (a) Will Government be pleased to state if they have in their possession any information obtained from any previous enquiry about the extent of unemployment of educated youths in Assam?

(b) If so, will Government be pleased to lay the same on the table?

416. Will Government be pleased to state what step, if any, they propose to take to deal with the problem of unemployment of the educated youths?

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

414-416.—The hon. member is referred to the replies given at this session in answer to similar questions by Babu Lalit Mohan Kar.

Construction of major bridges out of the loan taken from Government of India

SRIJUT KAMESWAR DAS asked:

417. (a) Will the Hon'ble Minister for Public Works Department please state the names of the major bridges of the province constructed with the loan taken from the Government of India for the Road Board programme together with the amounts of their construction shown against each?

(b) Will he please state (i) in which of the said bridges tolls are realised, (ii) whether the said toll bridges are classed differently and (iii) whether tolls are realised at different rates from the same class of bridges?

(c) Is it a fact that tolls were introduced in the said bridges on the ground that the costs of construction, being part of the Road Board loan, were to be paid back with interest to the Government of India?

(d) Is it a fact that the Assam Provincial loan including the Road Board loan has been written off by the Government of India with effect from 1st April 1937?

(e) If so, does the Hon'ble Minister in charge propose to take early steps to discontinue the tolls at the aforesaid bridges?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

Rs.

417. (a)—Two major bridges, viz.,	
Dhansiri bridge at Numaligarh	... 1,54,540
Chalkhowa bridge at Barpeta	... 1,50,321

were constructed from the loan taken from the Government of India for the purpose as distinct from the loan for the Road Board programme.

(b) (i)—On both the bridges.

(ii)—No.

(iii)—The rates of tolls in the Assam and the Surma Valleys differ and as tolls are charged on a bridge at the same rate as for the ferry it replaces, the rates may be different in respect of the location of bridges of a particular class, or because of the ownership of the ferry prior to the construction of the bridge.

(c)—Yes.

(d)—The balance of all loans taken previous to the 1st April 1936 has been written off from midnight of the 31st March 1937.

(e)—The matter will be placed before the Resources and Retrenchment Committee, when it is appointed, for consideration.

SRIJUT KAMESWAR DAS: May I know from the Hon'ble Minister whether the construction of other major bridges of the province was made from the loan for the Road Board programme?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes, I have already answered that question. A loan was taken from the Government of India and from that loan the bridges were constructed.

SRIJUT KAMESWAR DAS: My question has not been answered, Sir. My question was, whether these two major bridges were constructed from the loan taken from the Government of India for the Road Board programme?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The answer is that these two bridges—Dhansiri bridge and Chalkhowa bridge—were constructed from a loan from the Government of India as distinct from the loan for the Road Board programme.

SRIJUT KAMESWAR DAS: I want to know whether any other major bridges were constructed from the loan taken for the Road Board programme?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: If my hon. friend wants that information, I shall be too glad to give him the answer.

These two bridges are stated to have been constructed from the loan from the Government of India as distinct from the loan for the Road Board programme. My friend is confusing between the two loans. The original idea

was to take loan of a crore of rupees for the construction of major bridges. Rupees fifty thousand was taken out of that. After that on account of the difficulty of making equated payments, naturally that loan was stopped. That was in 1931. After that the Government of India suggested that if we had in view any Road Board programme, they would be willing to give us a loan without interest. On that loan some bridges were constructed. If my hon. friend wants further information I shall be glad to supply it to him.

SRIJUT KAMESWAR DAS : In reply to question No. (c) it is admitted that tolls were introduced in these two bridges on account of the fact that costs of construction were to be paid back with interest to the Government of India. In reply to (d) it has been admitted that loans taken from the Government of India for the purpose were wiped off.

Will the Hon'ble Minister see to the desirability of doing away with tolls introduced in the case of these two bridges ?

THE HON'BLE MAULAVI SAYID SIR MUHAMMAD SAADULLA : I have already answered that we will place it before the Resources and Retrenchment Committee.

Brass and Bell metal work

SRIJUT KAMESWAR DAS asked :

418. (a) Is the Hon'ble Minister in charge aware that bell-metal utensils are widely used in Assam, that the bell-metal workers of the soil prepare utensils with only old and broken materials, that they are not acquainted with the art of making the metal itself and that their indigenous method of preparation fails to give a decent look and fine polish to the finished products owing to their having had no training in the up-to-date method ?

(b) If so, does the Hon'ble Minister propose to take early steps to do the needful to create some stipends to have educated young men trained in the said art elsewhere ?

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

418. (a)—Yes.

(b)—Stipends for training at Benares in brass and bell-metal work are awarded from time to time according to the applications received. Applications for training in this industry should be addressed to the Director of Industries. Government are prepared to grant stipends to suitable candidates.

KUMAR AJIT NARAYAN DEV : Will the Hon'ble Minister be pleased to state how many students were trained with stipends in Benares ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : I want notice of that, Sir. I cannot say exactly.

KUMAR AJIT NARAYAN DEV : Is there any students at present receiving stipends at Benares under training there ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : I cannot say if there are any students.

KUMAR AJIT NARAYAN DEV : How many students there are at present receiving stipends ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : I have already said that I want notice for that. I cannot say off-hand.

KHAN BAHADUR MAULAVI MAHMUD ALI : May I know the value of the stipends granted to the candidates ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : I cannot say off-hand.

KHAN BAHADUR MAULAVI MAHMUD ALI: It is said 'suitable' candidate if available'. What makes a candidate suitable for this stipend?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: If he is found to have the requisite qualification.

MAULAVI MUHAMMAD MAQBUL HUSSAIN CHAUDHURI: What is the requisite qualification?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I do not know what was the qualification prescribed by the previous Government, but I think it is that he must belong to a family engaged in this class of industry.

KHAN BAHADUR MAULAVI KERAMAT ALI: Is it not a fact that stipends are given to members coming from families of workers who do bell-metal work?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Yes, Sir.

SRIJUT PURNA CHANDRA SARMA: What is the number of stipends?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I have already answered that question.

SRIJUT KAMESWAR DAS: May we know if there are any holders of stipends at the present moment?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: That question has already been answered.

Reservation of Fishery beels for consumption of villagers

SRIJUT MAHADEV SARMA asked:

419. (a) Has the attention of Government been drawn to the resolution No. 20 passed at the last session of the Naduar Ryot Sava held at Lahugaon Biswanath about keeping aside certain Beels (ବିଜ) from the fish Mahals which were adjacent to new and old villages?

(b) Do Government propose to consider this matter very carefully and to revise orders passed about the Beels (ବିଜ) which belonged to Viswanath temple till a year hence?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

419. (a)—Yes.

(b)—The ryots are allowed to fish for home consumption at a very small charge, not exceeding annas four per year, by a clause in the regular lease form. Government cannot contemplate the loss of the revenue entailed in not putting the fisheries to auction.

SRIJUT MAHADEV SARMA: Is it not a fact that these Beels in question were not included in the fish mahal till the last year?

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

KHAN BAHADUR MAULAVI KERAMAT ALI: May I know what is the income derived from that fishery?

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

SRIJUT OMEO KUMAR DAS: Are Government aware that these Beels belong to the Biswanath Temple?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Government does not admit that.

SRIJUT MAHADEV SARMA: Is it not a fact that these Beels were only included in the fishery mahal from the last year?

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

SRIJUT DEBESWAR SARMAH: Considering that fish constitutes the primary foodstuff of the villagers, and considering also the poverty of the people and inability to buy fish, will the Hon'ble Minister be pleased to enquire into the matter with a view to give up these Beels which have been for generations together, at any rate from time immemorial, used for *bona fide* village fishing purposes?

THE HON'BLE THE SPEAKER: There need not be any preamble to a supplementary question.

SRIJUT DEBESWAR SARMAH: My question is whether the Hon'ble Minister will be pleased to institute an enquiry with a view to leave out of Government fishery those Beels which have been used from time immemorial by the villagers for catching fish for their *bona fide* food purposes?

SRIJUT MAHADEV SARMA: And also give the villagers free use of them.

KHAN BAHADUR MAULAVI KERAMAT ALI: My friend is supplementing the question.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The present policy of the Government is exactly what has been suggested by the hon. member.

SRIJUT DEBESWAR SARMAH: When may we expect action on those lines?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: If the hon. member will please give me an instance where this policy has not been followed I will take action.

SRIJUT DEBESWAR SARMAH: Take the instance of Sola Beel. That is a Beel which has been enjoyed by the villagers from time immemorial till last year or so.

KHAN BAHADUR MAULAVI KERAMAT ALI: And also Noa Pukhri Beel.

SRIJUT MAHADEV SARMA: And several others at Chhoyduar?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I shall try to remember those Beels.

SRIJUT MAHADEV SARMA: These Beels were used not only for fishing but also for taking drinking water.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I think that wherever there is drinking water there is also fish there.

SRIJUT MAHI CHANDRA BORA: With regard to (b), are Government aware that the raiyats are not allowed to catch fish for home consumption even when the fees are paid?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am not aware of that, but if any specific instance is brought to my notice, I will enquire into the matter.

SRIJUT DEBESWAR SARMAH: But these Beels are also sometimes used for drinking water as well as for fishing.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I know that where there is drinking water there is fish also, and where there is fish there is drinking water also.

SRIJUT DEBESWAR SARMAH: But considering the fact that the people in the Majuli have not been given a good water-supply and as everyone knows in the rains all the place is flooded and there are very few places where good water can be had.

THE HON'BLE THE SPEAKER: You should put the question directly.
SRIJUT DEVESWAR SARMAH: I am coming to the question.

Will the Hon'ble Minister be pleased for the sake of humanity to consider about stopping polluting of the drinking water by leasing them out to be used as fishery?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am not prepared to admit that drinking water is polluted by fish, for instance in the Brahmaputra river.

Improvement of Co-operative movement amongst village credit Societies

MAULANA ABDUL HAMID KHAN asked :

420. Will the Hon'ble Minister in charge of Agriculture be pleased to state:—

the measures taken by Government to popularize the Co-operative movement amongst the village credit societies of the districts of Goalpara and Kamrup

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

420.—The question is not understood. The measures taken consists of propaganda work both by official and non-official organisers to impress upon the villagers the benefit of the co-operative movement to improve their economic condition. There are also three Co-operative Organization Societies in the province working on the same lines.

MAULAVI GHYASUDDIN AHMED: Will the Hon'ble Minister be pleased to state what propaganda was made by the Registrar or by the Assistant Registrar in the districts of Kamrup and Goalpara?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Will the hon. member please repeat the question?

MAULAVI GHYASUDDIN AHMED: In the answer it is stated that the measures taken consists of propaganda work both by official and non-official organisers to impress upon the villagers the benefit of the co-operative movement to improve their economic condition. My question is what propaganda was made by the Registrar or by Assistant Registrar in the districts of Goalpara and Kamrup?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: The reply is clearly given in the answer.

MAULAVI MUHAMMAD AMJAD ALI: May I know, Sir, what is the nature of the propaganda made by the officers in the villages?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: It is clear in the reply, Sir.

THE HON'BLE THE SPEAKER: The Hon'ble Minister will please explain the nature of the propaganda made in the villages.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: The officers make propaganda in the villages for improving the economic condition of the people as well as fishery.

MAULAVI MUHAMMAD AMJAD ALI: Will the Hon'ble Minister take it from me that the Registrar and Assistant Registrar of Co-operative Societies did absolutely no work of that kind either at Goalpara or at Kamrup?

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

MAULAVI GHYASUDDIN AHMED: How many villages in the districts of Goalpara and Kamrup were visited by the Registrar and the Assistant Registrar?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I want notice of that question, Sir.

SRIJUT PURNA CHANDRA SARMA: What was the number of Co-operative Societies in the district of Goalpara last year?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: The number of Co-operative Societies was 107.

SRIJUT PURNA CHANDRA SARMA: Will the Hon'ble Minister be pleased to give the details of expenditure involved in the organisation of a Co-operative Society?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I have got no idea about that, Sir.

MAULAVI ABDUR RAHMAN: Is it a fact that the condition of the rural credit societies is very bad?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I have no information about that, Sir.

MAULAVI ABDUR RAHMAN: Do Government propose to take steps for the improvement of the rural credit societies?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: It is under the consideration of Government.

MAULAVI ABDUR RAHMAN: Is it a fact that to improve the condition of the rural credit societies long term loans on low interest are demanded by the public?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I have no information, Sir.

SRIJUT PURNA CHANDRA SARMA: Will the Hon'ble Minister please state if any bank has been liquidated during the last year?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I want notice of that question, Sir.

MAULAVI GHYASUDDIN AHMED: May we know, Sir, how much money Government have spent towards the travelling allowances of the Registrar and Assistant Registrar and towards the propaganda work for the improvement of the village credit Societies?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Does that arise, Sir?

THE HON'BLE MAULAVI SAYID SIR MUHAMMAD SAADULLA: We are going too far from the original question.

MAULAVI MUHAMMAD AMJAD ALI: May I know how many meetings were held and how many pamphlets were issued for the propaganda work?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Several pamphlets are issued.

MR. KEDARMAL BRAHMIN: May I know how many credit societies are there in the district of Kamrup?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: The number of credit societies in the district of Kamrup is 143.

MAULANA ABDUL HAMID KHAN: Sir, গোয়ালপাড়া এবং কামৰূপ জেলাৰ ৰে সমস্ত কো-অপারেটিভ গ্ৰাম্য সমিতি আছে, বৎসৰে একবাৰ কি দুইবাৰ ঐ সব সমিতিৰ শুধু জমা খৰচৰ বই চাওৱা ভিন্ন কো-অপারেটিভ ইনস্পেক্টৰৱা কোনো অৰূপে গণনা কৰেন না। ইহা সত্য কি?

SRIJUT PURNA CHANDRA SARMA: Is it a fact that in the whole province there were only 20 societies organised during last year?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Will the hon.

member please repeat his question?

THE HON'BLE THE SPEAKER: The hon. member will please repeat his question, so that the Hon'ble Minister may make an attempt to reply.

SRIJUT PURNA CHANDRA SARMA: Is it a fact that the Co-operative Department organised only 20 societies in the whole province during the last year?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I have no information, Sir.

SRIJUT PURNA CHANDRA SARMA: Is it also a fact that 19 of the Co-operative Societies were liquidated during the last one year?

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

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I think, all these questions do not arise.

Post of Divisional Inspector of Schools

MAULAVI DEWAN MUHAMMAD AHBAB CHOWDHURI VIDYABINODE asked:

421. Is it a fact that in the post of Divisional Inspector of Schools of either Valley, no Muslim has ever been appointed?

422. If so, do Government propose to appoint this time a Muslim in the post of Inspector of Schools, Surma Valley Division?

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

421.—A Muhammadan Officer acted as Inspector of Schools in the Assam Valley from 23rd June 1927 to 30th January 1928 and from 9th June 1928 to 2nd September 1928.

A Muhammadan Officer acted as Inspector of Schools in the Surma Valley from 1st October 1932 to 14th October 1932 and from 3rd July 1934 to 2nd August 1934.

MAULAVI DEWAN MD. AHBAB CHOWDHURI VIDYABINODE: Will the Hon'ble Minister in charge of Education be pleased to state whether any officer from the Muhammadan community was appointed as a permanent Divisional Inspector of Schools in the whole province of Assam?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: No one from the Muhammadan community was appointed as a permanent Divisional Inspector of Schools.

MAULAVI DEWAN MD. AHBAB CHOWDHURI VIDYABINODE: May I know, Sir, why?

THE HON'BLE THE SPEAKER: The Hon'ble Minister will please reply.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Because no permanent vacancy occurred in recent years.

MAULAVI DEWAN MD. AHBAB CHOWDHURI VIDYABINODE: Is it a fact that senior Muhammadan Officers have been superseded by an Officer of the other community?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: There cannot be any question of supersession, I believe.

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

422.—There is at present no vacancy in the Inspectorate in the Surma Valley Division.

Grant of Scholarships for training in Dyeing and Weaving Industries

KHAN SAHIB MAULAVI SAYIDUR RAHMAN asked :

423. Will Government be pleased to state—

- (1) How many scholarships are being granted to candidates for higher training outside the province in different industries like Dyeing and Weaving and how many of them are enjoyed by Mahomedans ?
- (2) How many scholarships are available at the Government Weaving Institute, Gauhati, for the Elementary, Advanced and Silk courses respectively and how many of them are being at present enjoyed by Mahomedans ?
- (3) How many teachers are employed in the staff of the Weaving Institute at Gauhati and how many of them are Mahomedans ?
- (4) How many clerks there are at the Government Weaving Institute, Gauhati, and how many of them are Mahomedans ?
- (5) How many clerks there are at the Government Emporium and Central Stores and how many of them are Mahomedans ?

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

423.(1)—No such scholarships have been granted from provincial revenues. Eight scholarships for training outside the province in Dyeing, Printing and silk and carpet weaving, etc. were however granted during 1934-35, 1935-36 and 1936-37 out of the Williamson Fund. Only one of these scholarships was awarded to a Mahomedan. Preference was given to passed students of the professional weaving community.

(2)—The number of stipends available in the Government Weaving Institute, Gauhati, in the Elementary, Advanced and Silk courses is 10, 5 and 4 respectively. The number of stipends at present enjoyed by Mahomedans is 3 in the Elementary Course, nil in the Advanced Course (as stipends are granted in the advanced course to passed students of the Elementary course in order of merit) and one in the silk course.

(3)—Eight. None are Mahomedans.

(4)—One, and he is a Mahomedan.

(5)—None.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: Will the Hon'ble Minister be pleased to explain what castes and classes are meant by the term 'professional community' ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I want notice of that question, Sir.

MAULAVI MUHAMMAD AMJAD ALI: Will the Hon'ble Minister please state what is the meaning of the words 'professional weaving community' ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: It means that the people earn their livelihood by means of business in weaving industry.

MR. FAKHRUDDIN ALI AHMED: How many persons of the professional weaving community were given scholarships ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: It appears, Sir, from the reply given.

MR. FAKHRUDDIN ALI AHMED: No Sir, it does not appear from the reply. In the reply it is only stated that preference was given to passed students of the professional weaving community and my question is how many students coming from the professional weaving community were given scholarships ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : I want notice of that question, Sir.

MR. FAKHRUDDIN ALI AHMED : Sir, the Hon'ble Minister says that he wants notice. In the reply he has stated that preference was given to passed students of the professional weaving community, and how is it that for such a supplementary question he wants notice ?

THE HON'BLE THE SPEAKER : The Hon'ble Minister may not remember the actual number of the students.

MR. FAKHRUDDIN ALI AHMED : How many students coming from those communities were given the scholarships?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, the question was asked about the number of scholarships given to the Mahomedans. The number is given in the answer "Only one of these scholarships was awarded to a Mahomedan. Preference was given to passed students of the professional weaving community". As regards the rest of the answer no body asked about it, as the question was, how many of them were enjoyed by the Mahomedans. I do not know why this sentence was put in there. It may be for the sake of informing the House that "preference was given to passed students of the professional weaving community", as an apology for not giving more scholarships to Mahomedans. The information now wanted was not asked for at all.

MR. FAKHRUDDIN ALI AHMED : We are entitled to ascertain the truth of this statement. Merely saying that preference was given to such and such community will not do. We want to know how many of the scholarships were given to Hindus, how many to Mahomedans, and how many to other communities. The Hon'ble Minister should throw light on these matters.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, I never suggested that my hon. friend had no right to ask for that information. I only reminded him that the additional sentence in the answer was not necessary. It was put as an apology why only one scholarship was given to Mahomedans. If my hon. friend wants the figures, I hope the Hon'ble Minister in charge will be able to give them later.

BABU HARENDRA NARAYAN CHAUDHURY : May I know what is "Williamson Fund"?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I suppose, Sir, that every politician in this House, not merely in this House, but throughout Assam, know about that great benefactor of Assam, the late Mr. Williamson, who donated a big sum for spread of technical and general education in the Assam Valley. There is a fund—the exact amount I forget just now—from which scholarships are given for the purpose of technical education, and also contributions are made to libraries for the purpose of disseminating general education. Mr. Williamson was a European gentleman, who worked in the district of Dibrugarh.

BABU HARENDRA NARAYAN CHAUDHURY : On a point of personal explanation, Sir. I regret my ignorance ; Being a Bengali our heart only turns towards Bengal. So we do not know anything about Assam?

KHAN BAHADUR MAULAVI KERAMAT ALI : As regards (3), Sir, in the answer it is stated that out of 8 teachers in the school none are Mahomedans. Does the Hon'ble Minister consider this state of things satisfactory?

THE HON'BLE MAULAVI MUHAMMAD ALI HAIDAR KHAN : Their claim should have been considered.

MR. FAKHRUDDIN ALI AHMED : Is the Hon'ble Minister prepared to issue instructions that in the matter of awarding scholarships, and also in the matter of appointments, in which the Mahomedan community

is under-represented, Mahomedans will be given due considerations when the future vacancies occur?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Yes, Sir, I will do that.

Staff of the Weaving Branch of the Industries Department

KHAN SAHIB MAULAVI SAYIDUR RAHMAN asked :

424. Is it a fact (a) that in the Weaving Branch of the Industries Department, the Mahomedans are very much under-represented?

(b) If so, do Government propose to take any step for bringing the communal representation upto the level?

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

424.(a)—No.

(b)—Does not arise.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: In view of the answer given to question No. 423, will the Hon'ble Minister explain how the answer to question No. 424(a) is justified?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: The question is not clearly understood, Sir.

THE HON'BLE THE SPEAKER: The Hon'ble Minister should reconcile these two answers.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Will the hon. member please repeat his question?

THE HON'BLE THE SPEAKER: The hon. member may also state his question in a more elaborate way.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, I could catch my hon. friend sitting just behind me better and let me answer. My hon. friend wants to deduce that because there is no Mahomedan in the teaching staff of the Weaving School, Mahomedans are very much under represented in the weaving department. That is not so, because we have got weaving demonstrators, weaving parties and inspectors in the two valleys. Among these the Mahomedans are fairly represented.

MAULAVI MUHAMMAD AMJAD ALI: May I know the number of weaving demonstrators?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I will require notice. I am prepared to give all statements if only my hon. friends would tell me what particular figures they want.

MAULAVI MUHAMMAD AMJAD ALI: I want the figures of those officers in the weaving branch of the Industry Department?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I understand my hon. friend wants the figures of demonstrators, weaving inspectors and teaching staff. Very well, Sir, I shall supply those figures later on.

Stipend for foreign Education in Agriculture

MAULAVI NAZIRUDDIN AHMED asked :

425. Will the Hon'ble Minister in charge of Agriculture be pleased to state :—

(i) If any stipend for foreign Education in Agriculture was awarded during the last five years?

- (ii) If so, what amount was spent each year ?
- (iii) What amount Government propose to spend in the current year ?
- (iv) Whether there is any candidate in this province at present for undergoing foreign education in Agriculture ?

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

425. (i)—No.

(ii)—Does not arise.

(iii)—Nil.

(iv)—There may be candidates but there is no scholarship.

KUMAR AJIT NARAYAN DEV : Do Government consider it desirable to grant any stipend for foreign education in Agriculture ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : We have not thought it over.

Grazing Rules

SRIJUT JOGENDRA NATH BARUA asked :

426. Is Government in the particular Department aware that there are complaints that the existing grazing rules are highly unpopular and harsh and have caused extreme hardship and injustice amongst the people ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

426.—The existing grazing rules were formulated as recently as 1933 and were published for general criticism : not a single suggestion or criticism was received by Government except from four district officers. Government are therefore not prepared to accept the hon. member's suggestion without further materials.

Procedure regarding transfer of Government Officers and facility for the education of their children

SRIJUT RAJENDRA NATH BARUA asked :

427. Have Government any information with regard to the fact that some Government officers are placed in out of the way parts where they do not find any facility to educate their children ?

428. Do Government propose to transfer these officers to some places where they can educate their children ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

427.—Yes.

SRIJUT RAJENDRA NATH BARUA : If any petition comes from Government servants remaining in places where they have no facilities to educate their children, will Government be pleased to take their case into consideration ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Provided he has served in that particular place for some time, because some officer has got to go there.

428.—They will be transferred in due course according to the interests of the public service.

Dibrugarh Electric Supply Company, Limited

MR. NABA KUMAR DATTA asked :

429. Will Government be pleased to state if the rates of charges for electricity consumption of Dibrugarh Electric Supply Company, Limited, were fixed by Government ?

430. If the reply to 429 is in the affirmative, will Government be pleased to state the period for which these rates were fixed ?

431. Is it a fact that these rates of charges are much higher than those of other Electric Companies of the Province ?

432. Do Government propose to consider the desirability of reducing these rates which are causing great hardship to the consumers ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

429.—Yes, under sections 3(2)(d)(i) and 21(2) of the Indian Electricity Act, 1910.

430.—There is no fixed period. Local Government may alter the rates after 7 years from the commencement of the license under clause XI of the Schedule to the Indian Electricity Act, 1910, by referring to an Advisory Board constituted under section 35 of the Act, if the Board's findings justify an alteration in the rates.

MR. NABA KUMAR DATTA: Will Government be pleased to state whether 7 years have elapsed since the commencement of the license of the Dibrugarh Electric Supply Company ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I think the hon. member knows that much better than I do.

MR. NABA KUMAR DATTA: No, Sir, I do not know.

THE HON'BLE THE SPEAKER: That is not the proper answer.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not think, Sir, 7 years have elapsed.

MR. NABA KUMAR DATTA: If the requisite time has elapsed, will Government be pleased to appoint an Advisory Board under section 35 of the Act, to find out whether the present rates are justified ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Yes, Sir, we shall do that if the prescribed period has elapsed.

KHAN BAHADUR MAULAVI KERAMAT ALI: Will the Hon'ble Minister appoint Advisory Boards in all those places in the Province where Electric companies have been started ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I cannot say of other places, Sir. In this particular case I shall do as then already stated.

MR. KEDARMAL BRAHMIN: What are the charges per unit of this Electric Company ? Is it higher than in other places ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: So far as my information goes it is not higher.

MR. NABA KUMAR DATTA: Are Government aware that the Dibrugarh concern is not a paying one as the capital invested was borrowed at a higher rate of interest ?

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

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

431 & 432.—No. Government watches these concerns carefully, the annual accounts being checked every year by the Electrical Adviser. The Dibrugarh concern is not yet paying a dividend.

MR. NABA KUMAR DATTA: How is it that Government stated that they watch this concern carefully, and that accounts are being checked? Who does it?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: We receive reports from our Electrical Adviser.

MR. NABA KUMAR DATTA: Even then, they do not know that the capital invested was borrowed at a higher rate of interest.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not know that.

DEMANDS FOR GRANTS

Grant No. 2

8.—PROVINCIAL EXCISE

THE HON'BLE REV. J. J. M. NICHOLS-ROY: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.4,57,700 be granted to defray certain charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "8.—Provincial Excise."

MR. BAIDYANATH MOOKERJEE: Sir, I beg to move that the provision of Rs.22,994 under Grant No.2, Major head—8.—Provincial Excise, Minor head—A —Superintendence, Sub-head—1.—Pay of Officers, Detailed head—Commissioner of Excise, at page 40 of the Budget, be reduced by Rs.100.

Sir, I have tabled this motion to criticise the Excise Policy of the Government. Sir, the Excise revenue is about one-eighth of the total revenue of the province. The Hon'ble Minister for Excise, in paragraph 4 of his Budget speech, says:—"we are sure that in 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". Sir, here he admits that this revenue is undesirable and tainted so to say. Sir, he says that it will take a long time to eradicate the habit, but I think if Government like they can get rid of this evil habit sooner—I mean within 4, 5 or 6 years. In this matter Government should take their courage in both hands and stop the sale of all opium except for medicinal and commercial use. Sir, Government do not seem to have any policy at all so far as country spirit, *ganja* and other drugs are concerned. This year's budget provides for an increase of revenue of about 3 lakhs over the actuals of 1935-36, and over 6 lakhs over the actuals of 1934-35. What is the Government policy in regard to these drugs? It seems that they have no objection to the increase in the consumption of country spirit and *ganja* and seem to be quite happy that their consumption is increasing. Sir, definite attempts should be made to reduce the consumption by adopting some policy of restriction as has been done in the case of opium. Now, Sir, at page 16 of the Memorandum on the budget will be found the following statement:—"The gradual improvement in the Tea Industry and economic condition of the people accounts for the increase both in the revised and budget". Sir, the major portion of this revenue comes from the masses and nothing has been spent exclusively for their benefit. This revenue is being spent for general purposes in the province but nothing is being spent for the masses. Sir, Government has got some moral duty to spend something for the benefit of those from whom this tainted revenue is derived. Sir, I think a number of unemployed youths

can be employed to carry on a propaganda amongst the masses to eradicate this evil.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Does the hon. member mean that we should employ unemployed youths to carry on a propaganda to eradicate this evil?

MR. BAIDYANATH MOOKERJEE: Yes, Sir, to carry on a propaganda to get rid of this evil from amongst the masses.

Sir, total prohibition in some area, however limited it may be, should have been undertaken as has been done in Madras. At present Government are doing nothing. They have increased the revenue under this head. I think all the hon. members of this House will join with me that this tainted revenue should not be used for the general purposes of the province, and if they have to use it at all then some portion at least should have gone for the benefit of the masses, but they have done nothing for them. Sir, I think that some effective policy should be adopted and the policy of drift should be shaken off by Government.

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

SRIJUT GAURI KANTA TALUKDAR: Sir, the question of prohibition, under the advice of Mahatma Gandhi has been taken up in right earnest by the more fortunate provinces of India and drastic measures are being undertaken by them with a view to free those provinces from the evils of opium, liquor and hemp; and they are gladly sacrificing huge amounts of revenue from the excise department. But, Sir, in this unfortunate province of ours our Government instead of taking any drastic and bold measures for eradicating these evils and sacrificing some portion of the excise revenue are anxious to increase the revenue from these vices. It grieves me to find that our Ministry headed by a Muhammadan Chief Minister to whom these things are untouchables is anticipating a considerable income from wine, country spirits and hemp on the plea that there will be more consumption of these dangerous poisons due to the improvement in tea industry and economic condition of the people. Sir, ordinary prudence suggests that better economic condition of the people should reflect in the normal, material and cultural development of the country. But here in this unlucky province we find the so-called economic improvement of the people has been made responsible for many vices and the increased consumption of wine, country liquor and *ganja* is one of them. I am at a loss to understand with what equanimity our Finance and Chief Minister could be a party to extracting the poor ignorant and helpless section of our people by a huge sum of money from the sale of liquor, *ganja* and opium instead of taking some drastic and effective measures for eradicating the evils of drinking liquor and smoking *ganja* and opium from the miserable province of Assam.

During the days of non-co-operation, Sir, by the grace of Mahatma Gandhi and owing to the untold sufferings of the Congress workers, the consumption of these things decreased to a great extent. But gradually for want of propaganda these vices have again raised their heads and are causing great havoc in the province. In my district, Sir, *ganja* is doing immense harm to the people. Similarly opium and liquor are ruining the people throughout the province. We find that a large number of new permits were given to young men without justification.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: May I ask the hon. member whether he means to say that a large number of passes have been issued in Kamrup district?

SRIJUT GAURI KANTA TALUKDAR: In the whole of the province.

The other day we discussed at great length and we have learnt that young people were given passes for opium on the slightest pretext?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Can he give any specific instance of any pass given to any young man? I ask this because I have already stated that the policy of this Government is not to issue new passes.

SRIJUT GAURI KANTA TALUKDAR: There are lots of instances and I shall try to supply the Hon'ble Minister with the information he asks; and I hope he will undertake to take proper steps to stop them.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: On a point of information, Sir, we have been told that there are lots of instances. Surely he must remember at least one instance and if he will give me only one name now I shall be very glad.

SRIJUT GAURI KANTA TALUKDAR: I cannot give specific instances off-hand.

THE HON'BLE THE SPEAKER: The hon. member has finished his time.

SRIJUT GAURI KANTA TALUKDAR: I shall give instances as I have already said. Sir, I have finished and with these few words I support the motion of my hon. friend Mr. Baidyanath Mookherjee.

SRIJUT SARVESWAR BARUA: I have got a motion* standing in my name which is No.12. I think I can speak on this motion as this is a more general one and it will not be necessary for me to move that motion No.12.

Sir, Government are avowedly pledged to the policy of eradicating opium evil in the province. They are wedded to a policy by which within ten years from 1926-27 they would stamp out the opium habit from the province and for this purpose they adopted the ten per cent. cut in the rations allowed to opium eaters. Now, Sir, we have come to the end of this ten year period and even now about one half of the opium revenue is still there. In spite of ten years having elapsed the number of opium eaters even now is very large and it has not been reduced by more than two-thirds. That shows that Government have not been very sincere in their attempt to root out this opium habit from amongst the people of Assam. Opium passes are being issued.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: May I know, Sir, what the hon. member means by saying that Government is not sincere. This Government has been in existence now for only four months.

SRIJUT SARVESWAR BARUA: They have said that opium habit would be eradicated within ten years and it is time that the habit should have been wiped away from the province. Rations for persons below the age of 50 ought to have been reduced almost to nil. Opium passes are being issued from year to year, Sir. I can say that it is very easy for a man to get an opium pass now. When a man goes to the Medical Officer attached to a tea garden he issues a pass and I can say that almost in 80 per cent. of the cases, if the man goes to the Medical Officer of the tea garden his chances are.....

MR. A. F. BENDALL: On a point of information, Sir, that is not the case.

SRIJUT SARVESWAR BARUA: I say that he has 80 per cent. chances if he applies to the tea garden Medical Officer. Many recommendations for passes go to the Subdivisional Officer or Deputy Commissioner from the tea garden Medical Officers and it is for this reason that the number of opium passes is not going down.

*That the provision of Rs.24,756, under Grant No.2, major head—8—Provincial Excise, minor head—C.—Distilleries (total) at page 42 of the Budget be reduced by Rs.2. (To raise a discussion regarding the appalling increase in the consumption of country spirits).

In another respect also we find that the consumption of country spirit is going up by more than 50 per cent.—in one year it has gone up to 56·3 per cent. That is ascribed to two causes. One is that Government is trying to put down the illicit distillation of country spirit and the other is said to be that the price of country spirit has been very much lowered. Sir, we agree that we would help Government if they would really try to eradicate illicit distillation of liquor. In that matter we are at one with them. We will ask them to do away with this evil by all means possible. But, Sir, at the same time, when we find that new liquor shops are springing up in the province, that canteens and lessee-manager shops are being opened in different places, we are forced to think that in this matter Government is not really for prohibition, but that their real intention is to get as much revenue as possible by the spread of this habit among the people. I know, Sir, shops have been opened in places in which the drinking population do not very much exist. In places in which the Hindus and Muhammadans predominate and in places in which Mahapurushia Satras are in existence liquor shops have been started. In spite of protests from the local boards and municipalities, they have not been moved from those places. That goes to show that really the intention of Government was to give facilities for drinking to the younger generation of people who by their creed are prohibited from touching liquor. Therefore, Sir, I hope that the House will be at one with us in condemning this attitude of Government in trying to spread this habit of taking liquor among the non-drinking classes.

MR. F. W. HOCKENHULL: Sir, we are quite content to leave the question of prohibition with the party whose avowed object is to make prohibition the rule of the province, and we have no doubt they have very good reasons for our moral support in many directions. But I do not think that anything could be gained by wild and general statements entirely unsubstantiated by facts. The statement which has just been made is well known to all of us to be wholly at variance with our own daily experience. One of two things happens: either the cooly or labourer in the tea-garden is able to get a pass merely by applying to his Medical officer for it, which I can assure you, Sir, is not the case, or in the alternative....

SRIJUT SARVESWAR BARUA: I can give facts and figures, Sir.

MR. F. W. HOCKENHULL: Or in the alternative those people who are not engaged in the tea-garden can go and get a certificate from a tea-garden medical officer, which is beyond the bounds of possibility.

SRIJUT SARVESWAR BARUA: On a point of explanation, Sir.

THE HON'BLE THE SPEAKER: The hon. member should not interrupt the speaker.

MR. F. W. HOCKENHULL: I may say, Sir, that the hon. member is not improving propaganda, which he wants to make, by such allegations. Another important thing which is wholly lost sight of and which we very well know to be a fact is the activities of the smugglers.

SRIJUT SARVESWAR BARUA: On a point of information, Sir. I want to know whether people not belonging to the labour forces and who live outside the tea-gardens can have certificates from the Medical Officers in the tea-gardens?

MR. F. W. HOCKENHULL: No, Sir.

MAULANA ABDUL HAMID KHAN: Sir, আবগারী বিভাগের কর্মচারীগণ বাহাতে আকিং সেবনকারিগণ আকিং সেবন না করে তজ্জ্বল যদি প্রচার কার্য্য করিতেন তাহা হইলে আমার আপত্তি করিবার কোন কারণ ছিলনা। যদি এই ডিপার্টমেন্টের প্রচার কার্য্যের কালে ক্রমে ক্রমে আকিং উঠিয়া বাইড, তাহা হইলে দেশে

বঙ্গল হইত এবং আদরাও স্বাধী হইতাম। কিন্তু ছুংখের ও পরিভাগের বিষয় এই যে আৰক্ষারী বিভাগের কৰ্মচারীরা নিজে প্রচার কার্য করা দূরের কথা কোন ধন্বতীক হিন্দু বা মুসলমান প্রচারক যদি যাইয়া যদ্ তাং বা আফিংয়ের দোকানে পিকেটিং করে তাগ হইল তাহারা তাহাকে চালান দিয়া দস্তুরমত শাস্তি দিবার বিধান করিয়া থাকেন। এইযে আজ অসমীয়া দিগকে রক্ষা কবিবার জন্য লাইন সিস্টেম বা অন্যান্য অনেক কিছু করা হইতেছে, আমি বলি, যদি এই কানি খাওয়া বন্ধ করা না হয়, তাহা হইলে, যে কোন প্রকার লাইন সিস্টেমই করুন না কেন, আগামী ২০ বৎসরের মধ্যে বাঙ্গালী হিন্দু ও মুসলমান অসমীয়াদের সমস্ত জমি কিনিয়া নিবে। কানি খাওয়ার জন্য তাহারা অলস হইয়াছে, কমে অলসতা প্রাপ্ত হইয়াছে এবং গবর্ণমেন্টের রেভিনিউ দিতে পারিতেছেন। তজ্জন্ত তাহাদের যাহা কিছু সম্পত্তি আছে সমস্তই বাঙ্গালীদের কাছে বিক্রি করিয়া পুথের ভিখারী হইতেছে। বাঙ্গালীরা যে অত্যাচার করিয়া তাহাদের জমি নিতেছে ইহা সত্য নহে; তাহারা যে ফাকি দিয়া জমি নিতেছে একথা মোটেই সত্য নহে। তাহাদের কানি খাওয়া স্বভাব তাহাদিগকে এমন অলস করিয়া ফেলিতেছে যে তাহারা পরিশ্রম করিতে জানেনা—ক্ষেত পাথার করিতে জানেনা। কানির লালসায় বাঙ্গালীদেব নিকট হইতে প্রচুর পরিমানে ধার সংগ্রহ করিয়া নিজের জমি বা যা কিছু ছিল সমস্তই বিক্রি করিয়া দিতেছে। যদি আপনারা চেষ্টা করিয়া এই কানি খাওয়া অভ্যাসটা সমূলে উঠাইয়া দিবার চেষ্টা না করেন, তাহা হইলে যে কোন প্রকারের বঙ্গাল খেদা আন্দোলন করণ না কেন, এই কানি খাওয়া অভ্যাসই সমস্ত আন্দোলন নষ্ট করিবে। আমি আশা করি আপনারা এই বিষয়ে বিশেষ দৃষ্টিপাত করিয়া কানি উঠাইয়া দিয়া আসামের স্বাধী অধিবাসীদের ভবিষ্যৎ মঙ্গল সাধন করিবেন। বাঙ্গালীদের দোষ দিলে চলিবেন। কানির দোষ সমূলে নির্মূল করুন। কানি থাকিলে আগামীদের অস্তিত্বও থাকিবেনা ইহাই আমার বিশ্বাস।

MR. JOBANG D. MARAK: Sir, if it is only a criticism I have not much to say on this motion, I think that the eradication of opium all at once will be very unjust and cruel act. We know, Sir, that the creed of Mahatma Gandhi is one of non-violence, which is the same as that of Jesus Christ. We know, Sir, the parable in the Bible of the tares and wheat growing together, and Jesus saying that the tares should not be rooted out until the last day. In this case also Sir, you will see that, if you eradicate the opium habit at once, it will mean cost of lives of thousands of people. It would mean that thousands of wives would become widows and their children orphans. How many thousands of women will become widows and how many children will become orphans. We have to consider all these things. About this opium particularly we must consider very thoroughly and deeply, and this House is not an ordinary House. It is composed of men of good understanding, knowledge and ability and particularly I have full confidence in the Hon'ble Minister who is in charge of Excise. Before he was a Minister he was trying his level best to eradicate this habit from the people and after he became Minister he has tried his level best to minimise the issue of passess. From the figures he has given we are fully satisfied that the number is decreasing and that Government

are doing their best. I therefore oppose this motion, as Government do not deserve criticism nor censure.

MR. NABA KUMAR DATTA: Sir, just ten years ago the Assam Legislative Council adopted a resolution to the effect that the rations of those below 50 years of age should be so regulated as to reduce the number of consumers to nil within 10 years. We are here today to judge the opium policy of Government during the last 10 years. The havoc that the opium habit is causing in Assam is too well known to all. Those days have gone when some from ulterior motives tried to talk of opium as some thing curative and prophylactic; we all know it and know it definitely that opium is a dangerous poison. In England it is treated as poison, and it is therefore only logical and fair that it should have been brought under the Dangerous Drugs' Act long ago and not to be sold without a medical prescription. Sir, at the hands of some medical practitioners it might be useful for some medical purpose but if a man is not allowed to commit suicide, there is no reason why he should be allowed to kill himself through slow poison by taking opium. Slow poison is more dangerous more inhuman and more cruel. When the resolution of 1927 was accepted by Government it was decided that the ration of those below 50 years of age should be cut annually by ten per cent., so that there would be no opium consumer within the province after 10 years. I think it was too much to hope that the opium habit would be uprooted within 10 years under a system like this. The first cut was made in 1928 and in 1929 the registers were opened. The Deputy Commissioners were advised again to issue temporary and permanent passes to opium consumers in 1930. In 1933 the Opium Enquiry Committee was appointed and a large number of unregistered opium-eaters were recognised by this Committee. It was then ordered to reopen the registers again to register these people. Thus the machinery to check the consumption of opium has become more or less a farce. Smuggling has gone up by leaps and bounds since the cut was made. Smuggling from outside and the illicit sale of opium are the two main sources from which the consumers get their supplies. In spite of an expensive Excise Staff smuggling and illicit sales of opium are going on. I think that smuggling can only be checked if the Excise Staff co-operate with the police but the evil of short weight can only be checked by introducing the pill system, the Government is not introducing this system on the plea of expenses. To my mind if we are determined to check this evil a little expense should not be grudged. It was pointed out by the late lamented Sir Michael Keane that revenue from opium was not the aim of Government and that this kind of revenue must be sacrificed. Then why not spend some portion of it to take steps to check this evil and prevent smuggling and illicit sales? Sir, it is high time that Government should realise that any further connivance at the illicit sale of opium due to short weight will make them a party to the criminal Act that is being perpetrated.

SRIJUT LAKHESVAR BAROOAH: Sir, I feel called upon by a sense of duty to speak a few words on this motion.

Sir, the people of the Assam Valley have been wondering as to whether the opening of opium and country liquor shops in the country is actually conducive towards advancing the cause of temperance or not. About 10 years ago in this very Council by an interpellation I asked my Hon'ble friend Rev. J. J. M. Nichols-Roy, who was then the Excise Minister, what was the policy of the Government in opening liquor and opium shops in the interior where there were no shops before. His answer was that the policy of the Government in opening liquor and opium shops in these localities was not acquisition of revenue but to further the cause of temperance. Sir,

10 long years have gone by and I ask the Government whether any attempt has been made to effect temperance among the people, by adopting any other means. After a declaration of the policy we naturally expect that the Hon'ble the Minister of Excise should instruct his subordinates in the districts to create a public opinion by propaganda work by holding public meetings and mixing freely with the people to inculcate among the people the evil effects of liquor and opium. But I do not think anything has been done in this direction. In 1934 when my Hon'ble friend Rev. Nichols-Roy went to Dibrugarh I asked him to hold a mass meeting and preach to the people the evil effects of these drugs, as I thought his instructions would have the tremendous effect on the addicts, but unfortunately I could not get a response from him.....

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Does the hon. member mean the time when I went to Dibrugarh in connection with the Opium Enquiry Committee?

SRIJUT LAKSHESVAR BARUA: Yes, Sir.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Oh, I see. I hope the hon. member realises that we were very busy at the time.

SRIJUT LAKSHESVAR BAROOAH: As I said, Sir, that no action has been taken except by opening opium and liquor shops where there was none. I join issue with the Hon'ble Minister for Excise that opening of liquor and opium tends to decrease intemperance. On the contrary it increases intemperance.

Sir, ten years ago there was no liquor shop at Nagaghuli and Dangri and there was no approved drunkenness then but since the opening of liquor shops the drunkenness has increased by leaps and bounds in those areas.

KHAN BAHADUR MAULAVI KERAMAT ALI: Is not the hon. member also a member of the Dibrugarh Local Board and did not the Local Board approve of this?

SRIJUT LAKSHESVAR BAROOAH: But I was not a party to that. I did not approve of the opening of liquor shops in those places. So, Sir, I again warn that the opening of liquor shops has tended to create intemperance amongst the people and as such the policy deserves censure. With these words I support the motion.

SRIJUT RAJENDRA NATH BARUA: Two cut motions* Nos. 11 and 15 stand in my name and I take this opportunity to speak on them for a few minutes, because there would be no need of moving those motions.

Sir, I would only criticise the Government policy with regard to liquor. I will just point out to the hon. members here that since 1st April 1937, as many as 11 liquor shops, including 7 lessee manager shops, have been opened in the province and licenses have been issued to two foreign liquor shops. In reply to my question No. 603, Government have said that the opening of the shops was sanctioned prior to that date, i.e., 1st April 1937. That shows the present Government do not like to take the responsibility of modifying the action of their predecessors. Sir, if we refer to the figures of the last few years we find that since the year 1933-34 the consumption has greatly increased and every year we find an increase of some 2 lakhs in revenue from this source excepting in the year 1934-35. I wish to draw the atten-

* (1) That the provision of Rs. 2,51,386 under grant No. 2, Major Head—8—Provincial Excise, Minor Head—B—District Executive Establishment (total), at page 41 of the Budget be reduced by Rs.86.

(To criticise Government's excise policy with regard to the opening up of new liquor shops and the maintenance of shops against the wishes of the local people.)

(2) That the total provision of Rs.4,57,700, under Grant No. 2, Major Head—8—Provincial Excise, at page 39 of the Budget be reduced by Rs.100.

(To criticise the policy of Government for opening new country spirit shops, canteens, lessee manager shops, Foreign liquor shops, since 1st April 1937.)

tion of the hon. members whether this is a policy of prohibition or a policy of progressive enhancement of revenue on the part of Government and we shall see that if this policy of Government be continued like this, within 20 years we all might be addicted to this drink habit (*laughter*) and there might be a time when we shall have a drinking brawl with the Hon'ble Minister (*laughter*).

SRIJUT KRISHNA NATH SARMA: Sir, I have also two* cut motions Nos. 4 and 6 standing in my name and I therefore would like to say a few words on this motion. In criticising the excise policy of Government I do not wish to go into the question of a few officials. I do realise that this Department is an eye-sore to the public. We keep a huge staff at the headquarters at a great cost to the people. They always dream of smuggling, they are rewarded for detecting cases of smuggling and there is a provision to reward officers and outsiders. They do their duty and they always keep the Government informed that smuggling is going on in an extensive scale everywhere. People are taking opium without license and their number is legion. Neither the smugglers nor the unregistered consumers could be detected. They are passing sleepless nights. They want more money to carry on a secret service as well as to reward their own men and outsiders, but the fact remains that the biggest smuggling is done by themselves and the excise staff are the arch smugglers. They are responsible for the biggest annual smuggling of 1,770 seers of opium saved by short weight by opium vendors and the same is sold to 8 to 9 thousand unregistered consumers. Yet the secret service is helpless to detect their own agents. Many are of opinion that the excise staff are in the pay of the Mahaldars. They are sleeping partners of the huge smuggling of 1,770 seers a year. Yesterday a censure motion was carried without a division against Government for corruption in the administration of justice. If there is an open corruption rampant, it is in the Excise Department and with the knowledge of Government. It is therefore high time to stop this legalised smuggling and stop all opium shops which are hot-beds of opium smuggling centres. If any body is responsible for.....

THE HON'BLE REV. J. J. M. NICHOLS-ROY: On a point of information. Did the hon. member mean to say that it is high time to legalise smuggling and stop Government shops?

SRIJUT KRISHNA NATH SARMA: It is high time to stop all opium shops. It is admitted that 1,770 seers of opium are smuggled annually and sold to about 9 thousand unregistered consumers. So it is the duty of Government to stop this.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Where does he get this figure?

SRIJUT KRISHNA NATH SARMA: This is in the report of the Opium Enquiry Committee of which the Hon'ble Minister was the Chairman. (*Laughter*).

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: This motion has been brought to criticise the excise policy of Government. I think the policy of Government has been adopted long ago and what I learn from

* (1) That the provision of Rs.12,250 under Grant No. 2, Major Head—8—Provincial Excise, Minor Head—B—District Executive Establishment, Sub-head—4—Contingencies, Detailed Head—rewards to outsiders in Excise and opium cases, at page 41 of the Budget, be refused.

(2) That the provision of Rs.9,770 under Grant No. 2, Major Head—8—Provincial Excise, Minor Head—B—District Executive Establishment, Sub-head—3—Allowances and Honoraria, Detailed head—rewards to Government servants in Excise and opium cases at page 41 of the Budget, be refused.

introductory speech delivered by the Hon'ble Rev. Nichols-Roy that the policy remains the same. The only question is whether the policy that has been followed has produced the desired result or not. Our quarrel is not with the policy itself but with the amount of effect it has produced. Now, I think, the policy that was adopted 10 years back had received a set-back on account of the circumstances over which, I believe, Government had no control. Firstly, this smuggling is going on. Government have appointed preventive staff to stop this smuggling but they have not been able to do so. Secondly, the habit of the people have not changed. I think no amount of legislation can extirpate this pernicious habit, or make the province dry, unless temperance propaganda is carried on by agencies other than officials. If we fail to preach temperance and bring people to a better state, I do not think any amount of legislation will be able to produce the desired result. It has been said that liquor shops have been opened in many places; but I think that is with a view to prevent illicit distillation of liquor. Who is responsible for the increase in the drinking habit of the people? If the people do not get licit supply, they must have recourse to illicit supply. There are a large number of cases detected of illicit distillation, and I think Government were justified in opening some shops in the tea gardens. (*Hear, hear*). We are in a vicious circle. We always criticise the policy of Government; but we are doing nothing ourselves to reform the people. It is no use criticising the policy of Government and making general statements and sweeping remarks. We are here, Sir, to consider ways and means as to how we can achieve the desired end.

Now, I think, apart from the policy,—the policy is quite clear,—there are some defects in the manner in which the policy is being carried out. Though Government have not been able to stop smuggling or minimise other abuses, it may be due to the defect of the authorities that control the administration of the Department. There was a motion here that the post of the Commissioner should be abolished. I am sorry I cannot be at one with the hon. mover in this respect. The post of the Commissioner is essentially necessary if the policy of Government is to be carried out. But the question is about the personnel of the Commissioner. What sort of officers do we want? We want a very strong officer at the helm who instead of being led by district officers should lead the district officers who have got mettle and courage and a strong backbone to carry out the policy, I mean, the spirit of the policy to its fullest extent.

So in the circumstances, I cannot support the motion as it stands, but I do hope that the Ministry will take note of the abuses that are still going on in the manner that is complained of, in carrying out the policy, and will do their best to see that the habit disappears from the province within a reasonable distance of time.

KHAN BAHADUR MAULAVI KERAMAT ALI: Sir, in 1927 a resolution was passed on the floor of this Hall by the late Council to the effect that steps should be taken to eradicate the opium habit from amongst the people of the Assam Valley districts within 10 years from that date. At the time that resolution was passed, the Hon'ble Rev. J. J. M. Nichols-Roy was the Minister in charge and when he was beginning to take steps to give effect to that resolution, fortunately, or unfortunately, he had to make room for his successor. For eight years his successor was in charge of this department. It has been rightly said by my friend Mr. Sarveswar Barua that if for these eight years necessary steps were taken, perhaps we would have seen the end of this habit among the people. The present Ministry has not yet been able to take action in the way they may want to do. We as responsible members of the House should give them a chance and see what steps they take to

eradicate the habit. Therefore, I would request my friend to withdraw this motion to give the Ministry a chance to see what they do.

MAULAVI DEWAN MUHAMMAD AHBAB CHAUDHURY VIDYABINODE: As a Muslim I shall be failing in my duty if I do not support the motion moved by my friend. Everyone knows that liquor is Haram i.e., prohibited to be taken according to our holy Quoran, as well as it is our Prophet's injunction not to take opium and liquor. With these few words, I support the motion.

MAULAVI ASHRAFUDDIN MD. CHAUDHURY: Sir, before we go to criticise the policy of Government I think, as a citizen, we have got a duty and responsibility too. It is only yesterday that we discussed about the conduct of certain Sub-Deputy Collector in the realisation of the Agricultural loans. The Hon'ble Minister wanted specific instances, but we failed to give any. Before we criticise the policy of Government we are to ascertain first whether we are in a position to pick out names, and to give them some data, and some materials; otherwise we cannot make Government liable.

I think we can by a vote close down certain officers, but we cannot after all eradicate the habit by a single vote because it is known as the second nature of men. I think, I had rather pleasure to go through this opium Committee report, and I found that in the course of last few years there has been some reduction in the number of opium consumers, i.e., from 90,000 it has come to 40,000. Out of this 40,000, over 30,000 are above fifty. So practically within the next few years these people may die and then the number will come to 10,000 only. This is a matter on which we should be rather reasonable and practical. Opposition to the Ministry is not always desirable. We must see first whether they are reasonable or not. We have got our duty, and responsibility both to the country as well as to Government because it is a popular Government. So, I think, we should abide by the decision of the Ministry when they are reasonable. Sir, no specific instance of corruption have been mentioned. If anybody can give any specific instance that an Excise Officer or a Superintendent has given indulgence or shelter to any undesirable person in illegal encouragement, then the Government can take immediate action. If we point out the specific instance.....

MR. BAIDYANATH MOOKERJEE: It is confidential.

MR. C. GOLDSMITH: Sir, this motion is to criticize the Excise policy of Government. Sir, we understand from the figures that have been supplied that the policy that was adopted by the former Government has been adhered to, and the progressive reduction in the consumption of opium has been made. We understand that in 1929 the number of opium consumers were 83 thousand and now it has been reduced to 40 thousand. Among these there are old men above 50 and there are those who are getting license through medical officers. Now, Sir, it shows clearly that that policy is operating, but that that policy is counteracted by several things. One is by people who get opium through medical officers by wrong prescriptions; the second is by short weight; and the third is by smuggling.

Now, to get rid of wrong prescriptions given by medical officers I think the Ministry ought to take steps so that wrong prescriptions may not be given. Then comes short weight; Ministry should give assurance that they will take measures to see that short weight is not given in future.

Thirdly, comes smuggling. It is admitted on all hands that smuggling is prevalent in Assam—many of the hon. speakers have said so. If that be the fact, that is something serious to tackle with. Now, if by legislation liquor shops are abolished, opium is not imported at all into Assam, excise officers go, and all the things of legislation are done, and the curtain is lifted and if you find Assam is still in the habit of addicting to opium, then legislation has no effect and it becomes a difficult factor. We can reduce the number of excise officers, take away the liquor shops, prohibit the importation of opium, but the fact is whether the opium habit can be eradicated or not. If after doing all these things, the curtain is lifted and it is seen that Assam is still in the habit of taking opium, then it is a very sad thing for Assam, and Government will, in the last resort, say that smuggling is the only thing to be tackled with. In this connection I say, Sir, smuggling is an evil and Government should take every steps to eradicate this evil. Government is not powerless. In Bengal anarchism prevailed; anarchism is an evil. The all powerful British Government took steps to do away with this evil, and now they are satisfied that anarchism in Bengal has almost passed away. The all powerful British Government ought to be powerful enough to do away with smuggling in Assam. Now the question is that the Assam Government—the present Ministry—will have to take steps to combat smuggling to its extreme limit. Many things will come in the way, people will be harassed, they will have to meet inconveniences, but the present Ministry must be prepared to go to the last limits. Then, Sir, there will be some difficulty, and some objection in this respect. Government will say that there are other people, say a certain class of people, who come into Assam from outside and smuggle opium. Now, after all, if there can be a Line System for the Mymensingh people in Assam, similarly there should be a Line System for these people who come to smuggle opium in Assam. We should do everything to achieve our purpose, so that there may be a ban on these people, because opium is an evil, and smuggling is another evil. Assam will not tolerate these.

Sir, the motion is to criticize the policy of Government, but the present Ministry came into office only a few months back, and we cannot expect them to do it within this short time. Therefore we want an assurance from the present Ministry that steps will be taken to eradicate the evils that are taking place. Let them say "we are prepared to eradicate smuggling in this manner". Government should come forward with a clear-cut policy. If this assurance is forthcoming, I think the motion should be withdrawn. The present Ministry has not had a hand in the matter, in the policy that was pursued by the previous Government. Let us see what the present Ministry does. If they fail to pursue this policy, if they fail to combat smuggling, then we shall have to look for other remedies.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Sir, it would have been very convenient if each of the questions regarding opium, liquor and ganja had been discussed separately, but since the discussions in this House have all referred to these 3 different things it will take me some time to explain to the hon. members the position of Government in these matters.

First of all, I must thank all those hon. members who have criticized Government on these points, and who have also made some suggestions, and stated in the House certain facts regarding the excise staff, and some other

matters. And I give the assurance, Sir, that we shall study all these suggestions and take into account all that the hon. members have stated.

I think, after all, that we have no difference of opinion in reality. Our aim is the same, our object is the same and we all want, no doubt, to bring total prohibition to this province. The only question is about the methods that we are to adopt in order to reach our goal. If we adopt a method which will be suicidal, we shall in the end be ridiculed by the future generation : and if we adopt a method that will bring us to success we shall be bringing a blessing on thousands of people in this country. That is the only difference between the different members of this House. I do not think there is any one in this House who wants to keep up or encourage all these evil habits in the country and I for one am very anxious to see that all these vices are wiped away from Assam. But as the responsibility has rested upon this Government, and I am a member of that Government, it is my duty before God and man to see that we adopt such methods that will actually bring a blessing to this country, that will lead us to our goal, and that we should not be hasty. For if we are too much in a hurry without thinking of the difficulties, we shall fail miserably and be sorry for our action.

Now, I come to the question of opium. The policy is not the policy of the past Government. It is the policy of the old legislature after a discussion of about 14 years in the House. I was the first man, who in 1921 moved a resolution on this. Since then, I have been very much interested in the opium problem. The last Government, I believe, did follow the policy to a great extent, *i.e.*, the policy that was enunciated by the Legislative Council in the year 1927 in a resolution moved by one of the Members of the Swaraj Party at the time namely Srijut Hati Barua, and the policy, which this Government is following now, is the policy enunciated by that House, by the representatives of the people after a long discussion of several years and examination of all facts and figures. So it is not the policy of this Government only. There have been certain changes in details, I do not deny. But in regard to details we want the co-operation of this House by means of suggestions and this Government will fully examine them and follow them as far as practicable.

The policy is that all those consumers who are above 50 years of age should be given rations and these rations should be continued until they die. In the case of consumers below 50 years of age the ration would be cut by 10 per cent. and after ten years from the time that this policy was started the consumers who are below 50 years of age would have no more licences save under medical certificates given by the Medical officers of the rank of Civil Surgeons and Assistant Surgeons. That is the policy we are following.

MR. FAKHRUDDIN ALI AHMED :—That policy is a failure.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : That policy is not a failure. It is a success, at least in so far that it has discouraged the younger generation from taking to the habit, and that it has also reduced the number of opium consumers from ninety thousand to forty thousand. It has reduced consumption from thirty thousand seers to 8,900 seer (*hear, hear*). It has reduced the revenue derived from the taxation on this vice from Rs. 39 lakhs to Rs. 12,65,000 (*hear, hear*). And, what did this policy do last year ? We had on the registers of Government about 46,000 opium consumers ; and on the 1st April 1937, we have only 40,000 consumers the remaining 6,000 are thrown out of the register in one year. This policy is a very sane policy. But we have got to tackle our great enemy, namely, smuggling.

Sir, there are some gentlemen who think that the ration of these opium consumers who are above 50 years of age should be cut instead of cutting the rations of those below the age of 40. The old council and the Members of the Opium Enquiry Committee did not think in this way. They thought it better to leave these old men who have been addicted all their life to carry on until they die; because, it was considered to be unreasonable from all standpoints to punish them and cause a great distress to them in their old age. There is another problem regarding them. If you throw out of the rolls 40,000 or 35,000 men, they will be in the hands of smugglers who will supply them with opium and this, instead of helping us to wipe out the habit, will help to increase the habit in the country. This will mean that all these people may go about like hawkers of the smugglers from house to house and distribute opium. I have heard that that is actually being done even now in the Lakhimpur district, at least in the Dibrugarh area.

MR. FAKHRUDDIN ALI AHMED: How far have Government been successful in controlling successfully and what is their position in comparison with that of other provinces in India?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: In that regard I have got some figures to place before the House.

MR. BAIDYANATH MOOKERJEE: Are these 40 thousand consumers of opium mentioned by the Hon'ble the Minister all over 50 years of age?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: No, not all over 50 years. I am going to speak about that.

Now, Sir, ten years time has not been finished for we began in 1928 when I was Minister of Excise. From that time up till now we have carried on for about nine years and on the 1st April 1938 several thousands of these consumers according to this policy will be thrown out of the register, as their passes would be cancelled. Therein we are taking a great risk, and probably some 7,000 to 9,000 may be thrown out of the register then, who will then be still below the age of 50 years. Only those people who are on the registers and who are 50 years of age and above will be supplied with opium.

Now if any hon. member considers the fact that there is smuggling in Assam, and that cannot be denied in the face of the figures I shall give, he will see that there is a great risk for several thousands of people who have been thrown out of the register will still be having their opium from smugglers.

Smuggling will be going on and these people will get their rations from them. What will be the consequence then? I fear that in 10 years any Government that may take up the administration will find themselves in difficulty and they may have to re-register again the opium consumers in order to control the habit. I say, Sir, as practical men, we must work together. I invite my hon. friends to give Government any suggestions. We are not bound by anything else than the question of what methods should be adopted to enable us to reach our goal. We are prepared to be guided by any considerations that may be practical. It is not a question only of wiping out the shops that are controlled by Government, but it is the question of wiping out the habit from the country and delivering our fellow-men from the habit.

Now, Sir, I will tell the hon. House regarding the amount of smuggling in Assam. If there had been no smuggling, there would have been no question or complaint of the officers being bribed. That there is smuggling we cannot deny, and I am partly constrained to believe the statement of some hon. members regarding bribery and corruption. But this Government will be thankful to any one who will help us in our attempt to stop smuggling and corruption by giving us the names of any smuggler

or of any bad officer and by giving evidence in the court. If this House will pass an Act that this kind of cases should be dealt with summarily by the Minister, I shall be very glad to act up to it.

MR. BAIDYANATH MOOKERJEE: Cannot the Criminal Investigation Department keep a watch over this?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: According to the opium Act the Police can also arrest offenders under the Act.

As regards the extent of smuggling, Sir, in the year 1927-28 there were 31 cases of smuggling, and in 1936-37, 136 cases. The number of detected cases in Assam is greater than the number in any other province of India. Here is the statement, Sir: "To what extent the volume of traffic in illicit opium has grown in the province of Assam can be judged from the fact that during the calendar year 1935 the number of prosecutions under the Opium Act came up to as many as 325, the highest for the year in India". Our small staff is not so inefficient, Sir, as some hon. members want to make it.

SRIJUT KRISHNA NATH SHARMA: May I know what is the quantity of opium seized in 1935-36?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: It was 1 maund 35 seers and 13 chitaks in 1935-36.

I want to refer also, Sir, to another difficulty which Government has to meet in regard to smuggling cases. Here is the case of a foreigner, whose name is known to everybody because his case has come out in the papers, namely, Jagannath Hedda. He was arrested for the possession of opium of about 3 seers. This case went to the Magistrate. We would have expected the Magistrate to give him the severest punishment, but to our great disappointment the Magistrate fined him Rs. 1,000 only and sentenced him to half a day's imprisonment. That accused right in front of the court took out Rs. 1,000 from his pocket and gave it to the court. We appealed to the High Court, but the High Court upheld the judgment of the Magistrate (*laughter*). People think, Sir, that the mighty Government can do all these things. I would request the House, Sir, to give us the power of a dictator (*cheers*).

THE HON'BLE THE SPEAKER: The Hon'ble Minister should be brief.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The policy then, Sir, is this that the opium consumers below the age of 50 will get no more passes from next year on the ground of addiction. Next year the passes will remain only with those consumers who are above the age of 50 and these men will gradually disappear, probably in ten years more. By that time, Sir, the problem of opium in Assam would have been over so far as treasury opium is concerned and the persons who are in the register of Government. But my only fear, is the danger of smuggling in the country which is going on at a very rapid rate. And any Government that will take our place will have to deal with it, and it will be very difficult for anybody to deal with that, without increasing the excise staff. Instead of decreasing we must increase the excise staff in order to enable Government to control smuggling. Without that, the habit will not be eradicated but will increase.

Now, Sir, about the pill form.

THE HON'BLE THE SPEAKER: How much longer is the Hon'ble Minister going to take?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I will request you, Sir, for a little more time. This is a very big problem, and if you cannot give me some time, I cannot deal with so many points that have been raised.

As regards opium in 'pill form, I am thankful to my hon. friend Mr. Dutta who has brought to my notice the question of opium pills. I am also very much interested in it. When I was a Minister before, we examined the question whether opium in pill forms could be introduced here. After that, the previous Government also did their best to write to the Government of India and the Government of India said there were so many difficulties and they were trying to get the other provinces to try opium in pill form.

MR. NABA KUMAR DATTA: Is it a fact that some opium was distributed in pill form?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Yes. The Government of India sent some pills and they were distributed, and they seemed to be quite satisfactory. But afterwards I think, the Government of India said they could not spend any more money to manufacture them because the demand of the Assam Government would be only for a few years, and in that case there was no necessity to spend so much money for machinery for the sake of Assam only, while the other provinces did not take it. I think in the previous years the Assam Government tried to manufacture pills in the Pasteur Institute but the opium was very soft and it was not successful. Then one gentleman from Standard Drugs and Company, Calcutta wanted to manufacture pills and he was given some opium. He manufactured some pills but they were objectionable and were found to be unsuccessful.

MR. NABA KUMAR DATTA: Is it a fact that he was not paid for it?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That I do not know. These negotiations were made by the previous Government. The pills manufactured by this gentleman were found to be unsuccessful because they could not be manufactured at the standard weight. Then correspondence went on with the Gazipur Factory but all the negotiations were stopped in 1936. But I say, Sir, there is a possibility of re-opening the question again with that factory. If they can manufacture pills we shall be very glad and we shall re-examine the whole question.

Then with regard to short weight. We shall do all that we can in this direction and if any hon. members will co-operate with us and give us specific instances we shall take drastic action in this matter.

With regard to staff, if the hon. members will help us in this matter we shall be very glad. If they help us not simply by citing vague instances of corruptions in this House but by giving evidence before the Court about what they know and help Government by all possible ways, then Government will be very grateful.

Then about liquor, I am very thankful to the hon. member from Dibrugarh.

THE HON'BLE THE SPEAKER: The Hon'ble Minister's time is up.

THE HON'BLE THE SPEAKER: The question is that the provision of Rs. 22,994 under Grant No. 2, Major head—8.—Provincial Excise, Minor head—A.—Superintendence, Sub-head—1.—Pay of Officers, Detailed head—Commissioner of Excise, at page 40 of the Budget, be reduced by Rs. 100.

The House divided with the following result:—

Ayes—43

Noes—56

1. Mr. Arun Kumar Chanda.
2. Mr. Baidyanath Mookerjee.
3. Srijut Beliram Das.
4. Babu Bipin Behari Das.

1. Kumar Ajit Narayan Dev.
2. Babu Akshay Kumar Das.
3. Srijut Jogendra Narayan Mandal.
4. Babu Kalachand Roy.

Ayes—43 (concl'd.)

5. Srijut Bipin Chandra Medhi.
6. Babu Dakshina Ranjan Gupta Chaudhuri.
7. Srijut Debeswar Sarmah.
8. Srijut Ghanasyam Das.
9. Srijut Gaurikanta Talukdar.
10. Srijut Gopinath Bardoloi.
11. Srijut Haladhar Bhuyan.
12. Babu Harendra Narayan Chaudhuri.
13. Srijut Jadav Prosad Chaliha.
14. Srijut Jogendra Chandra Nath.
15. Srijut Jogendra Nath Barua.
16. Srijut Jageshchandra Gohain.
17. Srijut Kameswar Das.
18. Babu Kamini Kumar Sen.
19. Babu Karuna Sindhu Roy.
20. Mr. Kedarmal Brahmin.
21. Srijut Krishna Nath Sharma.
22. Babu Rabindra Nath Aditya.
23. Srijut Lakhesvar Borooah.
24. Babu Lalit Mohon Kar.
25. Srijut Mahadev Sarma.
26. Srijut Mahi Chandra Bora.
27. Srijut Omco Kumar Das.
28. Srijut Paramananda Das.
29. Rai Bahadur Promode Chandra Dutt.
30. Srijut Purna Chandra Sarma.
31. Srijut Rajani Kanta Barooah.
32. Srijut Rajendra Nath Barua.
33. Srijut Sankar Chandra Barua.
34. Srijut Sarveswar Barua.
35. Babu Shibendra Chandra Biswas.
36. Srijut Siddhi Nath Sarma.
37. Maulana Abdul Hamid Khan.
38. Maulavi Abdul Matin Chaudhury.
39. Malavi Dewan Muhammad Ahbab Chaudhury.
40. Mr. Fakhruddin Ali Ahmed.
41. Maulavi Muhammad Maqbul Hus-sain Chaudhury.
42. Maulavi Matior Rahman Mia.
43. Maulavi Sheikh Osman Ali Sadagar.

Noes—56 (contd.)

5. Dr. Mahendra Nath Saikia.
6. Mr. Naba Kumar Datta.
7. Srijut Purandar Sarma.
8. The Hon'ble Srijut Rohini Kumar Chaudhuri.
9. Maulavi Abdul Aziz.
10. Maulavi Abdul Bari Chaudhuri.
11. Khan Bahadur Hazi Abdul Majid Chaudhury.
12. Maulavi Abdul Rahman.
13. Maulavi Md. Abdus Salam.
14. The Hon'ble Maulavi Md. Ali Haidar Khan.
15. Maulavi Dewan Ali Raja.
16. Maulavi Muhammad Amiruddin.
17. Maulavi Muhammad Amjad Ali.
18. Maulavi Badaruddin Ahmed.
19. Khan Bahadur Dewan Eklmur Roza Chaudhury.
20. Maulavi Ghyasuddin Ahmed.
21. Maulavi Jahanuddin Ahmed.
22. Khan Bahadur Maulavi Keramat Ali.
23. Khan Bahadur Maulavi Mahmud Ali.
24. Maulavi Mabarak Ali.
25. Khan Sahib Maulavi Mudabbir Hussain Chaudhuri.
26. Khan Bahadur Maulavi Mufizur Rahman.
27. Maulavi Munawwarali.
28. Maulavi Muzarrof Ali Laskar.
29. Maulavi Namwar Ali Barbhuiya.
30. Maulavi Naziruddin Ahmed.
31. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla.
32. Khan Sahib Maulavi Sayidur Rahman.
33. The Hon'ble Shams-ul-Ulama Maulana Abu Nasr Md. Waheed.
34. Col. A. B. Beddow.
35. Mr. A. F. Bendall.
36. Mr. J. R. Clayton.
37. Mr. W. R. Faull.
38. Mr. W. Fleming.
39. Mr. B. I. Barry.
40. Mr. F. W. Hockenhull.
41. Mr. D. B. H. Moore.
42. Mr. R. A. Palmer.
43. Miss Mavis Dunn.
44. Mr. Benjamin Ch. Momin.
45. Srijut Bhairab Chandra Das.
46. Srijut Bedeshi Pan Tanti.
47. Srijut Binode Kumar J. Sarwan.
48. Srijut Dhirsing Deuri.

Noes—56 (concl'd.)

49. Rev. L. Gatphoh.

50. Mr. C. Goldsmith.

51. Mr. Jobang D. Marak.

52. The Hon'ble Rev. J. J. M. Nichols-Roy.

53. Srijut Karka Dalay Miri.

54. Mr. P. Parida.

55. Srijut Rabi Chandra Kachari.

56. Srijut Rupnath Brahma.

Ayes being 43 and Noes 56 the motion was lost.

SRIJUT MAHI CHANDRA BORA: Sir, I beg to move that the provision of Rs.3,250 under Grant No. 2, Major head—8.— Provincial Excise, Minor head—B.—District Executive Establishment, Sub-head—4.—Contingencies, Detailed head—Miscellaneous contract contingencies, at page 41 of the Budget, be reduced by Re.1.

Sir, the intention of moving this motion is to raise a discussion regarding the abolition of the use of *ganja*. Sir, this insidious weed—hemp slowly but surely destroys a man's reasons and ultimately brings him to a state of utter ruin and living death. Sir, for the purpose of Government revenue, the sale of this stuff cannot be allowed as it has a most disastrous and baneful effect on the physical and mental powers of man. Sir, Col. Buttley who was till lately Inspector-General of Civil Hospitals in U. P. has said in his report which was published in 1936 that the habit of smoking *ganja* is one of the primary causes of insanity in the province.

THE HON'BLE THE SPEAKER: Order, order. In the previous motion, I think, the policy of Government with regard to *ganja* was fully discussed. If the hon. member wants to discuss further about the use of *ganja*, he can take part in the other motion.

SRIJUT MAHI CHANDRA BORA: I think, so far as the question of *ganja* is concerned, it was not discussed in all its details in the previous motion.

THE HON'BLE THE SPEAKER: I think the question of *ganja* was also raised and discussed. It would not be proper to allow the same question to be discussed twice.

(The cut motion was not allowed to be moved.)

Then comes in the motion* in the name of Srijut Krishna Nath Sharma. This motion includes a very substantial amount of Rs.1,35,000. I think, this is not in order. Then comes the motion** of Srijut Kameswar Das. This motion does not include any substantial sum. He wants to discuss about the policy of giving special pays.

Then motion No.16 stands in the name of Srijut Krishna Nath Sharma. This motion is, of course, for the reduction of the main grant of Rs.1,35,000. If the hon. mover likes, he can move this.

* (1) Srijut KRISHNA NATH SHARMA: That the total provision of Rs.4,57,700 under Grant No. 2, at page 39 of the Budget, be reduced by Rs.1,35,000.

(To raise a discussion regarding total prohibition of opium.)

** (2) Srijut KAMESWAR DAS: That the total provision of Rs. 4,57,700 under Grant No. 2, Major Head—8.—Provincial Excise, at page 39 of the Budget, be reduced by Rs.3,960.

(To raise a discussion regarding refusal of the special pay of the Excise Commissioner, Superintendent and the 3 Excise Inspectors who are now drawing the same.)

SRIJUT KRISHNA NATH SHARMA : I beg to move that the provision of Rs.1,35,000 under Grant No. 2, Major head—8.—Provincial Excise—Minor head—E—Cost of opium supplied to the Provincial Excise Department, at page 39 of the Budget, be refused.

Sir, in refusing this grant I draw the attention of the House to the seriousness of opium poisoning. When opium is considered as a dangerous poison to the Chinese, to the Europeans and to other eastern nations why it is considered as a saviour of life to the people of Assam. When medical men declare opium as killer of all virtues in men, why they certify opium to be absolutely necessary for the preservation of health of the people of Assam. Is it the greed for money that has cast all the principles of humanity to the winds. While the Government of India could sacrifice annually 9-96 crores of opium revenue to save the Chinese and other Eastern nations, why they cannot forego 1,35,000 rupees to save people under their own charge. Is it due to fact that, China had declared several opium wares and declined to purchase the dangerous drug and forced the Government of India to give up the immoral trade or the Government of India forego their income out of their love for humanity? Our people have fought crusades after crusades and have filled the Assam jails. Yet Government have not cared to stop this habit.

Sir, yesterday, our Chief Minister told us in reply to my question that the Government of India get from petrol and kerosene alone 157 lakhs and 30 lakhs from income-tax and supertax and in addition to jute export duty the Government of India annually get more than two crores of rupees and as an act of gratefulness for this, are they forcing upon us this inhuman and immoral traffic to poison our people? The Government of India is robbing the infant province of Assam of its mother's milk and supplying poison in its place.

Sir, I charge the Government of India for their determination to carry on the immoral traffic and thereby aid and abet the slow poisoning of our people. I charge the Government of Assam for their impotency in not being able to resist this immoral source of revenue. Sir, at page 47 of the Government of Assam Enquiry Report we are told that.....

THE HON'BLE THE SPEAKER : Order, order. I would draw the attention of the hon. member to the fact that he should try to show that the cost of opium supplied to the provincial excise department is not necessary instead of criticising it. He has brought in the motion for refusing the grant and he should show why this amount should be refused.

SRIJUT KRISHNA NATH SHARMA : At page 47 of the Government of Assam Enquiry Report it is stated "that in considering the future opium policy of the Government, the question of opium revenue can be left out of account." If the question of opium revenue can be left out of account, what other consideration prevent us from taking recourse to total prohibition of this dangerous drug at once.

KHAN BAHADUR MAULAVI KERAMAT ALI : The same thing has been discussed, Sir.

THE HON'BLE THE SPEAKER : The hon. member should show how this economy is necessary.

SRIJUT KRISHNA NATH SHARMA : They have stated that opium revenue can be left out of account. Only question is a plea of smuggling of illicit opium. I quote the opinion of our Excise Minister, the then Chairman of the Opium Enquiry Committee, at page 56 which is as follows:— "Radical step taken now with a bold declaration of the Government to punish severely those who are in possession of any form of opium and who eat opium without pass and to deport all foreigners who may be convicted

of smuggling. Strict measures will now eradicate the evil more quickly. If we strike it now, it will fulfil our object."

THE HON'BLE THE SPEAKER : The hon. member is to show why this item is to be omitted.

SRIJUT KRISHNA NATH SHARMA : Sir, my point is that the Government of India has deprived us of our legitimate claim. We are practically starving. We have no money to develop our national scheme. Opium consumption means human degradation and demoralisation. We do not want to spend any money for degrading and demoralising our race. My contention is to put a stop to the habit of opium consumption. This amount can be utilised for other better purposes. This money should be utilised for treatment of opium addicts so that this evil may disappear in the course of a year. Sir, I have got a medical certificate. This is a certificate given by my friend, Col. J. L. Sen, on the 23rd of July 1937. I need only read the relevant extracts.

"If the patients can come as outdoor cases and somebody be responsible that they do not see any addict, then I can treat any number of patients." Also "as an experimental measure Rs. 8 per case may be tried."

Sir, from this certificate we find that the total cost of treatment is Rs. 8 per addict. If Rs. 1,35,000 is given to treat the opium addicts then the shadow of smuggling and of all evils will disappear, and our Government will be free from the stain of running the administration with opium revenue.

Sir, it is curious to know that Rs. 35,00,000 is the excise revenue, and Rs. 35,00,000 is given as grant for education. Our Hon'ble Revenue Minister told us the other day that if local rate is reduced, the local boards will suffer, and as a corollary, if land revenue is reduced Government will be paralysed. If excise revenue is reduced there will be no money for education, i.e., without poisoning their parents there will be no money for educating their children. That is the policy to which we have been forced. We must help the Government in trying to realise money from the Central Government but what reason there is on earth that a civilized Government should spend any amount at least in this century, to poison our race? Government is going to spend Rs. 1,35,000 to demoralise and to inject poison to 40 thousand people of this Province. This is most inhuman and barbarous. No civilized Government can sanction this amount for such a purpose. The trade is immoral and if there is any contract between the Government of India and the Government of Assam for purchase of opium, I say with all the emphasis at my command that it is a most immoral contract and cannot be enforced. Sir, I have some figures regarding smuggling; smuggling is insignificant compared with the annual consumption of opium, that is prevalent in our province. So in the name of humanity, in the name of anything good in men, I appeal to the hon. members to support the motion, and refuse to supply and thereby show our mentality, to show our determination to the Government of India that Assam will never be a party to her in the matter of purchase of this poison.

THE HON'BLE THE SPEAKER : The motion moved is that the provision of Rs. 1,35,000 under Grant No. 2—Major head 8.—Provincial Excise Minor head—E.—Cost of opium supplied to the Provincial Excise Department, at page 39 of the Budget, be refused.

SRIJUT MAHADEV SARMA : সভাপতি ডাঙৰীয়া, আবকাৰী বিভাগৰ কাৰ্য্য-পদ্ধতিৰ বিষয়ত মন্তব্য উ.ঙ.পীৰৰ দমনোভাৱ দেখি আমি বুজিব পাৰিছোঁ.....।

THE HON'BLE REV. J. J. M. NICHOLS-ROY: On a point of order, Sir. Will the hon. member speak in English so that I can reply to him?

COLONEL A. B. BEDDOW: On a point of order, Sir. Would it be possible to invite my hon. friend, to be kind enough to speak in English, to enable us, this minority in this House, to appreciate his shorts of wit and wisdom?

THE HON'BLE THE SPEAKER: Will the hon. member please tell me whether he is capable of delivering speech in English?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The proceedings of the last Council will show that, Sir.

THE HON'BLE THE SPEAKER: He may not be the same Mahadev Sarma. (Laughter.) Is it a fact that the hon. member, who was a member of the old Council, delivered speeches in English?

SRIJUT MAHADEV SARMA: গৌৰ ইংৰাজী বিদ্যা..... ।

KHAN BAHADUR MAULAVI KERAMAT ALI: May I point out, Sir, that my hon. friend was an English teacher of a high school?

THE HON'BLE THE SPEAKER: Of course he may be acquainted with English to carry on short conversations. But so far as the question of delivering speeches is concerned, he may not be so proficient. I think he may go on in Assamese.

SRIJUT MAHADEV SARMA: ১৯২৪ চনৰ পৰা ১৯২৭ চনলৈকে মই অসমীয়াতেই কৈছিলোঁ। তাৰপিচত অৱশ্য ইংৰাজীতে কৈছিলোঁ কিন্তু বৰকষ্টেৰেহে কৈছিলোঁ। আৰু গৌৰ ইংৰাজী বিদ্যাৰ পাণ্ডিত্য supplementary questionতেই দেখিছে যে মই কিমান কষ্টেৰে কৈছোঁ।

MAULAVI ABDUR RAHMAN: We could not follow the hon. speaker. Will it be translated in Bengali or in English? I could not follow a single word, Sir.

THE HON'BLE THE SPEAKER: There are other members who understand him. The hon. member may know what he is speaking about from one of the members, who are following the speech.

SRIJUT MAHADEV SARMA: মই যদি মন্ত্ৰী ডাঙৰীয়াৰ মনোভাব বুজিব পাৰিছোঁ তেন্তে এইটো স্পষ্ট যে আমাৰ আবকাৰী বিভাগৰ মন্ত্ৰী ডাঙৰীয়াই এই প্ৰদেশৰ পৰা কানি, ভাং আৰু মদ তুলি দিবলৈ প্ৰস্তুত হৈছে। বিশেষকৈ তেখেতৰ পৰা আমি এই মাত্ৰ শুনিবলৈ পাইছোঁ যে ১৯৩৮ চনৰ নবেম্বৰ মাহৰ পৰা ৫০ বছৰৰ কম বয়সীয়া মানুহে আৰু কানি খাবলৈ নাপাব। যদি সেইটোৱেই হয়, আমাক যিমানেই revolutionary বুলি কোৱা নহওক, এই প্ৰস্তাবৰ দ্বাৰা সিবিলাকৰ সেই কথা কামত কৰিবলৈ শক্তি বঢ়াবৰ কাৰণে এতিয়াৰে পৰা আমি কানি কিনিবলৈ টকা মঞ্জুৰ নকৰিব খোজোঁ। যি টকাৰে ইণ্ডিয়া গৱৰ্ণমেণ্টৰ পৰা কানি কিনা হব। সেয়েহে সিবিলাকৰ কাৰ্য্যপদ্ধতি আমাৰ সহায়ৰে সম্পূৰ্ণৰূপে সফল হব। মন্ত্ৰীমহোদয়ে আমাৰ co-operation বিচাৰিছে। আমি কওঁ এই বিষয়ত গৱৰ্ণমেণ্টৰ লগত আমাৰ একমত, আৰু সিবিলাকৰ সহায়ৰ কাৰণেই মাথোন আমি এই প্ৰস্তাব আনিছোঁ। আমাৰ কথা হৈছে, যি যিনি টকাৰে কানি কিনা হয় তাৰ

আধা টকাতেই আমাৰ দেশৰ পৰা কানি নিৰ্মূল কৰিবৰ কাৰণে লাগতিয়াল সকলো চিকিৎসাৰ ব্যৱস্থা কৰিব পাৰি। মই নিজৰ অভিজ্ঞতাৰে কওঁ যে যেতিয়া অসহযোগ আন্দোলনৰ সময়ত আমি গাঁৱে গাঁৱে গৈ কানি একত্ৰাবৰ নিমিত্ত চেষ্টা কৰিছিলোঁ। তেতিয়া আমি বিনাপয়চাৰে কাম কৰি কানি খোৱা কৰাইছিলো। মোৰ বিশ্বাস ১৯২১ চনৰে পৰা কানিৰ প্ৰচলন লাহে লাহে কমি গৈছে। তেতিয়া কানি এৰি ম'হুৰ মণা নাছিল। সেই কাৰণে আমি ভাবোঁ মন্ত্ৰীডাঙৰীয়াৰ বৰ্তমান প্ৰস্তাৱিত ব্যৱস্থা দীৰ্ঘকালৰ ব্যৱস্থাৰ নিমিত্তে। মই এই সম্পৰ্কত আপোনালোকক সংস্কৃত থকা 'হিদ্ৰেনাৰ্থাঃ বথুন ভবন্তি' কথাষাৰলৈ মনত পেলাবলৈ কওঁ অৰ্থাৎ আমি ভাবোঁ যদি অকলমানো পাপ প্ৰবেশ কৰিবলৈ দিয়া হয় সি লাহে লাহে বিস্তাৰ লাভ কৰে। সেই দৰে এতিয়া যদি অকলমানো কানি কিনিবলৈ টকা দিয়া হয়, তেন্তে সেই পাপ ক্ৰমে প্ৰতিৰ লাভ কৰিব। আমাৰ মন্ত্ৰী ডাঙৰীয়াই কৈছে যে ১৯৩৮ চনৰ পৰা কানীয়া বহুতো কমি যায়। কিন্তু আন পাকে চাওক, দহবছৰৰ ভিতৰত কানি উঠাই দিয়াৰ প্ৰস্তাৱ ১৯২৭ চনতে কৰা হয়। কিন্তু এই ১০ বছৰৰ মূৰতো দেখিছো যে এতিয়াও ৪০,০০০ কানীয়াই এই বিহ নিৰ্দিবাদে খাই আছে। সেই কাৰণেই কৈছো যে যে আমাক revolutionary আখ্যাৰে বিভূষিত কৰিলেও আমি কওঁ যে এই মন্ত্ৰীডাঙৰীয়াৰ পছা গ্ৰহণ কৰিলে কানি ব্যৱহাৰ একেবাৰে উঠাবলৈ দীৰ্ঘকাল অপেক্ষা কৰিব লাগিব। আকোচাওক, বৰ্তমান সময়ত Modino's treatment বুলি এই চিকিৎসা ওলাইছে। গবৰ্ণমেণ্টে ইচ্ছা কৰিলে এই চিকিৎসাৰ সহায়ৰে ক্ৰমে ক্ৰমে এণ্ডেখন district লৈ এই চিকিৎসা কৰি সম্পূৰ্ণভাবে কানি খোৱা অভ্যাস একত্ৰাব পৰে। আমি বৰ্তমান সময়ত কোনো বিষয়ত আন প্ৰদেশৰ কাৰ্য্যাবলীৰ লগত তুলনা কৰি আক্ষেপ কৰিলেও আমি "Home internee" হব লগা হলেও এই কথাটো দঢ়াই কম। কানি একেবাৰে উঠাই দিব লাগে। নতুন কানি কিনিব নালাগে সেই কাৰণে এই প্ৰস্তাৱ মই সম্পূৰ্ণভাবে সমৰ্থন কৰোঁ।

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I thought, Sir, that after we have discussed the opium policy of Government and the House has decided to uphold the present policy, this Assembly will not go into the question again.

This amount is budgeted for purchasing opium from the Gazipur factory of the Government of India to supply the registered consumers in Assam. This whole amount is for that. If the amount be refused then it will mean that this House is revoking the decision which it has just made a few minutes ago.

(Voices : No, No.)

Why not ? Of course it will be so. It means that this Government will have no opium to supply to these registered opium consumers and all the 40 thousand of them who are on the register will be thrown out at the mercy of the smugglers who will come and make themselves rich. Not only that, they will employ these very consumers to go about from house to house like hawkers even at midnight to supply opium to other consumers in Assam. It will mean that this country will again be ruined by the opium habit without any control or restriction by Government. The hon. member who moved this motion has pointed out the self-sacrificing spirit of the Government of India.

I can only remind him that the Government of India did away with the opium revenue which was derived from the opium exported out of India to China and other places. But the Government of India found it difficult to do away with the whole opium problem in the whole of India. Because with the exception of Assam none of the other provinces has even adopted the policy that we have adopted, none of the other provinces has gone so far as we have gone, none of them has been even willing to adopt the system of opium pills which would have been introduced long ago had the provinces been willing to try that. We have gone farther than any other province in India in this respect. We have also stated that it is the determination of this Government to wipe out opium from Assam. We have adopted a very sane policy which if properly conducted, and if we get the support of this House, will enable us to reach our goal. But this method of immediate total prohibition all at once, and not giving any opium to the consumers, if persisted in, will only mean that this House is doing what they do not understand. But I am sure that this House which has just a few minutes ago upheld the opium policy of Government will also throw out this motion which means to abolish completely opium in Assam in a day. This policy of obstruction is not a practical proposition.

Now, Sir, I have to speak on another thing, that is the Modino's treatment. I have got here in my hands descriptions of the Modino's treatment and I can tell you that it is a very difficult treatment. The patient will have to be injected about five weeks in hospital and should be carefully watched by the hospital authorities.

MR. BAIDYANATH MOOKERJEE: Has it been tried here?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: It has been tried in some places. I think in some tea garden also it has been tried. With some persons it has been effective and with many others it was not. I want to say this with regard to the treatment itself. Before doing that I want to tell the House, assure the hon. members that we shall issue instructions to our Medical Officers to try this in all our hospitals. In fact when I was a Minister of Excise before I did this and after I left I have not had time to look into what has been done. But I can tell you that the treatment is a very painful one. The consumers will have to submit to an incision being made and then to an injection of serum manufactured from their own blood. I tell you, Sir, that as the treatment is very painful one, some patients will actually resist it. If the consumers come to know the difficulty of the treatment they will run away and try to get their supply from the hands of the smugglers instead of putting themselves to this torture and coming to a dispensary.

It has been said that we can try this treatment in the hospital. Sir, I have already said that there are about 40 thousand consumers. We have in Assam above 193 hospitals and dispensaries and only a few of them have provision for indoor patients. There are many many outdoor patients attending the dispensaries besides and this treatment cannot be done by keeping them as outdoor patients.

SRIJUT DEBESWAR SARMAH: So, Sir, everything is difficult than making money out of this?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: There is nothing gained by these interruptions. I request that my hon. friend will be a little bit kind and we shall be very thankful indeed if he will not treat the matter in such a light fashion. It is very intricate and serious problem. We will have to give our best consideration and thought in arriving at a decision how best to solve it. I hope he will be reasonable and be pleased to bear with us.

Then, Sir, I was saying that on account of these difficulties the Modino's treatment may not be successful and that was the opinion of the Opium

Enquiry Committee also. They said that they could not depend on this treatment for the success of the policy. But we shall try and I assure the House that, as I did during my former Ministry, I shall do now and shall ask our hospitals and dispensaries to try and make an experiment. I would ask the House to remember that it has been mentioned that this treatment is still in an experimental stage and it is not altogether a success. Therefore, we shall experiment and see whether it gives any good result.

Therefore, I ask the hon. mover of the motion to withdraw this motion instead of wasting the time of the House by going to the lobbies because it is the same thing as we discussed a few minutes ago and the House decided to uphold Government in their policy.

The Hon'ble the Speaker read out the motion, put it to the House and declared that the Noes have it. On the decision being challenged the division bell rang.

THE HON'BLE THE SPEAKER: The question is that the provision of Rs.1,35,000 under Grant No. 2, Major head—8.—Provincial Excise, Minor head—E.—Cost of opium supplied to the Provincial Excise Department, at page 39 of the Budget, be refused.

The motion was lost.

THE HON'BLE THE SPEAKER: There is a motion in the name of Mr. Naba Kumar Dutta*. But I think the matter has been discussed.

MR. NABA KUMAR DUTTA: Sir, in view of the assurance given by the Hon'ble Minister I do not want to move my motion.

MR. FAKHRUDDIN ALI AHMED: Sir, I do not want to move the motion † No. 18 which stands in my name, as the matter has been dealt with already.

SRIJUT SARVESWAR BARUA: Sir, I do not also want to move the motion ‡ No. 19 against my name in the list.

THE HON'BLE THE SPEAKER: The question is, that a sum not exceeding Rs.4,57,700 be granted to defray certain charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "8.—Provincial Excise".

The motion was carried.

* That the provision of Rs.1,35,000 under Grant No. 2, Major Head—8.—Provincial Excise, Minor Head—E.—Cost of opium supplied to the Provincial Excise Department, at page 39 of the Budget, be reduced by Rs. 100.

(To censure Government for not introducing the system of sale of opium in tablet form.)

† That the provision of Rs. 1,35,000 under Grant No. 2, Major Head—8.—Provincial Excise, Minor Head—E.—Cost of opium supplied to the Provincial Excise Department, at page 39 of the Budget, be reduced by Rs. 2.

(To discuss and criticize the opium policy of Government and their failure to bring about the reduction of opium consumption.)

‡ That the provision of Rs. 1,35,000 under Grant No. 2, Major Head—8.—Provincial Excise, Minor Head—E.—Cost of opium supplied to the Provincial Excise Department, at page 39 of the Budget, be reduced by Rs. 2.

(To criticize the issue of new passes to opium-eaters.)

GRANT No. 3.

(9.—STAMPS)

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 16,300 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "9.—Stamps".

The motion was put from the Chair.

BABU RABINDRA NATH ADITYA : Sir, I beg to move that the provision of Rs. 228 under Grant No.3, Major head—9.—Stamps, Minor head—C.—Superintendence, Sub-head—1.—Pay of Establishment, detailed head—Servants, at page 44 of the Budget, be reduced by Re. 1. By this motion I want to urge the necessity of providing non-judicial adhesive stamps and Hundi stamps to facilitate mercantile and banking transactions.

Sir, we have all noticed that within the course of the last few years there has come about a net-work of banking organisations throughout the province, and as such the necessity for mercantile stamps, both impressed and adhesive is obvious. But we regret to see that these mercantile Hundi stamps and adhesive stamps are not available in the mofussil towns. That has been a great handicap to merchants and the banking concerns in carrying on their mercantile transactions. Therefore I would suggest that Government should take steps to supply these mercantile stamps to the mofussil and thereby remove a grievance of the mercantile community and of the banking concerns. All the other Governments have done it. But our Government has always had a back-number policy and will not keep abreast of the exigencies of the situation. With these words I beg to move this motion for a cut.

THE HON'BLE THE SPEAKER : The motion is that the provision of Rs. 228 under Grant No. 3, Major head—9.—Stamps, Minor head—C.—Superintendence, Sub-head—1.—Pay of Establishment, detailed head—Servants, at page 44 of the Budget, be reduced by Re. 1.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, whether we are backward or forward, we have been hearing so long that Government is very forward in selling their goods even though it might be a poisonous drug like opium. I would be happy to arrange for a supply where there is a dearth of adhesive or Hundi stamps. Our Superintendent of Stamps informs that the local officers make the indents for all their requirements and he brings a consignment from the Central Government. If there be difficulty anywhere, and if my hon. friend will just let me know, I will see that such kind of stamps are made available.

BABU RABINDRA NATH ADITYA : Sir, I am the director of a bank at Karimganj and I know the difficulties due to want of these stamps.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I will see that the Karimganj treasury is fully stocked.

KHAN BAHADUR MAULAVI KERAMAT ALI : I may point out the case of Jorhat and Sibsagar districts also.

THE HON'BLE THE SPEAKER : The assurance of the Hon'ble Minister is for the entire province.

BABU RABINDRA NATH ADITYA : In view of the assurance given by the Hon'ble Minister, Sir, I beg to withdraw my motion.

The motion was by leave withdrawn.

SRIJUT MAHADEV SARMA: Sir, I beg to move that the total provision of Rs.16,300 under Grant No.3, Major head 9.—Stamps, at page 43 of the Budget, be reduced by Re.1.

(To criticise the increase of Court Stamps and Court Fees.)

সভাপতি ডাঙৰীয়া, এই প্ৰস্তাৱৰ দ্বাৰা বৰ্তমান বৰ্দ্ধিত হাৰে কোৰ্ট আৰু ষ্টাম্প কি যি নিৰিখে বান্ধি দিয়া হৈছে সেই নিৰিখৰ পৰা বাইছৰ যি কষ্ট হৈছে সেই কষ্ট প্ৰকাশ কৰিবৰ কাৰণে আৰু তাৰ প্ৰতিবাদ জনাবৰ কাৰণে মই এই প্ৰস্তাৱ ডাঙি ধৰিছোঁ। এইটো কোৱা বাহুল্য যে যোৱা বছৰত যোৱা কাউন্সিলে কোৰ্ট কি আৰু ষ্টাম্প কি বঢ়াই দিলে আৰু সেই বঢ়োৱাৰ কাৰণ আশাৰ মানুহৰ যথেষ্ট কষ্ট আৰু অসুবিধা হৈছে। বৰ্তমান গবৰ্ণমেণ্টে আমাৰ প্ৰজাবিলাকৰ সেই অসুবিধাটোৱৈ লক্ষ ৰাখি এনে কোনো বিধান আমাৰ আগত দাঙি ধৰা নাই যাৰ দ্বাৰা আমাৰ এই কষ্ট লাঘৱ হব পাৰে। প্ৰচলিত বিধানৰ দ্বাৰা আমি সাধাৰণতে দেখা পাওঁ যে তলৰ শ্ৰেণীৰ মানুহৰ, দুখীয়া শ্ৰেণীৰ মানুহৰ, কষ্ট বঢ়োৱা হৈছে, আৰু ধনী শ্ৰেণীৰ মানুহৰ কষ্ট সিমান অসুপাতিক পৰিমাণে বঢ়োৱা হোৱা নাই। এইটো সকলোৰে জানে যে ১০০ টকালৈকে যিমান বেচিকৈ কোৰ্ট কি বঢ়োৱা হৈছে ৪ ০ টকাত সেই নিৰিখে কম। সেই কাৰণে এই বৰ্দ্ধিত হাৰৰ কোৰ্ট কি আৰু ষ্টাম্প কি এ দুখীয়া মানুহক বেচি কষ্ট দিছে। শুনি আচৰিত হব যে এনেকুৱা দুখীয়া মানুহো আমাৰ দেশত আছিল আছে যি ৫০ বাৰ অনা পয়চাৰ কোৰ্ট কি দিব নোৱাৰি তাৰ বিকছে কৰা, অন্যায়ৰ প্ৰতিবাদ বা অভিযোগ কৰিবলৈ কোৰ্টলৈ যাবলৈ অক্ষম। আমাৰ বৰ্তমান popular গবৰ্ণমেণ্টে কোৰ্ট আৰু ষ্টাম্প কি সম্বন্ধে বিবেচনা কৰি প্ৰজাসকলক অগপ সুবিধা দিব বুলি মই এই প্ৰস্তাৱৰ দ্বাৰা সিবিলাকৰ দৃষ্টি আকৰ্ষণ কৰিলোঁ। আৰু লগে লগে প্ৰজাবিলাকৰ প্ৰতিবাদ দাঙি ধৰিলোঁ। এই বৃদ্ধিৰ দ্বাৰা যে বেভিনিউ বেচি হয় বুলি ধৰা হৈছে সেইটো statistics চালেই ধৰা পৰিব। Statistics এটা মিছাৰ অন্তৰ্গত কথা বুলি সিদিনা আমাৰ লগৰীয়া বন্ধুৰ পৰা ইয়াতে শিকিলোঁ। সেই কাৰণে statistics চাই মোকদ্দমা তাৰপৰা কমিছে নে বাঢ়িছে তাক প্ৰমাণ কৰিবলৈ মই চেষ্টা কৰা নাই। কাৰণ মই মিছাৰে মিছাক ঢাকিব নোখোজোঁ। কোৰ্ট আৰু ষ্টাম্প কিয় আমাৰ দুখীয়া মানুহক দুখৰ বোজা বঢ়াই বেচিকৈ কষ্ট ৰে দিছে। সেইটো সৰ্ববাদী সম্মত কথা। বৰ্তমান যি গবৰ্ণমেণ্টৰ তললৈ আমি আহিছো সেই গবৰ্ণমেণ্টৰ তলত আমাৰ দুখীয়া মানুহে কিছু পৰিমাণে এই বোকাৰ লাঘৱ পাব বুলি আশা কৰিলোঁ।

THE HON'BLE THE SPEAKER: The motion moved is that the total provision of Rs.16,300 under Grant No. 3, Major head—9—Stamps, at page 43 of the Budget, be reduced by Re. 1.

SRIJUT KRISHNA NATH SHARMA: In the Explanatory Note of the Budget it has been stated that the revenue under this head in the boom years amounted to about 20 lakhs and it was seriously affected by the world-wide depression. Our people being the poorest on earth were most terribly affected. They have become paupers. They are groaning under the terrible burden of taxation. They cannot pay even the land revenue.

The stamp revenue is derived mostly from the poor people. The cost of suits in civil courts is increased by leaps and bounds and it would be realised from the debtors. They are indebted to the extent of 22 crores according to Government estimate in 1929, it has been calculated that the amount has been increased to 44 lakhs now. The enhancement of Court fees is also made with a special reference to the poor people. The Court fee is raised in a suit from Rs. 75 to Rs. 100. Stamps on ordinary petition is raised from annas 8 to 12, criminal complaint fee is raised from annas 8 to Re. 1. The stamps for Vakalatnama is raised from annas 8 to Re. 1 and in this way the cost of poor man's burden is greatly increased and it is estimated that Rs. 2,50,000 will be coming as a result of this measure from these people. This is a parting kick of the outgoing Ministry. This question was made a valley question. The representatives of the people at first refused their assent, but subsequently the question resolved into acceptance of one of the two benefits, i.e., retention of 3 annas remission or taxation on the people under this head. Our Assam Valley members were made to understand that Sylhetis are more litigant and hence the larger portion of the tax will be borne by them and diplomacy became successful. This burden is added at a time when the people of both the Valleys want relief of their burden. It may be true that out of Rs. 2,50,000 more than half may be coming from the Surma Valley but on any ground whatsoever this additional taxation is imposed under a threat.

I therefore support this cut motion as a censure motion on the past Government and on the present Government as well to indicate if they have seen the way to replace this measure. So I whole-heartedly support this censure motion.

MAULAVI ASHRAFUDDIN MD. CHAUDHURI: Sir, I whole-heartedly support this motion. This taxation has made it impossible for the poor people to come to the Court and have their grievance redressed. I hope our popular Government will look to this side of the thing and try to amend it by the introduction of a bill. Litigation is going to be the monopoly of the richer and the poor are going to be denied justice. It is only an innovation of the British people that justice is sold by the Court fees but these were unknown to India before the advent of the British people.

MAULAVI MUNAWWARALI: Sir, I beg to support this motion. The hon. mover of this motion has alliterated the facts how by a trick the previous Council was stultified. I regret to say that my hon. friend Mr. Rohini Kumar Chaudhuri also fell into that trap. I have a resolution standing in my name recommending return to the previous rate, but as it has come very low in the ballot, it has no chance of coming before the House during this session. I tried to frame a Bill proposing the original rate but I found it very difficult and I gave up the pursuit. Now we should see whether this is a business proposition. The more we increase the rate the less will be the return. This is what is in my mind and with that view I put certain questions but the replies have not yet come. I thought it would not be a business proposition and I shall be able to prove that by facts and figures. Be that as it may, we, on this side of the House, have decided to support the motion. We consider it to be not only not a business proposition, but a taxation beyond the capacity of those who are affected thereby to bear, and that is our second ground, and we offer our whole-hearted support to the motion.

KHAN BAHADUR DEWAN EKLIMUR ROZA CHAUDHURY: সভাপতি

মহোদয়, কোর্ট ফি কমান্ড ইরা দেওয়ার দ্বারা অ.ন.র বন্ধ। এই যে কোন কোন উকীল বন্ধ

আমার নিকট এই যুক্তি প্রদর্শন করিয়াছেন যে কোর্ট ফি কমাইয়া দিলে গবর্ণমেন্টের আয়ের বিশেষ ক্ষতি হইবে না। কেননা কোর্ট ফির মূল্য কম হইলে লোকে এই সুযোগে মামলা মোকদ্দমা অধিক মাত্রায় দায়ের করিবে এবং মামলা মোকদ্দমা বৃদ্ধি জনিত আয়ের দ্বারা গবর্ণমেন্টের আয়ের সমতা রক্ষা করা হইবে। আমি কিন্তু এই যুক্তি পছন্দ করিনা। কেননা গবর্ণমেন্টের নীতি হইবে মামলা মোকদ্দমা বাড়াইয়া দেওয়া নতুন বরং কমাইয়া দেওয়া। সতাই যদি কোর্ট ফি কমাইয়া দিলে নিরক্ষর জন সাধারণ মামলা মোকদ্দমা করিতে প্রবৃত্ত হয় তাহা হইলে আমি এই motion সমর্থন করিনা। তবে উপরোক্ত যুক্তিতে কোন সত্য নিহিত আছে বলিয়া আমার মনে হয়না। সুতরাং আমি এই motion সমর্থন করিয়া কোর্ট ফি যদি কবে তবে ইহার সঙ্গে সঙ্গে আমার উকিল বন্ধুগণকে অনুরোধ করিতেছি যে এই ছদ্মিমে তাহারা যেন তাহাদের ফিজের টাকার পরিমাণ ও কমাইয়া লন। এই ছদ্মিমে আমার প্রস্তাবে তাহারা রাজি হইবেন কি?

THE HON'BLE MAULAVI SAYID SIR MUHAMMAD SAADULLA: Sir, my hon. friend, Srijut Krishnanath Sarma, has narrated the previous history of these two Acts. I may remind the House that it was in the October session of 1936 that these two Bills were brought in the Statute Book by the vote of this Council. Of course, originally the Bill was lost, but on the subsequent recommendation of His Excellency Sir Michael Keane the matter was rediscussed and it was passed in a limited form that this Bill, if passed, will be operative for three years only. I find, Sir, that such stalwart members as my friend the Revenue Minister as well as Srijut Sarveswar Barua of the opposition then, supported the Bills and that with their votes the Bills were translated into Acts. There is a history behind the passing of this Act. I remember Sir Michael Keane telling me that when he approached Sir Otto Niemeyer for a substantial help to this province, he was asked the question whether the province had helped itself and Sir Otto Niemeyer is reported to have pointed out that in Bengal the rates of stamp duties and Court fees were higher than those in Assam, and that there was no move from Assam to help themselves. Therefore it was thought that if we could show that we had helped ourselves through the votes of our elected members of the House, we would be able to get a good subvention. We have received a subvention of Rs.30 lakhs from the 1st April 1937. Will it not look rather ungraceful if after having obtained a substantial sum, we now go back upon this. After all, these Acts will run for three years.

Another aspect is that by the increased Court fees and stamps we expect to get Rs.2½ lakhs. If this sum is now reduced by a countermanding Bill, then what will be the position. The very small surplus we have estimated for, will be wiped off and there will be nothing left to meet unforeseen calamities. I should also say that a lawyer told me the other day that only a percentage of people do come to the law Courts—only a small percentage of the total population take recourse to litigation. I have only presented this statement for the sake of pointing out that Civil Courts' work and cost will further decrease if the debt conciliation boards function and agriculturists will not have to pay any stamp duty at all.

In the circumstances, I submit to the House that they should wait till the present statutes run the course of three years and then they may consider whether they should do away with this small income that is derived by

the increased demand. In view of this fact, I hope that the House will well consider the position from the point of view of finances of the province.

SRIJUT SARVESWAR BARUA : On a point of explanation, Sir. I have been referred to by the Hon'ble Chief Minister along with one other member as being party to the passing of the Act namely the enhanced Court fees and Stamp Acts. I have simply to remind the House that we were not a willing party to this Act. We were compelled to support the Bill almost on the point of the bayonet, Sir. It was held out that unless the Bill was passed, the temporary reduction of three annas in the rupee of land revenue will be either entirely withheld or it will be partially restored in some of the districts. I as a man coming from the Lakhimpur District had reason to believe that it would affect my district immediately then and as such I had to act according to the maxim *দৰ্বেশাশে সমুৎপন্নৈ অৰ্দ্ধং তাজ্জতি পণ্ডিতঃ*; that is discretion is the better part of valour and we had to agree to the passing of the Acts—as the lesser of the two evils.

THE HON'BLE THE SPEAKER : I hope the House will be satisfied with this explanation.

The motion was put and adopted.

THE HON'BLE THE SPEAKER : The question is that a sum not exceeding Rs.16,299 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of head—9—Stamps.

The motion was adopted, and the grant as reduced made.

GRANT No. 8.

(18.—B—NAVIGATION, ETC.)

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.47,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head—"18.—B—Navigation, Embankments and Drainage works".

The motion was put by the Hon'ble the Speaker.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN : I beg to move that the provision of Rs.35,000 under grant No. 8, Major head 18.-B—Navigation, Embankments and Drainage Works, minor head—Maintenance and Repairs at page 55 of the Budget be reduced by Rs.100.

Sir, the problem of erosion of the Dibrugarh town by the Brahmaputra is of long standing. It has been discussed on the floor of the House since 1921 when Srijut Nilmoni Phukan was a member of this House. Government have always been very reluctant and slow in the matter of saving Dibrugarh, one of the most important towns, from the erosion of the river. Erosion started at one end of the town, but during the last few months it has been spreading towards the west of the town and it has not only affected the private property but it is going to affect Government property, including the Circuit House and the Government High School building and other buildings. A question was put by Srijut Rajani Kanta Barua whether Government is going to take any steps on the lines of the report of the Irrigation Expert Mr. Curry of Bengal but the reply of Government was most disappointing. Government said that they do not propose to adopt any measures for lack of funds.

I would now enter into the history of the steps taken by Government in this matter. Our Chief Engineer and the Superintending Engineer visited the place but they came back and suggested that nothing could be done to

stop the erosion of the Brahmaputra. In the last October session of the Council there was an interpolation by Rai Bahadur Nilambar Datta :—"Does the Hon'ble Member in-charge of the Public Works Department consider the stopping of this erosion an impossibility?" He then replied (I mean Rai Bahadur P. C. Dutt who is not here now) that so far as I think it seems to me an impossibility unless we are prepared to spend crores of rupees." Then again he asked him about the estimate, but in reply he said that when he was not prepared to guarantee the sanction of the scheme it was hardly worth-while preparing a scheme. Government at that time refused to go into the matter, but as a result of that interpolation the services of Mr. Curry, the Irrigation Expert of Bengal, was requisitioned and therefore an expenditure of Rs.2,136-4 was incurred. Then Government studied the report submitted by him but it was thrown into the waste paper basket. That was the position, Sir. Heretofore some experiments were tried, but the reply given to Rai Bahadur Nilambar Datta was that no favourable condition assisted silting along the bank. Now I ask Government whether it is not worth while saving this town from erosion, as it is regarded as one of the biggest towns in Assam. Government is not asked to spend crores of rupees as was suggested by Rai Bahadur P. C. Dutt or fifty lakhs even, but the Expert reported that, with a modest sum of nineteen lakhs of rupees, something could be done to protect the town from erosion of Brahmaputra. So, I would request Government to accept the noble scheme and spend this amount of nineteen lakhs to save millions worth of property, both public and private, from erosion. I am sure, if the erosion goes on at this rate, whole town of Dibrugarh will be washed away before long, and it will be in the bosom of the Brahmaputra river. So I think it is up to Government to prepare a scheme on the lines suggested in the report of Mr. Curry in view of the fact that Government has already spent a large sum of money on preliminaries. I think my demand is a very modest one and I hope the Hon'ble Minister in-charge of the Public Works Department will accept it.

THE HON'BLE THE SPEAKER: The motion moved is that the provision of Rs.35,000 under grant No. 8, major head—18B—Navigation, Embankments and Drainage Works, minor head—maintenance and repairs at page 55 of the budget be reduced by Rs.100.

I think the Hon'ble Minister will please reply.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, my hon. friend has made two significant admissions namely that our provincial Experts had visited the town with a view to study the situation on the spot and secondly they have taken all necessary precautions within the limits of funds that are available. Sir, I admit that Government has not been able to follow up the recommendation of Mr. Curry. Government had long appreciated the alarm that was felt by the inhabitants of Dibrugarh at the erosion on the left bank of Brahmaputra and they issued a communique on the 11th December, 1934. The Chief Engineer Mr. Burke suggested that the natural forces are too powerful to expect any success from the bandalling which the people themselves are undertaking and advised that much money should not be spent on these experiments. The Local Executive Engineer thought out a device and left some bamboo cages for acting as floating spurs to induce the river and thereby to deposit silt to check the erosion. These experiments of floating spurs and boulders laden cages were tried with no appreciable effect or with very little success. Our present Chief Engineer Mr. Shaw also inspected the site in December 1936 and discussed with a deputation of leading men at Dibrugarh. The Steamer Company were also trying to undertake the bandalling operations for closing spill ways of water and guiding them back into the main stream. When our local officers could think of no better method of saving

the town, Government requisitioned the services of the Chief Engineer of the Irrigation Department of Bengal. He came, inspected the locality, submitted his report in February 1937. Mr. Curry who is an expert on the subject was of the opinion that unless stone revetment is built and unless a portion of private property is acquired there is no other way of saving the town. The cost of these operations estimated by him was the sum of 26 lakhs of rupees.

Sir, we have the budget before us ; it is for the hon. members of this House to say whether the general tax-payers' money to the tune of 26 lakhs—or quarter of a crore—can be spent for saving the town of Dibrugarh. If we had money, and if we were assured that their stone revetment would save the town—something would have been done. But there is no telling whether the rivers would not force its way beyond the point upstream where stone revetment will begin. Unless we are assured of that fact, and at the same time, until we have that substantial sum of quarter of a crore, Government have come to the reluctant conclusion that there is no immediate means of spending this money for saving the town of Dibrugarh from erosion. Minor operations are still in progress with a view to divert the main channel of the river towards the north bank. We can only hope for the best.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN : After what have been stated by the Hon'ble the Chief Minister, I beg leave of the House to withdraw my motion.

[The motion was, with the leave of the House, withdrawn.]

THE HON'BLE THE SPEAKER : Now I shall call upon Khan Sahib Maulavi Mudabbir Hussain Chaudhuri to move his motion. The rest of the motions, with two or three exceptions, raise the same question, in which we find some local grievances have been put down to be discussed, and those local grievances may be very well discussed in the debate with regard to the question of the policy that is to be discussed now. So I would call upon Khan Sahib Mudabbir Hussain Chaudhuri to move his motion.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI : I beg to move, Sir, that the total provision of Rs.47,500 under Grant No.8, Major head—18B.—Navigation, Embankments and Drainage Works, at page 55 of the Budget, be reduced by Rs.10.

This motion, Sir, I have moved to criticize the policy of Government with regard to a particular subject. In the Budget, Sir, under Grant No. 8, we have found that Rs.5,000 has been provided as an annual contribution to the River Steam Navigation Company. Sir, this contribution has been made to make certain improvements of the navigable channels. I do not know, Sir, in what way the improvements are going to be made by the Navigation companies. In our part of the world—I mean the Surma Valley—I have seen, Sir, they put bamboo spars on the rivers—I mean the navigable channels—so that during dry season they may keep it as navigable channel, and the result in some places has been very disastrous. In order to keep it as navigable for plying steam boats in dry season, what the Navigation Company do ? In many places they try to divert the channel, divert the water course with the result that private properties, private lands, sometimes big villages—ancient villages—are encroached upon and devastated by the flow of water. Sir, it is a method, it is a system with them to put bamboo spars generally on the side of the river bank, where it has been silted. On that side of the river they put spars to divert the flow of the water towards the other bank of the river, and on that bank villages, paddy fields, grazing fields, all are gradually, and in some places very rapidly, washed away. The hon. members who have travelled from

Fenchuganj by steamer down to Markuli are undoubtedly aware that from Sherpur upto Markuli the river Kushiara changes its course very often, and why? This is mainly and fully due to these spars. I can mention the names of 25 villages that have altogether been gained by the river Kushiara, and I think I can name 100 villages, which are being threatened now, and in course of ten years those villages will be in the bed of the river Kushiara. Nobody takes care, Sir, in what way they put spars and how they divert the water flow of the river. My contention is that they do it according to their own notions and according to their own sweet will; there is no expert, to guide them, and in order to economise they do not care for any private property, any paddy fields. Their only object is to keep the river navigable.

So, Sir, I draw the attention of the hon. members, by this motion, to this fact, so that an expert may be appointed or directed to see in what way these spars are put and how these spars are to be put, in order to safeguard the interests of the public—I mean the villagers, whose lands are being gained over by that river owing to the indiscriminate manner of putting spars on that river. In this view of the things I commend my motion to the acceptance of the House.

THE HON'BLE THE SPEAKER: The motion moved is that the total provision of Rs. 47,500 under grant No.8, major head—18—B—Navigation, Embankments and Drainage works, at page 55 of the Budget, be reduced by Rs. 10.

MR. W. R. FAULL: Sir, I would like to take this chance of saying a few words on this question of bandalling. I have heard a great deal mentioned on this subject and have also seen it discussed particularly in the press, saying that the bandalling operations undertaken by the Steamer Companies caused diversion in the course of the river. Unfortunately for us, we have only proved that this is not true. Bandalling has been successful only in closing small spills and removing small sand bars which form opposite the mouths of spills and in endeavouring to keep the water in its own channel. It has never been effective in diverting the course. If it had been, I can assure the House that we are very likely to have employed this method in Upper Assam where for years and years many of the *Ghats* have been blocked with long stretches of sand much to the inconvenience of the merchants, and expense to Steamer Companies and the local boards and very often to the Public Works Department, in maintaining connections. All that we have been able to do is to prove by our own experience that bandalling does not divert the course of the channel: it only effects in concentrating the water in the main navigable channel.

SRIJIT KAMESWAR DAS: Sir, I rise to support the motion. In this connection, however, I want to draw the attention of Government to the fact that the Barpeta Subdivision has been absolutely neglected in the matter of drainage and irrigation works. My Hon'ble Friend the Revenue Minister will probably bear me out how a portion of the Chowkhowa river between the Chowkhowa bridge and Medhiritari has been silted up. The bed was raised by the earthquake of 1929 and the river ceased to be navigable since, I think, that time during the winter. The fishery revenue also decreased thereby. If I remember aright, on account of the silting up of the bed there has been a great deal of deterioration in the fishery and in one year Government was compelled to grant a remission of Rs.12,000. The Hon'ble Revenue Minister as the pleader for the lessee secured that remission. The raising of the bed has made also the sanitation of the neighbourhood deteriorated and lots of people, both of the Barpeta town and of the neighbouring villages have suffered and are suffering for the same. A few thousands of rupees spent in that portion of the river will, I

think, make the river navigable throughout the year and improve the fishery as well as improve the sanitation of the locality. I mean to add nothing more and to resume my seat.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURY: On a point of information, Sir, I want to know from the hon. member Mr. Faull whether it is not possible to divert the flow of water along the mid stream by putting spars on both sides of the river?

MR. W. R. FAULL: That I think was my point, Sir. The idea is to maintain a navigable channel. If the main channel is drained of water by innumerable little off flows of water, the idea is to close them. Bandalling has been proved to be effective only in shallow and partially slack water. If in such a wide shallow stream bandalling is placed on either sides, it may have the effect of concentrating the water into midstream.

SRIJUT HALADHAR BHUYAN: সভাপতি ডাঙবোৱা, আমি নগাঁওত প্ৰত্যেক বছৰে বানপানীৰ উপদ্ৰৱ ভোগ কৰি আহিছো। অৱশ্যে এটো কথা সঁচা যে প্ৰকৃতিৰ যিটো নিয়ম তাক কোনেও বাধা দিব নোৱাৰে। বানপানী বা অন্যান্য যি বিলাক উপদ্ৰৱ হয় সেইবিলাক প্ৰাকৃতিক নিয়মেই হয়। কিন্তু এইটো ঠিক যে যিবিলাক গুৰুত্ব গবৰ্ণমেন্ট আছে সেইবিলাকে সেই উপদ্ৰৱ বিলাক নিবাৰণ কৰিবৰ নিমিত্তেও চেষ্টা কৰে। কিন্তু এই প্ৰাকৃতিক দুৰ্গতি বিলাক প্ৰত্যেক বছৰে হোৱা স্বত্বেও আক কি কাৰণেনো হৈছে তাৰ অনুসন্ধান কৰিবৰ নিমিত্তে আসাম গবৰ্ণমেন্ট একো যত্ন কৰা নাই। ১৯৩৪ চনত ডাঙৰ বানপানী অহাত যেতিয়া বাইজৈ হৈচৈ কৰিবলৈ ধৰিলে, তেতিয়া বাইজৈৰ নিমিত্তে আক বাইজৈৰ চকুত ধূলি মাৰিবৰ নিমিত্তে চুপাৰ্ভিটেণ্ডিং ইঞ্জিনীয়াৰ মিষ্টাৰ ৰিড্‌স্বক অনুসন্ধান কৰি এখন ৰিপোর্ট লেখিবলৈ দিলে। তেওঁ যিখন ৰিপোর্ট লেখিলে সেই ৰিপোর্টখনক Eye wash বা white wash বুলিব পাৰি। তেওঁৰ বৰ্ণনা বিলাক ঠিক আছে; কিন্তু তেওঁক যিবিলাক উপায় নিৰ্দ্ধাৰণ কৰিবলৈ দিলে সেইবিলাক প্ৰকৃতপক্ষে আচল কথা অনুসন্ধান কৰি লেখা নাই। আক whole trend of report অৰ্থাৎ গোটেই ৰিপোর্টখনৰ সূৰ বা মতলবটো দেখা যায় যে বেইলয়ে লাইন কেনেকৈ বন্ধা কৰিব পাৰি তাৰে ব্যৱস্থা কৰা হৈছে। ভূমিকম্পৰ নিমিত্তে আক বানপানী আহিলে প্ৰত্যেক বছৰে silt বা পলস পৰি পৰি পথাৰ বিলাক বাম হৈ অহাৰ নিমিত্তে আক নদীৰ পাৰত খেতি কৰাৰ কাৰণে আক সদায় গৰু-মহ অহা যোৱা কৰাৰ নিমিত্তেও বৰষুণত মাটি উঠি গৈ নদীৰ পাৰ বিলাক ক্ৰমে চাপৰ হোৱাত বানপানীৰ এনে উপদ্ৰৱ বাঢ়ি গৈছে। কিন্তু আমি সচৰাচৰ দেখিছোঁ যে গাঁৱৰ যিবিলাক বাস্তা পানীত তল নগৈছিল, গৰু-মহ অহাযোৱাৰ কাৰণে সেই বিলাক বাস্তাত এতিয়া এমুখমান পানী হয়, আক নাৱৰেহে মানুহে চলাচল কৰিব লগাত পৰে। ৰিপোর্টৰ এঠাইত তেওঁ যমুনাসুখ আক কামপুৰৰ মাজত কপিলিৰ পাবে পাবে যিটো লোকেলবোৰ্ডৰ বাস্তা আছে সেই বাস্তাটো তুলিবলৈ লোকেলবোৰ্ডক হাক দিছে। কিন্তু এইটো কথা অস্বীকাৰ কৰিব নোৱাৰি যে সেই বাস্তাটো গৰু-মহ আক মটৰবাছ (Bus) অহা যোৱা কৰাত ক্ৰমান্বয়ে মাটি উঠি গৈ দ হৈ গৈছে। মিষ্টাৰ ৰিড্‌স্বক কথামতেই কও নদীৰ পাৰত মঠাউৰি বান্ধিলে নদীত পলস গোট পাই নদী ক্ৰমে বাম হৈ আহে। কিন্তু

ওপৰত কোৱা কাৰণ বিলাকৰ নিমিত্তে নদীৰ যি স্বাভাৱিক পাৰ খহি চাপৰ হৈ গল তাক বান্ধি দিলেও নদীত পলস গোটখাই বামহৈ যাবনে? আচলতে সেইটো নহয়; বৰং নদীৰ পাৰ বিলাকৰ স্বাভাৱিকতা নষ্ট হোৱাতহে দুৰ্গতিৰ কাৰণ বাঢ়িছে। তেওঁৰ উদ্দেশ্য যদি নদীৰ পাৰ ওখ কৰি দিয়া যায় তেন্তে কপিলীৰ গোটেই পানী ধৰমতুলৰ নামনিত কপিলীৰ ওপৰত বেলৰ দলঙৰ তলেদি যাব লাগিব আৰু সেয়ে হলে বেৰৰ দলংখন দুগুণ দীঘল কৰিব লাগিব। সেই ভাৱে ধৰমতুলৰ ওচৰৰ ৪৭ মাইলৰ পৰা ৫১ মাইললৈকে বাস্তাটো আগত কৈ দুগুন বহল আৰু দুগুন ওখ কৰি ভালকৈ কাতেৰ দি বন্ধাইছে। তাকে নকৰিলে বেল কোম্পানীৰ হাজাৰ হাজাৰ টকা খৰচ হলেহেঁতেন। সেই কেই হাজাৰ টকা বেল কোম্পানীয়েহে খৰচ কৰিব লাগিলহেঁতেন? ধৰমতুলৰ ওচৰত এখন আৰু কাম-পুৰ নামে বগলাজানৰ ওচৰত এখন বেৰৰ দলঙৰ খুব দৰকাৰ আছিল। কিন্তু টাঙা বোহাটো ধৰমতুলৰ ওচৰত উক্ত মাইলৰ ভিতৰত দুগুন মধ্যবৃত্ত কৰি বেৰ কোম্পানীৰ খৰচ কৰাইছে।

কামপুৰ, ধৰমতুল, বগা আৰু অন্যান্য ঠাইৰ বাইজ বিলাকে সভা পাণি প্ৰস্তাব কৰিছিল — কপিলীৰ বান পানীৰ পৰা বন্ধা কৰিবলৈ চৰকাৰে কপিলীৰ দুই পাৰে মথাউৰি বান্ধি দিব লাগে। যদি তাৰ পৰা একো উপকাৰ নহয় বুলি ভাবে তেনেহলে খাল খন্দাই দিয়ক যাতে বান পানীৰ প্ৰকোপ হ্ৰাস কৰি দুৰ্গতি খণ্ডাব পাৰে। কিন্তু গবৰ্ণমেণ্টে তালৈ একো কানখাৰ কৰা নাই। মিষ্টাৰ স্ব চাহাবে suggestion (বাৰহা) দিছিল যে গঢ় বাধিবৰ নিমিত্তে আৰু মাথুহ থাকিবৰ নিমিত্তে কোনো কোনো ঠাইত ওখকৈ ভেটি (island) বান্ধি দিলে বান পানীৰ উপদ্রৱৰ পৰা বন্ধা পাব পাৰে। কিন্তু গবৰ্ণমেণ্টে তেওঁলোকে পঠিওৱা অফিচৰে যি বাৰহা (suggestion) দিয়ে তাকো গ্ৰহণ কৰা নাই। সেই ৰিপোৰ্ট তৈয়াৰ কৰোঁতে অৱশ্যে বহুতো টকা খৰচ হৈছে। সেই টকা খৰচ নগৰি ৰিপোৰ্ট খন নেলেখোৱা হেঁতেনেই ভাল আছিল। আমি দেখিছোঁ অন্যান্য বিষয়ত গবৰ্ণমেণ্টৰ যি policy (নীতি) এই বিষয়তো তেওঁবিলাকৰ সেই একে policy (নীতি)। কানি, ভাং, মদ, গুচাৱা বা অন্যান্য nation building department (জাতি গঠন বিভাগ)ৰ উন্নতি কৰা বিষয়ে টকা খৰচ কৰিবলৈ গবৰ্ণমেণ্টে যেনেকৈ আগুৱেলা কাৰছে embankment আৰু drainage (মথাউৰি বন্ধা বা খাল খন্দা বা ওখ ভেটি বন্ধা) সম্পৰ্কেও গবৰ্ণমেণ্টে সেই একে policy (নীতি) কে লৈছে। এই কেইটা কথা কৈয়েই এই প্ৰস্তাৱটো সমৰ্থন কৰিলোঁ।

BABU RABINDRA NATH ADITYA: Sir, in supporting the motion of the hon. Khan Sahib Mudabbir Hussain Chaudhury, I have to add only a few words. I do not know whether our Government have got any embankment policy at all, and if they have got any, I think it requires thorough overhauling. I will only cite a few instances in my constituency in Karimganj. A road has been constructed from Barlekha to Hakaluki Tahsil office some years ago and due to the inadequate bridges there, an area of land, about 50 square miles has been subjected to chronic failure of crops for some time past, because of the defective drainage there. Similar is the condition in the Pergannahs of Churkhai and Panchkanda. Even if some bridges were

opened in Sylhet-Cachar road and in the Sylhet-Kulaura Railway road, the difficulty would have been much overcome. So I would suggest that this question of drainage should be thoroughly gone into by a competent officer appointed specially for the purpose who will enquire into the conditions prevailing in every locality and suggest remedies. And this defective drainage system is also responsible for the outbreak of malaria in villages. So I would say that this is a question of vital importance to the province and Government should direct their pointed attention to this matter and save the people from utter ruin as regards their health and crops. With these words I support the motion.

SRIJUT SANKAR CHANDRA BARUA : Sir, শিবসাগৰ জিলাৰ হুগতিৰ বিষয়ে সকলোৰে জানে। ১৯২৫ চনৰে পৰা পানীৰ উপদ্রবত কোঁৱৰপুৰ মৌজাৰ মানুহৰ দুখ হুগতিৰ সীমা নাইকিয়া হৈছে। গবৰ্ণমেণ্ট এইবিষয়ে কানসাৰ নিদ্দিয়াৰ কাৰণে ১৯৩২ চনত বাইজে গোট খাই নিজে মথাউৰি বান্ধিবলৈ যত্ন কৰিছিল। মৌজাটো বাইজে ঘৰ দুৱাৰ এৰি আহি মথাউৰি বান্ধিবলৈ লাগি গৈছিল। মতা তিথোতা সকলোৱেই এই কামত লাগিছিল। প্রথম প্রথম শ্ৰীশ্ৰীগড়মুখায়া সভাপতিৰ গোস্বামীয়েই এই কাম আৰম্ভ কৰে আৰু সেই বছৰত ১½ মাইল বাস্তা বান্ধিবলৈ পিচত পানী অহাত সেই কাম বন্ধ হৈ গল। তাৰ পিচ বছৰত বৰষুণ বেচি হোৱাৰ কাৰণ সম্বন্ধে কাম আৰম্ভ কৰিব নোৱাৰিলে। ১৯৩৪ চনত শ্ৰীযুত সোনাবাৰ দত্তই বিদ্যাপীঠৰ কেইটামান লৰা লৈ গৈ কাং আৰম্ভ কৰোৱাত গাঁৱৰ মানুহে আহি লাগি গৈ। এই কথা যতিয়া কাগজে পত্ৰই প্রচাৰ হল তেতিয়া আমাৰ ভূতপূৰ্ব গবৰ্ণৰ সাৰ মাইকেল কীন চাহাবে গৈ সেই মথাউৰিটো চাই আহিছিল। পানীৰ উপদ্রবৰ কাৰণে কোঁৱৰপুৰ মৌজাৰ মানুহে যে খাজনা দিব পৰা নাই এই কথা গবৰ্ণমেণ্টে জানে। খাজনা তুলিব নোৱাৰি কেঁৱৰপুৰ মৌজাত ১৮,০০০ টকা remission দিয়া হৈছে। তত্ৰাত কিয় যে গবৰ্ণমেণ্টে সেই মথাউৰি বান্ধি কেঁৱৰপুৰৰ বাইজক বন্ধ কৰিবলৈ যত্ন কৰা নাই সেইটো আচৰিত কথা। সেই মথাউৰি নবন্ধাৰ পৰা কেঁৱৰপুৰ মৌজাটোৱে যে বিপদ হৈছে এন নহয়, শিবসাগৰ টাউনত পানী সোমাই টাউনৰ মানুহকো উপদ্রব কৰেহি। এতিয়া আগৰ নতুন গবৰ্ণমেণ্টেও যি সেই মথাউৰিৰ বিষয়ে কানসাৰ দিব তৰ একো চিন চাব নেদেখি আমি অত্যন্ত আচৰিত হৈছোঁ। আৰু এই বিষয়ে বিশেষকৈ গবৰ্ণমেণ্টৰ দৃষ্টি আকৰ্ষণ কৰিছোঁ। তাৰ লগে লগে শিবসাগৰ টাউনত যি Ring bund আছে সেই বিষয়েও গবৰ্ণমেণ্টে একো কানসাৰ নিদ্দিয়া দেখি অত্যন্ত হুংখিত হৈছোঁ। গোলাঘাটৰ কাকডেঙা, ঘিলাধাৰী আৰু মকুং নৈৰ পানীয়ে আঠপাত, ঘিলাধাৰী আৰু কছাৰীহাট এই তিনিটা মৌজাৰ অনিষ্ট কৰে। ইয়াৰ কাৰণ হৈছে আসাম-বেঙ্গল ৰেলৰ মিটো লাইন আছে তাত পানী ঘোৱাব বস্তা ভাল ধৰণেৰে নাই ; সেই কাৰনেই পানীয়ে বাইজৰ ইমান উপদ্রব কৰিছে। ইয়াৰ কাৰণ সম্ভাসমিতি পাতি প্রস্তাব গ্ৰহণ কৰি গবৰ্ণমেণ্টৰ দৃষ্টি আকৰ্ষিত হৈছিল। কিন্তু গবৰ্ণমেণ্টে সেই বিষয়ে কানসাৰ কৰা নাই। নোকেল ৰোডেও একো

নকৰে। শালিকিহাটৰ বাস্তাটো ১ হাত বা ১৫ হাত মান ওখকৈ বান্ধি দিলেও বহুত মাছৰ উপকাৰ হয়। লোকেল বোৰ্ডক বাৰে বাৰে আবেদন নিবেদন কৰা হৈছে কিন্তু লোকেল বোৰ্ডেও একো কান সাৰ কৰা নাই। বাস্তাটো টুকুৰা টুকুৰ হৈ ভাঙি ঘোৰাত ৰাইজৰ যে কিমান দুৰ্গতি হৈছে তাৰ সোমা সংখ্যা নাই। এই তিনিটা মৌজাৰ ভিতৰত সেইটোয়েই প্রধান বাস্তা। সেই বাস্তা নিবেই সকলো বেহা বেপাৰ চলে। সেই বাস্তাটোৰ প্ৰতি অলপো কান সাৰ নিদিয়াত ৰাইজৰ ওপৰত অন্যায্য আঁক অত্যাচাৰ কৰা হৈছে মাত্ৰ। খেতিয়ক সকলৰ সুবিধাৰ অৰ্থে এটা বাস্তা বন্ধি দিবলৈ কলেই যে গবৰ্ণমেণ্টৰ টকা পয়চা নাইকিয়া হয় ই বাস্তবিকতে ছুখৰ কথা। ঘোৰহাটৰ ভোগদৈ নৈৰ পানী কেতিয়া কোন ফালে যায় তাৰ এ কাঠিক নাই। কত বকম যে যত্ন কৰা হৈছে তথাপি এটা মথাউৰি বান্ধি যে ৰাইজৰ বন্ধা কৰিব লাগে সেই বিষয়ে গবৰ্ণমেণ্টৰ অলপো কান সাৰ নাই। লেইবাবে মই বিশেষকৈ কওঁ যে ভোগদৈৰ মথাউৰিটো যদি সোনকালে বন্ধাই নিদিয় তেন্তে ৰোড ফণ্ডৰ বাস্তাটো একেবাৰেই উঠাই নৈৰ বাব। সেই কাৰনে মই বিশেষকৈ এই মথাউৰিটোৰ প্ৰতি গবৰ্ণমেণ্টৰ দৃষ্টি আকৰ্ষণ কৰোঁ। ভোগদৈ, কোকৰপুৰ আৰু কাকডোঙাৰ মথাউৰিৰ নিমিত্তে যত্ন লবলৈ মই গবৰ্ণমেণ্টক অনুৰোধ কৰিলোঁ।

(The motion was not put for want of time).

THE HON'BLE THE SPEAKER: Order, Order, the time limit is reached. Now I will put the original motion.

The motion before the House is that a sum not exceeding Rs.47,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "18B.—Navigation, Embankments and Drainage Works".

The motion was put and carried.

GRANT No. 6

12.—CHARGES ON ACCOUNT OF MOTOR VEHICLES TAXATION ACT

THE HON'BLE MAULAVI SAYYID SIR MUHAMMAD SAADULLA: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.1,93,900 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "Charges on account of Motor Vehicles Taxation Act."

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: Sir, I beg to move that the total provision of Rs.1,93,900 under Grant No.6, Major head—12.—Charges on account of Motor Vehicles Taxation Act, at page 51 of the Budget, be reduced by Rs.10.

This cut motion I have moved only with a view to make it known before the House how this policy has effected the Local Boards of this Province. Sir, formerly the Local Boards used to levy tax on motor vehicles and appropriate the income derived from that source, but with the passing of the Motor Vehicles Act it has been placed under the Local Government. The result is that the Local Boards have suffered much owing to a reduction of

their income. Sir, in the Budget under Grant No. 6, it will appear that the receipts under the charges on account of Motor Vehicles Taxation Act is Rs.2,07,000 and the provision that has been made for compensating the local bodies amounts to Rs.1,81,000, and how this amount will be distributed to each local body we do not know. This requires explanation. Again, Sir, only Rs.1,81,000 has been provided for compensating the local bodies. Why not the whole amount of Rs.2,07,000 has been provided? With these few remarks I commend my motion to acceptance of the House.

THE HON'BLE THE SPEAKER: The motion moved is, that the total provision of Rs.1,93,900, under Grant No. 6, Major head—12.—Charges on account of Motor Vehicles Taxation Act, at page 51 of the Budget be reduced by Rs.10.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, there was a great inequality in the taxation of motor vehicles under different local bodies and therefore the Provincial Legislature at that time passed a Provincial Motor Vehicles Act—Act No. 9 of 1936, making this a provincial tax. But in order to recompensate the local bodies who used to impose this tax formerly, they enacted, by section 21 of that Act, in this way:—

“The proceeds of the tax shall be applied by the Local Government to the following objects only and in the following order:—

Firstly, the payment of expenses incurred on account of the imposition and collection of the tax.

Secondly, the payment of contributions by way of compensation to such local authorities as may, by reason of the passing of this Act, suffer a loss of revenue. The said compensation shall be approximately the nett amount which each local authority derived from the taxation of motor vehicles in respect of the year ending on the 31st March 1936, subject to the revision after a period of five years.

Thirdly, the surplus as to two-thirds for distribution to local bodies in such manner and proportion as the Local Government may decide, after consulting the Assam Communications Board, solely for the development and improvement of roads and as to the other one-third for the development and improvement of the provincial roads, maintained by the Local Government subject to review after a period of five years.”

This Act came into force from 1st March 1937, and therefore Government had only the figures of 1936 before them and it was found that the local bodies used to collect a sum of Rs.1,33,368 annually. Therefore, Sir, by the provincial taxation the local bodies stand to gain by about half a lakh. According to our estimate we propose to hand over to the local bodies for five years a sum of Rs.1,81,000 whereas from the figures of actuals that we have got of the year 1936, they used to get only Rs.1,33,368. So, I think, instead of censuring Government, Government ought to be congratulated for the very fact that they have not only removed the inequality that existed between the local body and a local body as to the rate of taxation, but Government is also proposing to remit two-thirds to the local bodies and spend one-third for the improvement of communications.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURY: In view of the statement made by the Hon'ble Chief Minister, I beg leave of the House to withdraw the motion.

The motion was, with the leave of the House, withdrawn.

MAULAVI MUNAWWARALI: I do not propose to move my motion,* Sir.

SRIJUT KAMESWAR DAS: I also do not propose to move my motion†, Sir.

KHAN BAHADUR MAULAVI MAHMUD ALI: I beg, Sir, to move that the provision of Rs.5,131 under Grant No. 6, Major head—12.—Charges on account of Motor Vehicles Taxation Act, Minor head—B.—Inspection of motor vehicles, at page 51 of the Budget, be reduced by Re.1.

To discuss the wrong policy of detection of crimes etc., of the owners and drivers of the Motor Vehicles.

Sir, the object of moving this motion is that the Police have been authorised by the Motor Vehicles Act to detect crimes. This is a new industry, which is managed by our young people and which is solving the unemployment problem partly in our province. The youths can become drivers of these motor vehicles. But Sir, this Act has become an obstacle. I cannot determine exactly whether the Act has become an obstacle or the officers have become an obstacle. Any way, when a motor passes, the police officers will show their hands, they will stop the car; they will get into it and will run some miles. If the unfortunate driver wants any money, they will say—"All right, number please". But they will not pay anything. Sometimes these police officers complain to the owner. Even if the driver is right, if the owner does not take action, the police officers will report even against the owner to the Court. The Act has authorised that the driver and the owner both may be punished, and the Court even without any fault simply on the report of these officers punish them both. I submit, Sir, for this reason I have brought this motion. I do not like to take up the time of the House further, only I hope that these things will be checked.

THE HON'BLE THE SPEAKER: The motion moved is that the provision of Rs.5,131, under Grant No.6, Major head—12.—Charges on account of Motor Vehicles Taxation Act, Minor head—B.—Inspection of motor vehicles, at page 51 of the Budget, be reduced by Re.1.

MAULAVI ASHRAF UDDIN MD. CHAUDHURI: Those who have occasion to pass through the town of Sylhet will, I think, bear me out when I say that motor traffic has become a nuisance and that police control is not sufficient and the pedestrians are in danger of their lives. I should like to draw the attention of the Hon'ble Minister that the police should be more vigilant over motor traffic.

MR. F. W. HOCKENHULL: On the contrary I find that there are more accidents and that the control ought to be rather stricter than it is. Now that vehicles run at a speed of 60 or 70 miles an hour we find that more control is essential. We think that the general public will co-operate with the police for their safety.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, I would like to assure my hon. friend the Khan Bahadur from Karimganj that we will do our best to stop these free rides enjoyed by the Police. As regards the question of traffic police Sir, it has been the policy of the Assam Government not only now but even in the previous years to detail a

* That the total provision of Rs.1,93,900, under Grant No. 6, Major head—12.—Charges on account of Motor Vehicles Taxation Act, at page 51 of the Budget, be reduced by Rs.2.

(To criticise the policy of Government in increasing the licence fees and tolls on Motor Vehicles.)

† That the total provision of Rs.1,93,900 under Grant No.6, Major Head—12.—Charges on account of Motor Vehicles Taxation Act, at page 51 of the Budget, be reduced by Re.1.

(To protest against small provision and inequitable distribution.)

certain number of our constables to Calcutta to learn traffic regulation method. We will double our energies in this respect and we will very shortly have the full quota of our trained policemen to control traffic in every possible way.

KHAN BAHADUR MAULAVI MAHMUD ALI: On the assurance I beg leave of the House to withdraw my motion.

(The motion was by leave withdrawn.)

(The original demand was put and adopted.)

GRANT No. 7

(RAILWAYS)

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.25 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head Railways.

SRIJUT LAKSHESVAR BOROOAH: On a point of order, Sir. I have got another motion standing in my name, No. 3, which can be conveniently discussed under this. May I have your permission to discuss that motion also.

THE HON'BLE THE SPEAKER: Yes.

SRIJUT LAKSHESVAR BOROOAH: I beg, Sir, to move that the total provision of Rs.25 under Grant No. 7, Major head—18A.—State Railways and 15D.—Miscellaneous Railway expenditure at page 53 of the Budget be reduced by Rs.2.

(To raise a discussion and transmission thereof to Central authority about the mal-administration of the Dibru-Sadiya Railway, particularly, non-provision of fencing and to raise a discussion about carrying of passengers under railway tickets by the Dibru-Sadiya Railway on motor buses.

Sir, our province of Assam has gained a notoriety in honouring the laws promulgated in the centre as well as in the provinces more in their breach than in their compliance. The other day we heard from many hon. members about the violation of the Municipal Act and Local Self-Government Act in the matter of nomination. We have got also many resolutions in the agenda which aim at censuring Government for violating this or that law.

We in Assam have four railways and although I have got many things to say about other railways also, I shall confine my remarks to the Dibru-Sadiya Railway to be more relevant to the motion. It is one of the oldest railways of Assam, and it runs parallel to Assam Trunk road which has been in existence before the British Government came to occupy this part of the province. Any one who knows about the administration of this railway will wonder whether this particular railway comes under the ambit of Indian Railways Act. Sir, it runs along the Assam Trunk Road, which carries a heavy motor and foot traffic within the distance of 8' to 6' from the railway line. Although there is a provision in the Railway Act under section 13 that railway administration should provide fencing in order to protect human and animal lives, the railway has not put up any fencing, though the railway line has been in existence for a long time. There is another provision in the Railway Act that the Railway administration should put up level crossing on each of the point of public road that the Railway line crosses. This particular railway line crosses the Assam Trunk Road in 6 points, I believe, but no level crossing has been

provided except at 2 points. Besides this railway crosses many important Local Board and other public rights of way and in not a single of them there is any level crossing Sir, the policy of this railway is to derive maximum benefit with the minimum expenditure. I painfully express that the Inspector of Railways and the Government of Assam by not insisting on this Railway to comply with the provision of the Railway Act have become a party to this policy in this province, particularly on this line. Sir, the Dibru-Sadiya Railway fight shy of spending any money in fencing its lines in order to ensure the safety of the life and cattle of vast agricultural population that reside on either side of the line. Sir, this Railway is criminally negligent in not keeping its lines in proper order. For these reasons we hear of frequent derailments. Recently, Sir, on the 29th of July a passenger train on this line was derailed and many passengers received injuries. In the month of July last a man was run over. So, Sir, the Railway administration which is mainly responsible for providing fencing and level crossing should without any loss of time be compelled to do so.

My second submission is whether under the law the Railway can carry passengers on buses under railway ticket and carry goods thereon. Sir, owing to excessive fares and freights realised by this railway, the mercantile public generally having for some time past preferred to perform their journey and send their goods on buses and this has stood as a great impediment in the way of the Railway to realise excessive fares and freight and in order to combat with the situation the Railway company have taken to carrying passengers in buses under railway ticket. Sections 62-71 of the Railway Act provides for the carrying of passengers and section 53-61 provide for the taking of goods by railway. I could not find anywhere under the Act that a Railway can carry passengers or goods in buses like this. I, therefore, request the Hon'ble the Premier to enlighten the House on this important matter. With this words I commend this motion to the acceptance of this House.

THE HON'BLE THE SPEAKER: The motion is that the total provision of Rs.25 under Grant No. 7, Major head—15A—State Railway and 15.D.—Miscellaneous Railway expenditure at page 53 of the Budget be reduced by Rs.2.

MR. J. R. CLAYTON: On a point of information, Sir. I would like to ask the Hon'ble Minister in-charge, firstly, under the existing Dibru-Sadiya Railway agreement who is responsible for expenditure on fencing on this Dibru-Sadiya Railway line and furthermore is it not a fact that until the Railway company pays a profit, remission of income-tax from the Central Government will be withheld?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, I sympathise with my hon. friend the mover of this cut motion. My predecessor Rai Bahadur P. C. Dutt, on account of a large number of accidents on this line took up the question of fencing the Dibru-Sadiya Railway line in 1935. It was suggested that mere fencing of a small portion would not help. I find corroboration of this statement from the hon. mover himself. It was then thought that for the safety of the people living on either sides of the railway line the total length between Dibrugarh and Talap should be fenced which would cost over ten lakhs of rupees. The Railway Company insisted that one-fourth of that i.e., over 2,50,000 would be payable by Government of Assam under clauses Nos. 4 and 12 of the agreement between the Railway Company and the British Government of 1888. Sir, unfortunately for this province, two of our Legal Remembrancers differed in their opinion. One Legal Remembrancer was of the opinion that the Assam Government is liable to pay one-fourth of the cost of such

fencing whereas another Legal Remembrancer said that unless it can be definitely shown that this fencing is necessary for the public road running parallel to the railway line the Government of Assam need not bear any cost. Two previous Governors however accepted the view that this Government was liable to pay this. Now the position is that Government cannot afford to spend 2½ lakhs of rupees and so the matter was dropped. Mr. Ali Ahmed, the Superintending Engineer was deputed to examine the dangerous spots and to recommend if any special protection of life and property could be afforded by spending a small amount. He went to the place and reported in 1936 that with the expenditure of half a lakh the line on dangerous spot could be given fencing on one side only. This too, the province was not able to spend in that year. Now when the question has been raised again, I will go into the matter very thoroughly and get further legal opinion whether we are really liable to pay one-fourth of the cost.

As regards running of buses by the Railway. I will refer my hon. friend to the report of the Indian Railway Enquiry Committee of 1937. Paragraph 159 onwards seems to indicate that in order to develop road transport, Railways have been given the power to start motor bus transport in conjunction with Railways. Now whether this is to be done to afford communication with the railway to the interior or they can run buses on the roads running parallel to the Railway line are matters which should be very carefully looked into. It is a matter of legal opinion entirely. So I request the hon. member to withdraw his cut motion and I can assure him that I will look into the matter very thoroughly.

SRIJIT LAKSHESVAR BOROOAH: When assurance is given by the Hon'ble Chief Minister, I beg leave to withdraw the motion.

THE HON'BLE THE SPEAKER: I think, the hon. member has the leave of the house to withdraw the motion.

(The motion was with the leave of the House withdrawn.)

THE HON'BLE THE SPEAKER: The question is that a sum not exceeding Rs.25 be granted to defray the charges which will come in course of payment during the year ending on the 31st March 1938, for the administration of the head "Railways."

(The motion was carried.)

GRANT No. 13

(30.—PORTS AND PILOTAGE)

THE HON'BLE THE SPEAKER: The question is that a sum not exceeding Rs.6,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "30.—Ports and Pilotage."

(The motion was carried.)

GRANT No. 15

(37.—EDUCATION—EUROPEAN)

THE HON'BLE THE SPEAKER: The question is that a sum not exceeding Rs.82,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st of March 1938, for the administration of the head "37.—Education (European)."

(The motion was carried.)

GRANT No. 25

(TOOLS AND PLANT AND ESTABLISHMENT CHARGES OF PUBLIC WORKS DEPARTMENT)

THE HON'BLE THE SPEAKER: The question is that a sum not exceeding Rs.7,53,800 be granted to defray the charges which will come in the

course of payment during the year ending on the 31st March 1938, for the administration of the Public Works Department (Establishment and Tools and Plant).

(The motion was carried.)

GRANT No. 27

(55.—SUPERANNUATION ALLOWANCES AND PENSIONS, ETC.)

THE HON'BLE THE SPEAKER: The question is that a sum not exceeding Rs.16,08,600 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "55.—Superannuation Allowances and Pensions including payment of commuted value of pensions."

(The motion was carried.)

GRANT No. 28

(56.—STATIONERY AND PRINTING)

THE HON'BLE THE SPEAKER: The question is that a sum not exceeding Rs.3,14,800 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "56.—Stationery and Printing,"

(The motion was carried.)

GRANT No. 26

54.—A—FAMINE RELIEF

THE HON'BLE THE SPEAKER: The question is that a sum not exceeding Rs.20,000 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "54A.—Famine Relief,"

(The motion was carried.)

GRANT No. 14

(36.—SCIENTIFIC DEPARTMENT)

THE HON'BLE THE SPEAKER: The question is that a sum not exceeding Rs.14,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "36.—Scientific Department."

(The motion was carried.)

THE HON'BLE THE SPEAKER: The House stands adjourned till 11 A.M. on Monday, the 23rd August 1937.

SHILLONG:

The 28th September 1937.

A. K. BARUA,

Secretary, Assam Legislative Assembly,

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