

**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 Monday, the 23rd August, 1937*

## QUESTIONS AND ANSWERS

### STARRED QUESTIONS

SRIJUT DEBESWAR SARMAH: On a point of order, Sir. May I have a reply to my starred question No.164 before the other questions are taken up?

THE HON'BLE THE SPEAKER: Were you absent on the 21st?

SRIJUT DEBESWAR SARMAH: Yes, Sir, for a few minutes only.

SRIJUT DEBESWAR SARMAH asked:

\*164. Will Government be pleased to state—

- (a) Under what conditions the Assam Oil Company of Digboi has obtained the right to tap oil from the fields of Digboi?
- (b) The terms of the lease of the Company granted by Government?
- (c) Whether it is a fact that this Company has been selling petrol at a cheaper rate outside Assam than at what it is sold in this Province?
- (d) Whether agencies of the Company for selling petrol, etc., have been granted to the natives of the Province? and
- (e) If so, in which places such agencies have been given and to whom?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

164. (a)—The Assam Oil Company was given the right to tap oil from the fields of Digboi on the following conditions—

The Company will pay—

- (1) Dead rent at Re.1 per acre, (2) Surface rent at annas 4 per acre, and (3) Royalty at the rate of annas 8 per 40 gallons or 5 per cent. *ad valorem* on the gross value.

(b)—Twenty-five years with effect from the 1st January 1917 with an option to renew for a further term of 25 years.

(c)—Yes, in Calcutta.

(d)—Government is advised that the Company's existing Agencies are mostly long established and were allotted in days when no suitable Assamese firms were interested. On the rare occasions when agency changes or new openings occur the Company is at all times willing to give consideration to Assamese firms with suitable trading connections and experience.



SRIJUT DEBESWAR SARMAH: (a) May I know which of the items just mentioned go to the Central Government and which to the Provincial coffers?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: All the items which have been mentioned go to the Provincial coffers. It is only the excise duty that goes to the Central Government.

SRIJUT DEBESWAR SARMAH: As regards (b) when does the term of the lease expire?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The term will expire 25 years after the 1st of January 1917, and after that they have an option of renewal for another 25 years.

SRIJUT DEBESWAR SARMAH: As regards (c) Can Government enlighten us why it is that petrol produced in Assam is sold cheaper in Calcutta than it is in Assam?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Well, Sir, I am unable to give any definite reply. I can only say that on account of competition they are selling it cheaper in Calcutta, as imported petrol is sold at a lower rate in Calcutta.

SRIJUT DEBESWAR SARMAH: The General Manager of the Company is here, may I request him through the Chair to enlighten us? I find that petrol produced in Assam is sold here at Re.1-8 per gallon while it is sold at Re.1-5 in Calcutta.

MR. W. FLEMING: I regret I was not in the House when these questions started. Has the Hon'ble Minister said that Assam petrol is being sold in Calcutta?

SRIJUT DEBESWAR SARMAH: Yes, it is stated in the reply. My question is may we know from the General Manager of the Company why it is that petrol produced in Assam is sold at a cheaper rate in Calcutta than it is in Assam to the Assamese consumers, and by the word "Assamese" I mean to all consumers in Assam whether Europeans or Indians.

MR. W. FLEMING: I must reply Sir by asking another question. Can the hon. member give any possible reason why a commercial concern should sell petrol at a lower price than that at which it can be brought into the province and sold? And yet petrol is being sold by the Company at such less price, by over 2 annas per gallon on average.

SRIJUT DEBESWAR SARMAH: Sir, this is a bluffing reply of a monopolist? I wanted certain information and I am being bluffed.

THE HON'BLE THE SPEAKER: I take strong exception to the expression. Another word should have been used.

SRIJUT DEBESWAR SARMAH: Sir, it is a great strain on me to speak in English and find out appropriate words. May I speak in Assamese?

MR. W. FLEMING: The reply is fully contained in the implications of the question I have just asked the hon. member and I would merely say that I have already discussed on the floor of the House the question of royalty, etc. As regards the price concession it has been given for many years.

SRIJUT SIDDHI NATH SARMA asked:

\*173. (a) Are Government aware that the Assam-Bengal Railway Company have given concessions to the long distance passengers travelling to and from stations situated outside the Assam Valley, by fixing a minimum of Rs.5 and Rs.8 respectively for the third and intermediate classes?

(b) Is it a fact that such concessions are not given to the passengers travelling within the Assam Valley?



(c) Are Government aware that no return ticket (on usual concession of fare) is issued by the Assam-Bengal Railway for the upper and inter class passengers travelling up from the Railway stations of the Assam Valley while such tickets are issued to passengers travelling down Assam Valley ?

(d) Are Government aware that this has caused dissatisfaction among the public of the Assam Valley ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

173. (a), (b) & (c)—The hon. member is referred to part VI of the Assam-Bengal Railway Time Table which is available to the public.

(d)—Government have no information.

SRIJUT SIDDHI NATH SARMA asked :

\*174. Will Government be pleased to enquire into the causes of such invidious distinctions and take steps for granting such concessions referred to in 173(a) and (c) to the passengers travelling within the Assam Valley and travelling up from stations of Assam Valley to another ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

174.—Government have no power in the matter. The hon. member is advised to move the Railway authorities through Assembly's representatives on the Assam-Bengal Railway Advisory Committee.

SRIJUT SIDDHI NATH SARMA : May I request the Hon'ble Minister to address the Railway authorities in the matter ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Very well, Sir, I will send a copy of the question and reply to the Railway authorities.

#### **Issue of concession fares to long distance passengers by Assam-Bengal Railway**

SRIJUT SIDDHI NATH SARMA asked :

\*175. (a) How many miles of Assam-Bengal Railway line run through the province of Assam and how many miles run through Bengal ?

(b) What benefit this Assam-Bengal Railway has conferred upon the people of this province in the shape of employment to the educated youths of Assam ?

\*176. (a) Are Government aware that the first and second class in the Assam-Bengal Railway have been abolished and a new upper class has been introduced ?

(b) Is it a fact that since the abolition of the second class, there have been great increase of passengers in the inter class carriages ?

(c) Have the inter class carriages been increased ?

\*177. Do Government see the necessity of directing the Railway authorities to increase the number of inter class carriages, and give fans there during the hot weather and introduce better and more commodious latrines ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

175. (a)—About 850 miles in Assam.

About 450 miles in Bengal.

(b)—A statement showing number of appointments held by the natives of Assam is placed on the Library table.



176. (a)—Yes.  
 (b) & (c)—Government have no information.  
 177.—The hon. member is referred to the reply given to question No. 174.

### Promotion in the Education Department

SRIJUT BHUBAN CHANDRA GOGOI asked :

\*178. Will Government be pleased to state the standard of qualification adopted during the last 5 years in promoting officers from Sub-Inspector of Schools to the Deputy Inspector of Schools, from Assistant Head Master to Head Master and from Assistant Teacher to Assistant Head Master ?

\*179. Will Government be pleased to state whether the standard has been consistently and strictly followed for the last 5 years ?

\*180. Will Government be pleased to state (a) whether any deviation from that standard has been found out ?

(b) If so, do Government propose to take action against such anomaly ?

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

178.—Efficiency and seniority.

179.—So far as Government is aware—yes.

180. (a)—No.

(b)—Does not arise.

### Number of persons employed under the Bijni Court of Wards' Estate

SRIJUT JOGENDRA CHANDRA NATH asked :

\*181. Will the Hon'ble the Revenue Minister be pleased to lay on the table—

(a) The number of persons now employed in the various departments of the Bijni Raj Wards' Estate ?

(b) How many of them are domiciled or hail from other districts ?

(c) (i) Were there no applicants from amongst the tenants ?

(ii) If so, when the appointments were made ? What is the reason of not appointing them ?

\*182. Will the Hon'ble the Revenue Minister be pleased to state—

(a) If it is a fact that the Bijni Raj Wards' Estate has levied taxes on domestic cattle ?

(b) Is plough cattle included therein ?

(c) Whether the tenants have everywhere opposed the measure ?

(d) If there are sufficient pasture lands reserved by the Estate for the tenants ?

(e) If it is a fact that common grazing grounds of an ancient Assamese village named Bahati in the Habraghat Pargana have been settled with immigrants ?



- (f) Whether the people of the said village have been agitating for a free pasture land since twenty years and the late Rani Abhoyeswari Devi of Bijni granted a grazing ground to them ?
- (g) Whether the attention of Government has been drawn to a resolution passed at the 2nd session of the Nikhil Goalpara Krishak Sanmilani asking the authorities to do justice to the people of Bahati in the matter of the question of their pasture lands ?
- (h) Whether Government propose to ask the Estate authorities to remove the grievance of the people of the said village as given expression to by the resolution referred to in (g) ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

181. (a)—The hon. member is referred to the reply given to question No.197 (a) asked by Maulavi Matior Rahman Mia, M.L.A., in this session of the Assembly.

(b)—The information has been called for.

(c) (i) & (ii)—The hon. member is referred to the reply given to question No.198 asked by Maulavi Matior Rahman Mia, M.L.A., at this session of the Assembly.

SRIJUT JOGENDRA CHANDRA NATH: Are Government aware that quite recently some Amins and Kanungoes were appointed by the Bijni estate ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: No, Sir.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

182. (a)—Grazing tax is levied from professional graziers of buffaloes.

(b)—Yes, if possessed by a grazier. For cultivation purposes they are exempted when possessed by cultivators.

(c)—Not to the knowledge of Government.

(d)—Generally there are adequate village grazing grounds.

(e)—No.

(f)—No information is available.

(g) & (h)—The proceedings are not traceable in Deputy Commissioner's or Commissioner's office.

SRIJUT JOGENDRA CHANDRA NATH: With regard to (e), Has not the attention of the Hon'ble Minister been drawn to the resolution passed at the second session of the Nikhil Goalpara Krishak Sanmilan which was attended by 5,000 people demanding by a resolution that the grievances of the Bahuthi village be attended to ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not remember to have seen the proceedings of that meeting.

MAULAVI GHYASUDDIN AHMED: Are Government aware that there is a general complaint in the North bank, i.e., in the Khutaghat Paragana that the grazing lands that are kept reserved for tenants of the estate are being settled indiscriminately to the new comers ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am not aware but I shall make enquiries about it.

KUMAR AJIT NARAYAN DEV: Is it a fact that a public notice was given that taxes will be levied on domestic cattle, at Fakirgaon in Kuthaghat Paragana ?



THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: That depends on how the expression " domestic cattles " is interpreted.

KUMAR AJIT NARAYAN DEV: Not from those who sell milk but those who keep cattle for their own use ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Cattle owned by cultivators are exempted. But when they are possessed by professional graziers the tax is levied.

### Dhubri Government High School

MAULAVI GHYASUDDIN AHMED asked :

\*183. Will the Hon'ble Minister in charge of Education be pleased to state—

(i) The number of students who appeared from the Dhubri Government High School in the last Matriculation Examination ?

(ii) The number of students who have come out successful in the said examination ?

\*184. Are Government aware that the Headmaster of the Dhubri Government High School has issued a circular with very stringent conditions regarding the re-admission of the students who got plucked in the last Matriculation Examination ?

\*185. If the answer to question 184 be in the affirmative, will the Hon'ble Minister in charge be pleased to lay on the table the circular issued by the Headmaster of the Dhubri Government High School ?

\*186. Did the Education Department approve the issue of the said circular ?

\*187. (a) If the answer to question 184 be in the affirmative, will the Hon'ble Minister in charge be pleased to state the reason for the issue of such circular ?

(b) If not, will Government be pleased to make an enquiry as to who is responsible for the issue of such circular ?

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

183. (i)—67.

(ii)—33.

184.— The Headmaster issued a circular to the effect that the boys who failed to pass a terminal Examination would be put back to a lower class. The number of failures in the last Matriculation Examination indicated the need for drastic action.

MAULAVI GHYASUDDIN AHMED: Does Government approve of such a circular ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: The result of the examination justified such drastic action.

MAULAVI GHYASUDDIN AHMED: May I know under whose instruction this circular was issued ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: The Director of Public Instruction issued the circular, I believe.



MAULAVI MUHAMMAD AMJAD ALI: So far as I understand the policy is generally that of Government and the Director of Public Instruction carries it out. I want to know what principle was involved in the issue of such a circular?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I am not aware of the date of the circular. If he wants, I can supply him with the date.

MAULAVI MUHAMMAD AMJAD ALI: I can repeat my question, that was not my question. I want to know what principle was involved in the issue of the circular in view of the fact that the Director simply carries out orders and it is Government that lays down the principles?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I do not think it is our policy, it might be the policy of the late Government.

MAULAVI GHYASUDDIN AHMED: May I know if the Director consulted the Hon'ble Minister before he issued the instructions?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: He did not consult me.

MAULAVI MUHAMMAD AMJAD ALI: Does this Government approve of the policy adumbrated by the late Government regarding this matter?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I shall make enquiries.

MAULAVI GHYASUDDIN AHMED: Is there anything in the Assam Education Manual to issue a circular like this?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I do not think so.

SRIJUT PURNA CHANDRA SARMA: Has a similar circular been issued to the other schools?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I do not know.

SRIJUT PURNA CHANDRA SARMA: Was not this issued after the announcement of the results of the Matriculation Examination?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I am not aware of that.

SRIJUT PURNA CHANDRA SARMA: Has not this Government any information that this circular was issued after the announcement of the Matriculation Examination results this year?

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

MAULAVI GHYASUDDIN AHMED: Will the Hon'ble Minister take the information that this was issued in July after the examination results were out?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I said I shall enquire into the matter and reconsider the whole thing.

SRIJUT PURNA CHANDRA SARMA: Is not the second terminal examination as said in the circular held every year in class X of the school?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I think it is held every year.

SRIJUT PURNA CHANDRA SARMA: Were not these boys examined in the second terminal Examination before they appeared in the Matriculation Examination?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I have already answered, Sir, that I shall enquire.



MAULAVI MUHAMMAD AMJAD ALI: Is it a fact that the University of Calcutta has abolished totally the system of test examination for the boys who wish to appear in the Matriculation Examination?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I shall enquire into the matter, Sir.

MAULAVI MUHAMMAD AMJAD ALI: There is no question of enquiry, Sir. I wanted to know whether the University of Calcutta has totally abolished the system of test examination for boys who appear for the Matriculation Examination?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I am not aware, Sir, of any of the University Regulations to the effect.

SRIJUT PURNA CHANDRA SARMA: May I know how long has this headmaster been in this school?

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

SRIJUT PURNA CHANDRA SARMA: Am I to take it, Sir, that the headmaster, if he has been in this school for more than a year, did not care for the teaching of these pupils who wanted to appear for the Matriculation Examination?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: It is difficult to accept that opinion, Sir.

MAULAVI GHYASUDDIN AHMED: Will the Hon'ble Minister be pleased to make an enquiry?

MAULAVI MUHAMMAD AMJAD ALI: Am I to take it, Sir, that this Government has absolutely no information about the educational policy of the Calcutta University?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: We are concerned with the policy of this Government, Sir.

MAULAVI MUHAMMAD AMJAD ALI: Has it nothing to do with the examination system that controls the examinations of this Government?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Only the University examinations are controlled by the Calcutta University.

SRIJUT PURNA CHANDRA SARMA: Is not the curriculum of the Calcutta University adopted here?

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

MAULAVI MUHAMMAD AMJAD ALI: Then how is it that they do not know that such a policy has been adumbrated by the Calcutta University that any one in class X should be allowed to appear in the Matriculation examination?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: The Calcutta University is only an examining body. We work out the details and we have our own policy.

MAULAVI MUHAMMAD AMJAD ALI: May I know who authorised the Director of Public Instruction to issue such a circular? Where from did the Director of Public Instruction get such authority?

THE HON'BLE THE SPEAKER: That question was put long ago.

SRIJUT PURNA CHANDRA SARMA: Does it not reflect on the Headmaster if he does not show good results in the examination?

(No answer.)



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

185.—A copy of the circular is laid on the table.

186.—Yes.

SRIJUT PURNA CHANDRA SARMA : Was the circular issued by the Education Department of the Government of Assam or by the Headmaster himself on his own initiative ?

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

WAHEED : I have no knowledge of the circular.

SRIJUT PURNA CHANDRA SARMA : Has Government no knowledge of the circular even after the circular has been placed on the table ?

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

WAHEED : I have no knowledge of the circular. I do not remember whether it was at all issued or issued with my authority or not.

SRIJUT PURNA CHANDRA SARMA : Was it not necessary for the Hon'ble Minister to know about all these things after this question was put ?

KHAN BAHADUR MAULAVI KERAMAT ALI : It was not a circular Sir, but only a letter issued by the Headmaster to different guardians.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA :

A copy of the letter has been laid on the table, Sir, and it is this—

"Copy of a letter to the guardian of a boy.

"With reference to your application for admission of your <sup>son</sup> <sub>ward</sub> into class X of this school, I have the honour to inform you that the boy may be admitted on the following condition :—

If the boy fails to pass the Second Terminal Examination to be held in October or November next he will be degraded to class IX or you will have the option of withdrawing his name from this school.

Please state if you agree to this."

You will see, Sir, that this was no circular from this Government.

SRIJUT PURNA CHANDRA SARMA : Was the policy of the Headmaster approved, Sir ?

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

WAHEED : I have already answered, Sir. I will consider the question.

MAULAVI MUHAMMAD AMJAD ALI : That is not an answer to this question, Sir. I wanted to know whether this Government approves of the policy of the Headmaster.

THE HON'BLE THE SPEAKER : That will also form the subject matter of the enquiry.

RAI BAHADUR PROMODE CHANDRA DUTT : Has not the Hon'ble Minister said that he will go into the question ?

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

187. (a)—The number of failures in the last Matriculation Examination indicated the need for drastic action.

(b)—Does not arise.

MAULAVI GHYASUDDIN AHMED : If any students who have got plucked in the late Matriculation Examination want to be readmitted, will these conditions in the circular be enforced against them ?



THE HON'BLE MAULAVI SAYID SIR MUHAMMAD SAADULLA: I will reply, Sir, on behalf of my colleague. He says that he does not know whether any such circular letters were issued by the Headmasters of the different schools. But now that the question has been brought to his notice, he will thoroughly go into the whole question and settle down the policy.

MAULAVI GHYASUDDIN AHMED: Will the Hon'ble Minister assure us that he will instruct the Director of Public Instruction to withdraw the circular?

THE HON'BLE THE SPEAKER: He has already said that an enquiry will be made.

KHAN SAHIB SAYIDUR RAHMAN: Are Government aware that the Headmasters of all the Government High Schools are chary of admitting plucked boys into their schools?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I am not aware of that, Sir, but I shall enquire.

### **Grant of Agricultural loans to people of Simalooguri Mouza**

SRIJUT KRISHNA NATH SARMA asked :

\*188. (a) Will Government be pleased to state if the number of persons in Simalooguri Mouza were granted agricultural loans by way of supply of paddy seeds in small quantity in 1928 and whether many of them have paid the loans by instalments from time to time?

(b) Is it a fact that for 2 or 3 Dons of paddy seeds supplied the amount has doubled or tripled with interest and the debtors are harassed by attachment of their own moveables in 1937?

(c) Is it a fact that the recent order of suspension of the agricultural loans of the province excludes this kind of loans?

(d) Will Government be pleased to lay on the table a statement showing the names of the persons and the amount of loans outstanding against them and the original amount borrowed and the amount realised?

(e) Does Government mean to remit or suspend the payment of loan till better times?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

188. (a)—Twenty-nine men of Simalooguri Mauza took small seed loans in 1928. None were able to repay within the prescribed period, i. e., by March 1930.

(b)—The exact amount of paddy seeds given out is not known as it depended on the price in 1928. From the statement given in reply to (d) below it is obvious that the suggestion in the question has no foundation in fact. Some loans have been realised by attachment in January 1937.

(c)—No.

(d)—A statement is laid on the table (See Appendix enclosed).

(e)—Suspension of realisation of these as well as other agricultural loans was ordered in May 1937.

SRIJUT KRISHNA NATH SARMAH: Is the Hon'ble Minister aware that attachments were issued in the month of July last to a number of people and loans were realised from them by unnecessary *julum*?



THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have no such information. Instruction was issued in May 1937 that all realisations should be suspended. I shall of course make inquiry to find out if what has been stated by the hon. member is correct.

### Berry-White Medical School

SRIJUT JOGENDRA NATH BARUA asked :

\*189. Will Government be pleased to state the number of applications for admission into the Berry-White Medical School in the years 1934, 1935, 1936 and 1937 separately ?

\*190. How many students got admission in the above years (year by year) ?

\*191. Will the Hon'ble Minister in charge be pleased to take steps for admitting at least 200 (two hundred) students in the 1st year class from July 1938 and make necessary provision and arrangement for the same ?

\*192. Do Government propose to raise the status of this school to that of a College ?

\*193. If not, will Government be pleased to state why it does not propose to do so ?

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

189 and 190.—

				Number of appli- cations	Number of admis- sions
1934	...	...	...	113	56
1935	...	...	...	138	67
1936	...	...	...	150	43
1937	...	...	...	144	54

191.—The reply is in the negative. There is at present provision for a total number of 200 students in the school. The number of admissions each year is therefore dependent on the number of passes at the final examination every year. It would be impossible without increasing the staff, buildings and equipment to admit 200 students into the first year class and the expense entailed would be very considerable.

192.—No.

193.—Because the school is at present below the standard of a good Medical School and for financial reasons it has not yet been found possible to provide funds to raise it to the level of a really good Medical School. The question of raising it to the status of a College is, therefore, not practical at present.

### UNSTARRED QUESTIONS

#### Number of Jail Schools in Assam

MAULAVI MUHAMMAD MAQBUL HUSSAIN CHAUDHURY asked :

433. (a) Will Government please state whether there are three jail schools in the province of Assam namely at Gauhati, Tezpur and Sylhet ?

(b) If so, are the teachers of these schools permanently appointed ?



434. Will Government please state how these schools are managed and whether the Director of Public Instruction visited any of the schools?

435. Do Government propose to get the schools absorbed by the Education Department and confirm the teachers under the scale of Assam School Service?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

433.(a)—There are no regular schools in these jails, but in each of them an outside teacher is employed to impart literary education to prisoners of 30 years of age and under.

(b)—No. Their appointments will ordinarily continue so long as the present system of teaching prisoners inside the jails is not discontinued.

BABU KARUNA SINDHU ROY: Am I to understand that Government does not realise the idea of engaging teachers of the Assam School Service in these jails?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: No, Sir.

MAULAVI BADARUDDIN AHMED: Do Government contemplate to substitute the present system of teaching by a new one?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: No.

MAULAVI BADARUDDIN AHMED: May I know why Government do not propose to appoint permanent teachers in the jail schools?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Because we are only experimenting and the question of permanency does not arise now.

KUMAR AJIT NARAYAN DEV: May I know when Government does contemplate to discontinue this system?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: We do not propose to discontinue it.

BABU KARUNA SINDHU ROY: Is it a fact that these schools cannot function properly owing to the interference of the jail authorities?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: We have received no such complaint. On the other hand the report that we have received about these classes is very satisfactory.

BABU KARUNA SINDHU ROY: Is there no provision of physical exercise for these schools?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Physical exercise is outside the scope of this question.

SRIJUT PURNA CHANDRA SARMA: May I know what are the hours of teaching?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have already replied to that question. As a matter of fact the school sits throughout the day excepting for a brief interval during which the teacher goes for food. It sits in the morning up to 11 o'clock and in the afternoon up to 5 o'clock because different batches of prisoners come at different times and get their teaching.

MAULAVI MABARAK ALI: Is there any pay for the teachers of the jail schools?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Yes.

MAULAVI MABARAK ALI: What is the amount?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Rupees 35 a month generally.

MAULAVI ABDUL AZIZ: How many students are there in these schools?



THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not know. I can not give the figure off hand.

MAULAVI MUHAMMAD MAQBUL HUSSAIN CHAUDHURI: Do Government propose to continue this system?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Yes, we have proposed to extend it to other jails also.

SRIJUT PURNA CHANDRA SARMA: Are Government aware that some of the prisoners cannot attend the classes because they are appointed by the Jailors to do other works?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: In certain hours of the day all prisoners under 30 years of age attend the classes. If they work in the morning they attend the class in the noon and if they work in the noon they come to the class in the morning.

MAULAVI MUHAMMAD AMJAD ALI: Is not physical exercise a part of their educational curriculum?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: No.

MAULAVI GHYASUDDIN AHMED: May I know who appoints the teachers?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The Inspector-General of Jails.

SRIJUT PURNA CHANDRA SARMA: Are Government aware that "B" division prisoners can be safely appointed as teachers for the jail schools and some allowance may be given to them?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not know if any allowance can be given, but they get some remission. As a matter of fact there are some convict teachers who teach the prisoners.

SRIJUT PURNA CHANDRA SARMA: Do Government propose to give some allowance to the "B" division prisoners who teach the boys in such schools?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: No such demand has been made uptil now. Those prisoners who help the teachers of the jail schools, I think, get remission to some extent.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: Does it not include religious instruction?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: For religious instruction there are separate provisions, but this is for secular teaching.

SRIJUT PURNA CHANDRA SARMA: Do Government consider that the religious teachers have to impart moral education to these convicts?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: This question is not concerned with the religious instruction at all.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

434.—Does not arise, in view of the reply to question 433(a).

MAULAVI MUHAMMAD MAQBUL HUSSAIN CHAUDHURI: My question is whether the Director of Public Instruction visited any of the schools and the reply is "Does not arise, in view of the reply to question 433(a)". Is this a proper answer?

THE HON'BLE THE SPEAKER: The answer is that these schools are not regular schools.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: So far as my information goes the Director of Public Instruction has not visited any such school.



KUMAR AJIT NARAYAN DEV: Will Government please state how these schools are managed?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The prisoners under 30 years of age are asked to come and the teacher comes and teaches them.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

435.—No such step is in contemplation of Government.

### Amount spent for printing of Government forms

SRIJUT HALADHAR BHUYAN asked:

436. Will Government be pleased to state the actual amount spent annually, for printing the various forms required by Government of Assam, for the last three years, excluding the expenses for printing the voters' lists?

437. (a) Is it a fact that major portion of the amount spent in printing forms required by the Government of Assam went to the private firms outside the Province of Assam?

(b) Are Government aware that suitable private presses are available in Assam?

438. Will Government be pleased to state the names and addresses of the Printing Presses in which the Government of Assam placed their orders for printing their required forms in the years 1935, 1936 and 1937?

439. Is it a fact that not a single Printing Press in Assam Valley was favoured with any orders during the said years? If so, why this discrimination?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

436.—The amounts spent annually for the printing of standardised forms during the last three financial years are:—

1934-35	1935-36	1936-37
Rs.75,771	Rs.73,006	Rs.2,63,327

The figure relating to the year 1936-37 covers (i) the cost of forms obtained for 2½ years' consumption,

(ii) Rs.49,555-12-8 paid to the Government of Bengal on account of the cost of High Court (Civil) forms, and

(iii) The cost of the local printing of some forms necessitated by the termination of the contract with Messrs. Karim Bux Bros. in June 1936.

SRIJUT HALADHAR BHUYAN: Will Government be pleased to state the reasons for terminating the contract with Karim Bux Bros. of Calcutta.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I would require notice of this question.

MR. NABA KUMAR DATTA: Am I to understand that Messrs. Karim Bux Bros. submitted lower rates to oust the provincial presses for which they failed to supply the forms?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I cannot say off hand.

KHAN BAHADUR MAULAVI KERAMAT ALI: May I know who pays the freight for printing materials from the different Presses to the indenting station?



THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: So far as the cost of journey by railway is concerned, it is paid by Government.

BABU HARENDRA NARAYAN CHAUDHURI: May I know why Shakti Press, one of the most well equipped presses in Assam has not been given any contract?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not know if that press submitted any tender. That press did not submit any tender as far as I remember.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

437. (a)—No.

(b)—Government are aware that there are private presses within the province, but these are neither sufficiently equipped nor have they got the resources to take up between them the entire printing work of Government at reasonable rates. Attempts are being made as far as practicable within recent years to give work to presses within the province.

KHAN BAHADUR MAULAVI KERAMAT ALI: May I know whether presses in Assam were inspected before Government came to the conclusion that they are sufficiently equipped?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not think that Presses were actually inspected.

KHAN BAHADUR MAULAVI KERAMAT ALI: Who advised Government that these presses were not capable.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Government could understand that from the tenders received.

MAULAVI MUHAMMAD AMJAD ALI: Are Government aware that Bijoya Press is a big press managed by the Mechpara Estate?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not know. This is the first time that I hear of it.

MR. NABA KUMAR DUTTA: Do Government admit that the Presses in the Assam Valley are sufficiently equipped with the latest machinery to cope with the entire printing of Government and not Messrs. Karim Bux only.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am not prepared to say so.

MAULAVI DEWAN MUHAMMAD AHBAB CHAUDHURI: Will Government be pleased to state why Muslim Presses of Sylhet were overlooked and neglected?

(No reply).

MAULAVI DEWAN MUHAMMAD AHBAB CHAUDHURI: Will Mr. Dutta kindly explain why he pointed out the name of Messrs. Karim Bux only and Lalchand Bros. of Calcutta?

MR. NABA KUMAR DUTTA: I understand Messrs. Karim Bux submitted very low rates.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

438.—The presses which printed the standardised forms under the contract system during the years 1934—37 are—

- (1) New Press, Gauhati.
- (2) Sailendra Printing Works, Tezpur.
- (3) Darpan Press, Jorhat.
- (4) Borooah Press, Dibrugarh.
- (5) Shillong Printing Works, Shillong.
- (6) Bani Press, Sylhet.
- (7) Messrs. Karim Bux Bros., Calcutta.
- (8) Messrs. Lal Chand and Sons, Calcutta.

[1936-37 only.]



KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: Are Government aware that there is a good number of Presses in existence at Habiganj ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am prepared to believe the hon. member.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: Will the Hon'ble Minister consider the cases of Presses in Habiganj and Karimganj ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Yes, if the hon. member will be pleased to remind me at the time when contracts are made.

MR. FAKHRUDDIN ALI AHMED: My I know if the forms in Schedule 1B are standardised forms.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I think so.

SRIJUT RAJANI KANTA BAROOAH: Is it a fact that the printing of forms is given to presses which have no envelope making machine?

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

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

439.—No. Does not arise.

#### **Dismissal of a Chowkidar and appointment of Sarpanches in South Sylhet Subdivision**

MAULAVI ABDUL AZIZ asked :

440. (a) Will the Hon'ble Minister in charge be pleased to state whether Nawab Ali once a Chowkidar No. 3 of Circle No. 20, thana Kulaura of the South Sylhet Subdivision preferred appeals against his dismissal to the Subdivisional Officer, South Sylhet and the Deputy Commissioner of Sylhet ?

(b) If so, will the Hon'ble Minister be pleased to place on the table copies of his appeal petitions ? and

(c) state the results of his petitions ?

441. Will the Hon'ble Minister be pleased to state—

(i) Why Md. Babrumeah of Kamalganj thana of the South Sylhet subdivision was not appointed as a Sarpanch though the public voted in favour of him ?

(ii) Why Md. Charag of Kulaura thana of the South Sylhet subdivision was not appointed a sarpanch though the public voted in favour of him ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

440 and 441.—The information is not available, but has been called for.



### North Sylhet Local Board

BABU HARENDRA NARAYAN CHAUDHURI asked :

442. Will the Hon'ble Minister in charge of Local Self-Government please state—

- (a) If any notice of surcharge has been issued with regard to illegal expenditure in North Sylhet Local Board ?
- (b) If so, for what amount and on whom ?
- (c) What expenditure does the surcharge relate to ?
- (d) What are the dates on which the expenditure was incurred ?
- (e) Whether it was about the time of the Assam Assembly Election ?
- (f) Whether the Chairman and Vice-Chairman were candidates in the Assembly Elections ?

443. Will Government please state whether these expenditures were incurred for construction and repairs of roads, village pathways, tracts through fields and for excavation of tanks and construction of school-houses just on the eve of the last General Election ?

444. Will Government please state clearly what they mean by the words "in some cases were of very dubious value to the general body of rate payers" which occur in the Government resolution with regard to the North Sylhet Local Board published in the *Assam Gazette* of 23rd December 1936, at page 1624 ?

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

442. (a)—No notice of surcharge has yet been issued.

(b) to (e)—Do not arise.

(f)—Yes.

BABU HARENDRA NARAYAN CHAUDHURI: The answer is 'no notice of surcharge has yet been issued.' There is the word 'yet'. Does it not mean that the matter is still under consideration ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: No notice of surcharge has up to the present been issued.

BABU HARENDRA NARAYAN CHAUDHURI: May I know if this is under the consideration of Government.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: This Government does not issue surcharge notices. This is done by the Examiner of Local Accounts.

BABU HARENDRA NARAYAN CHAUDHURI: Why then is 'yet' used?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Because there was a proposal from the Examiner, and he is not yet sure of the legal position.

BABU HARENDRA NARAYAN CHAUDHURI: Is there any probability of notice of surcharge being issued ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: This has not yet been issued, and I cannot say.



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

443.—As no notice of surcharge has issued the question does not arise.

444.—The late Government were responsible for the Resolution and they were apparently referring to the concentration of Public Works in the Sultanpur area, e.g., the Sultanpur road on which Rs. 80,000 was spent in 12 years and which was considered by the Deputy Commissioner to be of no more use than a village road from the point of view of communications.

### **Taken over of Venture Schools by Goalpara Local Board**

SRIJUT PARAMANANDA DAS asked :

445. Is it a fact that the Local Board of Goalpara has taken over some venture schools and has appointed new teachers in those schools ?

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

445.—Some venture schools were taken over last year but some schools were closed this year.

MAULAVI BADARUDDIN AHMED: What was the number of venture schools in the last year ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I am sorry I do not remember the number but I think, as far as I can remember, there were 10 venture schools started by Local Boards.

SRIJUT PARAMANANDA DAS: The Hon'ble Minister answered the other day that some 10 schools were taken up this year as venture schools. Is he prepared to take from me that these 10 venture schools have been taken up, and new teachers have been appointed to these schools in preference to old teachers whose services were dispensed with last year.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: If the hon. member takes the responsibility for the statement, I am prepared to take his statement as correct.

### **Bridge at the 6th mile of the Barpeta-Howli Road**

SRIJUT KAMESWAR DAS asked :

446.(a) Is it a fact that the bridge at the 6th mile of the Barpeta-Howli Road is a narrow one, has no railings on either side and does not fall on the centre of the road ?

(b) Is the Hon'ble Minister for Public Works Department aware that the traffic over the said road has, of late, become very heavy ?

(c) If so, does the Hon'ble Minister propose to consider the matter and have the bridge reconstructed with sufficient breadth and railings ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

446.(a)—The bridge is 12'-0" which is the normal width for such bridges. It has no railings but has wheel guards. It is not in the centre of the road.

(b)—Traffic is increasing.

(c)—Orders are under issue for providing hand railings, etc., during next working season.



## Rates of tolls charged at the Public Works Department Ferry ghats at Kariara

SRIJUT GAURI KANTA TALUKDAR asked :

447. Is it a fact that the present rate of tolls charged at the Public Works Department Ferry ghats at Kariara (on the Pagladia river), Buradia-ghat (on the Buradia river) and Agra in Kumrup district are causing great hardships to the *rai-yots* living in the Paschim Banbhag, Khata, Batahgila, Natun Dehar and several other mauzas ?

448. Will Government be pleased to lay on the table a statement giving the present rates of tolls charged in the said ferries ?

449. Do Government know (a) that the tolls charged in these ghats are heavy ?

(b) That the tolls are preventing the *rai-yots* living in these mauzas from getting proper price for their agricultural produces ?

(c) That they are depriving the *rai-yots* from taking full advantage of the institutions, such as the High English School, Maktab, Hospital, Veterinary Dispensary, *Hat*, Bazar and Police station, etc., which their neighbouring town Nalbari provides ?

450. If so, do Government propose to take immediate steps to give these *rai-yots* due relief, at least by bringing the period of the ferries to six months and by reducing the tolls by 50 per cent. and exempting students and cultivators from paying tolls ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

447.—Government do not consider it a hardship. The rates of tolls realised in these ferries are same as in all other ferries in the Assam Valley.

448.—A copy of the Schedule of tolls is placed on the Library table. Half rates are charged for crossing over the cold weather bridge constructed over the Kariara ferry during the period from December to April. No tolls are realised over the Agra and Buradia ferries when the crossing is by means of temporary bridges.

449.(a)—No. Rates are the same as for all other Public Works Department ferries.

(b) and (c)—Government do not consider that ferry tolls are responsible for this.

450.—If the present proposed programme for improvement to communications materialises many of the bridges on this road will be made permanent and the tolls on bridges of lesser length than 300'-0" will be abolished.

## Payment of Commission to Mauzadars and reduction of land revenue

SRIJUT GAURI KANTA TALUKDAR asked :

451. Will the Hon'ble Minister in charge of Revenue Department be pleased to state—

(a) Whether Government have offered enhanced rate of commission to Mauzadars who might pay up their dues before the 1st of June 1937 ?



- If so, (b) the total number of Mauzadars in Assam?
- (c) The number of those who have succeeded in securing enhanced commission?
- (d) The rate of enhanced commission offered?
- (e) The total amount of money to be paid as enhanced commission?
452. (a) Is it a fact that most of the Mauzadars have failed to pay up their dues in the specified time and of the few successful ones the majority have done so by borrowing?
- (b) Do Government recognise that this plan of early realisation of Government dues from the raiyots by offering temptation to Mauzadars has utterly failed but has created a false notion about the paying capacity of the raiyots?
- (c) If the reply to the above questions 452 (a) and (b) are in the negative do Government propose to hold an enquiry into the matter?
453. Is it a fact that this inducement of enhanced commission has resulted in harassment by way of early and indiscriminate attachment of moveables for realisation of revenue on the part of some of the Mauzadars?
454. Is it a fact that the delay and difficulties in realisation of Government demands by Mauzadars are really due to the deterioration of the economic condition of the raiyots and not to their desire for delay in payment?
455. If the reply to question 453 is in the affirmative, do Government propose to discontinue the enhanced rate of commission to Mauzadars?
456. Is the Hon'ble Minister for Revenue Department aware—
- (a) That there has been an abnormal fall in the price of the agricultural produces, from the price that was in vogue at the time of the last assessment of revenue?
- (b) That there has been great deterioration of the economic condition of the cultivators?
- (c) That the revenue paying capacity of the cultivators has not perceptibly improved?
457. Is it a fact that the Hon'ble Minister in charge of the Revenue Department as a member of the Assam Legislative Council had been moving resolutions for the last few years recommending reduction of revenue by 50 per cent?
458. Does the Hon'ble Minister propose to give effect to the resolutions and to grant the poor cultivators a reduction of land revenue by 50 per cent?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

451. (a)—Yes.
- (b)—281.
- (c)—41.
- (d)—The amount on which a commission of 10 per cent. is payable was raised from Rs.10,000 to Rs.15,000 during the current year only.
- (e)—Rs.10,250.
452. (a)—The reply to the first part of the question is in the affirmative. Government have no information whether the Mauzadars who paid their dues by the 31st May resorted to borrowing in order to do so.
- (b)—Government do not admit either of the hon. member's suggestions. Before the slump all Mauzadars were required to pay their demands by the 31st May, and there is no question of "early" realisation this year. Twice as many Mauzadars succeeded in paying up their dues in time this



year as were anticipated by the Commissioner to be likely to do so and the experiment may only be said to have been a failure in the Sibsagar district. Government is not aware that any such inference has been actually drawn in any question.

(c)—Government see no need for an enquiry.

453.—Government have no indication that the hon. member's suggestions are true as no complaint have been received of a larger number of attachments being issued this year than in previous years.

454.—The hon. member is referred to the general remarks of the Commissioner at the end of paragraph 19 of the Land Revenue Administration Report for the Assam Valley for 1935-36. Government share the Commissioner's opinion that the collection work of the Mauzadars has shown a greater fall in efficiency than is justified by the difficulty they experience as a result of the economic depression.

455.—The matter is still under consideration by Government.

456. (a), (b) and (c)—Yes. For this reason Government have in the past few years granted a temporary reduction in land revenue.

457.—Yes.

458.—Resolutions on this subject will be discussed during the current session of the Assembly. The Hon'ble Minister is not prepared to anticipate his attitude towards those resolutions by a statement at present.

SRIJUT GAURI KANTA TALUKDAR: Sir, on a point of information. When an identical question arise in a question as well as in a resolution is the Hon'ble Minister entitled not to answer the question on the ground that he can not anticipate his attitude towards the resolution. My object in asking this question is that if the resolution does not come up for discussion at all, the question will go unanswered.

THE HON'BLE THE SPEAKER: If any information is required which the hon. member wants to utilise in discussing the resolution, then I think, the Hon'ble Minister can furnish further information.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, it is not possible for me to make any definite statement because many things may happen between today and the day when the resolution is not taken for discussion, for instance when I introduced the budget there was no flood but since then there has been a serious flood in North Lakhimpur. So I am not prepared to make any definite statement about that but I can inform the House that Government will do their best to alleviate the condition of the raiyats by granting them as much reduction of land revenue as possible.

SRIJUT GAURI KANTA TALUKDAR: I think the Hon'ble Minister mean to say that he cannot give any reply at this stage. But my question is what will happen if the resolution do not come up for discussion? And that is why I want to know, from the Hon'ble Revenue Minister, what proportion of reduction of land revenue he proposes to grant to the people.

THE HON'BLE THE SPEAKER: The sum total of the answer of the Hon'ble Revenue Minister is that he has not as yet come to any decision about that.

MAULAVI SAIYID ABDUR ROUF: Sir, the resolution refers to the general reduction but the question is does the Hon'ble Minister propose to give effect to the resolution and grant reduction of land revenue to the poor cultivators?

THE HON'BLE THE SPEAKER: The answer of the Hon'ble Revenue Minister covers all the questions.



# **Destruction of records by fire of the South Sylhet Tahsil Office**

**BABU DAKSHINA RANJAN GUPTA CHAUDHURI** asked :

459. Will the Hon'ble Minister in charge of Revenue be pleased to state—

- (1) What amounts of surplus land revenue and local rate were remaining in the accounts of the South Sylhet Tahsil Office after the destruction of records by fire in March 1919 ?
- (2) Out of these sums, what amounts have up to the end of last financial year been claimed by the owners of estates either for refund or for adjustment ?
- (3) If any notices were served upon the owners of estates fixing any time up to which claims upon the aforesaid surplus land revenue and local rate would be entertained ?
- (4) If not, do Government propose to issue such notices and thereafter place such unclaimed sums as may be remaining at the credit of the South Sylhet Local Board to devote the sums for public purposes in the interest of the inhabitants of the Subdivision ?

460. Are Government aware—

- (1) That on the introduction of Jhum regulations by the then Assam Administration, owners of 75 estates in the pargana Balishira in the South Sylhet Subdivision neither claimed any compensation nor received any land in the Balishira Hills ?
- (2) That the owners of these estates are still paying Jhum revenue along with the land revenue of those estates ?

461. Do Government propose to find out the old records in the Sylhet Collectorate and to have an inquiry into the matter so as to grant such relief to the owners of the estates as may be deemed proper ?

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI** replied :

459. (1) and (2)—The information is not available. No claim was made up to 1928.

(3)—No.

(4)—No.

**BABU DAKSHINA RANJAN GUPTA CHAUDHURI** : With regard to (1) was any inquiry made ?

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI** : Yes Sir, inquiry was made.

**BABU DAKSHINA RANJAN GUPTA CHAUDHURI** : May we know what was the result ?

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI** : I have already said in reply to question 459(1) and (2) that no information is available. No claim was also made up to 1928.

**BABU DAKSHINA RANJAN GUPTA CHAUDHURI** : In reply to certain question the Hon'ble Minister said that there is no limitation to the claim of surplus of sale proceeds. Government now say that the information is not available. If any body now comes and lays claim what will be the effect, Sir.

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI** : Sir, this is a hypothetical question. We shall treat it under the section which I have already quoted. If any claimant comes and applies then he will get that refund.



BABU DAKSHINA RANJAN GUPTA CHAUDHURI: How will Government be able to adjust the account ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: We shall ask the claimant to substantiate his claim and if he can substantiate it, he will get the refund.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

460. (1) and (2)—The hon. member is referred to the reply given to question 102 asked by Khan Bahadur Alauddin Ahmed Chaudhury at the September Session of the Council of 1925.

461.—No.

### **Procedure re selection of Jurors in Sylhet**

MAULAVI NAZIRUDDIN AHMED asked :

462. Is it a fact that there are some 55 Jurors at Sylhet, many of whom are not even sufficiently literate, but that they very often sit as Jurors ?

463. Is it a fact that some Jurors at Sylhet have recently been convicted on a charge of bribery ?

464. Is it a fact that such selection is made without due regard to the fact whether the persons to be appointed Jurors are sufficiently solvent, qualified, honest and reliable ?

465. Do Government propose to take immediate steps to improve the procedure of selecting Jurors as a safeguard against the deterioration of trial by Jury ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

462.—There are 1,436 names in the list of ordinary Jurors for the Sylhet district. Whether 55 of them are illiterate is not known.

463.—Yes. Two Jurors were convicted at Sylhet on 31st May 1937 under section 161, Indian Penal Code. Their appeals against their convictions are at present pending.

464.—The necessity of greater care and thoroughness in the annual revision of the list (which is carried out by the Deputy Commissioner) so as to exclude unsuitable persons is recognised and steps are being taken to ensure that next year's list which will be reduced to 1,200, will be prepared on a properly selective basis.

MAULAVI NAZIRUDDIN AHMED: Sir, do Government admit that so long the selection of jurors was made without due regard to qualification, honesty, etc. ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, Government has realised the necessity of excluding unsuitable persons and therefore we are going to be very strict in preparation of the jurors' list from next time.

MAULAVI ASHRAFUDDIN MD. CHAUDHURI: Is Government aware of the fact that section 322 Indian Penal Code is not observed in the selection of jurors in the district of Sylhet ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Will the hon. member be pleased to quote section 322 ?

MAULAVI ASHRAFUDDIN MD. CHAUDHURI: Section 322 says that the notices of the jurors' list are to be hung up in the Subdivisional and district courts so that public can take exception to jurors.



THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: If that is the provision, then I shall ask the District officers to carry it.

MAULAVI ABDUL AZIZ: May we know, Sir, who makes the selection of jurors?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The list is prepared by the Deputy Commissioner and then it is forwarded to the District and Sessions Judge who then forwards it to Government for approval.

MAULAVI ASHRAFUDDIN MD. CHAUDHURI: Sir, may I know whether the selection is made by the Deputy Commissioner or whether the power is delegated to some other officers to make the selection?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: It is quite possible that Deputy Commissioner delegates function to any senior or responsible Magistrate.

MAULAVI ASHRAFUDDIN MD. CHAUDHURI: Will Government please issue instructions that members of the Bar or their Secretary should be consulted at the time of the selection of jurors?

No reply.

MAULAVI GHYASUDDIN AHMED: Sir, is it a fact that jurors are selected on the recommendation of Police Officers?

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

MAULAVI GHYASUDDIN AHMED: Will the Hon'ble Minister take it from me that in Dhubri subdivision the jurors are selected on the recommendation of either Assistant Sub-Inspector of Police or Sub-Inspector of Police?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, we shall take steps to discontinue that practice.

MAULAVI MUHAMMAD AMJAD ALI: Sir, what claims are taken into consideration for the selection of jurors?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Will the hon. member please repeat his question?

BABU DAKSHINARANJAN GUPTA CHAUDHURI: Are Government aware that there are some jurors called Monday jurors?

MAULAVI ASHRAFUDDIN MD. CHAUDHURI: It has been changed now.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: In answer to question 464 it is stated that steps are being taken to ensure that next year's list which will be reduced to 1,200 will be prepared on a properly selective basis. May I know what is the nature of that selective basis?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: It means that best men will be selected.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

465.—Government do not propose to take such action.

#### *Ex-officio* Presidents of Private Associations

BABU KARUNA SINDHU ROY asked:

466.(a) Will Government please state if instructions are issued to the high officials in the districts and subdivisions to insist on their becoming *Ex-officio* Presidents of private associations, even when the public do not want it?



(b) Is it a fact that most of the Sporting Clubs of the Sunamganj Town did not want to have the Subdivisional Officer as the President of the Sunamganj Sporting Association and that the Subdivisional Officer insisted on his being elected President and got himself so elected ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

466.(a)—No.

(b)—Government are informed that this is not the case.

SRIJUT SARVESWAR BARUA: With regard to (b) will Government be pleased to state what was the source of their information ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, we got a report from the Subdivisional Officer.

SRIJUT SARVESWAR BARUA: Has the Subdivisional Officer been asked to resign the Presidentship ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: We have not asked him to resign. If he is not wanted by the people, then it is up to the Executive Committee of the Sporting Club to discontinue him as President.

BABU DAKSHINARANJAN GUPTA CHAUDHURI: Sir, the charge is against the Subdivisional Officer himself and are we to take that it is the ordinary procedure of Government to accept the report from the persons charged ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: There is no question of accepting the report from the person charged, but are we to ask the hon. questioner ? The Subdivisional Officer who was the President of the Sporting Association is the best authority to report about the matter.

BABU DAKSHINARANJAN GUPTA CHAUDHURI: Sir, the Secretary of the Association can be asked to report about the matter.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: If the Secretary of the Association wants, he can write to me and I will at once ask the Subdivisional Officer to resign.

SRIJUT SARVESWAR BARUA: Could not Government ask the Deputy Commissioner to make an enquiry when he went to the subdivision on tour ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: We did not know that the Deputy Commissioner went on tour but I ask the hon. questioner that if that be the fact then the Secretary of the Association should write to me and I will at once ask the Subdivisional Officer to resign.



POINT OF ORDER RAISED BY THE HON'BLE CHIEF MINISTER  
REGARDING THE ADMISSIBILITY OF CERTAIN CUT MOTIONS.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, the other day when I rose to a point of order as to the formulation of cut motions on demands for grants, you were pleased to observe that you would give your ruling to-day. There was also a suggestion from you, Sir, that in such matters it would be better if the Advocate-General would come and address the House. I communicated with the learned Advocate-General, and he has sent me a wire saying that he can arrive to-morrow, and address the Legislature, if you permit, on the 25th. So, Sir, as this is a matter of some constitutional gravity, I request you not to give your ruling to-day, but to give the ruling after hearing the Advocate-General, and, if necessary, after discussion again on the floor of this House, after the Advocate-General has addressed.

THE HON'BLE THE SPEAKER: Of course when the Advocate-General is coming up here to address the Assembly on a point of great importance I think I should postpone my ruling, as desired by the Hon'ble Chief Minister.

ADJOURNMENT MOTION REGARDING THE APPOINTMENT OF  
SOME CANDIDATES TO THE ASSAM SCHOOL SERVICE  
AGAINST THE RECOMMENDATIONS OF THE PUBLIC SER-  
VICE COMMISSION

MAULANA ABDUL HAMID KHAN: Sir, আমি একটি মূলত্বী প্রস্তাব উপস্থিত করিতে চাই। গত ১৮ তারিখের গেজেটে আসাম এডুকেশন সার্ভিসের ক্রাশ পিতে যে সব candidate নিযুক্ত করা হইয়াছে তাহা পার্লিক সার্ভিস কমিশনের recommendation এর বিরুদ্ধে করা হইয়াছে। ইহা বড়ই গুরুতর বিষয়। পার্লিক সার্ভিস কমিশনের কাজে এভাবে হস্তক্ষেপ করিয়া পার্লিকের মধ্যে বিশেষ চাকল্য সৃষ্টি করিয়াছে। এজন্য আমি এই মূলত্বী প্রস্তাব উপস্থিত করিয়াছি।

THE HON'BLE THE SPEAKER: Will the hon. member enlighten me as to what were the recommendations of the Public Service Commission?

পার্লিক সার্ভিস কমিশনের কি মন্তব্য ছিল সেসব কি ছিল, আমাকে কি বলতে পারেন?

MAULANA ABDUL HAMID KHAN: পার্লিক সার্ভিস কমিশন ৮ জনকে recommend করিয়াছিলেন। তার মধ্যে ৭ জনকে বাব দিয়া একজনকে মাত্র চাকরী দেওয়া হইয়াছে। Schedule caste এর ১ জনের মধ্যে একজনকে দেওয়া হইয়াছে। গোয়াগপাড়া জেলায় ২ জনকেও বাব দেওয়া হইয়াছে।

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

আপনি এই সংবাদ কোথ থেকে পেরেছিলেন?



MAULANA ABDUL HAMID KHAN: বাঁহাদের নিকট পাইয়াছি তাহাদের সহিত আমার পরিচয় নাই। তবে সঠিক সংবাদই আমি পাইয়াছি।

THE HON'BLE THE SPEAKER: Does the hon. member know what really were the recommendations of the Public Service Commission?

ঠিক recommendation কিছিল সেটা কি আপনি জানেন?

MAULANA ABDUL HAMID KHAN: আমি বিশেষ ভাবে অবগত হইয়াছি যে ইহা সত্য। যদি মিথ্যা হয় গবর্ণমেন্টের পক্ষ হইতে বলা হউক যে সেটা মিথ্যা। (laughter).

THE HON'BLE THE SPEAKER: In an adjournment motion like this the member, who wants to table such a motion, must be prepared to furnish the House with specific details. From what the hon. member has said it appears that the details he wants to place before this House are not sufficiently specific. So I rule that this motion is not in order.

মাননীয় সভ্য মহোদয় যে সব কথা এখানে উপস্থিত করতে চান সেগুলি ঠিক নির্দিষ্ট থাকা চাই। কিন্তু যে ভাবে ইনি কথা বলছেন তাহাতে বোঝা যায় যে তিনি সব কথা ঠিক নিশ্চিত করে বলতে পারেন না। এ অবস্থায় আমি মনে করি এই মূলত্ববী প্রস্তাব আমাদের যে rule রয়েছে সেটার ভিতর আসেনা। কেননা সেই rule বলছে একথা যে যদি কোন মূলত্ববী প্রস্তাব উপস্থিত করতে হয় সেটা ঠিকভাবে নির্দিষ্ট থাকা চাই।

#### DEMANDS FOR GRANT.

#### GRANT NO. 4. (10.—FORESTS)

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.8,64,400 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 Forest Department.

THE HON'BLE THE SPEAKER: The motion moved is that a sum not exceeding Rs.8,64,400 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 Forest Department.

There are numerous cut motions tabled, and there is one in the name of Sriyut Sarveswar Barua. Of course the hon. member wants to discuss a particular grievance, but there are some motions which want to discuss the policy. I do not know whether the hon. member will move his motion or not; of course all these particular grievances come when a particular motion is discussed for the purpose of criticizing the policy.

SRIYUT SARVESWAR BARUA: If it be your decision, Sir, that these motions will be taken up after the motions for criticising the general policy in that case I am prepared to wait.

THE HON'BLE THE SPEAKER: As I have ruled previously that cut motions for higher amounts should be taken up first, I want to know from the hon. member his decision. If he wants to discuss this particular motion at the time when the discussion of a particular policy is taken up he may not move his motion; or if he likes he can move his motion.



SRIJUT SARVESWAR BARUA: I shall not be very long, Sir.

I beg to move, Sir, that the provision of Rs.27,550 under Grant No. 4, Major head—10.—Forests, Minor head—A—Conservancy and Works, Sub-head—II.—Timber and other produce removed from forests by consumers and purchasers and cost of sleepers taken from coupe holders, Detailed head—(a)—Removed from forests by consumers and purchasers, at page 46 of the Budget, be reduced by Rs.101.

Sir a resolution was moved by me in the old Council in 1935, for the protection of wild buffaloes, and in pursuance of that resolution the Department has adopted a policy to preserve wild buffaloes by amending the rules of the Forest Department. They also decided to open a sanctuary for the preservation of wild buffaloes. The wild buffaloes in Assam, Sir, are a splendid species, and they deserve to be protected. Besides that the wild buffaloes, which are still to be found, though in reduced number, are useful in improving the breed of the indigenous domesticated buffaloes. With this view Government thought of protecting wild buffaloes by creating a sanctuary, and there was a proposal to create such a sanctuary in the North Lakhimpur subdivision, where the best species of Assamese wild buffaloes are to be found now.

Sir, it was the late lamented Mr. Milroy, who thought of creating this sanctuary in that subdivision, and since his death it was going to be named after him. Though it is about 2 years, we have not yet got any definite information about the progress of the creation of this sanctuary. It is still in the state of correspondence between the different authorities and different departments, and we do not as yet see any signs of its materialisation.

Therefore I want to know from Government what they are actually doing in the matter, whether they are going to create the sanctuary or drop the idea.

THE HON'BLE THE SPEAKER: The motion moved is that the provision of Rs.27,550 under Grant No. 4, Major head—10—Forest, Minor head—A—Conservancy and Works, Sub-head—II—Timber and other produce removed from forests by consumers and purchasers and cost of sleepers taken from coupe holders, Detailed head—(a)—Removed from forests by consumers and purchasers, at page 46 of the Budget, be reduced by Rs.101.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Sir, the hon. mover said that he would be short, but I will be shorter still. The proceedings of the Forest Settlement Officer were received on the 19th August 1937. The matter is under consideration and will receive sympathetic treatment.

SRIJUT SARVESWAR BARUA: In view of this assurance, Sir, I beg leave of the House to withdraw my motion.

The motion was withdrawn by leave of the House.

SRIJUT JOGENDRA CHANDRA NATH: That the provision of Rs.27,550 under Grant No. 4, Major head—10.—Forests, Minor head—A—Conservancy and Works, Sub-head—II.—Timber and other produce removed from forests by consumers, etc., Detailed head—(a)—Removed from forests by consumers and purchasers, at page 46 of the Budget, be reduced by Rs.100.

Sir, the object of bringing this cut motion is to criticise the policy of Government in selling coupes and issuing trade permits in most of the forest divisions of the province, in a manner, which have resulted in a great loss of revenue to Government, as also in ousting the indigenous people of the province from the lucrative timber business.



Sir, nobody would have questioned this policy of the Forest Department if more revenue could have been brought to the coffers of Government as a result of this. Sir, the time since when the forest revenue has commenced to drop down considerably, synchronises strangely with the time when foreign sleeper-contractors began to come to this province and began monopolising the timber business. With their advent, Government began to depart from its old policy and initiated a new system of creating big compartments for the benefit of these foreigners. Big areas containing thousands of sal trees were reserved for sleeper operations and given to these foreigners at a considerably reduced price, in most cases even at a nominal price ; and if anybody questions about the fall of revenue, the reply of the Forest Department was that, there being virtually no demand for timber there was consequently a gradual fall. But I am afraid, Sir, this is not borne out by facts ; the truth lies elsewhere, this is a partial misstatement of facts to cover the defect of their wrong policy and to hookwink the public. Those people who reside near the Sale Dépôts of sal timber in the districts of Kamrup and Goalpara know that the demand for good green logs of sal timber remained the same throughout as will be evident to the hon. members from the fact that a pair of good green sal logs could be sold at Rs.150 even at that time. It is true that the demand for dead sal log was less, but big sal trees which were sold in thousands at a nominal rate to these foreign contractors, when converted into green logs could have been sold at a very profitable price, and if they had been given to the local contractors who were willing to buy them at scheduled rates, Government would not have suffered from this fall of revenue. The local contractors were willing to take these trees at Rs.10 per tree whereas Government gave them to these foreigners at prices ranging from Rs.3 to Rs.5 per tree. Sir, in the interior of the hills, there is nothing to complain if Government reduces the rates where our local contractors cannot go, but can Government justify its action elsewhere, in areas where local contractors who were carrying on log business were willing to purchase them at the scheduled rates. Sir, three disastrous results have occurred as an outcome of the wrong policy of Government. Firstly, Government has been deprived of a considerable amount of revenue to the extent of several lakhs ; secondly, it has expelled *enbloc* the indigenous people of this province from the lucrative timber business as a consequence of which enormous wealth is passing out of the province year after year ; and thirdly, the valuable sal forests have been completely destroyed beyond redemption within at least a space of twenty years from thence. To those persons who are in the actual know of things, it is a common knowledge that the Forest Officers even of higher ranks in most cases were persuaded to adopt this course by payment of heavy bribes by these foreign contractors. The Forest Divisions of the Garo Hills, Kamrup and Goalpara are full of instances of this corruption. These officers always try to whitewash their actions by taking shelter under the plea that these are inaccessible areas lying at a considerable distance from the sales dépôt, but the action of Government cannot be justified in any way as to why trees should be sold to these foreigners at a ludicrously low price when the local contractors doing the log business were willing to purchase them at the scheduled rates. Sir, if instead of creating these big compartments to scare away the local contractors and to make room for foreigners, small compartments or coupes were created for the benefit of the children of the soil then those trees could have been sold at the scheduled rates and Government also would have received more money as royalty. These unscrupulous Forest Officers



have, it is true, succeeded, by their unholy alliance with the foreign contractors in ruining the indigenous traders, but they, in their turn have also been rightly served by these persons, who have, by their very crafty tactics of stealing trees, completely destroyed the forests beyond any prospect of being retrieved in the near future. I can cite one instance of this. Take for example, that a large compartment is created covering a specified areas some 2,000 trees are marked for felling and put to auction. When the trees are marked it is always the fact that some trees are left for the future and for seed-bearing and other purposes. Now, these contractors, who import Nepali sawyers from outside for sleeper operations, cannot resist the temptation of stealing these unmarked trees. The process followed in stealing is that the sawyers are made to cut these trees close to the ground and then cover up the stump with earth and to remove the branches; the log or converted sleepers are then removed near the stump of the marked tree. In this way innumerable trees are stolen by these foreign contractors, so much so that most of the forests have been divested of almost all big sal trees. For this reason, the policy of the Forest Department stands self-condemned.

KHAN BAHADUR MAULAVI KERAMAT ALI: Who cut the trees, Sir, is it Government or the sawyers?

SRIJUT JOGENDRA CHANDRA NATH: Not Government but the contractors' sawyers. Sir, the Forest Officers, who know all these, will not move in the matter because they have already been bribed.

KHAN BAHADUR MAULAVI KERAMAT ALI: You mean to say they connive?

SRIJUT JOGENDRA CHANDRA NATH: Yes, Sir, the ten-year progressive plantation plan that we so much hear of is nothing but a necessary course of action which the Forest Department has been compelled to adopt after a ten-year progressive destruction of Forests. These being the actual facts, it lies with the hon. members to demand that the Forest Department is completely overhauled and Government should change their policy and the people who are adversely affected by this policy should no longer be deprived of their natural rights to have preference in the matter of getting coupes or permits as the case may be. This would bring also more money to the coffers of Government.

With these few words, Sir, I move my motion and sincerely hope the hon. members would join with me in censuring Government for their short-sighted and disastrous forest policy.

MR. JOBANG D. MARAK: In supporting this motion, I beg to state a few words about the forest administration in the Garo Hills. As the hon. member who moved the motion said the foreigners go to Garo Hills and they destroy and spoil many valuable timber trees. They take away the best sleepers and the remaining portions are all left back and become rotten. In the Garo Hills the local contractors have no big capitalists and thus they have no chance to compete with the foreigners. So they cannot have contracts. In many cases we, the Garo people, are suffering terribly on account of this forest administration in different centres of the district. In Garobadha, Bagmara, Dhima-Bangsi, Karkutta and many other places we the Garo people are treated disadvantageously. Sir, the forest rates vary from time to time and it is uncertain to find out which is the fixed rate. For this also they are suffering terribly. Sir, sometimes in many cases the bamboo rafts only cost ten annas. But the rates we have to pay is ten annas per thousand; then we have to pay to the mohaldar of the bazar and pay also for the transit charges and all these becomes very much more than the sale proceeds. This transit is issued to the Garo Hills people who do not take it by day and they take it only in the night. On some cases



they wait for hours and hours together for securing small pieces and they find very much difficulty. Sir, again about forest colonisation in the Garo Hills, in the forest reserve, the Garos are invited to settle and to do some cultivation. They have to do a number of days free labour for the forest department. In addition to that they will plant sal trees and cultivate it. This of course is very hard on them. In some places the *khas* lands are being encroached by the Forest Department and there are some places where some sal trees grow and these places are reserved and boundaries marked. There are the Nokmas who are afraid of these Forest officers. In this way in many places these *khas* lands belonging to the Nokmas are being encroached by the forest department. I hope the Hon'ble Minister will be pleased to see to these aforesaid grievances I have spoken just now. I hope he will do his best for the remedy of the grievances we are suffering in the Garo Hills. With these words I agree myself personally to withdraw the motion.

MAULVI SYED ABDUR ROUF: Sir, I feel myself duty bound to oppose the motion moved. It is certainly gratifying to see that my friend has nowadays become so very keen about increasing the provincial revenue. But if we dive a bit deep we can very well find out the motive behind the motion. The motive is jealousy pure and simple, if not hatred. Let me.....

THE HON'BLE THE SPEAKER: It is unparliamentary to attribute motives to a member.

MAULAVI SYED ABDUR ROUF: Sir, I bow down to the Chair. My friend wants that sal trees should not be sold to the foreigners at cheaper rates. Why? My friend will say "Because the foreigners come and they probably bribe the indigenous Assamese service-holders of the department, because, Sir, they will come and steal away sal trees from the forests and the indigenous Assamese people would be helping them." These are the reasons of my friend. But, Sir, what would be the condition if the policy suggested in the motion be accepted by Government? The foreigners will not be going to purchase sal trees direct from Government, but they will do so by appointing *benamdars* from amongst the local people. Thus when they will keep themselves aloof from the market there will be no competition and the result will be that the price of the sal market will go down abnormally and Government shall have to suffer a tremendous loss. Now the question is whether Government is in a position to afford to suffer such a loss. I think they are not. Government will naturally try to increase the market of the sal and as a result both local people and the foreigners will have to purchase sal at a very high price. That is a situation which we certainly cannot afford to bear. Sir, it is well known that we who live in the interior of the province require sal very badly. About 90 per cent. of our houses, both corrugated and otherwise, stand on bamboo posts, furnitures we have none and boats we have got few. Therefore, Sir, it is only reasonable that the price of sal should go down within the reach of the poor. But even the present market has not allowed it to go down so low. Therefore it is only desirable that the sal market should go lower than that of even today, so that the people may have more of sal.

Secondly, Sir, let me discuss another aspect of the question. If foreigners have got to purchase sal at a higher price than the local people, what will be the position? The foreigners, generally Bengalees, take sal to Bengal and they prepare river-trade boats from this wood. Now, these boats are the only source of river-trade between Assam and Bengal, and it



is only for these boats that the foreign steamer companies have not been able to capture the Assam-Bengal river trade as yet. If the price of sal increases, naturally those persons shall have to spend a greater amount for constructing their boats and consequently they cannot pay a sufficient price for the agricultural produce of Assam, with the result that they—the producers of Assam will have to sell their agricultural produces at a considerably cheaper price, on the other hand the businessmen shall have to sell their imported goods at a higher price in Assam. Who will then suffer? The poor people of Assam will have to suffer.

Sir, there is yet another but important aspect of the question. If the present Government of Assam takes so narrow a view, it is not unlikely that the mighty foreign presses with their mighty organs will compel their respective Governments to take retaliative measures. Now when Assam is enjoying so much of privileges in other provinces without paying anything it is not wise on our part to take so narrow a view. The result in that case would be that those Governments will retaliate on us and will deny us all the privileges which we have hitherto been enjoying. Therefore, Sir, in the name of humanity, in the name of the Indian nationality and in the name of self-interest, I would appeal to Government not to take so a narrow view in the matter. With these words I beg leave to retire.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : Sir, our information is that the sal in inaccessible places are necessarily sold at rates below the average after being put up to auction and sold to the highest bidder. It is not, therefore, understood how the loss to the revenue results. Sir, as regards our policy, our policy is to encourage our own people, namely indigenous contractors, as far as possible. There are two sides of the picture and in this House, I think, my predecessor has shown the other side of the picture. At any rate it is our policy to encourage, as I have said, the local contractors. We shall do all we can to treat this question sympathetically, and I assure the House that the whole question will be gone into very carefully before any action is devised by us.

As regards corruption I should simply say that, if any specific cases are brought to our notice, we shall take very serious steps against the perpetrators. I need not dilate further on the point. I would only say that, the question being a complicated one, the House will allow me to give this assurance that our policy is to encourage local contractors and that after a full and sympathetic consideration of the whole question the policy will be laid before the House for their consideration.

SRIJUT JOGENDRA CHANDRA NATH: May I know whether Government accept it as a principle that it will always give preference to local contractors when there is no fear of loss of revenue?

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

SRIJUT JOGENDRA CHANDRA NATH: With this assurance, Sir, I beg leave of the House to withdraw my motion.

The motion was by leave withdrawn.

BABU RABINDRA NATH ADITYA: Sir, I beg to move that the provision of Rs. 27,550 under Grant No. 4, Major head—10.—Forest, Minor head—A.—Conservancy and Works, Sub-head—II.—Timber and other produce removed from forest by consumers, etc., Detailed head—(a).—Removed from forest by consumers and purchasers, at page 46 of the Budget, be reduced by Rs. 10.



Now, Sir, in moving this motion I think I have little to add to what has been said about the reorganisation of the Forest Department. I will not be indulging in any extravagance of language when I say that the department is gangrened to the very core and a thorough medical treatment is necessary to set it right. Instances of harassment caused by these forest officers are thousand and one and I do not like to waste the time of the House by repeating all those instances. I will only say a word about the harassment caused to the extractors of fuel, etc., from the private forest in the district of Sylhet. As all of us know, in the district of Sylhet there are permanently settled land owned by private persons and Government Inam lands. But when people extract fuel, etc., for their personal use from the permanently settled forests, the officers of the Forest Department will enter their houses to see if they can find a bundle of faggots in order to get some illegal gratification or, if that is not possible, to institute a false case against them. The Magistracy is also equal to the occasion. Whenever a forest case or excise case comes under their cognisance the facile pen would at once run for summary judgment of conviction. That is the way how things are going on. Sir, if the records of the forest cases in the Karimganj Criminal Court are consulted it will be found that a good many cases have been instituted during the last two or three years from the Barlikha area because the officers of the Forest Department are now making frequent visits to those localities although there are no forest reserves within the radius of 10 miles. All the people of those localities got their fuel from the permanently-settled areas. So I want to draw the pointed attention of the hon. members to these grievances of the people. Secondly I would draw the attention of the House to another fact, *viz.*, that the consumers are exploited by lease holders. The lease holders take exorbitant rate from them and it is therefore up to Government to fix a reasonable rate so that the people may not be charged at exorbitant rates by the lease holders. Government may argue that this is a matter of private contract and Government have no control over that. But I would say that it is the duty of Government to safeguard the interest of the people and make a proper legislation when the interest of a vast section of the public is concerned. With these words I beg to commend my motion for the acceptance of the House.

THE HON'BLE THE SPEAKER: The motion is that the provision of Rs. 27,550 under Grant No. 4, Major head—10.—Forest, Minor head—A.—Conservancy and Works, Sub-head—II.—Timber and other produce removed from forest by consumers, etc., Detailed head—(a).—Removed from forest by consumers and purchasers, at page 46 of the Budget, be reduced by Rs.10.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: The first question is harassment. Well, if there are specific cases brought to our notice we are ready to take action.

As regards the fixed rates, Government has no legal authority to interfere in this matter between the retainer and the consumer.

MAULAVI MUHAMMAD MAQBUL HUSSAIN CHAUDHURI: Sir, I support this motion.....

MAULAVI MUNAWWARALI: Sir, is it not your ruling that after the reply of the Government Bench no member can speak on that subject?

THE HON'BLE THE SPEAKER: Hon. members are allowed to speak before Government replies. In this case I found that no member stood up and so I asked the Government Member to give the reply. Therefore I cannot allow any member to speak now.

BABU RABINDRA NATH ADITYA: If Government give an assurance that they will take proper steps to stop these oppressions and



make a legislation to safeguard the interests of the people, then I am ready to withdraw my motion.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I have already told that Government cannot make any legislation. As regards the oppression, of course I have already said that if any specific cases are brought before us we shall take serious action against the offenders.

BABU RABINDRA NATH ADITYA: 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: The next motion stands in the name of Srijut Kameswar Das.

SRIJUT DEBESWAR SARMA: On a point of information, Sir. I have a motion\* in my name No.27 at the bottom of the whole set of motions under this grant. It is an omnibus cut motion wherein all members can speak.....

THE HON'BLE THE SPEAKER: There are two similar motions standing in the name of Maulavi Munawwarali and I think the hon. member may speak on one of these motions.

SRIJUT KAMESWAR DAS: Sir, I beg to move that the provision of Rs.810 under Grant No. 4, Major head—10.—Forest, Minor head—A.—Conservancy and Works, Sub-head—III.—Drift and Waifwood and confiscated forest produce, at page 46 of the Budget, be reduced by Rs. 2.

Sir, before I begin to deal with the particular grievances of the people of my subdivision as regards their being deprived of the age-long privileges of free use of the drift wood of the Beki river collected beyond a certain limit of the reserve boundary. I think, I owe an explanation to the hon. members of this House as to the position of the people of the subdivision in respect of their fuel supply.

Since after the great earthquake of 1897 a good number of the villages in the southern part of the subdivision became unfit for habitation and were left vacant by the people who shifted to other places. The series of marshes and swamps into which these villages were at first turned as an affect of the earthquake gradually began to grow reeds, etc., and were the main source of fuel supply to the people who could somehow remain in their ancestral homes. With the passing of time the water streams which were at first deprived of their outlets began gradually to set in the places which were formerly the sources of fuel supply began to rise and began to be occupied for purposes of cultivation by various people coming from different parts. These places were gradually reduced by new settlements so much so that from about 10 years or so ago very little areas are left to grow fuel, reeds, etc. Thereafter the people of the southern part of the subdivision including the people of the Barpeta town had had to look to the drift wood flowing through the Beki as the only source of fuel supply.

The hon. members will be pleased to note that most of the people of the Subdivision are poor. They are neither accustomed to the use of, nor can afford to purchase, coal which is again not available there. The part of the country being very low, they cannot also grow in their private lands trees and plants which they might use for fuel purposes.

The drift wood of the Beki river which is mostly the ordinary firewood and not valuable timber being therefore the only source of fuel supply. Innumerable poor people were benefited by this source. So long they could get the drift wood free of any royalty or of any charges.

\*27. Srijut DEBESWAR SARMAH: I beg, Sir, to move that the total provision of Rs.8,64,400 under Grant No.4, Major head—10.—Forest, at page 45 of the Budget, be reduced by Re.1.



This year however a novel procedure was adopted and the right to collect drift wood has been leased out to a man coming from outside the province without adequate publicity of the fact of sale being made known to the people affected. The practical result of this sale has been that the poor raiyots have been deprived of the free use of the drift wood and have been required to pay for the same. This has put them to immense hardships. By this action Government has done injustice to the people of the Barpeta subdivision by making them pay the extra charge at a time when the people are groaning under the financial depression which is still continuing there. The people resented the action of Government and protested against it by resolutions in public meetings and by making various representations to the authorities, but to no effect.

I therefore appeal to the hon. members of this House that they will consider the matter sympathetically and accept the motion I have just moved.

**SRIJUT GHANASHYAM DAS :** Sir, I support this motion. I wish to add only a few words. The people of the subdivision are very poor and Government should try to help the people. The Beki drift wood mahal does not bring in any high amount of revenue, but at the same time it does immense good to the people. Sir, they have no other source of fuel supply. With these few words, I support this motion.

**THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED :** Sir, our information is that grazing reserves and unclassified State forests exist all over the subdivision and should form source of fuel supply. Most of the people live in the southern portion where there is no drift wood mahal leased out. Also most of them are settlement-holders and have got the advantage of collecting fuel. They can get fuel from unclassified State forests free of charge. It is only a portion extending from the reserved game sanctuary to the railway bridge that has been leased out, and our information is that this will not interfere with fuel supply to the neighbourhood. At any rate, I can assure the House that we are not going to lease out the other portion and as soon as the lease expires we shall not lease it out again.

**SRIJUT KAMESWAR DAS :** Do I understand from the Hon'ble Forest Minister that he will not renew the lease next year ?

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

**SRIJUT KAMESWAR DAS :** Will he discontinue the lease from next year ?

**THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED :** When the term of the present lease expires, we shall not renew the lease.

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

**MAULAVI MUNAWWARALI :** I beg, Sir, to move that the provision of Rs.70,840 under grant No. 4, Major head 10.—Forest, Minor head—A.—Conservancy and Works, Sub-head—VIII.—Organisation, Improvement and Extension of Forests, at page 46 of the Budget, be reduced by Rs.2.

The object of my motion is, Sir, to criticise the Government policy underlying organisation, improvement and extension of Forests.

I am anxious to know, Sir, from Government details of the organisation and of the proposed improvement and how they want to effect the extension. What is the expenditure, under which head the whole thing is going to remain and also the policy underlying the whole affair ?



**THE HON'BLE THE SPEAKER :** From the manner of his speech it appears that the hon. member knows the policy but it seems that he wants information from Government.

**MAULAVI MUNAWWARALI :** Yes, I wanted to know the policy underlying this whole affair. So far as I know the policy stands condemned. I condemn the policy which this Government has pursued and I demand a justification for this. I say the schemes are very perfunctorily undertaken and I demand that they should not do things in this way.

**SRIJUT DEBESWAR SARMAH :** Sir, the first thing that I would submit before the House is to consider the policy pursued by the Forest Department of Assam in manning it. I mean to point out how extravagantly the Forest Department is run by Government. There are two services—first the controlling staff and secondly the executive or protective staff. In Assam, we find that the administration of the Forest Department is absolutely top-heavy, beyond all sense of proportion and is against all the expert opinion that have been given from time to time including the recommendations of the Retrenchment Committee appointed by this House in 1931, the Hon'ble the Leader of the House presiding.

Firstly, is there any necessity for two services in the controlling staff—the Imperial Service and the Provincial Service ?

Sir, we find that as early as 1923 Mr. Richmond the Assistant Inspector General of Forests, who was in close touch with policy of the Government of India, recognised that there was no necessity for retaining two different services. In his report dated the 21st March 1923, he said "that the distinction (between the major and minor charges) should be abolished, admits of no doubt ; that difficulty is very properly appreciated by the Government of India as is shown in paragraph 5(ii) of their despatch No.5, dated 6th July 1922, to the Secretary of State. This question will arise and has to be settled in connection with the forthcoming Royal Commission, when the Local Government will have to make up its mind what method it will prefer. That the organisation will retain two services to form the controlling staff is more than doubtful and *it is to be hoped that it may not do so.*" So also Sir D. Brandis the Father of Forest Administration in 1897 and Sir G. Hart the late Inspector General of Forest in his evidence before the Islington Committee supported the view. Sir, it may be argued that if the Imperial Officers are not retained efficiency may be impaired, but the reply is that when during the war the European Officers and Superior Officers were drafted to war service, almost all the forest divisions in Assam were controlled by the provincial Forest Officers and if we go through the Administration reports of those years we will find that the provincial Forest Officers did their duty as well as any of the Imperial Forest Officers, if not better. What do we find by perusing the history of forest services ? Do we not find late Mr. U. N. Kanjilal, late Mr. B. C. Sen Gupta and a galaxy of other " Provincial Service " men giving a lie direct to the theory of Imperial superiority. Now, secondly, as regards the question whether the large percentage of the European Imperial Officers in the Forest Service are to be maintained, I will not give my own personal view because I do not pretend to be an Expert and it may not go very far, but I will again cite unimpeachable opinion of the Experts on the subject. Islington Commission recommended that the recruitment to all India Technical Services (including Forests) should as far as possible be made entirely in India on the plea that " there were no grounds of policy for any considerable admixture of officers imported from Europe." I need not repeat but I again refer to Sir D. Brandis and Sir G. Hart in the contexts already given. A European Officer after having received training in the Continent of Europe comes to



India and finds he has to unlearn what he learned there because the conditions of Europe are not the same as prevail in India. He has to learn the language first and then the condition of the Forest sylviculture, etc. Thus quite a portion of his time in service is first wasted in unlearning what he learned. When soon after they learn Indian language and forest conditions their time for retirement comes (*laughter*) and ultimately they find a place either in the Oxford or Cambridge University as Lecturers on Indian Forestry. It is rightly said that to train and plant an exotic on a foreign soil is as difficult in sylviculture as to train and implant a foreign officer in a foreign country. The percentage for Indianisation recommended by the Lee Commission, if I remember aright, was 75 per cent. We find that up-till now, that percentage even has not been compiled with.

Sir, we have eleven Forest Divisions in Assam. In these eleven divisions, of course, I am speaking subject to correction, we have 36 officers in the controlling staff. Of these 36 officers, one is the Conservator of Forests and another is kept in abeyance; there are 14 Deputy and Assistant Conservators of Forests out of which two posts are filled up by temporary Deputy Conservators and in addition to that we have 19 Extra Assistant Conservators. Now the question is whether so many officers are really necessary. I submit, Sir, that so many officers in this department are quite unnecessary. I then come to another most objectionable feature. In pursuance to the recommendations of the Retrenchment Committee of September 1931, the post of the Forest Sylvicultural Engineer was to be abolished as the Assistant Conservator of Forests was considered to be competent enough to look after the work but we find that no representation has been made to the proper authority for getting reduction in the cadre. There was another very important recommendation and that was for stopping recruitment of the Imperial Forest Officers for some years to come. Government accepted the proposal. According to that accepted recommendation of that Committee, the recruitment of the Imperial Officers should be stopped for some time but what do we find? In clear contravention of this retrenchment proposal which the Government of Assam was pleased to accept and which was published in the gazette, dated the 6th October 1931, we find that two Officers, namely, Mr. Mandayam Mudumbai Srinivasan and Mr. Chakrapany Aiyengar Rama Bhadrar were appointed on the 10th November 1931 and 15th November 1932, respectively. I hope the Hon'ble Minister for Forests will be pleased to explain as to why in clear contravention of the Government proposal not to recruit any Imperial Forest Officers, these two Officers were taken in. We find, Sir, that during the 3 years, 1929-31, not less than 9 Imperial Forest Officers were recruited to Assam. What were all these for, will Government explain?

Then I come to another important matter. In 1928-29, the Assam-Bengal Railway gave contract to Assam Government for ten lakhs of sleepers. Government accepted the contract and it was given to a European gentleman to treat the soft wood sleepers. At that time, the Railway Company found by experiment and experience that it was much cheaper to use treated soft wood sleepers rather than use the Sal or other hard wood sleepers which were costly. The sleepers were to be supplied within the period of five years. A plan was erected at Nahorkotia station (Assam-Bengal Railway) for treating sleepers. If Government would have taken care to see that the treatments were properly carried out, Government could have gained a huge amount of money but unfortunately the operation entrusted with the European Contractor was carried on more with a view to make profit than with a view to do it properly. The result was that the Railway authority found that although their own experiments showed that



the treated soft wood sleepers lasted a long time, about 20 or 22 years, those treated and supplied by Assam Government deteriorated within less than 4 or 5 years. In consequence they discontinued the contract after the period. Now, Sir, these Imperial Officers were responsible for this because they failed to exercise proper control. I submit, Sir, that this was a serious matter for Government to consider. These highly paid officers were mainly responsible for this huge loss to Government, otherwise the State might derive continuous income from the Railway Companies by supplying treated soft wood. What is the result of the large number of Imperial Officers being recruited. It is obvious. The forest divisions which were formerly managed by Rangers and Deputy Rangers are now being placed under highly paid controlling-staff officers, *i.e.*, Divisional Forest Officers or Extra Assistant Conservator. Otherwise what Government will do with these officers. There is no work but they have to be kept employed. This entails a very heavy but unnecessary drain on the public exchequer of Assam.

THE HON'BLE THE SPEAKER: I think, the hon. member has finished.

SRIJUT DEBESWAR SARMAH: I shall finish within a minute, Sir. I shall cite positive instances. In Sadiya-Passighat Range prior to 1930 there was a Forest Ranger. Now it is under an Extra Assistant Conservator of Forests, Lakhimpur Division, Dibrugarh Range was under Forest Ranger till 1934, but an Extra Assistant Conservator (Forest) has been there since. So is the case with Makum Range where there is an Extra Assistant Conservator. Similar is the case also at Sibsagar Division, Barpathar Range and Northern Range, Nowgong Division, Lumding Range, Kamrup Division Boko Range. Such deliberate and wasteful extravagance in such a poor province like Assam may be said to be criminal on the part of those who are responsible for such a state of affairs.

The result is that the revenue has been wasted for officers, who are practically unwanted in this Department.

THE HON'BLE THE SPEAKER: The House stands adjourned till 2-10 p.m.

*(After lunch.)*

SRIJUT BINODE KUMAR J. SARWAN: On a point of information, Sir. Will the Hon'ble Minister in charge of Revenue and Judicial inform the House when he proposes to start the Conciliatory Board as promised on the 4th August for the purpose of making an enquiry into the Dhubri Match Factory case? It is now the 9th month that the strike was started and the people are suffering acutely. Will the Minister in charge inform the House as to the approximate date of starting the enquiry.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, I have been considering the personnel of the Conciliation Board, and as we have to take at least one or two members from this House we are arranging so that the Board may sit after the Assembly session is over. I shall take steps that the Board may sit from about the 10th of September.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Sir, the hon. mover has raised many points so I cannot be short. As regards details of organization, extension, etc., referred to in his motion under these heads the following items of expenditure occur:—

1. *Demarcation, i.e.*, clearance of boundaries of new areas which are reserved, and maintenance of boundaries of existing reserves, a matter of 5,708 miles.



2. *Cost of Forest Settlements, compensation for land and rights.*—This is concerned with new areas taken up for reservation.

3. *Forest surveys.*—Survey of areas taken up for reservation, including also boundaries of forest village settlements.

4. *Working plans* for the proper technical working of forest areas to ensure a sustained return and avoidance of excessive removal of the crop. Provision for tending plantations and management of the forest estate.

5. *Sowing and planting* to replace removals and ensure a sustained yield and revenue for the future.

6. *Fire-protection* in areas where there is grave danger to the forest crop particularly *sal* forests during the dry season when a spark may cause the loss of thousands of rupees worth of valuable timber.

7. Other works, include—

*Maintenance of sample plots and nurseries.*

*Sample plots* are for calculation of statistics as regards the individual growth of trees.

*Nurseries* for bringing up young seedlings to put out in plantations.

Our policy underlying this head is the preservation of the forest estate and maintenance of a sustained yield for the future, both near and distant.

*As regards the revenue—*

1934-35					Rs.
Revenue	...	...	...	...	14,30,413
Expenditure	...	...	...	...	11,72,907
Surplus					2,57,506

The expenditure includes Rs.54,599 interest on capital outlay—a paper transaction—the surplus thus being Rs.3,12,105.

1935-36					Rs.
Revenue	...	...	...	...	14,81,067
Expenditure	...	...	...	...	11,28,342
Surplus					3,55,725

The expenditure again includes Rs.52,179 as interest, the real surplus being Rs.4,07,904.

1936-37					Rs.
Revenue	...	...	...	...	16,85,140
Expenditure	...	...	...	...	11,92,886
Surplus					4,92,254

Again interest on capital outlay is included in the expenditure of Rs.53,763, hence the real surplus is Rs.5,46,017.



If these figures are compared with a normal business there would be very few who would give a profit of 27 per cent. to 46 per cent. on the amount expended, and at the same time replace whatever stock is removed.

As regards areas, I give the following figures:—

<i>Area under Working Plan</i>					
1927	...	...	...	...	246 square miles.
1937	...	...	...	...	3,171 „ „

<i>Area of Plantation</i>					
1927	...	...	...	...	5,080 acres.
1937	...	...	...	...	15,732 „

<i>Area under tended natural regeneration</i>					
1927	...	...	...	...	No separate figures.
1937	...	...	...	...	6,269 acres.

The hon. member also wanted to know all about our forest policy. I may state our forest policy briefly:—

Forests have an importance for the provinces which cannot be over-estimated. The importance has its most obvious appearance in the contributions which forest can make to the provincial revenues. The contribution is however not of necessity either constant or automatic; it is a contribution dependent on a growing plant and it is only when removal and regeneration are in proper balance that the contribution is dependable and permanent. When regeneration falls behind, the forest diminishes and unless the procedure is checked, ultimately disappears. In other words the level and maintenance of the revenue depend on a high maintained level of technical administration.

Our policy has always been to conserve areas by reservation either on account of their timber, their effects on climatic conditions or prevention of excessive run off of water in the form of floods. This latter consideration being one of particular importance. Extensive floods mean both loss of revenue and additional expenditure to the province. The revenue influence of forests might be termed double; there is the direct fact that well-administered forests produce a substantial and continuous annual receipt. There is the indirect fact that ill-administered forests not only fail to yield this receipt but by leading to deterioration or actual loss of cultivable land, the silting up of streams and the causing of floods which entail remission of revenue and actual relief expenditure, have as it were a negative influence on provincial revenues. Our policy is to conserve our supplies of timber and fuel for the benefit of the people, replace our removals by judicious tending of the crop and creation of plantations and by reservation of areas for protection of head waters of rivers in order to prevent the possibility of floods.

Copious examples in other countries of the results of maladministration are typified by the present state of such places as Mesopotamia, Palestine, the middle West of America and Egypt.

MAULAVI MUNAWWARALI: Does the Hon'ble Minister assure me that he will keep a very strict eye on the schemes and see that not a pie of the public money that is going to be invested is wasted? His reply does not mention about this very important state of things.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Yes, we shall see that no money is wasted. Of course Government will keep a strict eye for all the new schemes.



MAULAVI MUNAWWARALI: In view of the assurance, I beg leave of the House to withdraw my motion.

The motion was by the leave of the House withdrawn.

SRIJUT BELI RAM DAS: I beg to move—

That the provision of Rs.70,840 under Grant No. 4, Major head 10.—Forest Minor Head—A—Conservancy and Works, Sub-head—VIII—Organisation improvement and Extensions of Forests (total), at page 46 of the Budget, be reduced by Re. 1.

This is to raise a discussion regarding the abolition of forced labour.

Sir, Forest being the abode of the denizens of the forest, the behaviour meted out towards the human inhabitants of the Forest, by human agencies, is likely to be of a type that can be best meted out towards the original inhabitants of the forest—the denizens. And it is for this reason that we have got in existence in the forest department the system of forced labour. It will be wrong to suppose that the forest villagers derive much benefit from the forest department in lieu of what they do for the forest department. On the contrary these forest villagers do more for the forest department and in return they get less from them. Sir, they are admitted into the forest villages on condition that they sow with their crops the seeds of such forest trees as the Divisional Forest Officer may direct. They are to maintain the forest seedling from being suppressed by weeds and they are to preserve the line of demarcation by clearing the jungles. They are to extinguish fire whenever it breaks out and they are to pay land revenue for the lands they cultivate. Over and above this they are liable to be evicted with a 6 months' notice.

Sir, neither the forest villagers nor the people living near these forests are allowed to extract even the most ordinary kinds of forest produce such as thatch, fuel, ekra, etc., for their own domestic purposes without subjecting them to render ten days' labour annually. Sir, we have seen that according to the Gandhi-Irwin pact, people living by the seaside are allowed to extract salt for their own domestic purposes free of any restriction and free of any royalty, considering that they have got the natural right for the same. Similarly, Sir, I consider the people of Assam, living near the forest and the forest villagers also have got their natural right to extract forest produce of these ordinary kinds for their own domestic purposes. But our civilised Government, the Government of Assam have denied that natural right to these people and they have been subjected to render ten days' labour for extracting those forest produce which, even in the absence of their being taken from the forest, are being burnt down every year by the Forest Department for the purpose of clearing the jungles. Thus it will be found that Government prefer burning down than to give the same to the children of the soil without subjecting them to render ten days' labour.

That the system of forced labour is in existence will be best evidenced by the following rules laid down in the Forest Manual. Rule 9 of the Manual lays down that "Each adult forest villager shall, if called upon, render twenty days' labour per annum at the rate of wages locally current."

That the forest villagers are used as menials and domestic servants of the forest officers can be best illustrated by Rule 15 of the Forest Manual which lays down that if they have to be used for splitting firewood or carrying on baggages for officers, they must be paid duly at the local rate of wages."

But the worst provision of the Forest Department which treats these human beings as chattels or property of the Forest Department can be best illustrated by Rule 13 of the Forest Manual which lays down "The



Forest Department and its contractors shall have the first claims to the labour of the forest villagers who shall not accept employment from any other Department, company or individual without the previous sanction of the Divisional Forest Officer."

In these days of democracy, rules like these, which place restriction on human freedom is certainly disgraceful and most barbarous.

The property belonging to human beings may be subjected to such conditions but not the human being themselves. The Transfer of Properties Act provides that a prior mortgage of a mortgaged property has got the first claim over the mortgaged property as against the subsequent mortgages, but we never find in any law of any country any provision that a human being can be subjected to such a condition.....

For want of time the motion could not be further discussed.

THE HON'BLE THE SPEAKER: Order, order. It is 2:30 now.

The question is that a sum not exceeding Rs.8,64,400 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 Forest Department.

The motion was carried.

#### GRANT No. 12

##### 29.—POLICE

THE HON'BLE MAULAVI SAYID SIR MUHAMMAD SAADULLA: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 23,34,300 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 "Police Department."

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURY: I beg to move, Sir, that the provision of Rs.44,585 under grant No. 12, Major Head—29.—Police, Minor Head—B.—District Executive Force, Sub-head—(a).—District Police, Detailed Head—1.—Pay of Officers (total), at page 90 of the Budget, be refused.

Sir, it is well known to hon. members of this House that the posts of Deputy Superintendent of Police are altogether redundant and useless. These posts are regarded as serving no useful purpose to the public nor to the force to which they have got the honour to belong. Sir, I need not dilate on this motion very much, because I know that every hon. member of this House has well understood that these services are altogether useless. The only argument that can be advanced and that has been advanced in favour of the retention of these services is this, that these services act as a check against corruption in the subordinate Police ranks. But how far that object has been attained, Sir? We know that that has also become a failure. Perhaps, Sir, this is due to one factor, namely that this service has been thrown open for promotion of officers from among the rank of subordinate police officers. With these few words, Sir, I commend my motion for the acceptance of the House.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: Sir, there is a well known quotation from Shakespeare, namely, that it is excellent to have a giant's strength, but it is tyrannous to use it. Everybody will agree that this House has ample power to abolish the posts of Deputy Superintendent of Police by adopting this motion at once. But I would ask the House—Will it be prudent, will it be just and equitable to throw these Deputy Superintendents of Police out of employment and thus lend their families into disaster? Sir I am not holding a brief for the Deputy Superintendents of Police. I am entirely at one with the hon. mover that the Deputy



Superintendents of Police are unnecessary links in the Police Administration. I should also wish that the sooner these posts are abolished, the better. But I think every matter has its pros and cons. So this matter requires calm consideration and cool deliberation. We have learned from the Hon'ble Finance Minister that we are going to have a Resources and Retrenchment Committee and I think it would be up to that committee to give this matter their careful consideration. So, Sir, in this view of the matter I would ask the Hon'ble House not to adopt this motion in hot haste and thus create a deadlock. With these words, Sir, I oppose the motion.

MR. JOBANG D. MARAK : Sir, I beg to say a few words in support of this motion. In any Department of Government when we do away with some posts it is natural that some men must suffer, and if this reason weighs with us then I do not think anything useful can be done. This House has decided in this session that the Commissionership should go. By that decision of course quite a large number of men should suffer. My hon. friend the previous speaker told us that we should bring to bear our calm consideration on this matter. Of course it is a wise suggestion. But in my opinion Government should be trusted to do what they think to be the best in the interest of the country.

In my place, the Garo Hills, Sir, the Police Service is very very unsatisfactory, and I want to speak a few words on this point. We want at least an Inspector of Police in the Garo Hills, because the Deputy Commissioner is the Superintendent of Police, the Inspector of Police and also the trying Magistrate. That is our disadvantage in the Garo Hills, and at present this state of things is going on. Suppose there is a case against some one, and the Daroga reports the case some three times. The Deputy Commissioner rejects them as many times, because there is no evidence against the accused. Lastly the Deputy Commissioner himself goes to the Thana and calls certain persons to adduce evidence against the accused. This is what happens often. The Deputy Commissioner is not only the enquiring officer, but he is also the trying Magistrate. For this reason, Sir, we must have at least an Inspector of Police. I would therefore request the Minister in charge to give due consideration to this matter and after making necessary enquiry to make some sort of arrangement for our convenience. In certain cases, Sir, we find that at the instance of the Deputy Commissioner, the Police Officers report some cases, and when the report goes to the Deputy Commissioner he accepts it. Only last week a police officer reported against 60 to 80 persons stating that they were living without any work and without any earning and they were summoned to appear before the Deputy Commissioner and the Deputy Commissioner required them all to give cause or causes, without making any enquiry for the verification of the report. In such cases Sir, we are helpless. Another instance, Sir, that he would be the trying Magistrate of that case and also the enquiring officer. In such cases we should at least have an Inspector of Police. I hope that due consideration will be given by the Hon'ble Minister in charge of Police that Garo Hills Police Administration may be enquired into and some sort of arrangement should be made for their service. In some cases we find that the Deputy Commissioner receives some false report on which he has to take action. Last week one Police officer reported against about 80 persons stating that they were living without work and without earning. They were summoned to appear before the Deputy Commissioner at his Court and they had to show cause why they should not be turned out of Tura town and its vicinity. This was done without making any verification of the allegation and they were quite helpless in this matter.



Again supposing there are some cases against certain constables and if there is no officer-in-charge the Deputy Commissioner cannot be expected to go into these things. With these few words I request the Hon'ble Minister in charge of Police to take necessary steps to regularise the police administration in Garo Hills. With this I support the motion and at the same time, with the promise of Government, I hope the hon. mover would be prepared to get leave of the House to withdraw the motion (laughter).

**MAULANA ABDUL HAMID KHAN:** Sir, দেশের বিখ্যাত প্রতিনিধিবর্গ সকলেই এখানে সমবেত হইয়াছেন। আজ আমাদের সম্মুখ বেতন গ্রহণের যে সমস্যা আসিয়াছে তাহাতে আমার মনে হয় আমাদের এই ১০৮ জনের মধ্যে অধিকাংশ লোক যদি বতন ভোগী হইয়া যাই এবং নিরমিত ভাবে গ্রামে গ্রামে গিয়া কাজ করি তাহা হইলে চুরি, ডাকাতি অনেক কামিয়া যাইবে এবং আমাদের একটা work থাকিবে। আমরা যদি ১২ মাস বেতন ভোগা মেসার হইয়া গ্রামে গ্রামে চুরি, ডাকাতি এবং মানুষের মধ্যে যত কুসংস্কার আছে সেসব দূর করিবার জন্য চেষ্টা না করি তাহা হইলে বেতন খাওয়া হালাল হইবে কি? যদি আমাদের প্রত্যেক সদস্য মহাত্মা আগ্রহ চেষ্টা করেন তাহা হইলে আমি মনে কবি যে দেশের ভিতর শামূখ পরিভ্রম হইয়া যাইবে। দেশের বিখ্যাত নেতারা এখানে আসিয়াছেন। আমরা যদি কর্তব্য পরাক্রম হই, আমরা যদি আমাদের নিজের কর্তব্য পালন করি তাহা হইলে আমরা দেশের অনেক শান্তি আনিতে পারিব। আমার মনে হয় আমরা যদি আমাদের কর্তব্যের প্রতি লক্ষ্য রাখিয়া কাজ করি তাহা হইলে এসমস্ত অনাবশ্যক পুলিশের জন্য টাকা ব্যয় করিবার কোন যুক্তি দৃষ্ট কারণ থাকিবে না।

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** I find three other motions on the same subject.

**THE HON'BLE THE SPEAKER:** They are not speaking.

**SRIJUT DEBESWAR SARMA:** On a point of order, Sir. If that motion is withdrawn shall we not have a right to move our cut motions?

**THE HON'BLE THE SPEAKER:** It is practically an identical motion and if this motion falls through, I think, others should not be moved.

**SRIJUT DEBESWAR SARMA:** May we not reserve our right?

**THE HON'BLE THE SPEAKER:** The same question cannot be discussed twice.

**SRIJUT SARVESWAR BARUA:** If this motion is going to be withdrawn, why another member of an identical motion cannot move his motion, Sir.

**THE HON'BLE THE SPEAKER:** The discussion is the same, and the hon. members have sufficient time to discuss this motion. If the hon. member who has tabled this motion withdraws it, I cannot allow other motions to be moved. Of course I will point out to another Assembly rule regarding motions, i.e., "when leave is wanted members are quite at liberty to object".

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** Sir, the genesis of this cut motion and the three others following is that the Retrenchment Committee of 1931 recommended the abolition of the Provincial Service of Deputy Superintendents of Police but Government has



not taken any consideration of that recommendation. As the discussion leading up to that recommendation is not public, I would just place before the House for its calm consideration the concomitant substitute which the Retrenchment Committee proposed. But before that I would like to take the House to the history of the creation of this special Provincial Service.

Hon. members are aware that in 1902-03 there was an Indian Police Commission and paragraph 66 of their report contains the first recommendation for starting the provincial service known as Deputy Superintendent of Police. That was with the intention of Indianising the superior police cadre. Sir, I will just read the relevant portion on the subject :—

“The main object of appointing European Assistants is to secure fully qualified officers for the post of District Superintendent and the higher offices in the police department. And the number of Assistants should be limited to what is necessary (about 77·3 for every 100 superior appointments) to supply fully trained men to fill these higher offices. This number of Assistant, however, is not sufficient for the requirements of police work. The Superintendent requires one or more Assistants to help him in the discharge of his duties of control and supervision and to relieve him of the routine of office work, so that he may be free to tour about his district, and become personally acquainted with his officers and their work, and with the people and their interests. The Commission recommend that the additional number of Assistants required should be supplied by a class of Deputy Superintendents in a provincial service, who should have the same departmental status as Assistants. The number of these should be fixed on the principle of one qualified Assistant or Deputy Superintendent in every district, and one or more extra in any district where the work demands this additional strength. One-half of the vacancies among Deputy Superintendents should be filled up by careful selection from among qualified Inspectors. This would offer a good career to and would be a great encouragement to good work among Inspectors and Sub-Inspectors. The vacancies not to be filled up from the Inspector class should be filled up from the natives of India who have qualified for the Provincial service in the Revenue, Judicial and Police Department and are judged by Government to be fit physically, morally and otherwise, for employment in the Superior Police Service.”

Sir, pursuant to this recommendation this provincial service of Deputy Superintendent of Police was started half recruited from the Subordinate Officer and the other half, to be recruited direct from men with suitable qualification, or to use the phraseology of the Commission, from those who were fit physically, morally and otherwise and who have qualified for the provincial service in the Revenue, Judicial and Police Department. I lay great stress on the word “morally”. The system of Police recruitment in this province is also very relevant to the discussion on this subject. Theoretically speaking, we have got to recruit first to the constable class. Assistant Sub-Inspectors are appointed from promoted constables with suitable literary qualification when they pass departmental examinations. The rank and file, *i.e.*, I am speaking of Sub-Inspectorate, are to be recruited 25 per cent. direct and 75 per cent. from those who are Assistant Sub-Inspectors. Inspectors are appointed from promoted men from the grade of Sub-Inspectors. They are not directly recruited at all.

Sir, in these days when we are all clamouring to have superior police grade to be Indianised, it is a pity that we are pressing to do away with the intermediate grade between the rank and file and the highest grade.

SRIJUT DEBESWAR SARMA: What about your suggestion in the Retrenchment Committee ?



THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, it is impossible to recruit any one directly to the Inspectorate. Therefore the effect of removing the provincial service from between the top service and the Inspectorate will mean that we have to promote our Sub-Inspectors to the superior service of the post of Superintendents. That will not be a very good thing to do considering many things. Those who are qualified educationally or otherwise are promoted from Sub-Inspector to the grade of Inspectors and from Inspectors to the Deputy Superintendents and there are one or two rare instances when they have been promoted to the grade of Superintendents. Generally an officer of the Sub-Inspector's grade gets promotion to the Inspectorate after 20 years of service and unless they put in 6 or 7 years of service in the Inspectors grade they are not ordinarily promoted to the rank of Deputy Superintendent of Police. So, Sir, generally Sub-Inspectors have got no chance of promotion as Superintendents through efflux of time. On the other hand, we have many qualified officers who were recruited to the provincial service direct. These people generally become Superintendents in the long run.

As regards the interjection from my hon. friend Sriyut Debcswar Sarma, I presided over that committee; therefore I am in a better position to know about it than my hon. friend. That committee recommended by a majority that we should do away with the present provincial service consisting only of ten men. But in its place, they urged for an intermediate service, which is to be provincial one and to be called Inspectors with a scale of pay rising from Rs.150—400 in 25 years with an efficiency bar at Rs.250. This service was recommended to be recruited on a fifty basis from the grade of Sub-Inspectors and direct.

Then comes the question of strength of cadre. At the start we have 35 Inspectors for general Police Administration and a few for Railway Police and Criminal Investigation Department work. Therefore the new Provincial Service should have a strength of at least 50. The Retrenchment Committee recommended a scale of Rs.500 to Rs.1,250 for the Superior branch of the top Police Service.

So, Sir, if Deputy Superintendents of Police are to substituted by this intermediate service, there will be very little chance of officers from this grade getting promotion to the superior service which starts at Rs.500.

Sir, I submit that for all these reasons this latter scheme was not considered by the Government to be at all economic or sufficient. My submission therefore is if we want to have Indianisation in the Superior police force at an increasing pace we must retain the present police provincial service.

Moreover, my friends know that we will have a retrenchment committee and they will be able to go into all these matters in a calmer atmosphere and see whether this system should be retained or not. I hope in consideration of this the hon. member will withdraw his motion.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURY: Sir, in consideration of what we have heard from the Hon'ble Chief Minister and in consideration of request that has been made by Mr. Marak, the member who represents a backward tract, I beg leave of the House to withdraw my motion.

The motion was with the leave of the House with drawn.

SRIJUT DEBESWAR SARMAH: Sir, I beg to move that the provision of Rs.2,24,905 under grant No.12, major head—29.—Police—minor head—G.—Criminal Investigation Department (total) at page 97 of the budget be reduced by Rs.76,852.



Sir, I have tabled this motion with a view to abolish the temporary staff and establishment, *viz.*, temporary force Rs.74,311 and temporary establishment Rs.2,541 in the Criminal Intelligence Department of the province.

Sir, this motion relates to abolishing the forces of the police under the Criminal Investigation Department which were on a temporary basis. The sentiment that we heard a minute ago and which I think is a deserving sentiment, namely if the staff is abolished their dependents will suffer, does not apply in this matter because when the Officers of the temporary forces were taken they were taken on the clear understanding that they would have to vacate when Government would no longer consider the necessity of the continuance of their service. It relates to a department the officers of which were primarily required to detect if I am correct, the political crimes.

Sir, without any fear of contradiction, I may say that various circumstances have combined luckily for all of us to have a marked decrease in the number of alleged political crimes for the detection of which this temporary staff was maintained. The last so-called political crime that we heard of, if I remember aright, was in respect of that Tinsukia Mail Robbery case, which took place about two years ago. A friend of mine from this side of the House said that it was not a political crime. Sir, I am not describing here as to what we think of those alleged political crimes. Most of the crimes, officially described as political, have no relation to any political agitation or party really, according to us, but it serves Government and its mercenary police force to describe these as such, so that they can exploit the situation to their own advantage.

Sir, even if we take Government statistics and reports about the crimes, we will find, as I said a minute ago, the Tinsukia Mail Robbery case was committed about two years ago and since then luckily there has been no such case up to now. The year 1937, is also coming to an end. So, Sir, when there are no such cases and also when there is no likelihood of such cases being occurred under the altered circumstances what is the necessity of maintaining such big force under this temporary establishment. Sir, now when we discuss here about water-supply and we look into the budget we see no provision there for this and when we approach Government, we get the reply that funds are wanting and that if and when funds permit they will take up this matter in hand. Again as regards primary education, we also hear the same story. The budget leaves no provision for keeping some money for these beneficial purposes. In the Criminal Investigation Department a very large force is being maintained for detecting the political crimes. Now, there is no work for them. The age-long experience tells us that when there is no work, when the brain is empty—a certain gentleman converts it into his workshop (*laughter*). A few months ago we heard that in Sylhet an Officer of the Criminal Intelligence Department planted a revolver in the house of a person. He was prosecuted, was found guilty by the Additional District Magistrate of Sylhet and was convicted. So, Sir, on the one hand we find that there is no work for them and on the other hand, we find that they have started creating mischief. The Officers of the Criminal Intelligence Department are also human beings. They also have their instinct of self-preservation. When they have no crimes committed by members of the public to be detected, they will naturally try to create some work for them to justify their existence and continuance. Sir, this huge amount spent in the staff of the Criminal Intelligence Department can be usefully employed in other departments. It can be safely said that the Officers of this department generally are not very active and useful in detecting ordinary crimes for the detection of which the ordinary staff of the Police Department is



employed. Sir, if we look at the last Police Administration report which was published in 1935, we find that the number of cases that were detected by the staff of the Intelligence Branch are very small. There was an embezzlement case committed by one Mr. Mookerjee whose profession was to cheat the European Planters. He was prosecuted, but I wonder how he could escape detection. No important murder case could be detected by the staff of the Criminal Intelligence Department. Sir, as regards the murder cases, we do not think that the Officers of this department are rendering very valuable service to Government. I hope the Hon'ble Minister in charge of Police Department will be good enough to concede it. When we go through the old volumes of Indian Legislative Assembly Reports and read the replies given by Sir Basil Blacket or Sir Malcom Hailey, we find that they own the responsibility of the Government where such occurs and concedes their shortcoming whenever there is any. After all this is not and should not be as it happens in a civil suit, one party throwing the burden of proof on the other. Government with the host of subordinate employers is bound to be better posted. Such is not the case with the ordinary member. Returning to our point, if we consider both positive and negative sides, we will find that on the one hand this temporary staff have got no work to do and on the other hand in order to justify their existence they will create mischief. I think the district detective staff which are in Sylhet will be quite enough for the present and Government will find no difficulty to run the show with the permanent staff of the Criminal Intelligence Department. I therefore hope, Sir, that the House will lend unanimous support to my motion.

THE HON'BLE THE SPEAKER: The motion moved is that the provision of Rs.2,24,905 under grant No.12, major head—29.—Police, minor head—G.—Criminal Investigation Department (total), at page 97 of the budget be reduced by Rs.76,852.

SRIJUT SIDDHI NATH SARMA: Sir, the maintenance of this Criminal Investigation Department is improper and illegal, and it is more so with this temporary force.

Section 2 of the Act of 1861 provides for the constitution of the police force under the Local Government and, such, force must be formally enrolled by a certificate under section 8 of the said Act. The duties of such enrolled police officers have been described under section 23 of the Act of 1861 and, as such, they cannot be employed for any other purposes than those mentioned and specified in the said section. Section 12 of the same Act authorises the Inspector General of Police to make rules regarding the uniform, etc., of such officers. Rules made thereunder by the Inspector General of Police in Part III of the Assam Police Manual provide that such police force must wear full uniform while on duty. The underlying principle of prescribing this uniform for the police force is that they may be recognised by the public at a glance, to ventilate their grievances.

The hon. members of this House are aware that these Criminal Investigation Department officers of so-called temporary staff do not, as a rule, wear their uniform while they are on duty. So these officers have no *locus standi* in the eye of law as police officers and Government cannot legally maintain such a force, whose existence has not been contemplated under the Police Act of 1861. So, Sir, to demand for grants to defray the charges of such a force is not legal and the House cannot be asked to vote for such grants. What are the duties entrusted to these officers, the so-called police officers? They are entrusted with the same duties as other



officers of the force are entrusted with. They are engaged to collect and communicate intelligence affecting public peace, to prevent the commission of offences and public nuisance and to detect and to bring offenders to justice. If the Inspector General of Police fails to realise this work from the police officers stationed at the places in which the members of such force reside under the Act, the Inspector General of Police is either remiss or negligent in his duties, and he is unfit to continue in his office.

Sir, the occasional and solitary occurrences of a dacoity or a robbery styled as political dacoity or robbery, arrest of a few absconders, who are hiding in this Province from the neighbouring Province of Bengal, recovery of a few unlicensed revolvers, and pistols, collection of a few supposed threatening notices or pamphlets and objectionable and proscribed documents, investigation of a few murder cases styled as political murder, do not at all justify the continuance of these outside agencies, at the expense of the half-starved, half-naked rate-payers. So, I appeal to the House to remember that every pie that comes to the coffers of Government Exchequer is the flesh and blood of the poor half-starved, and half-naked rate-payers. When we vote for the grant to defray certain expenses we should not forget the rate-payers, the poor rate-payers and that it should go to the benefit of them.

With these few words, I support this motion.

**KHAN BAHADUR MAULAVI KERAMAT ALI:** Sir I am inclined to agree with much of what has been said by my hon. friend Mr. Debeswar Sarmah. The temporary staff of this Department was appointed at a time when there were signs of terrorism in the Province. Now perhaps we all agree that for some time at least there is no such thing as terrorism in this Province. Therefore perhaps the time has now come to consider whether this staff should be abolished, or whether the number of people in the staff should be reduced. The Hon'ble the Finance Minister has been pleased to say that a Retrenchment Committee is coming soon. I hope he will kindly place all the arguments, that have been advanced by Mr. Sarmah, before the Retrenchment Committee, and also put all facts and figures as to the necessity or otherwise of the continuance of the staff, so that the Committee may see whether this temporary force can be done away with, or their number reduced.

**MAULAVI NAMWAR ALI BARBHUIYA:** Sir, I beg to support this motion with the following few words. In my opinion, and I think, in the opinion of the hon. members of this House, this huge body of 108 men including constables is being maintained at the cost of the public money without any work to do (*Hear, hear*). These people know that they have been taken on a temporary establishment, and, as such, as soon as there is no work, they will be thrown out. Therefore, Sir, they will be apt to create some sort of work to justify their existence at the cost of public money (*Hear, hear*). What is the necessity of this huge body? We hear that during the period of last 2 years not a single crime has been detected by men of this temporary establishment. Only 10 cases were detected during the said period by the men of the permanent staff, and so far as I know, all the Criminal Investigation Department Sub-Inspectors of the temporary establishment do the works of clerks in the offices of the Superintendents of Police. As such they are needless, expensive and redundant, and therefore they should be thrown out at this stage of the pressing demands for money for other works of great public importance and rural up-lift.



MAULAVI MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Sir, I rise to support the motion. The C. I. D. is not Criminal Intelligence Department, but Crush Intelligence Department, i.e., this department is aimed to crush the intelligent patriots of the country. I have got personal knowledge, Sir, and perhaps you will also remember that some young men of Sylhet, scions of the most respectable families were harassed for nothing by these C. I. D.'s. They were arrested and taken into custody, but afterwards they were found to be innocent, and the then Law Member had to release them. Every reader of newspapers perhaps know that in broad day-light a mail dacoity was committed in Chandpur, near the town of Sylhet, but up till now we have not heard from this Department that they could detect the crime.

Sir, once I had been to Gauhati and I had the good fortune of being a guest at the house of a friend of mine, who happened to be a Government servant, for a night. In the next morning I found that Criminal Investigation Department officers swarmed the House like anything, and I had to take shelter in the house of the late lamented Mr. N. C. Bardoloi, only to relieve my friend (*Shame, shame*). Many instances may be cited, but I do not like to kill the valuable time of the House. I only say that this Department is useless, and the sooner it goes the better.

BABU KAMINI KUMAR SEN: Sir, I have tabled almost a similar motion so I will just say a few words in support of the cut motion that has been moved by my hon. friend Sriyut Debeswar Sarmah. Sir, it has been a general complaint, and a long standing one, that our expenditure on Police has been very large and quite out of proportion to our income. In fact a scrutiny of the budget figures will show that while we are spending 5 per cent. on Medical, 3 per cent. on Public Health,  $2\frac{1}{2}$  per cent. on Agriculture and  $\frac{1}{2}$  per cent. on Veterinary, we are spending over 11 per cent. for Police, and I also find that the expenditure on Police is going up year by year. During the course of the last 5 years from the year 1933-34 up to date there has been an increase in the police expenditure of Rs. 4,65,000, whereas on the receipt side there has been a decrease of about  $1\frac{1}{2}$  lakh, so that if we take these two figures together, there appears to be an increase of about 6 lakhs which is being paid from the general revenues. Sir, it is high time that there should be a drastic retrenchment under this item of police, and I think this is one of the fittest items to be retrenched at once. As has been pointed out by my hon. friend this is not a permanent force that we are trying to abolish and as such there is no question of throwing out of employment any of our permanent hands. Besides that Sir, there is at present hardly any political crime to justify their retention. Moreover these temporary posts were created on condition that they would be discharged whenever it is necessary to do so. So I think that this temporary establishment of Criminal Investigation Department, which has very little work to do, should be retrenched without further delay.

MAULAVI ASHRAFUDDIN MD. CHOUDHURY: Sir, I have got a similar motion that stands in my name. I want to know if I shall be allowed to move my motion.

THE HON'BLE THE SPEAKER: No, because the motion of Sriyut Debeswar Sarmah includes the amount of this motion.

MAULAVI MUNAWWAR ALI: May I submit, Sir, that the object of the two motions is different; one aims at immediate abolition, while the other is for gradual abolition. Therefore I submit that the question might be allowed to be discussed.



THE HON'BLE THE SPEAKER: If that is the case the motion may be moved.

MAULAVI ASHRAFUDDIN MD. CHOUDHURY: Sir, so far as the policy of these temporary posts is concerned we are all at one that they should be abolished, but whether they should be immediately abolished or gradually that is the point of difference. Sir, precipitate changes are not always very good, but I may immediately say that I hold no brief for these people. I know that many of these officers are coming from Bengal and other places, and they have no justification to remain there. But apart from their maintenance there may be some cases where one or two of them may be required for the maintenance of peace and order. So I would request the hon. mover of the motion to effect a gradual reduction of the Department and to consider whether it will be wise on his part to ask for withdrawal of this cut motion in favour of No.17 cut motion which aims at gradual abolition of this Department.

SRIJUT MAHADEV SARMA: সভাপতি ডাঙৰীয়া পুলিচ বিভাগৰ বাই ঠেঙুলি এই অস্থায়ী Criminal Investigation Department বিভাগ হৈ নালাগে স্থায়ী বিভাগ যিটো আছে সেইটোকো আমাৰ মানুহে “দাঁতৰ শাল চকুৰ কুটা” যেন দেখে। কিয়নো এই বিভাগটোক বাইছে তেনে ভাবে গ্ৰহণ কৰে তাৰ বাই কথাটো হৈছে এই যে তেওঁলোকে “পাণ্ডবৰ চাউল খাই কোঁববৰ গুণ গায়।” তেওঁবিলাকে যে কেবল আমাৰ ভাৰতীয় জাতিগত আশা আকাজক্ষাৰ বিৰুদ্ধে যাবলৈ চেষ্টা কৰে। এনে নহয়; তেওঁলোকে সচাসচি কৈয়ে আমাৰ ধনেৰে পুঠি হয় আৰু আমাৰেই বিৰুদ্ধে যায় আৰু আমাৰ আশা আকাজক্ষা লাভৰও কাৰণে বি কৰ্ম পত্নী গ্ৰহণ কৰে তাক অজ্ঞান বকমে বাধা দিয়ে। যদি প্রকৃত পক্ষে মানুহে বিবেচনা কৰিলে হেতেন যে এই বিভাগৰ দ্বাৰা দেশত শাস্তি আৰু শৃংখলা বৰ্দ্ধিত হৈছে, তেনেহলে বাইছে কেতিয়াও তেওঁলোকক “দাঁতৰ শাল আৰু চকুৰ কুটাৰ দৰে গ্ৰহণ নকৰিলে হেতেন সেই কাৰণে এই বিভাগটোৰ সম্পৰ্কে যিটো প্রস্তাব আনিছে তাক মই সৰ্বসন্মতিক্ৰমে সমৰ্থন কৰো। ইয়াৰ ওপৰত আন এটা ইঙ্গিত আন ফালৰ পৰা আহিছে যে যেষ্টু Retrenchment Committee অলপতে হব, এতিয়া এনে ধৰণৰ প্রস্তাবৰ দ্বাৰা টকা অগ্ৰাণ্য কৰি মিছামিছিকৈ গোলমাল কৰিবৰ প্ৰয়োজন নাই। মই বিগয়েৰে মৈত কওঁ যে সেই ইঙ্গিতত আমি সন্তুষ্ট হব পৰা নাই Retrenchment Committee হব বুলিয়েই আমি কোনো demand ও আপত্তি নকৰিমনে? তত্পৰি কেতিয়া Retrenchment Committee form হব আৰু তেওঁলোকেই বা কি ভাবে কি কৰিব সেইটো নিশ্চিত নোহোৱাকৈ আমাৰ প্রজা বিলাকৰ অধিতে যোৱা কাৰ্য্যৰ কাৰণে কেতিয়াও এই টকা গ্ৰহণ কৰিব নোৱাৰে। সেই কাৰণে মই এই প্রস্তাবটো সমৰ্থন কৰিলো।

THE HON'BLE MAULAVI SAYID SIR MUHAMMAD SAADULLA: Sir, I am in agreement with the hon. mover of this cut on many points that he has urged, but I would like to point out that the very fact that this staff was appointed on a temporary basis indicates the policy of Government that should circumstances arise this staff will be abolished. Sir, I am very glad to hear from my hon. friend the significant point that there is no political crime in the province at the present moment. But what is it due to? It is due to the appointment of this extra staff. (laughter!) (cries of autonomy.)



As regards the point that the majority of these people have no work except trying to plant incriminating articles upon innocent people, I think my hon. friend is referring to the case of Sudhangsu Babu, but I would like to point out that my friend is not up to date in his information. That officer has been honourably acquitted by the Appellate Court. Sir, I would not take the contention of my hon. friend Srijut Siddhi Nath Sarma very seriously who challenged that the appointment of the Intelligence Branch of the Police Force known as the Criminal Intelligence Department is illegal. If the contention were correct, then attention would have been drawn to that point not only in Assam but in other provinces. I am quite prepared to join issue with him in this matter and say that there is nothing illegal about it.

My hon. friend Mr. Kamini Kumar Sen who it appears is a great statistician has found fault with Police expenditure which absorbs Provincial expenditure to 11 per. cent. But he has failed to take note of the fact that this 11 per cent. includes the cost of the Assam Rifles. Sir, I will be giving out no official secret when I say that the sanction of this temporary force will expire with the 31st March 1938, and the service extends only up to the end of the current financial year. In the meantime as I said the other day, we have already reduced the strength of this temporary force by 9 heads and I am watching every month to see whether any further retrenchment can be made. I can assure this Honourable House that before granting any extension for re-employment of this force, I will carefully consider the political situation in the whole province and most probably I will be able to effect a substantial reduction in the force.

One disturbing factor which has very recently come to my notice is a case in Dibrugarh which ended in conviction a week ago. Two of our citizens were involved and they were found in possession of zipos or life preservers the possession of which under the Arms Act is prohibited without a licence.

SRIJUT LAKHESWAR BARUA : Were not these articles sold in Bazar a year or two ago ? They are Japan articles.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Whatever they may be their possession is prohibited under the Act and these young men were found in possession of it together with a large quantity of proscribed literature.

SRIJUT DEVESWAR SARMA : Cannot the tactful Premier do away with these little things with some tact ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : As I was saying, sanction was given to this temporary force to continue till the 31st March 1938, and as such these people may be entitled to get some compensation even if we decide to abolish their service and some money will be wasted in that way. I would point out to the hon. mover that our aim is the same that is to reduce this temporary force. If I find that the political situation is getting better as I have no doubt it will get better there will be a substantial reduction in this force.



Sir, I think I have said enough that our aims are the same, only the method that I advocate is one of gradual abolition while that of our hon. friend is precipitate action.

MR. BAIDYANATH MOOKERJEE: On a point of information, Sir. At page 88 of the budget the expenditure on Assam Rifles has been included under the head Police. So in calculating the total expenditure under the head Police, this amount I think should be added. The Hon'ble Chief Minister in criticising my hon. friend Babu Kamini Kumar Sen who is absent at present, as great statistician said that he conveniently forgot or failed to take note of the fact that the amount of Rs.4,69,116—contribution to the Government of India for maintenance of Assam Rifles has been included. Was he not justified in saying that?

THE HON'BLE THE SPEAKER: His point is otherwise. He says 11 per cent.

MR. BAIDYANATH MOOKERJEE: In calculating the percentage that amount should be added Sir, because that has been included under the head "Police."

THE HON'BLE THE SPEAKER: That is not much. If this item be omitted then the percentage would be reduced.

MR. BAIDYANATH MOOKERJEE: Sir, in that case the matter is quite different. His viewpoint was that only 2½ per cent. has been budgeted for Agriculture. Sir, the aggregate of Agriculture, Veterinary, Industry, Public Health, and Medical is only 12 per cent. where as under the head "Police" 11 per cent. has been budgeted that was his point. If any item be omitted from any or all of the above heads then the percentage would be lesser still.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I have practically finished. But now that my friend has raised that point, I would only draw his attention to paragraph 19 of the speech I delivered at the time of introducing the budget. I then mentioned "Under Police proper I have budgeted for an expenditure of Trs.26,37" this is for Civil Police and did not include expenditure on the Assam Rifles. I have said that I budgeted for that amount as against Trs.27,68 for the previous year. So in the short space of 4 months during which I have been in office, it is clear that the policy has been to reduce expenditure I propose to effect that to the extent of Rs.1,30,000. Then I pointed out in the next sub-paragraph. 'But there is an increase of Trs.92 under Special Police, the Assam Rifles.' And I have also explained how this increase came in and said that formerly we paid one-fourth but now we are contributing 15/55ths of the total expenditure on this force.

SRIJUT DEBESWAR SARMAH: As regards the question of compensation to these people, Sir, may I know if it will come to one month's pay in line of notice by way of compensation that we may have to pay?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The sanction of retention is upto the 31st March 1938.

SRIJUT GOPINATH BARDOLOI: Is the Hon'ble Minister prepared to give a definite assurance that on the 31st March 1938, he is going to abolish this temporary force?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I have said that I have started a gradual abolition. And I cannot say at this moment six months in advance that the entire temporary force will be abolished. Many factors shall have to be considered at the time. If there be no recurrence of political crime and the political atmosphere is clear I am prepared to reduce them substantially.



THE HON'BLE THE SPEAKER: Order, order. The question is, that the provision of Rs.2,24,905 under Grant No.12, Major head—29. Police, Minor head—G.—Criminal Investigation Department (total), at page 97 of the budget, be reduced by Rs.76,852.

The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla claimed a division.

The House divided with the following result.—

AYES—52

NOES—46

1. Babu Akshay Kumar Das.
2. Mr. Arun Kumar Chanda.
3. Mr. Baidyanath Mookerjee.
4. Babu Balaram Sircar.
5. Srijut Beliram Das.
6. Srijut Bhuvan Chandra Gogoi.
7. Babu Bipin Behari Das.
8. Srijut Bipin Chandra Medhi.
9. Babu D. kshina Ranjan Gupta Chaudhuri.
10. Srijut Debeswar Sarmah.
11. Srijut Ghanashyam Das.
12. Srijut Gaurikanta Talukdar.
13. Srijut Gopinath Bardoloi.
14. Srijut Haladhar Bhuyan.
15. Babu Harendra Narayan Chaudhuri.
16. Babu Hirendra Chandra Chakravarty.
17. Srijut Jadav Prosad Chaliha.
18. Srijut Jogendra Chandra Nath.
19. Srijut Jogendra Nath Barua.
20. Srijut Jogesh Chandra Gohain.
21. Babu Kalachand Roy.
22. Srijut Kameswar Das.
23. Babu Kamini Kumar Sen.
24. Babu Karuna Sindhu Roy.
25. Srijut Krishna Nath Sarma.
26. Babu Rabindra Nath Aditya.
27. Srijut Lakheshvar Borooah.
28. Babu Lalit Mohon Kar.
29. Srijut Mahadev Sarma.
30. Dr. Mahendra Nath Saikia.
31. Srijut Mahi Chandra Bora.
32. Mr. Naba Kumar Dutta.
33. Srijut Omco Kumar Das.
34. Srijut Paramananda Das.
35. Srijut Purna Chandra Sarma.
36. Srijut Rajani Kanta Barooah.
37. Srijut Rajendra Nath Barua.
38. Srijut Sankar Chandra Barua.
39. Srijut Sarveswar Barua.
40. Babu Shibendra Chandra Biswas.
41. Srijut Siddhi Nath Sarma.

1. Kumar Ajit Narayan Dev.
2. Srijut Jogendra Narayan Mandal.
3. Srijut Purandar Sarma.
4. The Hon'ble Srijut Rohini Kumar Chaudhuri.
5. Maulavi Abdul Aziz.
6. Maulavi Abdul Bari Chaudhuri.
7. Khan Bahadur Hazi Abdul Majid Chaudhury.
8. Maulavi Md. Abdus Salam.
9. Maulavi Dewan Muhammad Ahbab Chaudhury.
- 10 The Hon'ble Maulavi Md. Ali Haidar Khan.
11. Maulavi Dewan Ali Raja.
12. Maulavi Ashraf Uddin Md. Chaudhury.
13. Maulavi Badaruddin Ahmed.
14. Khan Bahadur Dewan Ekli-mur Roza Chaudhury.
15. Maulavi Ghyasuddin Ahmed.
16. Maulavi Jahanuddin Ahmed.
17. Khan Bahadur Maulavi Keramat Ali.
18. Khan Bahadur Maulavi Mahmud Ali.
19. Khan Sahib Maulavi Mudabbir Hussain Chaudhuri.
20. Khan Bahadur Maulavi Mufizur Rahman.
21. Maulavi Munawwar Ali.
22. Maulavi Naziruddin Ahmed.
23. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla.
24. Khan Sahib Maulavi Sayidur Rahman.
25. The Hon'ble Shams-ul-Ulama Maulana Abu Nasr Md. Waheed.
26. Col. A. B. Beddow.
27. Mr. A. F. Bendall.
28. Mr. J. R. Clayton.
29. Mr. W. R. Faull.
30. Mr. W. Fleming.



AYES—52—contd.

NOES—46—contd.

42. Maulana Abdul Hamid Khan.
43. Maulavi Abdul Matin Chaudhury.
44. Maulavi Syed Abdur Rouf.
45. Maulavi Muhammad Amir-uddin.
46. Maulavi Muhammad Amjad Ali.
47. Mr. Fakhruddin Ali Ahmed.
48. Maulavi Muhammad Maqbul Hussain Chawdhury.
49. Maulavi Matior Rahman Mia.
50. Maulavi Muzarraf Ali Laskar.
51. Maulavi Namwar Ali Barbhuiya
52. Maulavi Sheikh Osman Ali Sadagar.

31. Mr. B. I. Barry.
32. Mr. F. W. Hockenhull.
33. Mr. D. B. H. Moore.
34. Mr. R. A. Palmer.
35. Mr. Benjamin Ch. Momin.
36. Srijut Bhairab Chandra Das.
37. Srijut Bideshi Pan Tanti.
38. Srijut Binode Kumar J. Sarwan.
39. Rev. L. Gatphoh.
40. Mr. C. Goldsmith.
41. Mr. Jobang D. Marak.
42. The Hon'ble Rev. J. J. M. Nichols-Roy.
43. Srijut Khorsing Terang.
44. Mr. P. Parida.
45. Srijut Rabi Chandra Kachari.
46. Srijut Rupnath. Brahma.

Ayes being 52 and Noes 46, the motion was carried.

(Tremendous applause from all quarters)

THE HON'BLE THE SPEAKER: Much time was taken by this division and I regret to say that I saw some behaviour of the members on the floor of this House which cannot be called orderly. Of course the House is the custodian of the dignity of the House and if the hon. members choose to behave in that way, the dignity of the House is much effected thereby.

With regard to the division rule I wish to point out one rule to the hon. members which requires that members going into the division lobby should put their signatures and members after putting signatures in the division list shall pass in a single file from the division lobbies by the door to the speakers right.

I wish to draw the attention of the House to one rule guiding the conduct of visitors in the gallery. I noticed and heard clapping from the gallery which is strictly prohibited. Visitors must see that silence is maintained whilst the Assembly is sitting. Demonstrations by applause or otherwise in the galleries are strictly prohibited. Movements of any kind which are likely to disturb the proceedings of the House must under all circumstances be avoided by the visitors in the galleries.

MR. ARUN KUMAR CHANDA: Sir, I beg to move that the total provision of Rs. 23,34,300 under grant No. 12, Major head 29—Police at page 87 of the budget be reduced by Rs. 300.

Sir, I have tabled this motion to censure the employment of the Police force under repressive laws (Criminal Law Amendments Acts and allied laws).

THE HON'BLE THE SPEAKER: I ruled the other day that such a motion would be valued at Rs. 100 or less. But it is valued at Rs. 300.

MR. ARUN KUMAR CHANDA: I was not aware of the ruling Sir, when I tabled the motion.

THE HON'BLE THE SPEAKER: If you want to alter the figure you may do so.



MR. ARUN KUMAR CHANDA: Very well, Sir. The amount may be reduced by Re. 1.

Sir, this motion is very intimately connected with the question of what are called repressive laws—laws that affect the rights and liberties of the people. I would like to remind the House at the outset that while we discuss this matter to day we stand in the shadow of a thickening calamity—I refer to the widespread hunger strike that has been resorted to by political sufferers to secure the redress of their grievances. This situation grave as it is, is also intimately connected with the motion which I beg to move now.

Sir, at every stage that these extraordinary legislations were passed, the bitterest of resentment swept over the country and it is of course natural considering the fact that no Government can replace time-honoured and well-guarded principles of British Justice without catering for or even planing the seeds of revolutionary hatred. The legislations which are objected to by our countrymen are clear trespasses upon the principles of British Justice. When these Criminal Law Amendment Acts were pushed through the House which is now defunct, Government were in a state of panic, they took an exaggerated view of some misdeeds of certain misguided youths. They minimised the importance of the propaganda of non-violence undertaken by the Indian National Congress. On the other hand, Government let loose upon the country Legions of spies and agent provocateurs and completely poisoned the atmosphere. But all sensible people in the country considered the cult of terrorism a passing phase in our politics and more seriously doubted that it would yield sooner or later to our propaganda in the interest of non-violence and that it would eventually die of innutrition.

Sir, what is after all is said and done, the number of persons that came under the mischief of these Criminal Law Amendment Acts? If I am not mistaken the number is 21 only. Sir, one cannot suppress terrorism by espionage or by star chamber methods. They cannot suppress terrorism by terrorism through the agency of lawless laws such as we have seen in this country. If the present Ministry cares for peace and harmony it is upto them to create the necessary atmosphere. Only a handful of men are still suffering under legislative pains and penalties in the province, Sir. It would be an insult to the intelligence of the House if it were suggested that the freedom of these persons would imperil the safety of the people of this province which is quite adequately safeguarded by various agencies of law and order. Sir, this is an age of emancipation and we all plead to be emancipated from the fetters of executive control. Sir, I did not table this cut motion in a carping spirit or in a light-hearted mood. I am aware that the demand of my party to secure the repeal of these repugnant repressive laws is sufficiently reinforced by the election manifestos of several prominent political parties in the province such as the Muslim League, the Surma Valley Muslim Party and the Assam Valley Muslim parties. I therefore invite all sections of this House to lend their fullest support to this motion and secure the first instalment of freedom from the grip of repressive laws which so seriously affect the rights and liberties of the people of this province. With these few words, Sir, I commend this motion to the acceptance of the House.

THE HON'BLE THE SPEAKER: I think the hon. member should agree to reduce the budget by Re. 1 as Rs. 300 is a substantial amount.

MR. ARUN KUMAR CHANDA: Sir, I accept the suggestion of the Chair to reduce it by Re. 1.



THE HON'BLE THE SPEAKER : The motion is that the total provision of Rs. 23,34,300 under grant No. 12, major head 29.—Police, at page 87 of the Budget, be reduced by Re. 1.

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

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : So far as this province is concerned, there is the Criminal Acts of 1934 and 1935 and within the province we have at the present moment only two persons who came under the provision of this Act. I can tell the hon. members of this House that the cases of these two will be considered by me in October next. On a perusal of the provisions of this Act, I think the hon. members will be satisfied that there is no harm in keeping the Act of the Statute Book what needs looking into is its proper use, and to check its misuse. I can assure the hon. members that so long I am at the helm of the Police Administration, this Act will not be very light-heartedly applied. I can inform the member that during the last week an application for prosecution under this Act has been refused by me. In view of this fact, Sir, I hope the hon. member will be satisfied that there is no necessity of censuring Government for the application of these laws. I do not know, Sir, whether this cut could come under the Police budget, as the hon. mover desires to censure the employment of "Police force" under Repressive laws. But he did not mention how police force was used in enforcing the "repressive" laws. Prosecutions are conducted by the Government pleaders and the trials are held before the tribunal over which the police have absolutely no hand.

MAULAVI MUNAWWAR ALI : Is the Hon'ble Minister prepared to stop the application of repressive laws in Assam ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The repressive laws are applied not in all cases but it is used very sparingly.

SRIJUT GOPINATH BARDOLOI : Are not the ordinary laws sufficient to meet these cases ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The tribunal is for the benefit of the accused persons themselves.

SRIJUT GOPINATH BARDOLOI : Is not tribunal highly expensive ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Yes, Sir, the tribunal are more expensive than the magistracy but it is used only in very sparing cases, to give the benefit of 3 Judges trying the accused.

SRIJUT GOPINATH BARDOLOI : Does the Hon'ble Minister argue in favour of the repeal of these laws ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, my submission before the House is that there is no harm in keeping the Act on the Statute Book, because if there be any subversive movement in the country then this power will be needed by Government.

MAULAVI ASHRAFUDDIN MD. CHAUDHURY : If any emergency arises then they can pass an Act.

SRIJUT GOPINATH BARDOLOI : Yes, Sir, an Act can be passed at the time of emergency.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, passing of an Act means summoning the House and then according to the rules, we will have to go through all the dilatory procedure of legislation, but so long the Act is there it can be applied at the time of any



emergency, and I believe the House can have nothing to grudge against its continuance on the Statute Book.

**SRIJUT GOPI NATH BARDOLOI :** Sir, at the time of emergency the Governor has the extraordinary powers of initiating Act passed and the House is to be summoned for the purpose of its ratification but as a matter of fact this can be done even after six months.

**MR. ARUN KUMAR CHANDA :** Sir, I appreciate deeply the generous gesture of the Hon'ble Chief Minister, it seems that he will see that these Acts are not abused. I would respectfully request him to go a step further and consider the fact that the circumstances in this country do not now call for any extraordinary legislation and that he would be pleased to give an assurance to the House that these laws will therefore be repealed. If, unfortunately circumstances in the country are such as to call for these measures, I think, the House would with the safety of the public in view always assist Government to have it ensured. I want an assurance from the Hon'ble Chief Minister to the effect that these laws will be repealed at the earliest opportunity.

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA :** Sir, this Government over which I preside has come to the conclusion that the political atmosphere of the province is not such as to necessitate the enforcement of these laws. I am prepared to admit to the hon. mover that in this matter, I am ready to seek light from those provinces where Congress Ministry prevails. (clap).

**MR. ARUN KUMAR CHANDA :** Sir, in view of the assurance given by the Hon'ble Chief Minister, I beg leave of the House to withdraw the motion.

**THE HON'BLE THE SPEAKER :** The hon. mover has, I think got the leave of the House to withdraw the motion.

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

**THE HON'BLE THE SPEAKER :** There are some token cuts. I have an important point which I want to discuss now. If any hon. member wants to take up any motion he may take it now but I am afraid it may not be finished. There is motion No.23\* to be discussed at 4-30. Motion No.26 stands in the name of Mr. Jobang D. Marak. I think, he took part in the discussion in connection with the other motion and he has said what he wanted to say now. It would be a repetition of the same thing, if he be allowed now to speak

**MR. JOBANG D. MARAK :** I will not repeat the same thing, Sir.

**THE HON'BLE THE SPEAKER :** Very well I allow the hon. member to move his motion and Babu Dakshina Ranjan Gupta Chaudhuri may speak on this motion.

**MR. JOBANG D. MARAK :** I beg to move that the total provision of Rs. 23,34,300 under Grant No. 12, Major head—29.—Police, at page 87 of the Budget be reduced by Re. 1.

Sir, I have tabled this motion to draw the attention of Government to the absence of any officer of the Police Department to look after the Subordinate Police Force. One Inspector of Police should be deputed for Garo Hills.

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\* Babu Dakshina Ranjan Gupta Chaudhuri :—That the total provision of Rs.23,34,300 under grant No. 12, Major head—29.—Police, at page 87 of the budget be reduced by Rs. 100.

(To criticise general police administration.)



Sir, I have already referred in my last speech that one Police Officer submitted false report in court against some 60 or 80 or more persons stating that they were living without any work and earning.....

If there had been a superior officer to check them, that case would not have gone up to the Deputy Commissioner, these innocent people would not have been required to appear before the Deputy Commissioner for showing cause why they should not be turned out from the Tura town or its vicinity. Sir, in this manner the people are being harassed and put to trouble for nothing.

Sir, some time in the month of May or June, one Court Sub-Inspector was put into trouble simply because there was no Inspector to advise him or to support him. The Sub-Inspector failed to prosecute one accused in a motor accident case. The Deputy Commissioner, who is also the Superintendent of Police and the Court Inspector, was very anxious to prosecute the driver, but the Daroga could not make up sufficient evidences against that accused person. For that he was put into trouble. His increment was stopped for some period, and he was transferred from Tura town to another police beat office outside. He appealed to the Inspector General of Police, and of course he was acquitted honourably. There are many more instances, but I do not like to cite them as they will take away much of the time of the House, and particularly when there are many other important cut motions to be discussed. I am only saying that such instances are troublesome and pitiable. My only prayer is that at least one Inspector of Police be deputed to the Garo Hills to look after the police officers, and I hope the Hon'ble Minister in charge will see to this and promise to arrange for this, and in anticipation of the promise of the Hon'ble Minister, I am prepared to withdraw my motion.

THE HON'BLE THE SPEAKER: The hon. member should move his motion first. Before moving the motion it is necessary that the hon. member should ask leave of the House for withdrawing it.

MR. JOBANG D. MARAK: I beg to move, Sir, that the total provision of Rs. 23,34,300 under Grant No. 12, Major head 23.—Police, at page 87 of the Budget, be reduced by Re. 1.

THE HON'BLE THE SPEAKER: The motion moved is that the total provision of Rs. 23,34,300 under Grant No. 12, Major head 29.—Police, at page 87 of the Budget, be reduced by Re. 1.

SRIJUT DEBESWAR SARMAH: Sir, under this motion I may be permitted to say.....

THE HON'BLE THE SPEAKER: No, there is no time. Mr. Gupta Chaudhuri to speak.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI: Sir, I would only refer to a certain aspect of the question, *i. e.*, I would only refer to the general administration.

Sir, the Hon'ble Minister in charge of Police has given us a very fine gesture that he is going to seek light from the Congress provinces in regard to the withdrawal of repressive laws.

THE HON'BLE THE SPEAKER: Repressive laws are not before the House now.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI: I am only referring to them. I am now requesting the Hon'ble Minister to look to the Congress Ministry, and look to what Mahatma Gandhi writes regarding administration of police in other Congress provinces. Sir, in yesterday's



paper he has given us an idea of what that administration is. I am reading extracts from what Mahatmaji has written :

"Congress will rule not through the Police backed by the military but through its moral authority based upon the greatest good will of the people".

"Police should be friends of the people instead of being their dread".

But, Sir, I am constrained to say that if a police officer goes to a village, everybody feels terrified. When a dacoity is committed, the person, who is aggrieved, wants to be relieved of the hooliganism of the Police. Again, Sir, here in India—I am coming nearer to Assam—to be a robust and healthy young man is an offence in the eye of the police. I know some specific instances where healthy and robust young men were subjected to various troubles and indignities only on account of their health. This sort of things should stop.

Again, Sir, we hear so much of public interest, public safety, and so on and so forth. I think the persons, who are responsible for public interest, public safety, do not want to go by the real denotations and connotations of these terms. All these terms should be taken in true perspective, and henceforth police officers should be servants of the public, and not their masters. Our sad experience is this, Sir. When people approach police officers, they generally use filthy language; they are notorious for their incivility (I am speaking generally). I would direct the attention of the Hon'ble Minister to that aspect of the question. I have already told that he has been kind enough to say that he will take lessons from the Congress Ministers in other provinces. In this respect, *i. e.*, in the administration of the police, I hope he will follow the Congress Ministries, and be guided by the enlightened principles of responsible Government.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, firstly as regards Mr. Marak's motion, I promise to look into the matter and see whether one Inspector of Police posted at the headquarters of Garo Hills will ease the situation.

As regards my hon. friend Mr. Gupta's recommendations that I have forestalled the Congress view I can say that I was the Member in charge of Police in 1931, and I roamed all over the Province as President of a Police Enquiry Committee in which members of *swaraj* party also sat. I recommended the very same things which my hon. friend is recommending about the attitude the police should adopt; *vis-a-vis* the public that is they should behave as servants of the people and not as their masters. If specific cases of highhandedness and *joolum* are produced before me, I am perfectly sure what my line of action will be.

The next point he urged was to take a lead from the Congress Ministries in other provinces. I will just read what the Hon'ble Chief Minister of Orissa said in his own province. I am quoting from the speech of the Home Minister of Bengal (I have not seen the original text). The Orissa Premier is reported to have said "so long as you maintain peace and order my police will never interfere with you. As a Minister responsible for law and order in my province I want you to understand that if there be any breach of peace and order, my police will be forced to take action, and thereby your money will be wasted".

I do not say it is "my" police. I say the police of the province will only see that the peace is kept.

MR. JOBANG D. MARAK: On the promise given by the Hon'ble 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: The motion moved is that a sum not exceeding Rs. 22,57,448 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 "Police Department".

[The motion was carried.]

## GRANT NO.—5

### (II.—REGISTRATION)

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.1,37,700 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 "Registration Department."

BABU RABINDRA NATH ADITYA:—

That the provision of Rs. 69,275 under Grant No. 5, Major head—11.—Registration, Minor head—A.—District charges, Sub-head—1.—Pay of officers, Detailed head—Special Sub-Registrars and Sub-Registrars, at page 50 of the Budget, be reduced by Rs. 25.

(To discuss the urgency of restoring the Sub-Registry office at Barlekha.)

In moving this motion I would like to draw the attention of the Hon'ble Minister to the keenly felt grievances of the people due to the fact that the Sub-Registry Office which was located at Barlekha has been abolished. The result is that it is causing much hardship to the people of Barlekha. The area which was administered by the said Sub-Registry Office has now been tagged on to the Bianibazar Sub-Registry Office, which office now administers an area of some 276 square miles and a population of not less than 62 thousand. If under the law, Government have made it obligatory for people to register some documents, it is also the moral duty of Government to provide facilities for their registration. The Registration Department is not a commercial venture, and as such I think the question of loss or gain should not be considered and the convenience of the people should be the uppermost consideration. The Bianibazar Sub-Registry Office is situated in a very out of the way place and it is badly connected with communications. Then, Sir, under the new Sylhet Tenancy Act all documents for the transfer of *jote* right require compulsory registration, and as such facilities for registration should be provided urgently and immediately. At present it takes a man living far away from Bianibazar two days to come and have his documents registered, and therefore people try other means to evade registration. I hope the Hon'ble Minister will take a note of this.

I do not like to occupy more time as I understand my hon. friend Mr. Gauri Kanta Talukdar is anxious to move his cut motion regarding a Sub-Registry Office at Nalbari as he is a stout defender of the cause of Nalbari (*laughter.*), a locality which has loomed large in the proceedings of this Session.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, there are several motions under this head, and on behalf of Government we want to make a general statement, and if all these motions are moved together it will economise time also.



**SRIJUT GAURI KANTA TALUKDAR :** Sir, I beg to move that the provision of Rs. 1,37,473 under Grant No. 5, Major head—11.—Registration, Minor head—A.—District Charges (total), at page 50 of the Budget, be reduced by Rs. 2.

(To urge Government to establish a Sub-Registrar's office for registration of documents at Nalbari.)

Sir, the necessity for establishing a Sub-Registry Office at Nalbari has been recognised by Government in reply to my question No. 536. The figures given in answer to my question No. 535 of documents presented for registration at the Gauhati Sub-Registry Office by the people residing under the Nalbari, Rangiya and Boroma Thanas, amply justify the opening of a Sub-Registry Office at Nalbari. It has been practically admitted that a Sub-Registry Office at Nalbari, will be self-supporting. But the only difficulty pointed out was that if a new office was started at Nalbari the Gauhati Sub-Registry Office would be in heavy deficit, and that is the reason why Government are reluctant to open an office at Nalbari. Sir, if Government want to practise economy I would suggest that the Sub-Registrar of Gauhati may be removed to Nalbari, and the duties of the Sub-Registrar at Gauhati may be performed by an Extra Assistant Commissioner in addition to his own duties as most of the Extra Assistant Commissioners there have very little work to do and keep sitting idle. There is another way. At present a Magistrate has to go to Nalbari for 4 days in the week to try criminal cases. Now, if Government want to practise economy, he may be allowed to do the work of a Sub-Registrar for the remaining days.

With these few words, Sir, I commend my motion for the acceptance by the House.

**MR. FAKHRUDDIN ALI AHMED :** Sir, an identical motion stands in my name. I therefore, support the motion which has just been moved by my hon. friend Srijut Gauri Kanta Talukdar. I think, Sir, the establishment of a Sub-Registry Office at Nalbari is very essential. There is a strong demand for it and I hope Government will pay attention to this indispensable requirement.

**MAULAVI SYED ABDUR ROUF :** I beg to move.....

**THE HON'BLE THE SPEAKER :** Order, order. I now find that the motion which stands in the name of Maulavi Syed Abdur Rouf is slightly different from the others that have been moved. I will now rule that only those motions which relate to a Sub-Registrar's Office are to be moved together. Accordingly Maulavi Abdul Bari Chaudhury may move his motion.

**MAULAVI ABDUL BARI CHAUDHURY :** I beg to move—

That the provision of Rs. 69,275 under Grant No. 5, Major head-11.—Registration, Minor head-A.—District charges, Sub-head-1.—Pay of Officers. Detailed head—Special Sub-Registrars and Sub-Registrars, at page 50 of the Budget, be reduced by Re. 1.

Sir, this is to raise a discussion regarding establishment of a Sub-Registrar's Office at police station Dera, Sunamganj subdivision.

**THE HON'BLE THE SPEAKER :** Of the next two motions Nos. 7 and 8, No. 7 relates to Kamalganj Sub-Registrar's office and No. 8 relates to Sub-Registrar's office at both Kamalganj and Balaganj. Therefore, Babu Dakshina Ranjan Gupta Chaudhuri moves his motion No. 8. It will cover both the cases.

**BABU DAKSHINA RANJAN GUPTA CHAUDHURI :** I beg to move—

That the total provision of Rs. 1,37,700 under Grant No. 5, Major head—11.—Registration, at page 49 of the Budget, be reduced by Rs. 10.



I want by the motion to discuss restoration of Sub-Registrar's Office at Kamalganj and Balaganj. In my discussion of the motion I would tell the House that the Balaganj Sub-Registrar's Office is 50 years' old. It has recently been removed. When Mr. Hezlett was the Deputy Commissioner of Sylhet, he visited Balaganj and he testified to the necessity of a Sub-Registrar's Office there and Government built this building at a cost of Rs. 8,000. I commend it to the Hon'ble Minister's consideration that there is a proposal for the removal of this Sub-Registrar's Office from Balaganj and this will cause great inconvenience.

Again at Kamalganj, the people of that area are compelled to go to Srimangal, a distance of 15 miles. I request the Hon'ble Minister to establish a Sub-Registrar's Office again at Kamalganj and remove the grievance of the people of the locality.

With these words I commend the motion to the House.

MR. ARUN KUMAR CHANDA: I will say just one word, Sir. I understand that orders have been issued for the demolition of the Sub-Registrar's office at Balaganj, the old office just now closed. And we request the Hon'ble Minister to reconsider the matter and pending his decision, issue instructions that the buildings may not be demolished.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I will see to that.

THE HON'BLE THE SPEAKER: The Hon'ble Minister may reply to all these.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: As regards the re-opening of offices at Barlikha and Kamalganj, we have abolished them for economic reasons. Still I will see what I can do in the matter and try to reopen them as early as possible.

The opening of new offices at Nalbari and Derai will also be considered favourably.

As for Balaganj this was only transferred to Tajpur recently. This was decided by the last Government and they opened a temporary office at Tajpur. It was found that Tajpur was a much better place than Balaganj. They also gave a hearing to the representatives of both the parties from Balaganj and Tajpur. It was ultimately found necessary that the Balaganj office should be abolished and the office at Tajpur continued. This has been done very recently and I do not want to interfere in the matter at the present moment without giving a sufficient trial. So I oppose this.

As regards the buildings at Balaganj which has just been mentioned by hon. Mr. Chanda, I will of course see what I can do in this respect.

BABU RABINDRA NATH ADITYA: What about Barlekha?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I will consider it.

BABU RABINDRA NATH ADITYA: Favourably?

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

SRIJUT GAURI KANTA TALUKDAR: What about Nalbari?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I will try to open an office there if possible.

BABU RABINDRA NATH ADITYA: In view of the favourable assurance given, I beg leave of the House to withdraw the motion.

The motion No. 1 was with the leave of the House withdrawn.

SRIJUT GAURI KANTA TALUKDAR: As the Hon'ble Minister has assured me that he will try to open an office at Nalbari, I beg leave of the House to withdraw the motion.

The motion No. 2 was with the leave of the House withdrawn.

MAULAVI ABDUL BARI CHAUDHURY: I beg to withdraw the motion, Sir.



Motion No. 6 was with the leave of the House withdrawn.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI: I will also join the party. But before I withdraw the motion I will add another request. As regards the comparative merits that has been mentioned, I have enough materials with me to convince the Hon'ble Minister. But for the fact that the clock before me and the ruling of the Chair, I could not tell the House and I would appeal to the Hon'ble Minister to take due note of the feeling of the public in this matter and make another endeavour and see whether the office can again be shifted to Balaganj.

THE HON'BLE MAULAVI MD. ALI HYDER KHAN: I will try to meet the wishes of the hon. member as far as possible.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI: In view of this response that we have got from the Hon'ble Minister, I beg leave of the House to withdraw the motion.

Motion No. 8 with the leave of the House withdrawn.

MAULAVI SYED ABDUR ROUF: I beg to move—

That the total provision of Rs. 1,37,700 under Grant No. 5, Major head—11.—Registration, at page 49 of the Budget, be reduced by Rs. 2.

This is to raise a discussion on the insufficiency of Muhammadan Marriage Registration Offices in the Barpeta subdivision of Kamrup district.

Sir, my subdivision of Barpeta in the Kamrup district has an area of 1,258 square miles and at present the Muhammadan population there is 150,000 if not more. The subdivision is some 50 miles in length and 25 miles in breadth, and unfortunately Barpeta is not situated in the central position of the subdivision; it is some 35 miles off from the northern boundary and 25 miles off from the south-eastern and south-western quarter of the subdivision. There is only one office at Barpeta and the result has been that the people find much inconvenience in registering and solemnising their marriages in Barpeta office. It is also unfortunate, Sir, that the public of my subdivision for various reasons are neither willing nor prepared to have their marriages either solemnised or registered by the present incumbent. I have sought for a compromise between the Kazi and the public, but I am not certain that the public will consent to it. The public is neither prepared to pay more than his usual fees nor to believe any more that he has been granted a *sanad* to dissolve the marriages solemnised in any part of the provinces of Bengal and Assam. There are men who doubt whether the Kazi of Barpeta is literate at all. In these circumstances people have given up registering their marriages. Criminal cases under the section relating to marriages have abnormally increased. I therefore want that at least two more offices should be opened, one at Sorbhog and the other at Torabari and educated Maulavis should be appointed there. This will give an impetus to the students of my subdivision towards education, Sir, Government may say that the present work in the Kazi's office is not sufficient even to maintain a single office. I admit it. But I have already explained the reasons and I think I have sufficiently hinted at the situation which has now been created in Barpeta subdivision. An enquiry will certainly reveal many more things. I simply want to assure Government that, if offices are opened at the places I have suggested, there will be more than sufficient work for the new offices. In this connection I should like to inform the House that nearly all the villages in my subdivision want that there should be opened two more offices in the subdivision. My friends, Messrs. Fakhruddin Ahmed, Kameswar Das and Ghanasyam Das, will all bear me out when I say that the popular demand is that at least two such new offices should be opened in my subdivision without delay. With these few words I move the motion.



THE HON'BLE THE SPEAKER: The motion before the House is that the total provision of Rs. 1,37,700 under Grant No. 5, Major head—11.—Registration, at page 49 of the Budget, be reduced by Rs. 2.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Sir, I have heard the hon. member. As a matter of daily need there must be some sort of office for registration in that part of the locality and I have nothing to say by way of opposition to the hon. member's proposal. If there is a sufficient public demand, I will see that offices are opened there.

MAULAVI SYED ABDUR ROUF: In view of the Hon'ble Minister's assurance, I beg to withdraw the motion.

The motion was by leave of the House withdrawn.

MAULAVI MUNAWWAR ALI: Sir, I beg to move that the provision of Rs.69,275 under Grant No.5, Major head—11. Registration, Minor head—A.—District charges, sub-head—1.—Pay of officers (total), at page 50 of the Budget, be reduced by Re.1

The object of my motion, Sir, is to criticise the exorbitant rate of commission fee charged in registering documents on commission, and to urge its reduction. If a document is to be registered on commission, Rs.10 is charged irrespective of the distance to which the Sub-Registrar has to go. Moreover, if there are more documents than one between the same parties, another Rs.10 is charged as commission. This is rather exorbitant. It was Rs.4, Sir, at the beginning. It was then raised to Rs.10, then reduced to Rs.4 and again raised to Rs.10. During the previous Council I made a deduction motion like this and the Hon'ble Minister in charge gave an assurance that he would reduce it to a reasonable amount. But that assurance has not yet been complimented. I am agreeable, Sir, if the reduction is made by Rs.5 and if an additional Re.1 each be charged for an additional documents between the same parties. I hope, Sir, in this autonomous Province with a fully responsible Government, the Hon'ble Minister will give me an assurance to this effect, on which I shall be prepared to withdraw my motion.

The motion was put to the House.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Sir, the rates of fees charged in Assam are already lower than those of Bengal and Bihar and I do not see any justification in reducing the fees at present. But still if the Hon'ble House wants that something should be done in that respect, I shall try my best to meet its wishes if possible.

MAULAVI MUNAWWAR ALI: Sir, in view of the assurance given, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

BABU KARUNA SINDHU ROY: I beg, Sir, to move that the total provision of Rs.1,37,700 under grant No. 5, Major head—11.—Registration, at page 49 of the Budget, be reduced by Re.1. My object is to raise a discussion for not making provision for accommodation of clients.

MAULAVI ASHRAFUDDIN MD. CHAUDHURY: May I know, Sir, what the hon. member means by the word "clients"?

BABU KARUNA SINDHU ROY: I mean, Sir, the parties who come to the Registration offices to register their documents. I wish to bring to the notice of the House that these parties are subjected to great inconvenience for want of a shelter to accommodate them from sun and rain. There are places which are situated far from the Registration Offices from which these parties come, and when they come, they are subjected to this inconvenience. I therefore request by this motion that immediate steps should be taken to construct sheds for the parties.

The motion was put from the Chair.



THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I quite realise Sir, what the hon. member has said, and I also think that waiting rooms are necessary for these people. But this would require funds and I think a big sum will have to be spent on the construction of these sheds. I can assure the House that as soon as funds are available I shall do my best to see that the inconvenience is removed.

BABU KARUNA SINDHU ROY: In view of the assurance given, I beg, Sir, to withdraw my motion.

The motion was by leave withdrawn.

THE HON'BLE THE SPEAKER: The motion before the House is that a sum not exceeding Rs.1,37,700 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 "Registration Department".

The motion was carried.

The Assembly was then adjourned till 11 A.M. on Tuesday, the 24th August 1937.

Shillong,

The 30th September 1937. }

A. K. BARUA,

Secretary, Assam Legislative Assembly.



## APPENDIX

Statement referred to in reply to question No. 188(d) by Sriji Krishna Nath Sarma to be put on 23rd August 1937

NAMES OF PERSONS SHOWING THE AMOUNTS OF LOANS OUT-  
STANDING AND ORIGINALLY GRANTED

## SIMALUGURI MAUZA

Serial No.	Names of persons	Amount issued	Amount outstanding				Amount realised
			Principal		Interest		
		Rs.	Rs.	Rs.	a.	p.	
1	Sonaram Sarma Khaund	6	6	1	2	6	Nil.
2	Bhakon Chutia ...	7	7	1	5	7	Nil.
3	Rokheswar Chutia ...	6	6	1	2	6	Nil.
4	Bhima Kanta Chutia...	3	3	0	9	3	Nil.
5	Malbhog Chutia ...	3	3	0	9	3	Nil.
6	Gunaram Kalita ...	2	2	0	6	2	Nil.
7	Mithai Pachani ...	3	3	0	9	3	Nil.
8	Maheswar Kolita ...	3	3	0	9	3	Nil.
9	Jannur Ali ..	2	2	0	6	2	Nil.
10	Bhudhar Gogoi ...	2	2	0	6	2	Nil.
11	Ghanasyam Kaibarta...	6	6	1	2	6	Nil.
12	Maniram Hazarika ...	3	3	0	9	3	Nil.



Dec