

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 30th August, 1937

QUESTIONS AND ANSWERS

STARRED QUESTIONS

Increased rates in court-fees and stamp-duties

MR. FAKHRUDDIN ALI AHMED asked :

*265. Will Government be pleased to state—

- (a) the total receipts raised from stamp duties and court-fees district by district in the months of April, May and June, 1937 ;
- (b) such receipts in the corresponding month of the years 1934, 1935 and 1936 ;
- (c) whether increased rates in court-fees since the enforcement of amended Court-fees Act has correspondingly increased or is likely to increase the receipts of the province from this source ?

THE HON'BLE MAULAVI SAYYID SIR MUHAMMAD SAADULLA replied :

265. (a) and (b).—A statement is laid on the table.

Statement referred to in reply to starred question No. 265(a) and (b).

District	1934					
	April		May		June	
	Stamps	Court-fees	Stamps	Court-fees	Stamps	Court-fees
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Cachar ...	3,708	14,208	3,676	12,985	2,650	9,879
Darrang ...	1,774	4,780	1,447	6,639	826	4,808
Garó Hills ...	67	414	89	303	43	226
Goalpara ...	2,814	24,331	1,843	16,771	831	8,036
Kamrup ...	2,993	14,145	2,361	14,944	1,673	11,266
Khasi and Jaintia Hills.	1,027	1,148	798	1,729	696	1,451
Lakhimpur ...	1,957	5,905	2,467	8,770	958	7,487
Lushai Hills ...	60	15	10	60	5	...
Manipur ...	34	174	18	324	22	396
Naga Hills ...	21	266	22	236	28	168
Nowgong ...	1,598	3,587	1,254	4,166	756	2 948
Sibsagar ...	2,617	7,664	2,806	12,735	2,178	10,881
Sylhet ...	13,720	60,761	11,085	64,674	10,534	50,653
Total ...	32,390	1,37,398	27,876	1,44,336	21,200	1,08,199

The above figures exclude value of stamps paid in Bengal on documents relating to properties of Assam which is adjusted annually under stamps and the annual amount is Rs.45,000.

District	1935					
	April		May		June	
	Stamps	Court-fees	Stamps	Court-fees	Stamps	Court-fees
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Cachar ...	3,460	12,451	4,239	12,398	3,320	14,280
Darrang ...	1,138	5,469	1,248	5,081	1,379	6,083
Garo Hills ...	167	401	74	393	72	289
Goalpara ...	1,564	23,774	2,914	13,918	1,254	9,653
Kamrup ...	3,615	12,309	2,515	12,179	2,262	12,979
Khasi and Jaintia Hills.	730	1,431	802	1,081	782	1,770
Lakhimpur ...	1,639	6,694	1,931	7,120	1,121	6,291
Lushai Hills ...	...	90	30	10	10	10
Manipur ...	140	210	11	238	...	360
Naga Hills ...	24	173	28	344	22	318
Nowgong ...	1,233	3,628	1,002	4,368	780	3,564
Sibsagar ...	2,345	7,949	2,953	9,792	2,534	9,370
Sylhet ...	13,446	60,016	12,068	56,044	9,031	42,488
Total ...	29,501	1,39,595	29,815	1,22,966	22,567	1,07,455

The above figures exclude value of stamps paid in Bengal on documents relating to properties of Assam which is adjusted annually under stamps and the annual amount is Rs.45,000.

District	1936					
	April		May		June	
	Stamps	Court-fees	Stamps	Court-fees	Stamps	Court-fees
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Cachar ...	4,787	14,076	4,442	15,143	3,363	14,005
Darrang ...	1,230	5,953	1,281	5,252	1,074	4,989
Garo Hills ...	77	284	38	271	65	313
Goalpara ...	2,000	27,985	1,475	12,670	1,333	9,390
Kamrup ...	3,166	16,083	3,734	14,048	2,288	13,244
Khasi and Jaintia Hills.	1,400	830	707	1,962	1,687	822
Lakhimpur ...	1,908	5,622	4,551	6,767	989	6,479
Lushai Hills ...	...	35	...	94	10	...
Manipur ...	84	214	6	310	5	406
Naga Hills ...	12	146	20	223	10	170
Nowgong ...	1,506	4,516	1,203	4,070	800	3,949
Sibsagar ...	2,315	8,686	2,933	11,114	2,157	9,726
Sylhet ...	10,516	60,524	11,982	52,464	11,334	43,936
Total ...	29,001	1,44,954	32,372	1,24,388	25,115	1,07,429

The above figures exclude value of stamps paid in Bengal on documents relating to properties of Assam which is adjusted annually under stamps and the annual amount is Rs.45,000.

District	1937					
	April		May		June	
	Stamps	Court-fees	Stamps	Court-fees	Stamps	Court-fees
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Cachar ...	6,563	14,073	5,936	13,027	4,004	13,809
Darrang ...	1,656	6,307	1,462	5,319	1,116	4,981
Garo Hills ...	109	482	52	287	34	750
Goalpara ...	3,331	32,276	2,187	10,616	1,812	9,961
Kamrup ...	4,670	17,214	4,180	13,632	2,811	12,852
Khasi and Jaintia Hills.	2,289	1,971	1,817	5,674	1,030	1,573
Lakhimpur ...	2,604	7,786	2,517	7,334	1,857	7,251
Lushai Hills ...	20	35	...	35	15	35
Manipur ...	*	*	*	*	*	*
Naga Hills ...	11	435	59	235	—9	176
Nowgong ...	3,310	5,392	1,575	4,604	1,128	4,015
Sibsagar ...	2,924	10,095	2,733	9,191	2,840	9,223
Sylhet ...	20,094	70,493	16,050	51,748	13,169	43,329
Total	47,581	1,66,559	38,568	1,21,702	29,825	1,07,955

The above figures exclude value of stamps paid in Bengal on documents relating to properties of Assam which is adjusted annually under stamps and the annual amount is Rs.45,000.

* With effect from the 1st April 1937 the receipts of Manipur State have not been credited to the Provincial Revenues but to Central Taxes and Crown Representatives Department.

MR. FAKHRUDDIN ALI AHMED: Has the receipt increased during these three months?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The figures will show; I have laid them on the table.

MAULAVI MUHAMMAD AMJAD ALI: Is it not a fact that the Stamp and Court-fees Acts were thrust upon the last Legislative Council on promise of remission of certain percentage of land revenue in certain districts of Assam?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Does this question arise?

SRIJUT SIDDHI NATH SARMA: Is it a fact that Government assured at the time of passing this legislation that the money received from this will be spent for rural water-supply?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: No, I do not find any such promise in these Acts of 1936.

(c)—This depends on the amount of court-fee and other stamps sold.

Vice-Chairman of the North Lakhimpur Local Board

SRIJUT SARVESWAR BARUA asked:

*266. Will Government please state the name of the present Vice-Chairman of the North Lakhimpur Local Board?

*267. When was he elected to this office?

*268. When would his term of office expire or have expired according to the Law?

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

266.—Srijut Kushram Bora.

SRIJUT SARVESWAR BARUA: Is Srijut Kushram Bora still the Vice-Chairman of the Board?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: As far as I know he is still the Vice-Chairman.

267.—26th May 1934.

268.—25th May 1937.

SRIJUT SARVESWAR BARUA: Has re-election taken place after the expiry of the term?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: As far as I know re-election has not taken place.

SRIJUT SARVESWAR BARUA: Then how the Hon'ble Minister said that he is still the Vice-Chairman of the Board?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Re-election has not been done by the Board.

SRIJUT SARVESWAR BARUA: If the re-election does not take place, will this gentleman continue in office till the reconstitution of the Board?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That is a question which has not been brought to the notice of Government.

SRIJUT SARVESWAR BARUA: Is it not provided in the law that the term should expire at the end of the third year?

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

SRIJUT SARVESWAR BARUA: Then how can he continue after that term is over ?

CORRECTION SLIPS TO THE ASSAM LEGISLATIVE ASSEMBLY
DEBATES VOLUME II, No.13, DATED THE 30TH AND 31ST
AUGUST 1937

Correction slip No.9

At page 1302 after the heading "Unstarred questions" insert the following :—

THE ASSAM REVENUE TRIBUNAL

KHAN SAHIB MAULAVI SAYIDUR RAHMAN asked :

530. Is it a fact (a) that the officer presiding over the Assam Revenue Tribunal has not enough work to do ?

(b) If so do Government propose to consider the desirability of retaining the post on a more economical basis ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

530. (a)—No.

(b)—The question does not arise.

Correction slip No.10

At page 1302, before the question "533", insert the following :—

531. Has the attention of the Hon'ble Minister in charge of the Education Department been drawn to the proceedings of a public meeting recently held at Gauhati regarding the recent strike of the students of the Collegiate School in connection with the observance of holiday on Haridev Tithi ?

532. Is it a fact that Haridev Guru was one of the foremost religious reformers of Assam and that he is held in high esteem by the Assamese Hindus ?

Correction slip No.11

At page 1302, before the reply to question "533" insert the following :—

531.—Yes.

532.—Government understand that he was a great religious reformer and that he is held in special esteem by Hindus in the Goalpara and Kamrup districts.

SHILLONG :

A. K. BARUA,

The 15th January 1938. }

Secretary, Legislative Assembly, Assam.

SRIJUT GAURI KANTA TALUKDAR: Has the Hon'ble Minister received a copy of a resolution of a public meeting held at Nalbari on the 24th August urging Government to grant a general holiday on the death anniversary of Haridev Guru?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I have not received any such resolution. Most probably this is in office.

SRIJUT GAURI KANTA TALUKDAR: Is the Hon'ble Minister aware that the anniversary is observed in the other districts of the Assam Valley besides Kamrup and Goalpara?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Government have got no information.

SRIJUT GAURI KANTA TALUKDAR: I say that there are Satras of the said Guru in the other districts of the Assam Valley and that a considerable number of Hindu public observe the anniversary. Is Government aware of that?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: No, Sir. Government have no information beyond that except in the districts of Kamrup and Goalpara the death anniversary is observed elsewhere also.

SRIJUT GAURI KANTA TALUKDAR: Will Government consider the desirability of granting a general holiday all over the Assam Valley districts?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: This supplementary question is a repetition of question No.534. I have already answered that.

SRIJUT GAURI KANTA TALUKDAR: The answer to my question seems to be limited to Goalpara and Kamrup districts only.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The question is a general one. I have replied that the matter is under consideration.

SRIJUT BELIRAM DAS: What action do Government propose to take in considering the matter as regards the granting of a public holiday?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: We have called for reports from District Officers. As soon as we receive these, Government will come to a final decision.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied:

534.—The matter is under consideration.

Gauhati Registration Office

SRIJUT GAURI KANTA TALUKDAR asked:

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

(a) The number of documents presented for registration at Gauhati Registration Office from the Mauzas under the Nalbari, Rangia and Boroma Thanas during the last 5 years, thana by thana?

(b) The number of documents presented for registration in the said office from the rest of the Subdivision during the last 5 years, year by year?

536. (a) Do Government recognise that the people of the Nalbari, Rangia and Boroma side are made to incur heavy expenditure on account of railway expenses and are put to great inconvenience in travelling to Gauhati for registration of documents?

(b) If so, do Government propose to post a Sub-Registrar at Nalbari as early as possible?

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

535. (a) and (b)—A statement is laid on the table.

Statement showing number of documents registered in the Gauhati Sub-Registry Office during last five years

Year	Total number of documents registered in the Gauhati Sub-Registry Office	Number of documents registered in Gauhati Sub-Registry Office from the thana claka of—			Number of documents presented for registration from the rest of the Sub-division	Remarks
		Nalbari	Rangia	Boroma		
1932	3,414	1,285*	315	..	1,814	*These figures include Boroma figures as there was no separate thana at Boroma prior to 1st April 1936.
1933	3,016	1,175*	333	..	1,508	
1934	2,957	1,280*	314	..	1,363	
1935	3,382	1,511*	381	..	1,490	
1936	3,695	1,406†	438	50	1,801	†This figure includes figures of Boroma for first three months of 1936 as the thana at Boroma started on 1st April 1936.

536. (a)—Yes.

(b)—The result of opening an office at Nalbari, even if it paid, would be that the Gauhati office would be in heavy deficit. Government will, however, consider the matter in connection with other claims for the opening of offices.

SRIJUT GAURI KANTA TALUKDAR: I find that Government says that if a Sub-Registry office is opened at Nalbari, Gauhati office would be in heavy deficit. Will Government have the work of the Sub-Registrar of the Gauhati Sub-Registry office done by an Extra Assistant Commissioner in addition to his duties?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I have already said that the matter will be considered.

Provision of urinals and latrines for the Barpeta Court Compound

SRIJUT KAMESWAR DAS asked:

537. (a) Is it a fact that there are no urinals and latrines for the use of the litigant public in the Barpeta Court Compound?

(b) If so, does the Hon'ble Minister in charge propose to take steps to make provision for the same at an early date ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

537. ()—There are no urinals in the Barpeta Court compound but there are latrines at a little distance intended for use by the litigant public.

(b)—Government do not propose to take this up in preference to other urgent work in Barpeta town itself.

SRIJUT KAMESWAR DAS: With regard to (b) may I have an idea about any of these urgent works in the Barpeta town for which Government propose to make provision.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: It will be a long catalogue, Sir.

SRIJUT GHANASHYAM DAS: Will the Hon'ble Minister say that the latrines are intended for the use of litigant public even though they are situated at a distance ?

(No reply.)

SRIJUT KAMESWAR DAS: It is replied that the catalogue of urgent works will be a long one. May we know at least some of these urgent works which Government are taking up in the Barpeta town this year ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I can speak only from memory. For instance, roads in Barpeta town are very bad ; they ought to be improved. Some areas are insanitary ; they ought to be looked into. These things are more urgent than the urinal.

SRIJUT KAMESWAR DAS: May we know if provision for these has been made in the current year ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: They will be taken into consideration.

Habit of smoking in the Ejlas in the district of Sylhet

MAULAVI ASHRAFUDDIN MD. CHAUDHURI asked :

538. Are Government aware that some of Executive Officers are in the habit of smoking in the Ejlas in the District of Sylhet ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

538.—The hon. member is referred to the reply given to question 192 asked by Babu Karuna Sindhu Roy in this session of the Assembly.

Establishment of a village court at Ahotguri

SRIJUT RAJENDRA NATH BARUA asked :

539. Will Government be pleased to state (a) the distance of Ahotguri from Golaghat Court and (b) how many rivers are to be crossed for a man coming from Ahotguri to Golaghat Court ?

540. Will Government be pleased to state whether there is any village Court at Ahotguri ?

541. If the answer to question 540 is in the negative, do Government propose to establish a village Court there in future ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

539. (a)—About 27 miles but in the rainy season it varies with the course of the Brahmaputra and its tributaries.

(b)—Five including tributaries.

540.—No.

541.—No representation for the establishment of a village court at Ahotguri has yet been received and Government are not prepared to establish one until they are satisfied that local circumstances justify such a course of action.

SRIJUT RAJENDRA NATH BARUA : Will Government consider the question of holding Court at Ahotguri considering the long distance of the place from the headquarters of Golaghat as they do in Nalbari ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Provided there is a demand for it.

Total mileage of cartable roads in Barpathar and Sarupathar mauzas

SRIJUT RAJENDRA NATH BARUA asked :

542. Will Government be pleased to state (a) the total mileage of cartable roads in Barpathar and Sarupathar Mauzas under the Development Board ?

(b) How many miles of cartable road have been opened in these two Mauzas by the Development Board since its creation to the end of March 1937 ?

(c) What is the annual amount spent on roads for the last three years in those two mauzas ?

(d) What is the annual amount spent on bridges for the last three years in those two mauzas ?

543. Will Government be pleased to state (a) the amount spent on the temporary bamboo bridge over the Dhansiri in Naojan in 1936-37 ?

(b) What are the dimensions of the said bridge ?

(c) Whether there is a similar bridge made there by a private person at a cost of only Rs.15 ?

544. Will Government be pleased to state (a) whether there is any cartable road in Bokajan area of the Sarupathar mauza opened by the Development Board ?

(b) What is the length of the cartable road in Naojan area of the Sarupathar mauza ?

545. Will Government be pleased to state whether they have issued instructions to the people of Sarupathar and Barpathar mauzas asking them to pay tax on carts within the month of June 1937 ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

542 (a)—Fifty-nine miles.

(b)—Five miles.

(c)—Figures are given below :—

Year				Rs.
1934-35	...	...	...	5,297
1935-36	...	...	...	5,109
1936-37	...	...	...	4,916

The above sum also includes the expenditure incurred on bridges as shown in reply (d).

Year	Rs.
(d)—1934-35	1,648
1935-36	1,432
1936-37	1,305

SRIJUT RAJENDRA NATH BARUA: Is it a fact that this figure of fifty-nine miles shown is included in the Public Works Department road leading from Golaghat to Barpathar or is it a different road made by the Development Board or the Forest Department?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am not aware of that. I require notice of that question.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

543. (a)—The amount spent on a Civil Works bridge with wooden posts and beams, etc., on the Dhansiri river in Naojan in 1936-37 was Rs. 179.

(b)—Length 179 feet, breadth 6 feet and height about 12 feet.

(c)—No. A smaller bridge of temporary nature was constructed by the agent of the lessee in a sub-ghat for his own convenience at a much higher cost.

544. (a) and (b)—There are about 25 miles of cartable road in Bokajan and Naojan area under the Development Board. But no definite length of the roads in each area can be given without proper specification of the boundaries of each area.

SRIJUT RAJENDRA NATH BARUA: Is Government aware that there is no cartable road in the villages and that carts ply through fields?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have already answered that no definite length of the roads in each area can be given without proper specification of the boundaries of each area.

SRIJUT RAJENDRA NATH BARUA: May I know whether there are sufficient roads for the villagers to ply carts?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The length of the roads is already given.

SRIJUT RAJENDRA NATH BARUA: Is not this road the main Public Works Department road leading from Golaghat to Barpathar, which is in existence from very long time?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I think this road is used by the villagers.

SRIJUT RAJENDRA NATH BARUA: Will the Hon'ble Minister take it from me that this road is not used by villagers in order to justify the levy of a cart tax? This road is not for the benefit of villagers.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I cannot accept the hon. member's suggestion that this road does not benefit the villagers at all.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

545.—Notices were issued to pay the first-half of the tax on or before 30th August 1937.

SRIJUT RAJENDRA NATH BARUA: May we know whether Government is aware that these village roads are not for the benefit of

the villagers and whether Government proposes to postpone the cart tax on these roads?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: If the hon. member wants to make out a case for the agriculturists for exemption of tax then this matter may be taken into consideration by Government but no such rule of exemption can be issued so far as the villagers are concerned.

SRIJUT RAJENDRA NATH BARUA: My question is only for the benefit of the agriculturists and I want to know whether Government will consider that.

KHAN BAHADUR MAULAVI KERAMAT ALI: In view of the fact that the villagers have no roads to go to the trunk road, i.e., there is no feeder road between the villages and the trunk road, will the Hon'ble Minister consider that this tax should be abolished altogether?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: If after inquiry Government is satisfied that no cart actually passes on the road, then, of course, they can be exempted.

KHAN BAHADUR MAULAVI KERAMAT ALI: There may be cart but there is no cartable road.

No reply.

Number of Cabinet meetings

SRIJUT MAHI CHANDRA BORA asked :

546. Will Government be pleased to state the number of meetings of the Cabinet of Ministers held between 1st of April and 30th of June 1937?

547. Did His Excellency the Governor of Assam attend any of those meetings?

548. If so, how many times?

549. Did His Excellency preside over any of the meetings? If so, how many times?

550. Will Government be pleased to state whether His Excellency attended the meetings in his discretion or at the request of the Members of the Cabinet?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

546.—Eight formal meetings. There were also informal discussions held by the Hon'ble Ministers.

547.—Yes.

548.—Eight times.

549.—Yes. Eight times.

550.—In His Excellency's discretion exercised under section 50(2) of the Government of India Act, 1935.

MAULAVI MUHAMMAD AMJAD ALI: Has there been any occasion for His Excellency to differ with any policy evolved by the Council of Ministers?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I have already answered on a previous occasion that there was no difference between His Excellency and the Cabinet.

Urban Health Officer for Nowgong

SRIJUT MAHI CHANDRA BORA asked :

551. (a) Are Government aware that the town of Nowgong had been without any Urban Health Officer from March to July last ?

(b) Are Government aware that epidemics generally break out during this part of the year ?

(c) Will Government state whether the Director of Public Health, Assam, received any communication from the Chairman of the Municipality requesting Government to post a Health Officer during the absence of the permanent incumbent on leave ?

(d) If so, why was no Health Officer posted ?

(e) Will Government be pleased to state who was entrusted with the duties of the Health Officer during the period ?

(f) Are Government aware that there were several cases of deaths from cholera and typhoid in the town of Nowgong during the period ?

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

551. (a)—Yes. From 10th March to 9th July.

(b)—Yes : there was, however, no epidemic in the Nowgong town during this period.

(c)—Yes, on the 20th May 1937.

(d)—None was available.

(e)—None : but, of course, the Civil Surgeon lives in the town and he would always be available.

(f)—There was one death from cholera and two from typhoid.

SRIJUT MAHI CHANDRA BORA : With regard to (b) in the answer it is written that there was, however, no epidemic in the Nowgong town during this period, but may I know whether the epidemic takes place due to the want of any Urban Health Officer ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : This question does not arise, Sir. The reply is already given there.

SRIJUT MAHI CHANDRA BORA : My question is whether the epidemic breaks out due to the want of any Urban Health Officer.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : I cannot hear what the hon. member says.

SRIJUT PURNA CHANDRA SARMA : Is it a fact that the Civil Surgeon of Nowgong reported the cases of cholera as cases of diarrhoea ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : That question does not arise, Sir.

SRIJUT PURNA CHANDRA SARMA : It is not a different question, Sir.

SRIJUT MAHI CHANDRA BORA : I did not get answer to my question, Sir.

THE HON'BLE THE SPEAKER : Will the Hon'ble Minister please answer the question of Srijut Mahi Chandra Bora ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : The reply is already given in the answer that there was, however, no epidemic in the Nowgong town during this period.

SRIJUT PURNA CHANDRA SARMAH : Is it a fact that a case of cholera was reported as the case of diarrhoea ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Sir, I have already replied to this question, the other day that when any case is suspected to be a case of cholera, the Civil Surgeon gives his opinion but his opinion is *not final because the excreta have to be examined by the Pasteur Institute whether it is a case of cholera or a case of diarrhoea.* So the final declaration rests with the Experts of the Pasteur Institute.

SRIJUT PURNA CHANDRA SARMA: Is the Hon'ble Minister ready to take it from me that the report given by the Civil Surgeon was false?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I could not follow the hon. member. Will he please repeat his question?

SRIJUT PURNA CHANDRA SARMA: Is the Hon'ble Minister prepared to accept it from me that the statement made by the Civil Surgeon was not correct?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I cannot say whether I should accept it or not. The case has been reported as a case of diarrhoea, and I do not know whether it is a fact or not. We have to depend on expert examination.

SRIJUT PURNA CHANDRA SARMA: Is the Hon'ble Minister aware that there were some more cases of deaths in the town of Nowgong at that particular period?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I am not aware of that, Sir. The reply to question No.551 (f) is that there was one death from cholera and two from typhoid. Beyond this we have no information.

SRIJUT PURNA CHANDRA SARMA: Will the Hon'ble Minister be pleased to state whether the Chairman of the Municipality reported regarding the negligence and indifference of the Civil Surgeon?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have not got that report, Sir.

BABU HARENDRA NARAYAN CHAUDHURI: Is it desirable to keep a Civil Surgeon who cannot distinguish between cholera and diarrhoea?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Sir, that is a question of opinion and I cannot answer that just now.

SRIJUT MAHI CHANDRA BORA: Sir, in answer to question No.551 (d) it is written that none was available. May I know the total strength of the Urban Health Officers in the province?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I think the number of the Urban Health officers in the province is 9.

SRIJUT PURNA CHANDRA SARMA: Was it advertised in the paper or in the gazette for the appointment of the Health Officer?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: There was no reason for advertisement in the gazette for the appointment of the Health Officer as they were appointed long ago.

Deputy Commissioners' offices in Surma Valley Districts

SRIJUT MAHI CHANDRA BORA asked:

552. Will Government be pleased to state whether the office of the Deputy Commissioners in the Surma Valley Districts, Assam, remain closed on last Saturdays of every month?

553. If so, will Government please state whether the offices of Deputy Commissioners in other districts of Assam remain closed or not on such days?

554. If not, why not ?

555. Does Government consider the desirability of extending the same privilege throughout the province ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

552.—Yes, when the state of the work justifies it.

SRIJUT KAMESWAR DAS : The reply to question No.552 is "Yes, when the state of the work justifies." Does the Hon'ble Minister mean to say that no sufficient work is left for the last Saturday of every month ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I could not follow the hon. member. Will he please repeat his question ?

SRIJUT KAMESWAR DAS : Does the Hon'ble Minister mean to say that no sufficient work is left for the last Saturday of every month ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, the question is ' Will Government be pleased to state whether the offices of the Deputy Commissioners in the Surma Valley districts, Assam, remain closed on last Saturdays of every month ?' The reply is ' Yes, when the state of the work justifies it '. If there is no work for the last Saturday then that Saturday is observed as holiday but if there are arrears then that last Saturday is not observed as holiday.

SRIJUT MAHI CHANDRA BORA : Is it a fact that the offices of the Deputy Commissioners in the Surma Valley remain closed on last Saturdays ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The reply is 'Yes, when the state of work justifies it '.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

553.—No.

554.—The Sylhet and Cachar practice is a relic of the days when Assam formed part of the province of Eastern Bengal and Assam. It never obtained in the Assam Valley.

555.—Government do not consider this desirable, at present.

KHAN BAHADUR MAULAVI KERAMAT ALI : Is the Hon'ble Chief Minister aware that this rule used to be observed at Jorhat when Mr. Walker was Deputy Commissioner there ?

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

SRIJUT PURNA CHANDRA SARMA : Do Government consider that holiday on last Saturday is necessary in Surma Valley ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : As I have already said, if there is no work then that last Saturday is observed as holiday but if there is work then the office remains open.

KHAN BAHADUR MAULAVI KERAMAT ALI : Are Government aware that holiday on last Saturdays are necessary in the district of Assam Valley also ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : There will be no difficulty to observe the same rule in Assam Valley Districts provided there is no work on a particular Saturday.

SRIJUT PURNA CHANDRA SARMA : Will Government issue circular to that effect ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, if the House wants that, then I may issue a circular to that effect.

Length of the Dastidari cubit used in the Survey of Patta I

MAULAVI ABDUL AZIZ asked :

556. Will the Hon'ble Minister in charge of Revenue Department be pleased to state if it is a fact that the length of the "Dastidari cubit" which was used in the Survey of Patta I was $23\frac{3}{4}$ inches and the length of the "Nol" was of 8 (eight) cubits ? If not, what ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

556.—The question is not understood.

Staff of the Registration Department

MAULAVI ABDUL AZIZ asked :

557. Will the Hon'ble Minister in charge of Registration Department be pleased to state (a) whether Government propose to change the designation of Registration Maharirs to clerks ?

(b) Whether Government propose to revise their scale of pay like the officers of other Departments ?

(c) Will the Hon'ble Minister be pleased to place on the table the copies of the representation, if any, received from them with the orders on it ?

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

557. (a)—No.

(b)—No.

(c)—None have been received.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: May we know from the Hon'ble Minister why the Registration Maharirs cannot be designated as clerks ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Because the posts of clerks are pensionable, and they do all the work of the office, while the Maharirs do only the copying part of it.

Expenditure incurred for salary of Agricultural officers

MAULANA ABDUL HAMID KHAN asked :

558. Will Government be pleased to lay on the table the expenditure incurred for (i) the salary of agricultural officers (ii) for seeds and fertility of lands in the province ?

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

558. It is not clear what the hon. member means by "seeds and fertility of lands". He will find full details of the amount of expenditure proposed under every sub-head of the agricultural budget at pages 141 to 151 of the Detailed Estimates for 1937-38.

Number of Muhammadan Students in different High Schools of Assam Valley

MAULAVI GHYASUDDIN AHMED asked :

559. Will Government be pleased to state separately—

(a) The number of Muhammadan boys in the Dhubri, Goalpara, Gauhati, Nowgong and Jorhat High Schools ?

(b) The number of Anglo-Persian teacher in each school mentioned in (a) ?

560. Is it a fact that the number of Muhammadan boys reading in Dhubri Government High School is greater than that of the Muhammadan boys reading in Gauhati, Nowgong or in Jorhat High School ?

561. Is it a fact that several representations were made to Government by the Dhubri Moslem public for an additional Anglo-Persian teacher in the Dhubri Government High School ?

562. If the answers to questions 560 and 561 above are in the affirmative do Government propose to make provision for an additional Anglo-Persian teacher in the Dhubri Government High School at an early date ?

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

559. (a)—The following are the figures :—

Dhubri Government High School...	...	...	178
Goalpara " " " "	...	...	70
Cotton Collegiate School, Gauhati ...	...	...	109
Nowgong Government High School ...	...	...	94
Jorhat " " " "	...	...	108

(b)—Each school mentioned in (a) above has one Anglo-Persian teacher except the Government High School, Jorhat, which has two Anglo-Persian teachers.

560.—Yes.

561.—Yes.

562.—Government will consider the matter.

MAULAVI GHYASUDDIN AHMED: May I know when Government will consider the matter ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: The Budget has been passed now, and I hope it will be considered shortly.

MAULAVI GHYASUDDIN AHMED: I could not follow the Hon'ble Minister.

THE HON'BLE THE SPEAKER: He said the matter would be considered shortly.

MAULAVI JAHANUDDIN AHMED: Will the Hon'ble Minister please repeat his answer ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I said the matter would be considered shortly.

MAULAVI MUHAMMAD AMJAD ALI: May I know for how long this state of things is continuing in the Dhubri High School ?

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

KHAN BAHADUR MAULAVI KERAMAT ALI: Is it a fact that in a school where there are more than 100 Muhammadan students, there should be two Anglo-Persian teachers ?

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

KHAN BAHADUR MAULAVI KERAMAT ALI: Why was this rule not observed in the Cotton Collegiate School, Gauhati, and the Dhubri Government High Schools?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: The matter did not come up before.

MAULANA ABDUL HAMID KHAN: Sir, গত দশবৎসর যাবৎ ক্রমান্বয়ে খুবরী হাইস্কুল আর একজন মুসলমান শিক্ষক নিয়োগের জন্ত যে আবেদন করা হইয়াছে গবর্ণমেন্ট সে বিষয়ে অবগত আছেন কি?

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

MAULANA ABDUL HAMID KHAN: জুনিয়র পাণ করা যে সম্ভব ছেলে খুবরী হাই স্কুলে ভর্তি হইতে আসে, সেখানে এরবিক শিক্ষক না থাকায় প্রত্যেক বৎসর তাহার কিরে বেত বাধ্য হয়; মাননীয় Education মিনিষ্টারের সে বিষয় জানা আছে কি?

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

MAULANA ABDUL HAMID KHAN: অগ্রহ করে বাংলাতে বললে ভাল হয়।

THE HON'BLE THE SPEAKER: উনি বলছেন যে এখানে এই প্রশ্ন আসে কি?

MAULANA ABDUL HAMID KHAN: পূর্বে এ ভাবে প্রতিশ্রুতি দেওয়া হইয়াছে কিন্তু কার্যে তাহা পরিণত হয় নাই। মাননীয় Education মিনিষ্টার এবারও সেরকম হবে বলে মনে করেন কি?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I said the matter would be considered, and hoped that it would be put into practice.

Development of Communications in the Province

MAULAVI GHYASUDDIN AHMED asked :

563. Will Government be pleased to state—

- (a) What were the amounts that were allotted in the different districts for the developments of communications in the year 1935-36, 1936-37 and 1937-38 from the contributions by the Central Government to this Province and
- (b) Of the sum so allotted to Goalpara district how much was allotted to the Sadr Subdivision, i.e., Dhubri Subdivision?

564. Will Government be pleased to state—

- (a) The mileage of pucca roads in the different subdivisions in the different districts of the Province under the Public Works Department?
- (b) The mileage of gravelled roads in the different subdivisions in the different districts of the Province under the Public Works Department?

565. (a) Is it a fact that businessmen and the touring officers complain of being put to great hardship for want of good communications in the Dhubri Subdivision, and if so,

(b) Do Government propose to make sufficient provisions for a scheme for the development of communications in the Dhubri Subdivision?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

563. (a)—A statement is laid on the table.

Statement showing the analysis of allotment in the different districts of Assam for the development of communications from the contributions by the Central Government to the Provinces

District	Allotment during the years—		
	1935-36	1936-37	1937-38 (allotment only)
1	2	3	4
	Rs.	Rs.	Rs.
Lakhimpur	3,91,593	1,97,685	43,956
Sibsagar	3,26,142	2,81,206	81,911
Nowgong	41,600	2,80,773	1,52,400
Darrang	1,10,690	1,07,834	2,82,033
Goalpara	30,527	1,45,373	1,29,000
Kamrup	16,363	2,26,889	75,100
Sylhet	3,80,522	4,58,971	3,41,400
Cachar	61,000	15,854	...
Total ...	13,61,437	17,14,585	11,05,800

(b)—Nil.

KUMAR AJIT NARAYAN DEV: Do Government consider it necessary to allot any sum for Dhubri subdivision?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, I have not got any figures for Dhubri subdivision because only the district figures were wanted.

MAULAVI GHYASUDDIN AHMED: May I know why was Goalpara neglected in the matter of allotment of money from the Central Government fund?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I do not know why this was done in previous years, but in the present proposal Goalpara has got a very big share.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

564. (a) and (b)—A statement is laid on the table.

Statement showing the mileage of pucca roads and gravelled roads in the different subdivisions in the plains districts of the Province including the Khasi and Jaintia Hills District

Names of Civil Subdivisions	Mileage of pucca roads	Mileage of gravelled roads	Names of districts
1	2	3	4
North Sylhet ...	41.35	23.50	} Sylhet District.
Maulvibazar ...	5.84	34.46	
Habiganj ...	4.57	2.00	
Sunamganj ...	Nil	Nil	
Karimganj ...	3.32	35.71	
Tezpur ...	16.17	103.95	} Darrang District.
Mangaldai ...	11.77	53.69	
Dhubri ...	1.45	10.44	} Goalpara District.
Goalpara ...	12.28	53.84	
Gauhati ...	50.34	52.59	} Kamrup District.
Barpeta ...	Nil	11 78(a)	
Nowgong ...	19.34	131.36	Nowgong District.
Dibrugarh ...	58.92	89.98	} Lakhimpur District.
North Lakhimpur ...	10.81	69.73	
Jorhat ...	17.52	48.47	} Sibsagar District.
Sibsagar ...	7.33	76.33	
Golaghat ...	6.07	117.87(b)	} Cachar District.
Silchar ...	38.87	5.61	
Hailakandi ...	19.17	15.86	} Khasi and Jaintia Hills District.
Shillong ...	151.93	6.50	
Jowai ...	2.12	...	

(a) Includes 1.35 miles of creteways.

(b) This length includes 8,778 r.ft. of gravelled surface treated with various bitumen compound as experimental purpose.

565. (a)—Possibly. Government have not received any specific complaints to this effect.

(b)—The needs of the district are being considered in the programme of road improvement now being considered by the Board of Communications.

KUMAR AJIT NARAYAN DEV: Are Government aware that the North Trunk Road running from Haltugaon to Kachugaon is impassable during the greater part of the year?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes, Sir, and therefore Government propose to take up that North Trunk Road for improvement in the near future.

KUMAR AJIT NARAYAN DEV: Are Government aware that the roads under the management of the Forest Department are always maintained very badly?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, the roads under the management of the Forest Department do not come under this question at all, but I am not prepared to accept the statement that they are always kept badly.

Urban Health Officer of Nowgong

SRIJUT HALADHAR BHUYAN asked :

566. Are Government aware that there is no urban Health Officer in the town of Nowgong for the last three or four months ?

567. Is it a fact that there have been several cases of typhoid and cholera in the town of Nowgong during this month, and that some of them have ended fatally ?

568. Do Government propose to consider the desirability of posting an efficient Health Officer in the town at an early date ?

569.(a) Are Government aware that sweetmeats and other eatables are sold uncovered in the fish markets in many towns of Assam ?

(b) If so, does Government propose to take immediate action in the matter ?

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

566.—Yes. The Health Officer was on leave from 10th March to 9th July.

SRIJUT MAHI CHANDRA BORA: May I know whether any medical officer used to take any preventive measures during the absence of the urban Health Officer ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The Civil Surgeon is supposed to take charge of the health of the town at the time when there is no regular Health Officer.

SRIJUT MAHI CHANDRA BORA: There is no question of supposition. I want to know definitely whether any medical officer took any preventive measure ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The Civil Surgeon is there. He must have taken charge of the work.

BABU HARENDRA NARAYAN CHAUDHURI: Is he not the Civil Surgeon who cannot distinguish between diarrhoea and cholera ? [Laughter. No reply.]

SRIJUT HALADHAR BHUYAN: Will the Hon'ble Minister take it from me that the Civil Surgeon did not take any action.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I do not know that.

SRIJUT HALADHAR BHUYAN: Is the Hon'ble Minister aware that the Civil Surgeon did not touch any patient, and he is not likely to touch any patient in the near future also ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: How can he examine cases without touching patients ? He may not touch a few patients but I am not aware that he does not touch any patient at all.

SRIJUT HALADHAR BHUYAN: Will the Hon'ble Minister take it from me that he does not touch any patient ?

KHAN BAHADUR MAULAVI KERAMAT ALI: Is it because he is not paid any fees ? [Laughter]

[No reply.]

THE HON'BLE THE SPEAKER: The hon. member is assuming something.

MR. NABA KUMAR DUTTA: May I know the name of the Civil Surgeon?

THE HON'BLE THE SPEAKER: No name is necessary.

SRIJUT PURNA CHANDRA SARMA: Is the Hon'ble Minister aware that this Civil Surgeon does not accept any call when it does not come in auspicious time according to the calendar?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I do not think I can answer that. I do not know.

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

567.—There was one death from cholera and two from typhoid.

568.—The Health Officer has returned from leave and resumed his duties.

569.(a)—Government have no precise information on the point but accept the hon. member's statement.

(b)—It is for the Municipalities concerned to take action by making and enforcing suitable byelaws.

SRIJUT HALADHAR BHUYAN: Did the Director or the Assistant Director of Public Health ever visit the municipal markets of Nowgong?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I think the Director of Public Health visited Nowgong District just a few months back, at the time when there was the suspected cholera epidemic.

SRIJUT HALADHAR BHUYAN: Does the Hon'ble Minister know that eatables, etc., were sold uncovered in the fish markets?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have not got any report in regard to this.

SRIJUT HALADHAR BHUYAN: Is it not their duty to look to all these things?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Well, it is a question of duty. It is their duty to look to these things?

MAULAVI MUHAMMAD AMJAD ALI: If they do not, will Government issue instructions to do so?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The instructions are already there. It is the duty of every Health Officer to see that the health of the town is kept.

SRIJUT PURNA CHANDRA SARMA: Is it not the duty of the Civil Surgeon to visit the market on market days?

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

SRIJUT PURNA CHANDRA SARMA: Not even during the absence of the Health Officer?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: If necessary, during the absence of the Health Officer, if notice is given to him he may do so.

Sylhet-Govindganj-Sunamganj Road and Govindganj-Chhatak Feeder

BABU KARUNA SINDHU ROY asked:

570. (a) Will the Hon'ble Minister in charge of Public Works Department please state if any proposal had been made for departmentalising the Sylhet-Govindganj-Sunamganj Road and Govindganj-Chhatak Feeder?

(b) If so, what steps, if any, Government has taken in response to the proposal?

(c) Is it a fact that Government has objected to the inclusion of this road mainly on the ground of engineering difficulty ?

(d) Is it a fact that it was contended by the Superintending Engineers and the Chief Engineers at meetings of Road Board and on the floor of this House that the road runs through low-lying country technically known as the " Western Ocean " and that at present mostly below the flood level ?

(e) Is Government aware that the several members of the Road Board and members of the Assam Legislative Council challenged the statement in the Road Board as well as on the floor of this House and cited the assurance of the Chairman of the Sunamganj Local Board that the road from Sylhet to Pagla is above flood level and that a length of thirteen miles from Pagla to Sunamganj goes under water in some places ?

(f) Will Government be pleased to state whether it is the accepted policy of Government to have improved roads connecting subdivisions with the District town ?

(g) Is it a fact that during the rains steamers ply up to Sylhet, it takes ten to twelve hours to reach Sunamganj from Sylhet and that during the dry season only occasionally buses run on the road which is at places dangerous to public safety ?

(h) Is it a fact that owing to improvised bamboo bridges buses take five to six hours to cover the distance of 42 miles from Sylhet to Sunamganj ?

(i) Is it a fact that a bus and a motor launch mail service is licensed to carry a very small number of passengers ?

(j) Is it in the contemplation of Government to improve communication between Sylhet and Sunamganj ? If so, will Government state what steps it proposes to adopt in the light of the statements of the former members of the Council supported by the Chairman, Local Board, Sunamganj, that the road except the portion between Pagla and Sunamganj is above flood level and the department may immediately take up the question of improving the road by the next dry season ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

570. (a) and (b)—The Sylhet-Sunamganj road has been included in the proposed scheme for road improvements in Assam. These proposals are at present under the consideration of the Board of Communications.

(c)—Does not arise.

(d)—Does not arise.

(e)—Does not arise.

(f)—Yes. In so far as the funds at Government's disposal make this ideal possible.

(g)—The hon. member is referred to the Steamer Companies' Time Table. Government have no information regarding the motor services on this Local Board road.

(h)—The hon. member is referred to the answer given to (g).

(i)—Yes.

(j)—The hon. member is referred to the answers given under 570 (a) and (b)

BABU KARUNA SINDHU ROY : Did the Hon'ble Minister enquire into this from the Subdivisional Officer ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : No, Sir, we did not enquire from the Subdivisional Officer.

BABU HARENDRA NARAYAN CHAUDHURI : Did Government call for any information ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I took the statement of the hon. member as correct and therefore I did not call for any information.

BABU HARENDRA NARAYAN CHAUDHURI : (g) The reply is that Government has no information. If they had no information why did they not call for it when the questions were sent ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Because I am prepared to take the statement of the hon. member as correct.

Development Officer, Golaghat

SRIJUT SANKAR CHANDRA BARUA asked :

571. Will Government be pleased to state—

- (a) The number of days spent on tour by the Development Officer, Golaghat, in a month for the year 1936-37 ?
- (b) The distance from the headquarters (Golaghat Town) of the Development Officer to Barpathar and Sarupathar ?
- (c) The amount of travelling allowance drawn by the Development Officer in a year for the last three years ?
- (d) Whether there was a quarter for the Development Officer at Barpathar ? If so, what happened to it ?

572. Do Government propose to provide a Government building or quarters to the Development Officer at Barpathar or Sarupathar ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

571.(a)—Fifteen days in a month on the average.

(b)—The distance from Golaghat town is 20 and 29 miles respectively by road. It is pointed out, however, that the headquarters of the Development Officer is at Golaghat from May to September and at Barpathar from October to April.

(c)—As the Development Officer draws Rs. 50 as fixed monthly travelling allowance, the total comes to Rs. 600 a year.

(d)—Yes, but it was burnt.

572.—The matter is under the consideration of the Commissioner.

Forest contracts given by Bijni and Mechpara Court of Wards Estates

MAULAVI JAHANUDDIN AHMED asked :

573. Will Government be pleased to state—

- (a) How many forest contracts had been given by the Court of Wards Estates of Bijni and Mechpara in the district of Goalpara separately in the year 1936-37 ?
- (b) How many of these contracts had been given to the contractors of this district and how many to outsiders ?

574. Will Government be pleased to state—

The total number of forest officers in the Bijni and Mechpara Wards Estates separately for each Estate with the names of the persons and the posts they hold and also with their home districts ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

573. (a)—The number was as follows—

Bijni—33 Coupes.

Mechpara—191 Contracts.

(b)—In Bijni 26 Coupes were taken by the Contractors of the district and 7 by outsiders. The corresponding figures for Mechpara were 189 and 2 respectively.

MAULAVI JAHANUDDIN AHMED : May I know the names and home districts of these contractors ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I have not got the information now but I can supply the hon. member with it afterwards, if necessary.

MAULAVI JAHANUDDIN AHMED : Is it a fact that Himat Sing firm was given some contract ?

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

MAULAVI JAHANUDDIN AHMED : Is he a man of the same district as that of the chief forest officer of Bijni Raj Ward's Estate ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I am not aware of it.

MAULAVI JAHANUDDIN AHMED : Are these men natives of the province ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : They are inhabitants of the province inasmuch as they stay here to carry on business. Otherwise they are natives of the Province.

MAULAVI JAHANUDDIN AHMED : Is it the policy of Government to give contracts to outsiders.

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

MAULAVI JAHANUDDIN AHMED : Then, Sir, may I know why contracts have been given to outsiders ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : We have recently issued instructions that contracts should be given to the tenants of the Estate in the first instance, secondly to inhabitants of the province, and if no men of the first two categories are available to give contracts to others.

MAULAVI JAHANUDDIN AHMED : It does not appear that the instructions of Government are followed by the Chief Forest Officers of the Estate.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I shall see that they are followed.

KUMAR AJIT NARAYAN DEV : I think the Manager passes orders. Will the Hon'ble Minister give instructions that outsiders are not recommended for these contracts ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I have already said that outsiders will not be given any contracts provided suitable local men are available.

MAULAVI JAHANUDDIN AHMED : Are tenders invited ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I cannot give precise information, but I think that tenders are called for.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :
574.—The statement below gives the information required—

Name of Estate	Description of posts	Number of officers	Name of the district to which he belongs
Bijni Raj Wards' Estate.	Chief Forest Officer	1	Jullunder, Punjab.
	Deputy Ranger ...	1	Dacca, Bengal.
	Forest Clerk ...	1	Ditto ditto.
	Forest Moherer ...	1	Goalpara.
	Foresters ...	6	1 Dacca, Bengal. 3 Goalpara. 2 Sylhet.
	Forest Guards ...	23	22 Goalpara. 1 Chapra, Bihar.
Mechpara Wards' Estate.	Forest Sub-Manager	1	Kamrup.
	Deputy Ranger ...	2	1 Sibsagar. 1 Goalpara.
	Foresters ...	2	Goalpara.
	Forest Clerk ...	1	Goalpara.

The names of the employees under the existing practice of Government cannot be disclosed.

MAULAVI JAHANUDDIN AHMED : I find that out of 10 higher posts only 3 Foresters and 1 Forest Moherer come from the Goalpara district. May I know why the people of Goalpara are not given posts in their own district ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I do not see that they have been neglected. Goalpara will not be neglected in future also.

MAULAVI JAHANUDDIN AHMED : I understand that the forest sub-manager is a retired person. Is he strong enough for this hard-working job of the Forest Range ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : My information is that he is quite strong enough to carry on his duties.

MAULAVI MUHAMMAD AMJAD ALI : Is he not enjoying a pension from Government ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I think he is getting pension.

MAULAVI MUHAMMAD AMJAD ALI : How is it then that he has been employed again ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : There is no bar to a pensioner being employed if he is able to carry on his duties satisfactorily.

MAULAVI MUHAMMAD AMJAD ALI : Is he not too old to perform outdoor duties ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : It does not necessarily follow that every man who is older than the hon. member is not fit to carry on his duties ?

MAULAVI MUHAMMAD AMJAD ALI: Will the Hon'ble Minister take it from me that it is only a case of favouritism because the Manager comes from Barpeta, like the Manager himself?

THE HON'BLE THE SPEAKER: This is not a proper question.

MAULAVI JAHANUDDIN AHMED: Is it a fact that Government is not pursuing the policy of giving employment to the younger generation?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Government is quite prepared to give employment to the younger generation but at the same time they are not prepared to throw out the older men already in employ.

MAULAVI JAHANUDDIN AHMED: Is it not a fact that he is already drawing some allowance as pension from Government? If so, why was not the case of unemployed young men considered?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: At the time of appointment all that was considered and this man was appointed because he was found to be specially suited for the post.

Area of lands available for settlement in Assam Valley Districts

MAULAVI MUHAMMAD AMIRUDDIN asked:

575. Will Government be pleased to state the area of lands available for settlement within the plains portions of the Assam Valley Districts?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

575.—From the statistics published by the Agricultural Department the area of "culturable waste land other than fallow" in the six districts of the Assam Valley is as follows:—

					Acres.
Goalpara	...	...	...	...	932,157
Kamrup	...	...	...	...	418,050
Darrang	...	...	...	...	718,890
Nowgong	...	...	...	...	1,438,790
Sibsagar	...	...	...	...	1,482,573
Lakhimpur	...	...	...	...	1,486,599
Total				...	6,477,059

These figures, however, do not exclude *bhils* and include the uncultivated and unreserved portions of the Mikir Hills. They are obtained only by deducting the area of cultivated lands, grazing reserves and reserved forests from the total area of the districts and therefore are only approximate. No more exact figures are available, as most of the unsettled areas are unsurveyed though technically available for settlement, a large proportion of these areas are not fit for profitable cultivation.

MAULAVI MUNAWWAR ALI: Will the Hon'ble Minister state why he has supplied such a lengthy explanatory statement which was not required?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: So that every hon. member of this House may understand it clearly.

MAULAVI MUHAMMAD AMIRUDDIN: The area shown against Nowgong district is down there. Will the Hon'ble Minister in charge be pleased to state when this area of waste lands will be thrown out for settlement.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am not in a position to say that, Sir. Besides, I do not know whether all these lands are fit for settlement or that they will be required for settlement. The figures here are only roughly given. Most of these lands are not fit for profitable cultivation and so far as Nowgong is concerned the Deputy Commissioner reports that only 50,000 acres will be fit for profitable cultivation.

MAULAVI MUHAMMAD AMIRUDDIN: Is the Hon'ble Minister aware that there are as yet 40,000 landless immigrants roaming about from door to door?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am not prepared to say, that that statement is wrong.

MAULAVI MUHAMMAD AMIRUDDIN: Will he be pleased to gather a statistical information and verify what I have said as to the number of landless immigrants?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have already said that I am not prepared to challenge that statement. It may be so.

MR. FAKHRUDDIN ALI AHMED: Can he give us information as regards the area of land fit for settlement?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The reply is already given.

MR. FAKHRUDDIN ALI AHMED: Am I to understand that this area includes the land which is fit for cultivation?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Yes.

MR. FAKHRUDDIN ALI AHMED: What I am asking him to state is the area which is fit for settlement?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I cannot say that. There are some lands which may be fit for growing grass only. It may not be fit for profitable cultivation.

MR. FAKHRUDDIN ALI AHMED: Will the Hon'ble Minister please state whether the land mentioned here is fit for settlement includes *bils* and such other land which is absolutely unfit?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: So far as Nowgong is concerned I have already stated that about 50,000 acres of land is fit for cultivation.

MR. FAKHRUDDIN ALI AHMED: What about other districts?

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

MAULAVI MUHAMMAD AMIRUDDIN: Are these immigrants now treated as the subjects of the provincial legislature?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I could not follow the question.

MAULAVI MUHAMMAD AMIRUDDIN: Are these immigrants now treated like other subjects of His Majesty and as the Assamese people are?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: It does not arise.

MAULAVI MUNAWWAR ALI: Are we to take it that the Hon'ble Minister is not prepared to take as correct his own departmental figures?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: These figures are not quite correct, Sir.

SRIJUT MAHI CHANDRA BORA: May I take it that a vast number of these areas are not fit for cultivation because they are below the flood level of the Brahmaputra river or else too high?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: It may be so, Sir.

SRIJUT DEBESWAR SARMAH: Is it a fact that over a lakh of bighas of land thrown out for settlement to the immigrants are not yet used till now?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The entire area which is under the colonisation scheme has not been occupied yet.

SRIJUT DEBESWAR SARMAH: Is it a fact that the area not yet occupied is about 120,000 bighas?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am not aware of the exact figures.

SRIJUT DEBESWAR SARMAH: Is he prepared to admit it?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I said that I am not aware of the exact figures.

Alignment in the proposed Dudpur Ganirgram Village Path

MAULAVI NAMWAR ALI BARBHUIYA asked:

576. Will the Hon'ble Minister in charge please state—

- (1) If Government have any information about Miscellaneous Case No.18 of 1936-37 in the Court of the Collector, Cachar, regarding the alignment made by the Sub-Deputy Collector, Katigora, in respect of the proposed Dudpur Ganirgram Village Path?
- (2) If it is a fact that a Sarpanch and a member of a Panchayet have been dismissed at the instance of the Sub-Deputy Collector concerned in connection with the above alignment?
- (3) If Government are aware that certain allegations of partiality and undue influence were made against the said Sub-Deputy Collector in the petitions dated the 10th March and 20th March 1937, filed by Arjad Ali Majumdar and Ambar Ali Mazumdar?
- (4) If so, what enquiries were made and what is the result of such enquiries?
- (5) If the Collector of Cachar instituted any enquiry himself as prayed for or if he deputed any independent officer for conducting enquiries on his behalf or if the Sub-Deputy Collector concerned was relied upon?
- (6) If it is a fact that the alignment cuts diagonally across the fields of one Ambar Ali Mazumdar and the only piece of land available for the home-stead of Arjad Ali Majumdar, the dismissed Sarpanch?
- (7) Whether Government consider that this is the only alignment possible in this case?
- (8) If the answer is in the affirmative, what are the reasons?
- (9) If Government propose to issue orders for another alignment on impartial lines without further delay?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

576. (1) to (9)—On the representation of the Deputy Commissioner, Cachar, who had heard the parties and discussed the question with the Sub-Deputy Collector of Katigora, the land acquisition proceedings in connection with the proposed Dudpur Ganirgram village path have been dropped. The alignment was considered by him to be unsuitable. In the circumstances Government do not consider it necessary to institute further enquiries.

MAULAVI NAMWAR ALI BARBHUIYA: Are Government aware that every year thousands of landless people apply for settlement of land within Reserved forest areas to the Deputy Commissioner, Cachar, and the Divisional Forest Officer ?

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

Disforestation of reserved forests for cultivation purposes in Cachar district

MAULAVI NAMWAR ALI BARBHUIYA asked :

577. Will the Hon'ble Minister in charge please state—

(a) If Government are aware that want of cultivable land is being keenly felt in the district of Cachar with the increase of population ?

(b) If Government are aware that a large number of people are migrating to different parts of the Province in search of land for cultivation ?

(c) If so, what steps Government propose to take to meet this situation ?

(d) If land may be made available from the forest Department for the people of the district for purposes of cultivation ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

577. (a)—Government have no information on the subject.

(b)—Government are aware that some people from the districts of Cachar and Sylhet have taken up land in the district of Nowgong for cultivation in an area known as "The Sylheti Block" but are not aware of any other migration from Cachar.

(c)—Government do not consider that any particular steps are called for.

(d)—Government cannot contemplate disforestation of reserved forests until they are quite satisfied that all available land in the Province has been taken up.

MR. ARUN KUMAR CHANDA: What is the basis for this answer, Sir: Government have no information ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Government have received no such complaints, Sir.

MR. ARUN KUMAR CHANDA: Did the Hon'ble Minister consult the Deputy Commissioner on the matter ?

THE HON'BLE THE SPEAKER: When ?

MR. ARUN KUMAR CHANDA: After the question was received, Sir ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I cannot say now. So far Government have received no complaint on this.

MAULAVI NAMWAR ALI BARBHUIYA: My question has not been answered, Sir. Are Government aware that every year that thousands of landless people of Cachar apply to the Deputy Commissioner, Cachar and the Divisional Forest Officer for settlement of lands in Kalar Haor and Jameera forest reserves?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have already said that I am not aware of it.

MR. ARUN KUMAR CHANDA: Did not Government receive the proceedings of successive meetings of the Cachar Labourers and Peasants Association in this matter?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have already said that Government have received no representation from any aggrieved person so far as my recollection goes.

MR. ARUN KUMAR CHANDA: Are we to understand that the resolutions of these public meetings have reached their usual destination, the waste paper basket?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: That is an ironical and insinuating question, Sir.

MR. ARUN KUMAR CHANDA: Those proceedings must have reached the Government?

THE HON'BLE THE SPEAKER: What happened to those resolutions—this is what he wants to know.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: If the hon. member puts the question in the proper form, I may answer it.

THE HON'BLE THE SPEAKER: I have corrected the form of the question. What has been done with regard to those resolutions which were passed in various public meetings?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not remember to have come across any.

MR. ARUN KUMAR CHANDA: Are you prepared to enquire?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not answer direct questions on the floor of the House, Sir.

MR. ARUN KUMAR CHANDA: Thank you. Is the Hon'ble Minister prepared to enquire?

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

Provision of money for Rural Re-construction

SRIJUT HALADHAR BHUYAN asked :

578. Will Government be pleased to begin the work of Rural Re-construction by starting a model village with all facilities for sanitation, education, Co-operative, communication and medical relief, etc., in each mauza of every district of Assam?

579. Will Government be pleased to state how much money for rural Upliftment has been received from the Government of India and how much the Local Government propose to spare?

580. Will Government be pleased to consider the desirability of spending all the available money from the said fund on the Model Villages rather than spending money here and there for water supply and communication, etc., which should be exclusively taken over by the Local Boards and the Road Board?

581. Will Government be pleased to consider the desirability of creating a separate department for rural development for improvement and uplift of rural area ?

582. Will Government be pleased to make a 5 or 10 years plan for improvement of villages ?

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

578.—The matter has already engaged the attention of Government and is under consideration.

KUMAR AJIT NARAYAN DEV : Are we to understand that Government is considering about starting model villages in every mauza ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : The reply is there that the matter is under consideration of Government. Whether model villages can be started in every mauza or only in some localities, that will be considered.

MAULAVI MAQBUL HUSSAIN CHOUDHURY : May we know whether any scheme has been drawn up for model villages ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Not yet.

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

579.—A grant of five lakhs has been made by the Government of India and another grant of five lakhs has been promised. Government have provided a sum of Rs.10,000 in the current year's budget as a start towards the Model village scheme and an additional sum of Rs.10,000 for agricultural demonstrations part of which will be utilized in such villages.

580.—This cannot be done under the conditions of the grants.

581 and 582.—The hon. member is referred to the answer to question 578.

SRIJUT HALADHAR BHUYAN : Is it advisable to spend money without any definite plan without which even a cottage cannot be erected ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : 'Is it advisable' ? That is a question of opinion.

Establishment of toll bar on bridges in the Main Road System of Assam

SRIJUT HALADHAR BHUYAN asked :

583. Will Government be pleased to state the names of the bridges over which toll bar has been established in the Main Road System of Assam, district by district ?

584. Will Government be pleased to state—

(a) Whether toll bar is going to be established over the Kapili bridge at Dharamtul ?

(b) If so, what are the reasons for it ?

(c) Whether there are bridges in the Main Road System of Assam which cost more but over which no toll bar has been established ?

(d) If so, what are their names ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

583.—

SYLHET DISTRICT

1. Keane Bridge.

SIBSAGAR DISTRICT

1. Dhansiri.
2. Dikhu.
3. Desang.

LAKHIMPUR DISTRICT

1. Dehing.
2. Ranganadi.

KHASI AND JAINTIA HILLS DISTRICT

1. Umtyngar.
2. Dawki.
3. Burnihat.

584. (a)—Yes.

(b)—Where existing ferries are replaced by bridges of greater length than 300'-0" it is the policy of Government to charge tolls for crossing the bridge.

(c)—No.

(d)—Does not arise.

Present condition of the Barak River

BABU LALIT MOHAN KAR asked :

585. Is it a fact (a) that the river Barak in the district of Sylhet flowing through the subdivisions of South Sylhet and Habiganj was navigable throughout the year before the great earthquake of 1897 since when the river bed has been silted up in several places preventing boat traffic and drainage of flood water carried by the rivers Manu and Kusiara and other streamlets resulting in immense damage to crops and public roadways ?

(b) If not, do Government propose to undertake an enquiry about the present condition of the Barak ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

585. (a)—Government understand that changes took place in the area concerned after the great earthquake of 1897 and that considerable silting up has since occurred. The area in question is as little as twenty-three feet above M.S.L. at Calcutta and the silting that is taking place is the natural action of the rivers in building up the land.

(b)—Does not arise.

Payment of commission to the Mauzadars

SRIJUT KRISHNA NATH SARMAH asked :

586. Will Government be pleased to state—

(a) Whether a circular was issued to the Mauzadar that 15 per cent. commission will be paid for the payment of revenue due before 30th June ?

- (b) If so, was any improvement in the collection of revenue been obtained ?
 (c) What will be the extra cost for collection of revenue due to the increase of commission ?
 (d) The cause which necessitated the issue of such a circular ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

586. (a) to (c)—The hon. member is referred to the replies given to Srijut G. K. Talukdar at this session of the Assembly. The date by which Mauzadars had to pay their demand in full was, however, 31st May and not 30th June as stated in the question.

(d)—To encourage the Mauzadars more quickly to return to the old practice of paying their demand by 31st May in full as the Commissioner had commented adversely on their continued inefficiency in collection.

Appointments in the Railway Department

MAULAVI ABDUL AZIZ asked :

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

- (a) Whether communal interests are taken into consideration in the matter of appointments and promotions in the Railway Department ? If not, why not.
 (b) Whether the claim of Departmental examination passed employees were superseded by the junior or unpassed employees ? If so, why ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

587.(a)—Government have no information. Railways are a federal subject and this Government have hardly any voice over the internal administration of the Railway Companies.

(b)—Government have no information.

Cost incurred during the last General Election to the Provincial Legislatures

SRIJUT MAHADEV SARMA asked :

588. Will the Hon'ble Minister be pleased to state the total cost incurred in connection with the election of the members to the Assam Legislative Council ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

588.—Rupees 92,913 was spent in connection with both the Chambers. Separate figures for each Chamber are not available.

Promotions from the Junior Civil Service to the Assam Civil Service

SRIJUT MAHI CHANDRA BORA asked :

589. Will Government be pleased to state—

- (a) Why from 1926 up till now only 7 promotions out of 24 from the Junior Civil Service to the Assam Civil Service have come to the officers of the Assam Valley Division ?

- (b) What are the reasons for which the most juniors were made to supersede the seniors in the past promotion ?
 (c) Why in 1933 one of the officers of the other Valley whose increment was stopped was made to supersede his seniors with higher judicial powers ?

590. Is Government aware of the general opinion of the people that promotions from one service to another are generally due to favouritism and nepotism in the name of merits without consideration of seniority.

591. How and when do Government propose to fill up the three vacancies existing now in the Assam Civil Service ?

592. Will Government fill up the vacancies with the seniormost officers of Junior Civil Service under disappointment and humiliation ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

589. (a), (b) and (c)—These promotions are not made on a Valley basis, nor are they made as a matter of course on the basis of seniority. Merit and suitability for magisterial work have also to be carefully considered.

590.—Government have no such information.

SRIJUT MAHI CHANDRA BORA: Do Government consider that relationship with high officials of Government also merit ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Relationship is not a criterion of merit.

SRIJUT PURNA CHANDRA SARMA: Is relationship with any officials merit, Sir ?

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

SRIJUT PURNA CHANDRA SARMA: My question is different, Sir.

THE HON'BLE THE SPEAKER: To the question whether favouritism is a merit, the Hon'ble Minister has already replied 'no'.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

591.—These vacancies will be filled up in due course on the recommendation of the Assam Public Service Commission.

592.—Government will no doubt consider their cases, but can give no undertaking.

ADJOURNMENT MOTION REGARDING NON-RENEWAL OF PATTAS TO A LARGE NUMBER OF *RAIYATS* IN SARAIPANI IN JORHAT SUBDIVISION

SRIJUT DEBESWAR SARMAH: Sir, it has been my lot again to place a copy of an adjournment motion before the Secretary before the commencement of to-day's proceedings and to acquaint this House with a woeful affair Sir, I beg leave to move it.

THE HON'BLE THE SPEAKER: Yes, I shall have to see if it is in order.

SRIJUT DEBESWAR SARMAH: The motion runs as follows:—That this House do adjourn to discuss a definite matter of urgent public importance, *viz.*, to discuss the action of the Government in issuing notice of non-renewal of patta to a large number of *raiya*t in Saraipani area of mauza Amguri-Khorikotia in Jorhat subdivision. May I state the matter briefly, Sir ?

THE HON'BLE THE SPEAKER: Yes.

SRIJUT DEBESWAR SARMAH: Sir, perhaps most of the members of this House know that the tea estates in Upper Assam hold large areas of land unused. So it happened that the East India Tea Company near Titabar in Jorhat.....

THE HON'BLE THE SPEAKER: All these are not wanted.

SRIJUT DEBESWAR SARMAH: I am coming straight to the point, Sir. The East India Tea Company in Titabar held very large areas of unused land. As a matter of fact they hold such a large area that they did not know where their boundary was. The result was that a large number of *raiya*s went and settled in certain lands, which now the East India Tea Company claim as theirs. During the time of re-settlement in 1927 Government was pleased to issue pattas to these *raiya*s. But now the East India Tea Company authorities come and say that these lands do not belong to anybody else except them and that the *raiya*s should vacate those lands. The Deputy Commissioner of Jorhat, Mr. Fletcher, finds like this. "From a preliminary investigation it appears that the garden authorities were at fault."

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Will the hon. member give us the date of that order?

SRIJUT DEBESWAR SARMAH: That is not relevant at present. I am coming to it later, Sir.

"From a preliminary investigation it appears that the garden authorities were at fault for pointing out wrong boundary marks at the re-settlement, since when Sirkari *raiya*s have taken possession of the disputed portion. The *raiya* must, therefore, make what terms they can with the garden authorities." This order is dated the 9th March 1937. It is pretty old enough. But that is not my point.

THE HON'BLE THE SPEAKER: This report was made after a preliminary enquiry?

SRIJUT DEBESWAR SARMAH: Yes, Sir. What I wanted to discuss on the floor of this House is this.....Very recently.....

THE HON'BLE THE SPEAKER: Will the hon. member please say what is the date?

SRIJUT DEBESWAR SARMAH: The date would not be relevant in that way, Sir.

THE HON'BLE THE SPEAKER: It will be

SRIJUT DEBESWAR SARMAH: What I want to discuss is that the *raiya*s are going to be ejected.

THE HON'BLE THE SPEAKER: I want to see whether the matter is urgent and is of recent occurrence.

SRIJUT DEBESWAR SARMAH: Sixty-nine notices have already been issued, Sir, to the effect, the renewal of patta will not be granted.

THE HON'BLE THE SPEAKER: When?

SRIJUT DEBESWAR SARMAH: About 15 days ago, Sir. Already, Sir, 69 notices have been issued and the rest are in the process of being issued. What will be the result of these notices? It will be, Sir, the amiable process of turning out these tenants by the employment of Ghurkas, fire and elephants. The notices regarding non-renewal of pattas are being issued.

THE HON'BLE THE SPEAKER: To whom are the pattas issued?

SRIJUT DEBESWAR SARMAH: To the Sirkari *raiya*s who settled on these lands?

THE HON'BLE THE SPEAKER: That they are not going to get their pattas renewed?

MAULAVI SYED ABDUR ROUF: On a point of information, Sir. Were not these notices issued before the 15th February?

SRIJUT DEBESWAR SARMAH: That is not the correct information. Notices are just being issued. The result of this is yet to come, and that is why I want to place the matter before this House. These several sirkari *raiya*s were settled as long as 13/14 years ago.

THE HON'BLE THE SPEAKER: The authorities of the Tea Company say that the lands are theirs and the Deputy Commissioner, after a preliminary enquiry, has come to the conclusion that the lands belong to the Tea Company. Is that the position?

SRIJUT DEBESWAR SARMAH: Government also have issued pattas to these people, Sir. Most of them have no other land or houses and they are going to be ejected from these lands where they are permanently settled. The Tea Company held out these lands to be Government waste lands and Government approved of settlement by issuing pattas.

KHAN BAHADUR MAULAVI KERAMAT ALI: The East India Tea Company has got certain grants and some villages of Amguri Khari-Katia mauza are within those grants. It is said that at the time of resettlement the mandals through mistake issued annual pattas to these villagers. After some years it was found out by the garden authorities that these villagers had settled within their grants and so the Manager wrote to the Deputy Commissioner about this. The Deputy Commissioner had a preliminary enquiry made. After this it was found that the land belonged to the Company and the Deputy Commissioner, therefore, informed the villagers that their lands lie within the grant of the Tea Company and consequently a renewal of their pattas would not be issued.

MR. FAKHRUDDIN ALI AHMED: On a point of information, Sir. Is the hon. member a retainer of the East India Tea Company?

KHAN BAHADUR MAULAVI KERAMAT ALI: Yes, I am and therefore I know the facts of the case.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, I do not think this adjournment motion is in order, because it does not relate to any matter of recent occurrence. The fact of the matter is that there was some waste land and Government thought that it was not included in anybody's *patta* and therefore the land was settled with these people and annual leases were issued from time to time. As soon as the Government discovered that the land did not belong to them and it belonged to the East India Tea Company, Government discontinued the leases issued. It is not for Government to evict those people; it will be a matter between those people and the East India Tea Company. As a matter of fact these tenants will be able to remain on this land upto 31st March 1938. In the meantime Government is trying to find out land, if possible, for these men elsewhere and also trying to have some sort of compromise with the garden authorities so that they may remain there. Very probably the garden authorities will allow them to remain on their land so long the land is not required by them. I think the whole thing will be amicably settled and there is no necessity for either censuring the Government or bringing a motion to the House.

SRIJUT DEBESWAR SARMAH: Do I understand from the Hon'ble Minister that Government will not leave these helpless poor *raiya*s to the mercy of the garden authorities and Government will exert their influence to safeguard the interests of these *raiya*s?

THE HON'BLE THE SPEAKER: The Hon'ble Minister has given an assurance that the matter will be looked in to.

I have heard the hon. member who has tabled this adjournment motion and also the Hon'ble Revenue Minister and the hon. Khan Bahadur Keramat Ali. I have no hesitation in coming to the conclusion that this is not a matter in connection with which an adjournment motion can be moved. It appears to me that the matter involves a decision as regards private rights. The East India Tea Company was claiming the land and through mistake Government settled the land with some people and the Deputy Commissioner

after an enquiry has come to the conclusion that the land really belongs to this East India Tea Company. It appears that after the expiry of the leases which were granted by Government to those people, notices have been issued on them intimating to them the fact that they would not be entitled to get renewal of their *pattas*. It was a question of title between the East India Tea Company and the Government and as the two parties after considering their respective rights a settlement has been arrived at to the effect that the Government is not to claim the land as their unsettled land, there cannot be any grievance of the people with whom the settlement was effected on the ground that Government is taking such steps. The complaint is not that harsh measures have been adopted by Government for the purpose of evicting those people. It is only the issue of notice which is going to be agitated here. It is an administrative action on the part of Government in a matter regarding which Government is perfectly entitled to proceed in the way they have done.

Having regard to all these facts I consider the motion is quite out of order. Moreover the date of issue of the notice is said to be the second week of this month. So the matter is not of recent occurrence. The Assembly met on the 3rd instant and has been continuing and if any harsh measures were adopted the hon. member could have moved his motion in proper time. So the motion is out of order and rejected.

HUNGER-STRIKE IN THE ANDAMANS

MAULAVI MUNAWWAR ALI: Sir, we are anxious to know the latest development of the hunger-strike of the Andamans Prisoners.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I may inform the House that yesterday we received a telegram from the Home Department of the Central Government announcing that the hunger-strikers in the Andamans by an overwhelming majority have suspended their strike and only seven people are still continuing the fast. It is hoped that these seven will also come into the line with the rest.

MAULAVI MUHAMMAD MAQBUL HUSSAIN CHOUDHURY: What about the Assam prisoners?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, nothing has been mentioned separately about the Assam prisoners.

MR. ARUN KUMAR CHANDA: I am thankful to the Hon'ble Chief Minister for breaking this happy news, but I would like to remind him about his assurance upon the question of repatriation. I hope the breaking of the hunger-strike does not dispose of that assurance, Sir.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: There was a communique issued in the press from the Government of India that they do not want to hear any prayer until the hunger-strike is over. When the hunger-strike is broken now the question of repatriation will become easier.

RESOLUTIONS

RESOLUTION RE FIFTY PER CENT. REDUCTION IN LAND REVENUE—(concl'd.)

MAULAVI ASHRAFUDDIN MUHAMMAD CHAUDHURI: Sir, we have got practically from three gentlemen three rates of reduction of land revenue—50 per cent., 33 per cent. and 25 per cent. While advocating the case for a 50 per cent. reduction my friend over there was appealing

to the sentiment of the hon. members of the House by invoking the name of God. Khan Sahib Maulavi Sayidur Rahman was discussing the question from a practical stand point—from the financial standpoint of Government as well as from the standpoint of the *raiya*s. He was dealing with the matter appealing to the reason of the hon. members of the House. I think the materials that he placed before the House are sufficient indication whether he was only speaking to please the Government or he had the condition of the poor *raiya*s also in his heart. My friends were uncharitable in their expression that Khan Sahib Maulavi Sayidur Rahman was only backing the case of the Government. Sir, for the last few days it has been my painful experience that whenever any occasion arises for giving a reply from one particular group, there is a personal sting referred to. While I was advocating the cause of nomination in the municipality, it was said that I was doing so because I was a nominated member. I had to speak from experience, and not because I had got a seat in the municipality. On the other hand while I was talking about the enhancement of fees for associate pleaders, I felt personally from experience that the fees are not sufficient for the drudgery they had to undergo. But personal motive was attributed to.

Sir, what is the financial position of the province. The total income of the province is 2 crores 84 thousand and the total income from land revenue is one crore 14 lakhs and the total revenue from temporary settled estates is 1 crore 5 lakhs and the effect of the reduction by 50 per cent. is to bring a reduction of revenue of 52 lakhs 50 thousand rupees.

SRIJUT SIDDHI NATH SARMA: No, that is not.

(interruptions)

(Voices—Where did he get his information from?)

From the very source from which they got it.

Sir, it is no good simply taking up the case of the poor *raiya*s. There have been many people in this House who have been preaching the case of the poor *raiya*s for personal gain. The ultimate object has been something else than the amelioration of the condition of the *raiya*s. (Voices—Is he in order, Sir, in attributing motives?)

THE HON'BLE THE SPEAKER: I have not heard the last sentence. Will the hon. member please repeat this? Will he withdraw the statement?

MAULAVI ASHRAFUDDIN MUHAMMAD CHAUDHURI: When you have not heard this, Sir, how can you take exception in my statement?

The question is that we must not forget stern realities of life. Whether it is a practicable proposition for Government to run the administration if this reduction is effected. The Revenue Minister has perhaps given his idea in the matter. He is ready to give immediate reduction of 25 per cent. to *bona fide* tenants. To deserving cases he is even ready to grant 33 per cent. reduction. As regards further reduction he wants to have a committee. And it is for the House to judge it.

There is another matter. We are just here for five years and it is within our control. If we find that the Hon'ble Minister in charge is not serious or sincere then it is up to us to see in the meantime whether we should give him more time.

Now, Sir, it has been the dream of the Hon'ble Revenue Minister and I think it may be the dream of any others here to improve the conditions of poor *raiya*s but we must face the problem in its realities. Is it possible, so far as Government is concerned, to issue at once an order for 50 per cent. reduction?

Now, Sir, so far as the Hon'ble Revenue Minister is concerned—it has been my privilege to go through some of his speeches—I find that on every occasion he has been rather trying to see that a Committee must be there to enquire into the condition of the poor raiyats. I think that is also the line in which the Ministers of Bihar are now proceeding. So opportunity should be given to them so that they can try and let us see if they can do anything.

Now, Sir, some of the hon. members of this House have already spoken about fifty per cent. reduction. I would like to appeal to them—let them be serious and sincere over the matter. It is no good saying what we cannot do in the practical field.

Now, Sir, if there be a committee, the whole thing will be discussed and there we can see whether it is possible or not. We must face the matter from realities. It is no good saying this and that—let us not move with some ulterior motive behind. Let us reconsider the whole situation. We require to see whether we are doing good to the people. By sentiment we may gain for the time being. But we must be practical. It is only truth and sincerity that will endure and make you endearing to the world. Otherwise it will not help anybody. The Government cannot run the administration if there be 50 per cent. reduction.

There is another avenue for enrichment of the provincial exchequer.

Sir, we have got in our province so much vast and rich lands which are lying waste and uncultivated. Hundreds of immigrants are there who are ready to take such lands but here the House did not allow them to take any land. Sir, we have come here to see that the legitimate rights and privileges are not denied to the people. There are so many people who are very anxious to take lands which are lying waste but they have been denied this. Sir, nowhere, I must, say, that this line system exists. If the line system would be abolished, then there would be a very great scope for the increase of the provincial revenue but this very House did not allow for the expansion of revenue. They all rejected this proposal. It is no longer a foreign Government—it is no longer a bureaucratic Government but it is a popular Government, i.e., our own Government (*hear, hear*). Simply because that some of you cannot come to the Treasury Bench, we cannot say that it is not a popular Government (*A voice—It is your view point only.*)

Sir, it is our own Government and we should help the Ministers with all practical suggestions. As yet the Retrenchment Committee has not taken its seat and so we cannot say what will be the effects of reduction—either by the abolition of office or cut in salary. Let us at least wait to see the result of the Retrenchment Committee and if we find that the result is satisfactory, and there is much in our hands then next year we may come forward with the proposal of 50 per cent. reduction. We should give opportunity to the Ministry and see what they do. Our heart for the poor people is no less soft than that of yours. Simply because you have come with the Congress tickets, you should not take us amiss. Sir, when we had to stand against the action of the bureaucratic Police Officers and when we had to go from door to door with begging bowls in hand advocating and fighting for the rights and liberties of the poor citizens, in a distant place like Silchar where was the Congress leader then and what he was doing then? You take us amiss and think that our heart is in no way less responsible to the woes and miseries of the half-starved raiyats of the Province.

THE HON'BLE THE SPEAKER: The hon. member is going too far.

MAULAVI ASHRAFUDDIN MUHAMMAD CHAUDHURI: I am just finishing it, Sir. I have already said, Sir, that let us proceed slowly and gradually. We are not less responsible to our people in this matter than

anybody else. There is sufficient indication in the assurance given by the Hon'ble Revenue Minister that he is not callous or less indifferent than anybody else here. Sir, I just like to mention something. The experience at Bar has taught me that whoever has got a weak case, thereby people generally take the name of God in season and out of season. So, I appeal to the sense of the House that we are not here only to see that Government is defeated but we are here to advocate the cause of the poor tenants. So let us give them time—let us give them opportunity as every one knows that slow but steady ultimately wins the race. Sir, the assurance which is given by the Hon'ble Revenue Minister is enough and we should wait and see what happens. We have also come here to look to the interest of the people.

MAULAVI SHEIKH OSMAN ALI SADAGAR: Sir, আমি একটা কথা বসিতে চাই।

THE HON'BLE THE SPEAKER: আপনার কথা সংক্ষেপে শুভ্র পাচ্ছেন না। আপনি এগিয়ে আসুন।

MAULAVI SHEIKH OSMAN ALI SADAGAR: Sir, শতকরা ৩৩ টা দার হারে রাজস্ব কমানো উচিত। তারা বলেন তাহা হইলে রাজস্ব কেমন করে চলবে? দেখুন, ৭২ হাজারের উপর দরখাস্ত এখন আমার কাছে আছে। নগাঁও যাব অবশ্য পড়ে আছে, সব খুলে দিলে আমি ৫ লক্ষ টাকা গবর্ণমেন্টের অর্থ করে দিতে পারব।

REV. L. GATPHOH: Sir, before I proceed, may I ask the Hon'ble Revenue Minister whether the resolution which was discussed the other day and is still under discussion, if passed would be put in force or not in the Jaintia Hills where both land revenue and house tax are levied?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, I cannot say what will be the effect of the resolution if carried out but so far as I can see, the assurance which I gave on behalf of the Government will apply in case of Jaintia parganas also.

REV. L. GATPHOH: I refrained the other day from taking part in the early part of the debate, as I was afraid, I might be treading on ground of which the conditions are different from those which prevail in that part of the province from which I come.

It is clear to me now that the facts which I am going to put before the House come quite within the scope of the resolution.

The resolution aims at giving relief to the agriculturists who contribute to Government exchequer. The spirit is a right one and I am sure it is shared by one and all in the House, and I stand second to none, Sir, in supporting the principle contained in the resolution.

SRIJUT DEBESWAR SHARMA: We cannot follow the hon. member. Will he please repeat what he has said just now?

REV. L. GATPHOH: I say, Sir, that I stand second to none in supporting the principle contained in the resolution. But let us see how it will work and what effect, if it is carried out, will it have on the agriculturists in the subdivision which I represent. The agriculturist population there may be divided into three classes—

(1) One class composed of persons, owner of large holdings for which they pay at full rate land revenue to Government.

(II) Another class—persons who hold leases of small holdings assessed at full rates and the yield of each of which holdings belonging to one person is not sufficient to maintain a family of five members even.

(III) Then there is another class—the third class of agriculturists who may be called landless people and their trade is mainly or entirely paddy cultivation, and they are the people who are more dependent on the owners of large holdings than the persons of class II. And they also pay in kind one-third of the produce as rent besides contributing out of the 2/3rd of the produce left to them, to Government exchequer in the form of the house-tax.

Now, Sir, the question is on whom does the burden of paying land tax to Government fall? To try and argue out the point is to impose on the hon. members. It is clear as day-light that the agriculturists of classes II and III are really the people who pay the land-tax.

The incidence of taxation is on the cultivators who pay one-third of the produce and also pay house-tax to Government. It might be argued that the question of house-tax is irrelevant and therefore it must be ruled out of order. I submit, Sir, that is true. But the object of the resolution is to give relief to, to ameliorate the condition of the poor agriculturists on whom the burden of taxation is so pressing. And my contention, Sir, is that the last two classes of agriculturists to which I have referred are also *bona fide* agriculturists; they all contribute to Government revenue either directly or indirectly, or both.

In the case of poor agriculturists they both directly and indirectly contribute to Government exchequer—both land tax and house tax.

Now, to come to the point, Sir, I put the question straight off—who will be benefited by a reduction of 50 per cent. of land revenue? It will be those people, owners of large holdings—who sublet a greater part of their holdings to agriculturists of classes II and III, and who also can without much inconvenience pay at the present rate. Now, will those people extend the same benefit to their sub-tenants? A man who has been paying Rs.100 annually will now pay Rs.50 only. That man, I am sure, human nature being what it is, will never think of taking less rent from his sub-tenants. He will continue to demand one-third of the produce as before.

I have known of persons, owners of large holdings who built up barns for themselves which could never be exhausted in a year or two. The paddy that was stored up was quite probably for a speculative purposes; and they refused sufficiently to meet the annual demands of petty rice-traders. The result was that after two or three years the paddy became bad and had to be thrown away into the dunghill for the pigs to enjoy. I can cite instances, Sir, if necessary.

Now, Sir, I appeal to the hon. mover of the resolution and to all the hon. members in the House to pause and think seriously for a moment before taking decisive steps.

Are we going to help the well-to-do people more than the poor agriculturists? Yes, Sir, if the resolution is carried, it will appear before the world—before our sister provinces—that we are more helping those people who would sooner feed the pigs than help the poor agriculturists in Assam.

We are helping to increase the savings of well-to-do people at the cost of the public purse, and that poverty of these agriculturists, is taken as the plea.

I do not grudge giving relief to owners of large holdings; they need it owing to the world-wide trade depression, but not to the extent recommended by the resolution. The assurance given by the Hon'ble Minister in charge covers the amendments tabled both by Khan Bahadur Keramat Ali

and Khan Sahib Sayidur Rahman, and for some cases it goes fur the resolution, as it stands. Relief ought to be given but not nately.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: On a point of information, Sir. May we know what would be the percentage of poor agriculturists in the three classes mentioned by him ?

REV. L. GATPHOH: One-third in the first class, one-third in the second class, and one-third in the third class.

Now, Sir, relief ought to be given, but not indiscriminately. There must be a well-considered scheme for giving reduction. Otherwise those who need the most to be helped would receive practically nothing, or would be left out of the scope of the resolution. And time will pronounce a verdict that the poor agriculturists are getting crumbs only of the bounty conferred by this resolution on owners of large holdings. Therefore I appeal to the hon. mover to withdraw his resolution.

MAULANA ABDUL HAMID KHAN: Sir, অসম ভেলীৰ প্ৰজাদেৱ সতাই এৱকম অবস্থা হইয়াছে কিনা যাতে তাহাৰা শতকৰা ৫০ টাকা খাজানা কম পাইতে পাৰে—ইহাই আমাদেৱ পক্ষে ভাবিবৰ বিষয়। এই House এ এমন কোন সভ্য নাই যিনি বলিতে পাৰেন না যে তাহাৰা শতকৰা ৫০ টাকা খাজানা কম পাইবাব হকদাৱ নাই। গত ১৫ বৎসৰ পূৰ্বে পাট্টেৰ দৰ ছিল :ন প্রতি ১৫ টাকা ইহিতে ২০ টাকা পৰ্য্যন্ত। এখন সেই পাট্টেৰ দৰ হইয়াছে মণ প্রতি আড়াই টাকা—তিন টাকা। এ অবস্থায় আমি সতাই মনে কৰি যে তাহাদেৱ অবস্থা এখন নিতান্ত খাৰাপ হইয়াছে এবং তাহাৰা এই শতকৰা ৫০ টাকা খাজানা কম পাইবাব হকদাৱ। তাহাদিগকে তায় ভাবে শতকৰা ৫০ টাকা কম কৰিয়া দেওয়া হইবে না অত্যাৱ ভাবে তাহা দেওয়া হইবে তাহা বিবেচনা না কৰিয়া যদি বলা হয়—কোন ভূমিদাৱ তাহাৰ গৰাব প্ৰজাৱ জাৱ উপৰ সতাই পাৰ্বিক অভাৱ কৰিয়াছে কিন্তু তাহাকে যদি শাস্তি দেওয়া হয় তাহা হইলে সন্মানীৰ সন্মান নষ্ট কৰা হইবে; তাই শাস্তি দেওয়া অনুব কৰা হইল। একপ খাজানা কম হওয়া উচিত; কিন্তু কম দিলে আসাম গবৰ্ণমেণ্টেৰ হোমৱা চোমৱা অফিসাৱদেৱ মোটা বেতন দেওয়া সম্ভব হইবে না। বৰ্তমান আসাম ভেলীৰ কৃষকেৱ অবস্থা অত্যাধিক ৰূপে খাৰাপ হইয়াছে; অতএব তাহাদেৱ উপৰ বিশেষ অনুগ্ৰহ কৰা House এৰ কৰ্তব্য। শত শত কৃষকেৱ জমি খাজানাৰ দায়ে নিলাম হহিতেছে এবং বিক্ৰি কৰিয়া পথেৰ ভিখাৰী হইতে হহিতেছে। শতকৰা ৫০ টাকা খাজানা হ্ৰাস কৰাৱ সম্বন্ধে আমাৱ ব্যক্তি গত মত এই যে ২৫০ বৎসৰ ব্ৰিটিশ গবৰ্ণমেণ্টেৰ অধীনে বাস কৰিয়াও আদেৱ দেশেৰ শতকৰা ৬ জন লোক ও শিক্ষিত হয় নাই। তাহাৰা কিন্তু খাজানা পূৰ্বে হইতে ৫০ গুণ বেশী দিতেছে। এই ২৫০ বৎসৰেৰ মধ্যে আমাৱা শিক্ষা শিল্প ইত্যাদিতে কতদূৰ অগ্ৰসৰ হইয়াছি এবং খাজানাৰ দিকে কতদূৰ অগ্ৰসৰ হইয়াছি তাহা একবাৰ ভাবিয়া দেখা একান্ত কৰ্তব্য। আৱও একশ গুণ খাজানা যদি বেশী দেওয়া হয় তাহা হইলেও আমাদেৱ কোন উন্নতি হইবে বলিয়া মনে হয় না। ২০০ টাকা বেতনেৰ কৰ্মচাৰীৰ বেতন এখন ১,২০০ টাকা পৰ্য্যন্ত হইয়াছে। অত্ৰ দিকে যে জমিৰ খাজানা

পূর্ব ১/০ হানা ছিল এখন সেই জমির খাজানা বিবী প্রতি পাচ শিকা হইতে ৫১ টাকা পর্য্যন্ত হইয়াছে। কিন্তু শিক্ষার দিগে শতকরা ৬ জন হইলেও ৫ জনেরই নাম লিখিত কলম ভেঙ্গে যান। জমায়ে কামেল সুখীতে লেখা আছে যে মুসলমান রাজত্বের সময় একমাত্র বড় বাজু পরগণাতেই ১,৭০০ মক্কাব ছিল। পার্শী ভাষা শিক্ষা দিবার জন্ত গবর্ণ-
মেণ্টের বুদ্ধির প্রস্তাব সব সময়েই কবিয়া থাকেন; কিন্তু প্রজার উন্নতি কল্পে বিশেষ কোন প্রস্তাব আনিতে দেখা যায় না—ইহাই ঙ্গের বিষয়। গবর্ণমেণ্ট জনমতের স্বার্থে পদদলিত করিয়া লক্ষ লক্ষ টাকা খাজানা আদায় করিয়া নিচ্ছে। কিন্তু তাহাদের বর্তমান দুর্দশার প্রতি লক্ষ করিয়াও শতকরা ৫০ টাকা হ্রাস করা সম্ভবতমানে করিতেছেন না। খোদা করিলে সম্ভবই এমন একদিন যামাদের নিকট উপস্থিত হইবে যে তখন জনসাধারণের দাবী উপেক্ষা করি আমাদের পক্ষে অসম্ভব হইবে। একদিন তাহারা সমস্ত বাধা বিঘ্ন অতিক্রম করিয়া শক্তিশালী হইবেই হইবে। গবর্ণমেণ্ট যতই শক্তি শালী হউন না কেন—যতই ক্ষমতাপন্ন হউন না কেন তাহাদের স্তায় সমস্ত দাবী কোন রকমেই ফাকি দিতে পারিবন না। তাহারা তখন সত্যি তাহাদের দাবী কড়ায় গণ্ডায় আদায় করিয়া নিবে। আসাম ভেলীর প্রকাদগের হুঁজুয়া যে খাজানা হ্রাস করার প্রস্তাবে যিনি তাহাদের প্রজা হিতৈষী ভেতাইলেন যাহাকে তাহারা দেবতা জ্ঞানে পূজা করিত, যিনি বহু মিটিং এ খাজানা হ্রাস সম্বন্ধে বহু প্রস্তাব উপস্থাপন করিয়াছিলেন সেই মাননীয় রাজস্ব সচিব আজ মিনিষ্টার গ্যাণারীতে বদল হইয়াছেন। তিনি যদি রাজস্বের গ্যাণারীতে থাকিতেন তাহা হইলে নিশ্চয় এই প্রস্তাব carried হইত। আমার নিজের ব্যক্তিগত মত খাজানা শতকরা ৫০ টাকা কম হওয়া একান্ত উচিত। গতকলা আমাদের পার্টি নিউং এ অনেক চেষ্টা করিয়াও শতকরা ৫০ টাকা হ্রাস করার সম্বন্ধে অধিকাংশ সদস্যের দৃষ্টি আকর্ষণ করিতে পারি নাই এবং পার্টির সিদ্ধান্ত মানিতে ইচ্ছার বিরুদ্ধে বাধ্য হইয়াছি। বর্তমান প্রজাদের অবস্থা আমি মর্মে মর্মে উপলব্ধি করিতেছি। কিন্তু আমরা বর্তমান এমন এক অবস্থার আসিতে বাধ্য হইয়াছি যে ভূত পূর্ব প্রজার দাবী মাননীয় রাজস্ব সচিবের মনোহর রক্ষার জন্ত শতকরা ৩০ টাকা হ্রাসের প্রস্তাব accept করিতে বাধ্য হইয়াছি। কিন্তু ইহা আগার ইচ্ছার বিরুদ্ধে—পার্টির নিয়ম রক্ষার্থে।

COLONEL A. B. BEDDOW. Mr. Speaker, Sir, I rise to oppose this humanitarian resolution, and that I do so is due to that dismal word which spoils so much fun in this world, and the word is "prudence".

When I was young I was taught that before embarking on any enterprise one must balance the budget, study ways and means, and see to it that the enterprise can be carried to a satisfactory conclusion. So before giving my support to the resolution I should require to be convinced that the hon. member introducing it has made quite sure that it is practicable.

When the hon. member first put the resolution before the House he spoke airily to the effect that of course there would be a loss of revenue of a few lacs of rupees, from which I imagined a shortage of 2 or perhaps 5, or

even 10 lacs, but I found his statement too nebulous for my liking, and I accordingly went to the highest authority in order to find out exactly what the cut would amount to, and to my horror and astonishment was informed that it would amount to a little over 40 lakhs, a stupendous sum, Sir.

Now, some days ago an hon. member of the House likened the occupants of the Treasury Bench to five magicians. This statement I took to be in jest, but I fear that the hon. member responsible for this resolution must have taken the remark in earnest and has gone home envisaging the Hon'ble Minister for Revenue diligently conjuring crores of silver rupees from an empty hat. Would that he were capable of any such a miracle !

If this resolution is carried we shall be faced with the problem of putting it into execution, and there appear two alternatives. One is to cut our expenditure to the tune of Rs.40 lacs—an unpopular move, and the other to increase taxation to a like amount, which I fear would be even more unpopular. There might appear to some members a third alternative, and it is possible that they visualize a loan upon the horizon, but in my opinion, Sir, this alternative does not exist, for who will lend money to a Government that has deliberately committed financial suicide ? Therefore, Sir, I feel that we must gladly fall back on the honest and fair offer made by the Hon'ble Minister for Revenue, who has told the House that he will see to it that the really needy will receive assistance according to their requirements and remission even to the extent of 50 per cent.

I myself entirely subscribe to this offer, and feel that every seriously-minded member of this House will do the same, but before I sit down I would like to add that in my humble opinion any hon. member who passes this offer by and insists upon the complete cut of 50 per cent. will lay himself open to the grave suspicion—no I go further—to the definite accusation that he is seeking his personal advantage.

MR. NABA KUMAR DUTTA: Is the hon. member in order, Sir, in saying that if any hon. member insists on the resolution being carried he has a personal motive ?

MR. FAKHRUDDIN ALI AHMED: I would request him to withdraw that statement.

COLONEL A. B. BEDDOW: I said that if any hon. member did that he would be laying himself open to the suspicion that he is seeking his personal gain. I did not mean to make a reflection on anyone. I may say that if the resolution is carried the Tea Industry that I am representing will benefit more than anybody else, and this we do not desire.

(The Assembly rose for lunch.)

(After lunch).

MR. NABA KUMAR DUTTA: I rise to speak a few words on the amendment moved by my hon. friend Khan Sahib Sayidur Rahman. There is nothing new in the resolution demanding 50 per cent. land revenue cut. We all know it that the resolution recommending it was passed in the last Legislative Council. Sir, under the roof of this very House, when the resolution demanding 50 per cent. revenue cut was discussed, tales of woes and miseries were narrated by several members of the then Legislative Council and especially by a member who to-day happens to be in charge of the Land Revenue portfolio. The plight of the poor raiyats moved the hearts of many and the resolution was easily passed. But, Sir, that resolution was shelved as an impracticable proposition. I like to see the practical conclusion of our resolution for revenue cut. If the Government thinks that at the present moment a demand for 50 per

cent. revenue cut is a tremendous step and if they think that it will affect the provincial fisc which will be depleted to a huge extent, then I must insist on at least a 33 per cent. cut. I hope the Government, considering the poor conditions of the raiyats, will give effect to this little concession.

Sir, the conditions of the raiyats have not improved but unfortunately have deteriorated a great deal. It is useless to style their circumstances as an economic slump. We hear of recovery here and there; but all the same economic slump has taken a permanent shape and is no longer a temporary phase as in the case of a ordinary slump. Hence taxes that were fixed at a time when things were better have come to mean over-taxation today. Added to this there are natural calamities like floods and cyclones which have become annual feature of this unfortunate province. I must say, Sir, that when the three-anna concession in the rupee in respect of revenue cut was given it was appreciated in all quarters. We must not forget that, but for this reduction collection of revenue in many mouzas would have been a failure.

Sir, I think I shall be failing in my duty if I do not mention in this connection about the condition of the tea industry. The tea industry is the life blood of the economic structure of this province. Not only the subsidiary industries are depending upon it but also the prospect of every industry and every profession is directly or indirectly connected with it. I cannot say, Sir, that the tea industry has fully recovered from the effects of the great slump which came upon many Indian Tea concerns. The faith of many Indian concerns are still hanging in the balance. It is true that the scheme of restriction has improved the situation to a great extent. But many Indian planters are not yet out of the gloom and it is a great pity that the three anna concession in respect of revenue was not granted to all the concerns but was limited only to those that were recommended by the Tea Licensing Committee as uneconomic concerns. I do not see any sense in making such a division when the whole industry is still having the effects of the great slump. It is impossible to make such a division when the whole industry is slowly being helped out of the great slump by an indigenous scheme, under which fat profit is impossible. I sincerely hope that the tea industry will not be forgotten this time when any revenue reduction is considered.

MR. BAIDYANATH MOOKERJEE: On a point of information, Sir.

THE HON'BLE THE SPEAKER: From whom?

MR. BAIDYANATH MOOKERJEE: From the Hon'ble Chief Minister.

THE HON'BLE THE SPEAKER: The Minister will reply and you can ask him then.

MR. BAIDYANATH MOOKERJEE: Before that, I want to know from him whether he has agreed to the 33 per cent.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I shall state the position in my reply.

SRIJUT DEBESWAR SHARMA: Mr. Speaker, Sir, I rise to support the original motion for reduction of 50 per cent. of the land revenue of temporarily settled districts. I must confess that while I support the original motion, I cannot join hands with the mover in invoking the aid of God. For the matter of that I would rather join hands with hon. Mr. Fleming and Maulavi Ashrafuddin and also further say that we had better leave God alone. Because will not the Gods themselves blush when a Reverend gentleman estimates the probable receipts from Excise at Rs.35 lakhs unblushingly without making any provision even of a rupee

towards the rescue of the drug-addicts ? And will not the Gods blush to see a learned old respectable Maulana Sahib casting his vote against Excise cuts. Under the circumstances, we had better let Gods out of this House.

Sir, sentiments do not count ; these are matters of economics. We all know that the Government wants money to run the State with. Whatever party be in power, it will require money to run the show. Money, Sir, one must have. But let us try to examine this motion from the standpoint of practical economics (Mr. Hockenhull—*Hear, hear*). The hon. Mr. Fleming, and also Mr. Beddow and Mr. Ashrafuddin echoed that we are trying to play on the sentiment of the House. I was listening to them most attentively to glean if possible a few suggestions from economic considerations but I was disappointed. Sir, we have passed the days when taxation, or at any rate, the principles underlying taxation were matters of speculation. Adam Smith the father of modern political economy laid down four well known principles or cannons of taxation a hundred of years ago. With the advancement of modern civilisation and the complications of trade and commerce, these cannons are modified. But at any rate the main principles stand even to-day. The four chief cannons, or principles guiding taxation which undoubtedly and admittedly are sound are : equality or ability, secondly certainty, thirdly convenience and fourthly economy. These are the four well-laid cannons underlying the principles of taxation. These principles are also to be examined from the standpoint of the individual, the community and the State. What is taxation after all ? Does it not come to this. The individual pays, the community spends.

Let us try to examine, Sir, this 50 per cent. cut from the stand point of the well-laid economic principles. As regards certainty I have little to say. Then as regards convenience of course opinions differ. As regards economy, I hope and trust all the members will agree in that very short but very expressive description of the Indian administration as a Rolls-royce administration of the poorest country in the world. When we talk of reduction, when we say that such and such high officers are not necessary, the Treasury Benches tell us, unless we have experts at the top, how can we get on ? There are experts and there are very well-paid officers at the top, but the field-workers are wanting. So on the question of economy. I will not take much time, Sir.

The two principles now left before us are the questions of ability and benefit and from these two standpoints we shall test the resolution before us considering from ability standpoint it affects mainly the indigenous cultivators. We all know what the daily income of an average cultivator is. That the Indian cultivator is the poorest of all cultivators there is no gainsaying and I hope there is no difference of opinion. During the year 1936, Sir, I as a member of the Enquiry Committee into the condition of peasants examined no less 190 witnesses. From an examination of all these witnesses I found that, if the actual cost of cultivation is taken into calculation in consideration of the profit and loss of our actual village cultivators, the village cultivator does not gain anything. On the other hand he loses. When he says that he gets so much of paddy and that he sells so much of it, he does not take into account his own labour. What I mean to say is that the cultivator ploughs his own land and works in his field, his wife plants or transplants or reaps and his grown up child tends plough cattle. Estimate all this labour in money value, that is to say what they could have earned if they did all this for another in the present market add to that one plough cattle dying in every 3 years (although this is a very liberal

stimate and one or the other cattle dies sooner). If you take all this into calculation, you will find unmistakably, Sir, that the cultivator has nothing to gain from the cultivation. One might say—your people are lazy, they do not work or use better implements and so on. But let us not digress, as much may be said on both sides. If they are not so well off as in other countries, I say that the State has also its duty or negligence to account for, so let us leave that aspect out of consideration for the moment. Taking the average agriculturist cultivating paddy, the chief crop 3 to 3½ acres, he loses about Rs.3-6 per *pura* (4 bighas) of land. That is our calculation from an examination of 190 witnesses in Jorhat subdivision. If it holds good for Jorhat subdivision, I may only say that conditions in other subdivisions are also alike. If the condition of the actual cultivator is such, then what is the basis of this taxation? This taxation took place several years back when the lands were re-assessed and when paddy was selling at 3 or 4 *dons* per rupee in upper Assam. Now the same paddy is selling at 8 to 10 *dons*. Sir, where is the justification for saying that the same assessment should continue? About 40 per cent. of our villagers have not got two meals a day to take. Everybody knows that. The hon. members of the European group said—‘Well, all right, we are prepared to give some relief to the cultivators; but the offer that has been made by the Treasury Benches is very honourable and very decent’. But may I ask hon. Mr. Fleming through you, Sir, ‘Where is the dishonour and where is the indecency in a starving man praying for two meals a day?’ If it is dishonour or indecency, Sir, I only can say that one cannot approve of that mentality. The hon. Mr. Fleming said—‘When I go in my motor car, I see these obscure, struggling, half-starved, skeleton-like villagers.’

MR. W. FLEMING: Is the hon. member quoting me or making up my speech?

SRIJUT DEBESWAR SARMAH: I am only criticising, Sir.

Now I come to the last point. Pity is a sentiment, Sir, to measure which we have not got a barometer or a thermometer, but it has to be shown by actual proof. In this connection, Sir, may I in the spirit, not of a bravado, but in a spirit of service and prayerfulness, remind the European members of this House that the theory of invulnerableness of the British Power is being disputed by many. The Britishers themselves are more in need of Indian nationalism than we Indians today are in need of British imperialism.

MR. C. A. PALMER: But what has that to do with this resolution?

SRIJUT DEBESWAR SARMAH: Yes, it has. They are trying to stifle our aspirations or progress.

THE HON'BLE THE SPEAKER: I do not think the hon. member is right in making these observations.

SRIJUT DEBESWAR SARMAH: I only said that these gentlemen are trying to stifle our progress.

THE HON'BLE THE SPEAKER: The hon. member can say that generally, not of the hon. members.

SRIJUT DEBESWAR SARMAH: I do not mean any individual member here. I am prepared to apologise if I have wounded the feeling of anybody individually.

What I was saying in all sincerity, and which I will repeat again, is that the Britishers are more in need of Indian nationalism than we are in need of British imperialism. They have to lead us on, though not as brothers, because we are dark-skinned people but as members of same human family in the way of progress, Sir. I say that, because it is the Indian agriculturists that supply the bulk of the revenue for administration.

Sir, while we examined about 196 witnesses, we wanted also to see into the state of things as regards tea in upper Assam.

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

SRIJUT DEBESWAR SARMAH : I beg, Sir, for another seven minutes. What about tea lands ? We found, Sir, that the average income per acre of agricultural land is so small that it leads to a loss. On the contrary the average gain per acre of tea land will be about Rs.60 at a very modest scale. But they do not pay for that. Most of these tea lands are fee-simple, and others pay a very small revenue.

MR. F. W. HOCKENHULL : That is quite untrue.

SRIJUT DEBESWAR SARMAH : On a point of information, Sir. May we have the advantage to hear what is the truth and what the hon. member has to say ?

KHAN BAHADUR MAULAVI KERAMAT ALI : If we go on at this rate, Sir, it will be a waste of time.

THE HON'BLE THE SPEAKER : The hon. member is not ready to reply.

SRIJUT DEBESWAR SARMAH : Then he has deprived us of a very valuable piece of information.

Then regarding the other test I mean examination from benefit principle. Sir, hon. members would like to know the actual statistics. In the Teok mauza there are 1,143 households and we find 683 families diseased there. I read this extract from the reports of the Deputy Commissioner and Civil Surgeon. They say they have not hands enough to look after these people.

Then I come to the next point. Within 7 or 9 miles from Jorhat there are places which you will wonder whether they belong to the British Empire or not. There is no road, no post office and no water and if one happens to be ill he will have to come 8 or 9 miles for medicine. In Majuli outskirts one cannot get a drop of medicine unless he comes about 10 or 12 miles. There are no roads no water supply. Sir, I found in the record of a sessions case before Srijut Iswar Prasad Barooah, that when a dead-body was brought to the Golaghat thana for *post mortem* examination, the corpse became decomposed because it had to be brought from a distance of 17 miles crossing as many streams and the *post mortem* examination could not be held. That is the state of things.

Firstly, there is no ability to pay and secondly the actual payers have not received any benefit. Examining this taxation method from these two stand-points we do not find wherein is the logic, wherein the reason and wherein the argument that the cultivator is to be taxed so heavily. A boggey has been raised that the reduction would only benefit the land-owning class and not the poor people. That may be right to a certain extent, *i.e.*, there may be 5 per cent. land owners who may also be benefited by this and not more. My hon. friends from the Surma Valley and Goalpara do understand that there are only few people of that class, there are only few people who have more than 100 acres of paddy land in Assam Valley. So I submit that the benefit of this reduction will go only to a few people of the land-owning class. What is their position ? The position of the *rai-yats* has become poorer and poorer and they cannot pay. These few land-owners with a view to retain their land are paying the revenue with great difficulty, they cannot raise rents from the tenants. That is the position in most parts of Assam. So I do not see how the benefit of the resolution if it is given, will go to the land-owners and not to the poor agriculturists. On the contrary 95 per cent. of the agriculturists who will be benefited by this reduction are poor *rai-yats*.

MISS MAVIS DUNN: This resolution, Sir, proposes to give a reduction in land revenue permanently with effect "from the year 1937-38" and secondly, it recommends a flat rate of reduction for the poor and the rich alike. So, as it stands, Sir, I am sorry I am not able to support the resolution for two reasons. On the one hand it is impracticable and on the other hand it gives no relief whatsoever to those (real agriculturists) who are quite unable to pay any land revenue at all—and from the figures and reports read to us by hon. Mr. Rahman, I believe there are many.

Now in his speeches both here and in the old Council, the Hon'ble Revenue Minister has made it quite clear that at all times he has the interest of the agriculturist at heart and that he will do all he can, whenever practicable and necessary to relieve their distress. I have no reason to doubt him. He has also emphasized the fact that to his mind, the whole system of assessment of land revenue is most unsatisfactory because it affords no real relief to the people incapable of paying. He has a scheme whereby even total remission might be given.

Now then I believe that land revenue for this year is not due till March 1938, so there will be no unconscionable delay if this Assembly accepts the motion moved by the Hon'ble Revenue Minister to leave the whole question to a committee of experts. And in the name of those in distress, the really poor agriculturists, who perhaps will need a cent per cent. reduction of land revenue, and also in the name of those able to pay a higher rate and who will not grudge to give their contribution in this way to enable Government to carry out their nation-building schemes for the benefit of their less fortunate brothers, I appeal to the hon. mover to withdraw his resolution now and to accept the motion moved by the Hon'ble Revenue Minister.

MAULAVI NAMWAR ALI BARBHUIYA: In this connection I beg to draw the attention of the Hon'ble Revenue Minister to the peculiar circumstances of the Cachar district. The other day when the Hon'ble Minister was delivering a speech against the amendment motion moved by Khan Sahib Sayidur Rahman the Hon'ble Minister stated that the rate of assessment in Cachar was low and in consideration of that Cachar land-holders were allowed to get a remission of $6\frac{1}{4}$ per cent. of their land revenue, i.e., the Cachar land-holders got remission of one anna in the rupee while the people living in other temporarily-settled areas got a remission of 3 annas in the rupee. In this connection I would like to say that perhaps only the face value of the rate of assessment was taken into consideration. In my opinion it is not the only criterion for deciding that certain rate of assessment is low. To arrive at a right decision we should consider the yielding capacity of the land, the cost of growing crops because that may differ from locality to locality in growing paddy or other crops in the land. We should also take into consideration the natural calamities to which lands assessed are liable. Then we should also consider the paying capacity of the people holding those lands. It has been admitted the other day in reply to my question by the Hon'ble Revenue Minister when he was reading out the report made by the Deputy Commissioner, Cachar, in connection with the recent flood which is now making havoc in the district that there have been successive floods, almost in every year, damaging the paddy of the district, and it will also be clear to the hon. members of this House and the Hon'ble Ministers from the Land Revenue Administration Reports that before 1930 revenue sale under sections 70 and 90 of the Assam Land and Revenue Regulation, in the district of Cachar, was unknown. From that year it has been increasing enormously. People are not being able to pay their land revenue.

Now, I am speaking of the differential treatment that has been meted out to the people of Cachar. I want to know from the Hon'ble Chief Minister if equal treatment will be meted out to the people of the district of Cachar and if the Government will continue as in the past. If the answer is that the Government will continue as before, the condition of the people of Cachar will be undescrivable. The prices of local agricultural produce have tremendously gone down and people are not in a position to pay their land revenue though one anna in the rupee has been reduced.

MR. FAKHRUDDIN ALI AHMED : Sir, I rise to support this resolution. The utter helplessness, the miserable condition and the stricken poverty of the *raiylats* are not only matters of common knowledge, but have been admitted by the Hon'ble Revenue Minister and by practically all those hon. members who have spoken against the resolution.

The hon. Khan Sahib Maulavi Sayidur Rahman, though opposing the resolution on other grounds, was charitable enough to lay before us figures which are telling enough. I do not therefore propose to take the time of the House in discussing these matters which have been admitted by the Hon'ble Revenue Minister and the opponents of this resolution. I would like, however, to deal with the objections which have been raised by them. Sir, if one were to write the history of the deeds of the present Ministry during the past month, he will be compelled to mention that their programme consists of the following :—(1) No, does not arise, (2) I am not aware, (3) I want notice, (4) the matter is under consideration, (5) wait till the report of the Retrenchment Committee and (6) the matter will be enquired into. Not only this, but he will also find that the dark shadow of the old regime and the old habit of covering acts of oppression and injustice, and of flouting public opinion still continue.

KHAN BAHADUR MAULAVI KERAMAT ALI : Is that relevant, Sir.

THE HON'BLE THE SPEAKER :—Of course he is developing his ideas.

MR. FAKHRUDDIN ALI AHMED : I am sorry, Sir, to find that the hon. Khan Bahadur has got so much impatient and perturbed.

Hundreds of workers may starve and millions of villagers may live on the verge of starvation and roam about naked in the villages ; but they are not considered by the Hon'ble Ministers so grave, serious and important as to be taken notice of. They are only prepared to accept that their condition is miserable but the pretence of carrying on King's Government stand in the way of anything being done in their interest.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : May I enquire from the hon. member who is just speaking when did he meet the Assamese villagers for the first time ?

MR. FAKHRUDDIN ALI AHMED : I may tell my hon. friend that my knowledge of the villagers and their condition is deeper than his own knowledge.

I am very thankful to him for interpreting me. But let me assure him that this will not serve his purpose. We have noticed that he has been aware of the poor and miserable condition of the people which fact has only led him to suggest a Committee of enquiry, without telling us what this Committee of enquiry can and will do. Should this proposal be accepted it will only mean that those people who are known to the Hon'ble Revenue Minister and perhaps those who belong to his own constituency may get some relief.

KHAN BAHADUR MAULAVI KERAMAT ALI : Is he in order, Sir.

MR. FAKHRUDDIN ALI AHMED : I am sorry that my remarks are so much pungent to the hon. Khan Bahadur. Is this the way that an experienced Parliamentarian should behave ?

KHAN BAHADUR MAULAVI KERAMAT ALI : I am to instruct him.

MR. FAKHRUDDIN ALI AHMED : I ignore his remarks.

MR. F. W. HOCKENHULL : Let us hear something about land revenue.

MR. FAKHRUDDIN ALI AHMED : The Hon'ble Revenue Minister has suggested a Committee of Enquiry. In my opinion this Committee of Enquiry will not bring any relief whatsoever to the poor. If the Hon'ble Minister sincerely desires to give them the relief, he should at once accept the resolution and devise plans of realising an agricultural cess from those who according to him do not cultivate land but get income from under-tenants (*laughter*). Does the Hon'ble Minister realise that the zemindars and the persons who live on income derived by letting out land to the sub-tenants are very few in the Assam Valley, and most of such persons own *nisfkhiraj* and *Lakhiraj* lands which type of lands are excluded from the scope of this resolution.

Khan Sahib Maulavi Sayidur Rahman while supporting the principle of resolution, spoke a lot about "responsibility". He said it was his sense of responsibility that actuated him to go against the fifty per cent. reduction and compelled him to suggest 33 per cent. I am constrained to bring to the notice of the House that, though he has been sent here this time by the people, he has not yet changed the mentality of a nominated member of the old regime. Is it his sense of responsibility.....

THE HON'BLE MAULAVI SAYID SIR MUHAMMAD SAADULLA : Is he in order ? He is imputing personal motive.

MR. FAKHRUDDIN ALI AHMED : Sir, if he wants that we should be responsible, I would only ask and remind him of his responsibility to the people who have sent him here. He must not forget that this time he does not represent the British imperialism here but that he represents the poor people who have sent him to this Assembly and who want fifty per cent. reduction.

KHAN BAHADUR MAULAVI KERAMAT ALI : Including the Hon'ble Speaker.

MR. FAKHRUDDIN ALI AHMED : Yes, Sir, even including myself. If he is only mindful of his responsibility towards the poor people, he must realise that they want 50 per cent. reduction of land revenue. Government have failed to respond adequately to their educational needs, provisions for sanitation and similar other necessities of life are also scanty. It is only but proper that every one of us should try to reduce their burden by whatever method we can when we have not been able to provide them with all they need and require. Then, Sir, another argument has been advanced by some of the hon. members that if we reduce land revenue by 50 per cent., Government would be at a stand still. In this connection, I would like to submit here that from this year the Government of Assam will get the relief to an extent of 51 lakhs of rupees. Even for arguments sake if the figures mentioned by Col. Beddow be accepted and it is admitted that Government would lose revenue to an extent of 41 lakhs of rupees should a reduction be affected still we shall be left with 10 lakhs of rupees more this year than last year. If Government could not be at a stand still last year, there is no reason to believe that it will be at a stand still this year or the next year. Then, Sir, does and will this consideration arise in the minds of these honourable

gentlemen when we come to the question of the salaries of the Ministers. When the question of giving salary to the members of this House will come, then also this consideration will not arise while it has loomed large at time when we are trying to give a small relief to the poor people (*hear, hear*). These states of affairs will only show how public opinion is being flouted and the things are being done against their interest. The people will judge the activities of their representatives and will give no doubt their verdict against those who have turned deaf ears to their needs.

SRIJUT GOPI NATH BARDOLOI: Sir, my object in rising to support this motion is to do away with certain misunderstandings that have been created in the House by certain statements made by the Hon'ble Revenue Minister and certain members of this House, but before I do so, I consider it also my duty to give a reply to what my hon. friend Maulavi Ashrafuddin Muhammad Chaudhuri said in regard to the position of the Congress in other provinces. If my hon. friend had taken pains to go through the papers, from day to day, he could find that the Congress Ministry have, within a short space of one month, been able to provide sufficient relief to the people who really require the help of Government.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: May I enquire, Sir, about the percentage of relief?

SRIJUT GOPI NATH BARDOLOI: I am coming to that, Sir. The Hon'ble Minister should have patience to hear me.

Sir, we have definite information about the two provinces as to what they are doing. One is Bombay and the other is Bihar. In Bihar, Sir, we know that even without inquiring into the condition of the people, the Congress Ministry have given a relief of 30 lakhs of rupees and they are also conducting an inquiry for giving further relief in respect of certain other districts. Then, in regard to Bombay the Hon'ble Revenue Minister can be well informed, I suppose, that not only have the lands confiscated and sold on account of refusal to pay excessive assessment of revenue been returned but all the outstanding dues in Caira and Bardoli Taluks have been remitted. In comparison to that, what do we find about the work of our Ministry? This Ministry came to existence four or five months ago but even up to now they have not brought forward any scheme for curtailing the incidence of taxation on the poor people. They did not show anything in the budget to that effect. They have rather left the whole matter for the consideration of the House. The Ministry ought to have come forward with all the proposals instead of leaving it for the members to suggest this measure and that measure.

Then, Sir, the Hon'ble Finance Minister was trying to sidetrack the whole issue of this resolution by bringing in the question of the rich and poor.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, I never spoke up till now.

SRIJUT GOPI NATH BARDOLOI: I am referring to no body else except the Revenue Minister, Sir.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: He does not mean me, Sir, because in that case he would not have used the word 'the Hon'ble.'

SRIJUT GOPI NATH BARDOLOI: I always address him as Hon'ble Minister most gladly and heartily and would always do so.

If the Hon'ble Revenue Minister had taken the percentage of the agriculturists in the province (*A voice—Thanks*) he would at once see that 90 per cent. of our people are agriculturists. They are, as a whole, *bonafide* agriculturists and if he would just look to the figures regarding sale and

attachment of land, then it would be perfectly clear that those persons who actually pay land revenue over 50 or near about 50 are the worst sufferers in the matter of land revenue, and I would throw challenge to the Hon'ble Revenue Minister to contradict me on this point. From the facts and figures it would appear that those people who pay more land revenue are the real sufferers than those who pay less. The reason is, Sir, perfectly clear. The whole situation is due to the abnormal fall in the price of articles. People who have got to live on the income derived from the agricultural produce must suffer on account of this trade depression, which, I think, is going to be the permanent phase of the country.

Then, Sir, the next point that was raised against this resolution was that this reduction is meant to be a permanent reduction. That is not so. The wording of the resolution is very clear. Of course, Sir, I admire the advocacy of the Hon'ble Revenue Minister in his attempt to show that this measure is of a permanent nature but it is in fact not so. It was made clear to the House that what it means is that the reduction is to take effect from 1938 till some equitable basis can be brought about in the incidence of taxation. The idea was that the incidence of taxation should be distributed as fairly as possible. If in the mean while, the Hon'ble Revenue Minister by holding any inquiry through any agency that he could take recourse to or what I would certainly prefer more by an inquiry through the members of this House, could come to the conclusion that this reduction is no longer necessary, then I at any rate, on behalf of my section of the House would be prepared to accept the resolution. So, Sir, it must be understood that this reduction does not aim at permanent reduction but it aims at removing the grievances of the agriculturists who are suffering now.

Then, Sir, the third thing that the Hon'ble Revenue Minister was pleased to refer was that if we accepted this resolution we would bring about a deadlock in the administration (I suppose that was the word he used), and that is for the reason, that there would be a huge reduction in the land revenue, which is the main source of income to the province. I want to show that there also he is not stating the correct position. Sir, I am giving the figures of the outstandings for the years 1933-34 and 1935-36; it will be seen, Sir, that barring the reduction that we are giving just now, i.e., 3 annas in the rupee in the Assam Valley and one anna in the rupee in the Cachar District, in 1933-34, Government could not realise 48 per cent. of the demand even as reduced. That position has got to be seen. The same arrears, the same figure of collection is also to be found in respect of Assam Valley; it is also 48.75 per cent. That is the figure I have got; if there is any challenge I have got the report in my hand. I think, Sir, this cannot be challenged. This would show what is the real position is;—and it is that more than 50 per cent. reduction is already there. Sir, to put it again if we consider that there are already 3 annas and one anna reduction in the rupee, already, and also this unrealised 48 per cent. of the demand, it will be found that already there has been a reduction of more than 50 per cent. The same thing will be found when we take into consideration the recent figures of 1935-36. Here we find that the average 41 per cent. of the reduced demand is in arrears. There also you will be pleased to find, Sir, that 41 per cent. of the realisable amount is left in arrears in the Surma Valley; and it is 34 per cent. in the Assam Valley. Therefore, on the average you will find that the whole collection has never come to more than 40 per cent. of the entire demand. Therefore, Sir, what is this 50 per cent. reduction, about which the hon.

Mr. Beddow was saying that 40 lakhs will be going away. Another gentleman on the other side of the House also said the same thing, but in reality it would mean nothing more than taking away about 10 lakhs of rupees. Therefore, Sir, is it to be said that the amount of 10 lakhs or 12 lakhs is so very great that the Ministry cannot find ways and means to give relief to these poor cultivators by finding that amount? My submission is that we can sufficiently retrench. We had the Retrenchment Committee's report under the able chairmanship of the Hon'ble the Finance Minister, where a reduction of 30 lakhs was shown as the ultimate reduction, and 20 lakhs as the immediate reduction. Although a reduction of 8 lakhs has actually taken place there is a clear balance of 12 lakhs to be retrenched yet, and I do not think there is no room for further reduction there.

Therefore, Sir, my submission to the House is that by accepting the resolution we are doing nothing, we are bringing no deadlock, we are bringing no difficulty in the administration of the Government, if only the Government be sincere in providing relief for the poor.

Then, Sir, it extremely pains me to refer to certain hon. gentlemen of this House who actually wanted to support this resolution, the other day; but for some reason they have gone down for the proposal of my hon. friend Khan Sahib Maulavi Sayidur Rahman.

THE HON'BLE THE SPEAKER: Khan Bahadur Maulavi Keramat Ali, I believe.

SRIJUT GOPI NATH BARDOLOI: No, Sir, it is Khan Sahib Maulavi Sayidur Rahman who tabled the amendment for 33 per cent., Khan Bahadur's amendment is for 25 per cent. Sir, even there I find a reluctance on the part of the Ministry to give relief that has been sought there. That amendment stands for a flat reduction of 33 per cent., but even now I have not heard the Hon'ble Revenue Minister giving any assurance that he is going to accept it.

As I was saying, Sir, I have been very sorry to find that tendency of going down on the part of some hon. members. I do not know what has happened between the first stage of the resolution the other day and now; but it pains me to find that the cause of the poor raiyats, who actually need relief, should have been lost sight of in the meanwhile. I consider it a surrender of the cause of these poor raiyats.

Sir, by this resolution every district would have been benefited. In Sylhet there are *ilam* lands, Cachar is a temporarily settled area, and the rest of the Assam Valley is similarly a temporarily settled area.

MAULAVI JAHANUDDIN AHMED: What about Goalpara?

SRIJUT GOPI NATH BARDOLOI: Except Goalpara of course. Therefore, Sir, this resolution, if given effect to will benefit everybody. So, I cannot really see why this resolution should have been attempted to be modified in the meanwhile. Any way, Sir, they may forget the cause of the raiyats—I have nothing to say; they will face their constituencies as best as they like. As far as our party—the Congress party—is concerned, we cannot surrender the cause of the raiyats. We have had hundreds of resolutions; they have been sent from all parts of the country to all the hon. members, and I am sure the Hon'ble Revenue Minister must have got a large number of similar resolutions. It had also been our privilege to go about in the country and see for ourselves their poor condition. We think, Sir, that this reduction is adequately their due, and we will be failing in our duty if we do not stick to this reduction. I once more appeal to all the members of the House—to all the members who are representing these poor, half starved and naked raiyats—to rise to the occasion and give this resolution a chance, and see that the resolution is passed.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Mr. Speaker, Sir, certain remarks of my hon. friend the Leader of the Opposition, and his intentional or unintentional slip about mentioning my getting up and participating in this debate, have compelled me to take my stand.

THE HON'BLE THE SPEAKER: He said it was unintentional.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Very well, Sir. I admire the spirit of service to humanity, which has goaded the tabling of this resolution in this House. I admire also the spirit in which it has been placed before the hon. members for their consideration.

I find, Sir, two lines of thought running throughout the whole discussion, first that the countryside do really require a remission in land revenue. I am very pleased to see, Sir, that the hon. mover and many of his supporters from the block opposite have said that this item of their resolution was one of the principal items of their election manifesto. Therefore, Sir, it is their bounden duty to see it implemented. I find that there are certain other hon. members of this House who with all the enthusiasm of a convert to a new creed have supported this resolution. Sir, I want to deal with this question on the lines which one of the hon. members from the opposite wanted to deal with. My hon. friend says that by passing this resolution of 50 per cent. reduction in the land revenue assessment we will be giving relief to the really needy. I admit that, Sir, but I am prepared to join issue with him and say that the method they propose does not comparatively give so great a relief to the poor as the measure which my Hon'ble Colleague the Revenue Minister on behalf of the Government intends. There is always a conflict between precept and practice, and I find, Sir, in carrying out the recommendation of this resolution, they will come into conflict. I must admit that I am a comparatively poor man.

SRIJUT GOPI NATH BARDOLOI: We do not believe it.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I am in a better position to know.

I am a comparatively poor man, but if this resolution is carried and given effect to, the relief that I will get will be about Rs.500. I have taken the permission of my hon. friend Mr. Fakhruddin, to say that he pays a land revenue of between Rs.2,000 and Rs.3,000 a year, and therefore the relief that he will get, if this resolution is passed, will be over Rs.1,000 a year.....

MR. FAKHRUDDIN ALI AHMED: On a point of order, Sir. The Hon'ble Minister is misrepresenting what I said, because most of my land is *khiraj* and *niskhiraj*, which is beyond the scope of this resolution.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: My hon. friend is confusing the words. I tried to catch his speech to see whether he said *khiraj* or *lakhiraj*. *Lakhiraj* lands are exempt but *khiraj* lands come within the purview of the resolution.

MR. FAKHRUDDIN ALI AHMED: The Hon'ble Minister is misrepresenting the facts because I do not pay land revenue on *lakhiraj* lands.

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

SRIJUT GAURI KANTA TALUKDAR: Does the Hon'ble Chief Minister pay land revenue on *khiraj* or *niskhiraj* lands?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I cannot be confused between *khiraj* and *lakhiraj*. What I say is that I pay for *khiraj* lands, and these come within the purview of the resolution as the original resolution has been subsequently modified by the acceptance of Srijut Sarveswar Barua's amendment.

Then, Sir, my hon. friend Mr. Naba Kumar Dutta—(he is not present at the moment—) pays a land revenue of Rs.7,000 annually, and therefore the relief that he will get by this 50 per cent. will be over Rs 3,500. Therefore I think that Government is quite justified in saying that the relief which the actual cultivators will get will not be on a par with the relief that my hon. friends of the tea planting group over there and my hon. friends like Mr. Fakhruddin Ahmed will get.....

SRIJUT DEBESWAR SARMAH: Will the Hon'ble Minister tell us what is the percentage of such people?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I am ready to answer my hon. friend. My home is in Gauhati, and I know that in the Bar Library, Gauhati alone, not to speak of the whole district, there are at least 10 persons who pay more than Rs.2,000 a year.....

SRIJUT DEBESWAR SARMAH: What is the population of Gauhati?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: More than 20,000.

SRIJUT GOPI NATH BARDOLOI: I challenge the statement that 10 persons of the Gauhati Bar pay a revenue of Rs.10,000.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I am just developing my point.

The system of granting relief to the poor that has been advocated by the Government is more beneficial to the poor agriculturists than the flat rate advocated by my hon. friends over there.

Sir, let us now come to what will be the effect of this cut. Some of the hon. members challenged the figures placed before the House by the hon. Colonel Beddow. The total revenue demand is Rs.1,17,68,000. A little over Rs.20,00,000 of that comes from the permanently-settled estates and also tea gardens.

SRIJUT GOPI NATH BARDOLOI: I can contradict him in that also. It is Rs.29,00,000.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: It is not. It is about Rs.25,00,000. That leaves a little over Rs.90,00,000, and 50 per cent. of that is Rs.45,00,000. All that my friend Colonel Beddow did not mention is that in this figure is included Rs 18,00,000 the remission on account of the 3 annas in the rupee reduction already enjoyed. Therefore simple arithmetic will show that the Government will have to find out from somewhere nearly 30 lakhs. I will place all the correct figures for the purpose of this debate.....

SRIJUT GOPI NATH BARDOLOI: What are the outstandings?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Half a moment, please. And what is the remedy for making up this Rs.30,00,000?

SRIJUT GOPI NATH BARDOLOI: What are the outstandings?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: If the hon. member waits a minute, I am coming to it myself.

Sir, these Rs.30 lakhs, what is the remedy for making up this amount? First is retrenchment. For the information of the House, I will again place certain figures. Our establishment bill for the All-India Services is Rs.17 lakhs and my hon. friends from each group of the House know, that this Government or any other Government that will be sitting here in future, cannot touch the salaries of these officers. Then the Provincial Service takes Rs.25 lakhs. Lastly come the Subordinate and Ministerial Services. Their total bill is Rs.78 lakhs. Those hon. members who say that they have got a very soft heart for the poor agriculturists, must also have a soft corner of that heart for the poor ministerial officers and servants. And, I doubt whether

here is further room for any retrenchment from their salary by any appreciable amount. There remains only the Provincial Service which costs us Rs.25 lakhs. Even if we reduce it by 50 per cent., the salary bill of this service will be reduced by only 12 lakhs and we have still to find about Rs.18 lakhs. For that the suggestion has been thrown by one hon. member that we should tax the zemindars.

SRIJUT GOPI NATH BARDOLOI: Who suggested that ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: My hon. friend over there, Mr Fakhruddin Ali Ahmed. Sir, in other provinces where the Congress Ministry is running the administration, especially in Bihar, they are thinking of introducing a tax on agricultural income. Sir, somebody the other day said that it is no use robbing Paul to pay Peter. If we are going to reduce the land revenue demand of the.....

SRIJUT DEBESWAR SARMAH: On a point of order, because I find that one point has been finished by the Hon'ble the Chief Minister, does he not think that if the Ministry takes a reasonably small salary and appeals to the services and His Excellency to agree to a reduction in their salaries, that he can have some substantial saving ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The hon. member may do it in his own time.

In other provinces, I was referring particularly to Bihar when I was interrupted, the question of raising revenue by a taxation on agricultural income has been mooted. As I was saying, there is no use robbing Peter to pay Paul: and there is no use reducing land revenue of the agriculturists if we want to tax their agricultural income. In the case of the middle class agriculturists, the tax on agricultural income will tell much more heavily than the reduction proposed in land revenue.

THE HON'BLE THE SPEAKER: I hope the Hon'ble Minister will finish soon.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes, Sir, I am finishing. One hon. friend spoke about remission in Congress provinces. I have very telling figures before me and I will place them in the hope that the cold logic of figures and the knowledge of arithmetic of my hon. friends will suffice to appreciate the exact position. I have got here the speech of the Hon'ble Mr. Latthe, Finance Minister of Bombay and he comes from the great group from which my hon. friends opposite come. The revenue receipts in Bombay are Rs.11,99,55,000 after the reductions that were proposed to be granted by the Hon'ble Minister there. In round figures we can take that the Bombay income is Rs.12 crores as against our income which is Rs.2 crores and 80 lakhs. Now, what has the Congress Finance Minister of Bombay given in the shape of remission ? Although there is a difference of opinion between ourselves and our friends opposite as to the exact meaning of the wording of the resolution, whether it is permanent reduction or temporary reduction till the present depression continues, apart from that consideration, let us compare the figures. The Congress Finance Minister there has said that a remission of Rs.5 lakhs will be given in grazing fees

SRIJUT GOPI NATH BARDOLOI: May we know what is the income from the grazing fees ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I do not know. I am just giving the House the total amount of remission given by the Congress Ministry and am comparing those figures with the figures for the Assam. The Bombay Government have decided to sanction remission of five lakhs of rupees in the course of the next six months on such areas as are found to be too heavily taxed. Another remission of Rs.8 lakhs

for fall in prices was granted by the previous Government and that is to be continued. Let me quote the exact words of my Hon'ble *vis-a-vis* in the Bombay Legislative Assembly: "Government have been reducing their revenue demand by nearly Rs.8 lakhs a year in order to give relief to those who have been suffering very heavily from fall in price". So, Sir, the present Congress Ministry have given 18 lakhs as total remission, not a flat rate remission or a permanent remission of anything like 50 per cent. but they give it only in particular areas where according to them the incidence is heavy. Compare Bombay and Assam. We have enjoyed this three-anna reduction.....

SRIJUT GAURI KANTA TALUKDAR: On a point of information, Sir, was there any enhanced assessment of revenue in Bombay?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: If the hon. member will keep his patience, he will get all these facts.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI: May I know the comparative salaries drawn by Ministers in these two provinces?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes. The Ministers there are drawing Rs.500 each because they are from the great Congress group which has resolved that the Ministers would not take more than Rs.500. But it also has resolved that as that salary will not be sufficient they will be allowed to draw different kinds of allowances.

SRIJUT GOPI NATH BARDOLOI: How much?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: According to my information the allowances can go up to Rs.600. But I am told the Bombay Ministers are not drawing more than Rs.350 as allowances.

SRIJUT GOPI NATH BARDOLOI: No. Rupees 250 only. That is limited by the resolution of the Working Committee.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: So, Sir, compare Bombay with a revenue of Rs.12 crores giving in this present millenium Rs.18 lakhs of remission including the Rs.8 lakhs which was given already by the previous Government.

SRIJUT PURNA CHANDRA SARMA: Will the Hon'ble Finance Minister quote the figures of land revenue for Bombay?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: This is not question time and I must go on in my own way giving figures. I was saying that as against that figure of Bombay, we in Assam are remitting three annas in the rupee already which cost the province 18 lakhs. Let us compare the incidence of Bombay and Assam. The *per capita* tax in Bombay is Rs.6 per head.

SRIJUT GOPI NATH BARDOLOI: No, Sir. I challenge that figure also.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: From the speech of the Congress Minister which I have got here.....

SRIJUT PURNA CHANDRA SARMA: Is he prepared to give the income of the people of Assam as well?

THE HON'BLE THE SPEAKER: The Hon'ble Minister may go on.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes, Sir. I quote the figures from the speech of the Hon'ble Finance Minister, a copy has been sent to us by the courtesy of the Bombay Government.

Then the Hon'ble Minister goes on to other provinces and finally comes to Assam and says *per capita* taxation here is 2.26. Therefore the incidence *per capita* of the raiyat in Bombay is very nearly $2\frac{1}{2}$ times more than in Assam. My hon. friends will perhaps say—very well, that *per capita* taxation will not help us.

Let us go to the incidence of land revenue. Here, Sir, again I am quoting from the same source, because my hon. friend the Leader of the Opposition has challenged the figures. "In Assam it was 1.25. In Bombay we have it at 1.95 per head". Here also hon. members will find that the incidence of land tax in Bombay is much higher and heavier than in Assam. So in all fairness, if we were to compare what the present brown bureaucracy—which is the term used by my friends over there for the present Ministries—has done in different provinces, what the Assam Ministry has done is far superior to what has been done by Bombay.

SRIJUT SARVESWAR BARUA : The 3 annas reduction does not go to the present Ministry, Sir.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The sum of 8 lakhs in Bombay does not go to the present Ministry.

SRIJUT PURNA CHANDRA SARMA : Is the income *per capita* mentioned in the Bombay speech?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Everything I am quoting, Sir, is from the Bombay speech I have got. Sir, one word more I must say to the credit of the Bombay Government. They have remitted arrears of land revenue to the extent of 18 lakhs. If there is a demand on the present Government to remit land revenue on account of floods and drought and such other mishappening then this Government is prepared to do that. But it has to consider the land revenue figures of Bombay with those of Assam.

Again, Sir, lest there be any challenge of figures, I will quote from the Hon'ble Minister himself. "On the revenue side the main sources of income consists of land revenue estimated to bring in 3 crores 29 lakhs."

SRIJUT PURNA CHANDRA SARMA : Population?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The land revenue income there is very nearly three times more than ours. If the Bombay Government have been good enough to remit 16 lakhs of land revenue as arrears, this Government with a crore of one-third of their income will be no less willing to remit 5 lakhs of agricultural loans that is outstanding, provided a case can be made out for it. Therefore, Sir, the four months of the present administration can hold its own against any other administration so far as facts and figures are concerned.

Sir, I have now two more words to speak. Certain remarks have been made by my hon. friend, Mr. Namwar Ali from Cachar complaining that Cachar did not get the same treatment as the rest of the temporarily settled areas. I can assure him, Sir, that if by enquiry we find that the Cachar people are not in a position to pay, then they will get the full benefit of the 33 per cent. reduction. Similarly, Sir, I can speak of the areas of Jowai and Jaintia Parganas—in fact everywhere—provided it is found that these people are in such a poor condition that they are not able to pay.

Another word more, Sir. Some of my hon. friends were trying to show a source of income to Government. We heard yesterday or the day before yesterday from my friend Syed Abdur Rouf and to-day from another friend Mr. Sadagar that there are enough lands, which, if thrown open to settlement, will bring in about 5 lakhs. This question of increasing cultivation or throwing open lands for settlement is engaging our attention. We are trying to ask our Revenue Officers to post a list of available lands in their offices for deserving settlers, so that the latter may know where lands may be available, and there will be no impediment about their settlement.

MR. A. K. CHANDA : About Cachar, Sir, it will be seen in reply to a question of the late Haji Idris Ali in the last Assam Council the Government said that they had realised process fees to the tune of 15,000 odd in 1932, 17,000 odd in 1933 and in 1934 about 21,000 rupees. These amounts

bear eloquent testimony to the present financial plight of Cachar. Now the Hon'ble Chief Minister has said that they will hold an enquiry about the financial condition of Cachar. That will presumably be conducted by the Deputy Commissioner.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : It will be by the committee which my friend is proposing.

MR. A. K. CHANDA : We are a little apprehensive about these enquiries by Deputy Commissioner ! When a flood is causing havoc in Cachar, the Deputy Commissioner does not realize its gravity. That is why we fear that when he comes to an enquiry about the financial condition of the masses the Deputy Commissioner will submit his own peculiar views there also.

SRIJUT SIDDHI NATH SARMA : Sir, while moving this resolution I made it perfectly clear to the House that the benefit of this reduction should reach the raiyats—the under-tenants—and not the proprietors. If the Government intends to do so, they may apply certain principles to give effect to it and benefit the raiyats or under-tenants who occupy lands under proprietors.

Then, Sir, the Hon'ble Finance Minister gave us certain figures. But I should say that he has quoted hopelessly wrong figures. I shall refer to the report and to the book from which I am quoting my figures. Neither the Hon'ble Revenue Minister nor any other hon. members supporting the Hon'ble Ministers have met the arguments I advanced at the time of moving my resolution. They have not touched those figures. I quote my figures from no less an authority than Mr. K. T. Saha's Book. He says that the burden of taxation is Rs.4-0-10 per head exclusive of land revenue and Rs.5-6-7 per head inclusive of it. That means the incidence of revenue was Rs.1-6 per head in the year 1925-26. In the year 1931-32 the burden of taxation exclusive of land revenue is Rs.3-9-8 and inclusive, it is Rs.4-12-6. That means that the incidence of revenue in 1931-32 is Re.1-3. There are certain villages in Kamrup where the incidence is 17 annas, as I stated, at the time of moving my resolution. But if you take the case of the whole of Assam, it comes to 9 annas in 1931-32. And what is the income ? The Hon'ble Minister in charge of Finance has not enlightened us what is the income *per capita* of the Bombay people (*hear, hear*) and what is the income here. I stated that it was -/1/6 pies and about a lac of people starve daily. Those figures have not been challenged.

KHAN BAHADUR MAULAVI KERAMAT ALI : What is the figure of Bombay ?

SRIJUT SIDDHI NATH SARMA : That is not given (*laughter*) by the Finance Minister. It is for the Hon'ble Finance Minister to state. It is probably Rs.4-8.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Should not the hon. member stand up while speaking ?

SRIJUT SIDDHI NATH SARMA : Yes, I am standing up. Taking the figure of Mr. Beddow that there would be a reduction of 40 lakhs of rupees, even then what will be the benefit that will reach the people ? I say it will be not more than 2 annas and how ? In 1934-35, 50 per cent. of land revenue was in arrear in the Surma Valley and 39 per cent. of the Assam Valley. So if we are to take the average of it, it comes to 44.5 per cent. in 1934-35.

In the year 1935-36 in the Assam Valley the arrear of land revenue is 34 per cent. and in the Surma Valley 41 per cent.—thus the average is 37.5 per cent. Then it appears that there will be no actual reduction of land revenue if land revenue is reduced by 33 per cent. and the raiyats will not get any benefit. There will be 4.5 per cent. in arrears in spite of 33 per cent. reduction.

If Government accepts my resolution then there will be a real reduction of 12½ per cent. only over the arrears. That means if we accept the figure of 40 lakhs the actual reduction comes to not more than 5 or 6 lakhs of rupees over the arrears, that is, the raiyats will get not more than 2 annas over and above their arrears. That is the position.

MR. FAKHRUDDIN ALI AHMED : On a point of information. The Hon'ble Finance Minister said that the revenue of the province will be effected to an extent of 30 lakhs. May I know from him whether that figure includes the receipt from *Lakhiraj* and *Nisf-khiraj* land ?

THE HON'BLE MAULAVI SAYYID SIR MUHAMMAD SAADULLA : I have already excluded them.

MR. FAKHRUDDIN ALI AHMED : From the calculation made by the Hon'ble Finance Minister, my impression is that he has not excluded that amount.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Sir, inspite of the derisive speech hurled at me by my hon. friend Maulana Abdul Hamid Khan which my quondam friends have relished to their heart's content, I can assure the House that I have been sincere throughout in striving for reduction of land revenue. Even to-day I am as sincere as I was before in the matter of lightening the burden of taxation on the poor people and I am thankful to the present Government that I have been able to keep the pledge which I had made to the electorate that there would be a substantial reduction of land revenue. Even in 1935 when I moved a resolution for reduction of land revenue I spoke in the following strain :— "I am not enamoured of the policy of reduction ; at all events I would not want the reduction of revenue, if the Government could do something to improve the condition of the raiyats so that they might be able to pay the revenue. That is my position. I know very well that if a reduction of 8 annas or even 12 annas in the rupee is made it will not really improve the position of the raiyats. That may give temporary relief, that may temporarily give them shelter, that may temporarily afford them food, that may enable them to live on. But any reduction of revenue will not improve the position of the raiyats at once. I ask the Government to raise the condition of the raiyats and improve their condition, so that they may really be able to pay the revenue which has been imposed on them. It is for these reasons that I asked the Government to form a committee of enquiry to go into the whole question as to what steps could really be taken to improve their condition, how far this reduction of revenue would affect their position and how far the realisation of the present revenue would impair it. The whole House agreed to the resolution but that resolution has been consigned to the same fate to which so many have been consigned, namely, to the waste paper basket."

So that was my position at the time when I moved for reduction of 50 per cent. I suggested for an enquiry committee but it was not acceded to by the then Government. The present Government has agreed to institute an enquiry into the economic condition of the raiyats. Sir, even for the sake of repetition I shall re-state the whole position of the Government. The Government is not in favour of a flat rate of reduction. They want to evolve a gradual scheme, a well-considered scheme whereby adequate relief can be given to those who are really needy. Government is not in a position to prepare that scheme without consulting the elected representatives of the people and therefore, although the committee will cost the Government some money, Government is prepared to have a committee of enquiry to go into the whole question. If that committee says that

50 per cent. reduction is necessary for certain classes of the people, Government will give to it their best consideration. But, Sir, it will be absolutely irresponsible on the part of the Government to give all at once an all-round 50 per cent. reduction of land revenue, because we have maintained that it will be benefiting those who do not need it, just in the case of tea gardens, their revenue is 16 lakhs of rupees which they pay to the Government. They took advantage of the benefit of the reduction for two years. After that they themselves agreed that the benefit should be withdrawn from them, that was when the prosperity of tea began to revive. So I hope the whole House will realise that we must not give any benefit to the rich. I would not agree, whatever be my position, whether I am in the Cabinet or not, whether I am in this House or not, I would not agree to grant reduction to those persons who do not require it. I want to utilise every penny of this reduction which the present Government is going to grant to the benefit of those who are actually poor agriculturists. But we cannot have the decision of the committee all at once as this will take some time. The proposed committee will first of all decide what classes of people would be considered poor agriculturists and all poor agriculturists to whichever district they may belong will be treated equally. There is no distinction between a poor man of the Assam Valley and a poor man of Cachar and we would not observe that distinction. The poor is poor everywhere, and those poor will get reduction at a flat rate of 33 per cent. so long as we do not evolve a scheme. What class of people will be treated as poor people will be decided by a Committee. I may inform the hon. members of this House that an average holding of a raiyat is about 13 to 15 bighas. If we accept that as the figure, we do not think they pay more than Rs.15 as land revenue. That may be one of the basis of calculation, but I am not prepared to anticipate that basis. If hon. members are so disposed I may remain out of that Committee.

SRIJUT GOPI NATH BARDOLOI: And in the meantime 25 per cent. reduction ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Yes 25 per cent. reduction to all alike. But those who will be classified as poor by that Committee will get the benefit of 33 per cent. reduction for 1937-38. I intend that the Committee will go into the details of the question. They will be able to find out and will consider a scheme whereby they can recommend relief to the extent of 50 per cent. for the poor people and for a graduated scale.

SRIJUT PURNA CHANDRA SARMA: When will this Committee meet ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: It will meet soon. The Committee will not prepare a list of individual poor agriculturists. The revising authority will prepare the list according to the classification made by the Committee.

BABU HIRENDRA CHANDRA CKAKRAVARTI: The Committee members will examine every individual case ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: No. The idea is that this Committee will fix a standard of land revenue paid, that those paying up to this amount will be treated as poor class. I want to make a distinction between agriculturists, that is, those who derive their income from agriculture, and others.

SRIJUT GOPI NATH BARDOLOI: How many stages of enquiry will there be ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The reduction will be twenty-five per cent. at flat rate 33 per cent. to the poor class and then there will be a Committee to determine what further reduction should be permanently.

SRIJUT GOPI NATH BARDOLOI: What may be the incidence of taxation?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I can quite understand my friend. he does not seem to follow my speech as he was absent minded.

So far as 25 per cent. reduction is concerned that is given. But for 1937-38 the Committee will draw up a classification of those who will be considered as poor class of people. Their reduction will be 33 per cent. For revenue payable for 1937-38 the first *kist* will be 15th of January and the second *kist* will fall on 15th February. Before 15th of March no distress warrants are generally issued. So on further points, the Committee will have to enquire. That will take some time. A percentage of land revenue cannot be realised every year, and generally from those who are not able to pay their revenue it is realised next year. For instance, for this year 1937-38, there has been a realisation of about 3 lakhs of rupees of uncollected arrears within two months. So arrears are collected next year. Even then there are some *fout ferars* and *jotro hins*—there are some people from whom nothing can be realised.

This is all that I have got to say. So Sir, I hope hon. members will understand the difficulties of the hon. members. The hon. mover went about villages, he told people that he would bring about a reduction of 50 per cent. In view of the fact that some reduction is being granted by Government, he may tell his people that it was on account of his resolution that this Government has been compelled to grant this reduction. He may safely take the escort. I would not mind that. I may go from village to village for his sake and tell them that it is on account of his resolution that the reduction has been granted. I hope that will satisfy the hon mover.

So, Sir with all humility that I can command, I would ask the hon. mover to withdraw his resolution which may otherwise be lost.

As regards my hon. friend here, i.e., Mr. Fakhruddin Ali Ahmed, I doubt very much if he can talk with the poor in the language in which they speak.

MR. FAKHRUDDIN ALI AHMED: My friend will be really disappointed. He also canvassed against me saying this.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: If that is the reason why he is so bitter against me, I may say, I never canvassed against him. otherwise there might have been difference.

THE HON'BLE THE SPEAKER: The resolution stands after amendment thus:—

That this Assembly recommends to the Government of Assam to grant reduction of 50 per cent. of land revenue on *khiraj* lands payable to the Government from the year 1937-38.

There are two amendments, one proposing a reduction of 33 per cent. and another proposing a reduction of 25 per cent. As I have listened to the debate I feel that the principle of reduction is accepted. So I propose to put first the resolution to the vote so that the members, who are in favour of this reduction may get an opportunity of voting for the next, namely first for 33 per cent. and then for 25 per cent. reduction, in case both the resolution and the amendment recommending reduction at 33 per cent. fail.

(The resolution was put and the House divided with the following result :—)

AYES—43

1. Babu Akshay Kumar Das.
2. Mr. Arun Kumar Chanda.
3. Mr. Baidyanath Mookerjee.
4. Babu Balaram Sircar.
5. Srijut Beliram Das.
6. Srijut Bhuban Chandra Gogoi.
7. Babu Bipin Behari Das.
8. Srijut Bipin Chandra Medhi.
9. Babu Dakshina Ranjan Gupta Chaudhuri.
10. Srijut Debeswar Sharma.
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 Jageschandra Gohain.
21. Babu Kalachand Roy.
22. Srijut Kameswar Das.
23. Babu Kamini Kumar Sen.
24. Babu Karuna Sindhu Roy.

NOES—60

1. Kumar Ajit Narayan Dev.
2. Srijut Jogendra Narayan Mandal.
3. Dr. Mahendra Nath Saikia.
4. Srijut Ram Nath Das.
5. The Hon'ble Srijut Rohini Kumar Chaudhuri.
6. Maulavi Abdul Aziz.
7. Maulavi Abdul Bari Chaudhuri.
8. Khan Bahadur Hazi Abdul Majid Chaudhury.
9. Maulavi Abdul Matin Chaudhury.
10. Maulavi Syed Abdur Rouf.
11. Maulavi Md. Abdus Salam.
12. Maulavi Dewan Muhammad Ahbab Choudhury.
13. The Hon'ble Maulavi Md. Ali Haidar Khan.
14. Maulavi Dewan Ali Raja.
15. Maulavi Muhammad Amiruddin.
16. Maulavi Muhammad Amjad Ali.
17. Maulavi Ashraf Uddin Md. Chaudhury.
18. Maulavi Badaruddin Ahmed.
19. Khan Bahadur Dewan Eklmur Roza Chaudhury.
20. Maulavi Ghyasuddin Ahmed.
21. Maulavi Jahanuddin Ahmed.
22. Khan Bahadur Maulavi Keramat Ali.
23. Maulavi Muhammad Maqbul Hussain Chawdhury.
24. Khan Bahadur Maulavi Mahmud Ali.
25. Maulavi Matior Rahman Mia.
26. Maulavi Mabararak Ali.
27. Khan Sahib Maulavi Mudabbir Hussain Chaudhuri.
28. Khan Bahadur Maulavi Mufizur Rahman.
29. Maulavi Munawwarali.
30. Maulavi Muzarrof Ali Laskar.
31. Maulavi Namwar Ali Barbhuiya.
32. Maulavi Naziruddin Ahmed.
33. Maulavi Sheikh Osman Ali Sadagar.

25. Mr. Kedarmal Brahmin.
26. Srijut Krishna Nath Sarma.
27. Babu Rabindra Nath Aditya.
28. Srijut Lakhesvar Borooah.
29. Babu Lalit Mohon Kar.
30. Srijut Mahadev Sarma.
31. Srijut Mahi Chandra Bora.
32. Srijut Omeo Kumar Das.
33. Srijut Paramananda Das.
34. Rai Bahadur Promode Chandra Dutt.
35. Srijut Purandar Sarma.
36. Srijut Purna Chandra Sarma.
37. Srijut Rajani Kanta Barooah.
38. Srijut Rajendra Nath Barua.
39. Srijut Sankar Chandra Barua.
40. Srijut Sarveswar Barua.
41. Babu Shibendra Chandra Biswas.
42. Srijut Siddhi Nath Sarma.
43. Mr. Fakhruddin Ali Ahmed.
34. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla.
35. Khan Sahib Maulavi Sayidur Rahman.
36. The Hon'ble Shams-ul-Ulama Maulana Abu Nasr Md. Waheed.
37. Col. A. B. Beddow.
38. Mr. A. F. Bendall.
39. Mr. J. R. Clayton.
40. Mr. W. R. Faull.
41. Mr. W. Fleming.
42. Mr. B. I. Barry.
43. Mr. F. W. Hockenhull.
44. Mr. D. B. H. Moore.
45. Mr. R. A. Palmer.
46. Miss Mavis Dunn.
47. Mr. Benjamin Ch. Momin.
48. Srijut Bhairab Chandra Das.
49. Srijut Bideshi Pan Tanti.
50. Srijut Binode Kumar J. Sarwan.
51. Srijut Dhirsingh Deuri.
52. Rev. L. Gatphoh.
53. Mr. C. Goldsmith.
54. Mr. Jobang D. Marak.
55. The Hon'ble Rev. J. J. M. Nichols-Roy.
56. Srijut Karka Dalay Miri.
57. Srijut Khorsing Terang.
58. Mr. P. Parida.
59. Srijut Rabi Chandra Kachari.
60. Srijut Rupnath Brahma.

(Ayes being 43 and Nos 60, the resolution was lost).

THE HON'BLE THE SPEAKER: Now, there is an amendment to the main resolution.

This question is "that this Assembly recommends to the Government of Assam to grant reduction of 33 per cent. of land revenue from *Khiraj* lands payable to the Government of Assam from the year 1937-38".

The amendment was carried.

SRIJUT GOPI NATH BARDOLOI: On a point of order, Sir. I hope the effect of the resolution, as it stands, will be a flat reduction.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have accepted this amendment in terms of the speech of the hon. mover, and in the terms of the speech that I have made.

MR. BAIDYANATH MOOKERJEE: I think it has to be taken as it was put by you, Sir.

THE HON'BLE THE SPEAKER: It makes no difference. The terms of the amendment are clear.

Resolution regarding the abolition of the Assam Legislative Council

SRIJUT KAMESWAR DAS: Sir, I have tabled certain amendments. I want to move them first. The amendments run as follows:—

- (1) That in lines 2 to 4 of the resolution the expression commencing from the word "that" in line 2 and ending with the word "members" be deleted.
- (2) That.....

THE HON'BLE THE SPEAKER: Order, order. There is an identical motion in the name of Maulavi Munawwar Ali to be discussed to-day. If he wants to move this motion I think he should move it now.

MAULAVI MUNAWWAR ALI: I am not in proper mood of mind, Sir, I do not wish to move this motion to-day.

SRIJUT KAMESWAR DAS: (2) That the portion commencing with "a" at the beginning of line 5 and ending with the word "of" in line 6 be omitted.

- (3) That the word "that" be added after "(i)" in line 5 and the words "be abolished" be inserted after the word "Council" in line 7.
- (4) That after the figures "1935" in line 12 the words "be made" be added.
- (5) That the word "that" be added after (ii), in line 13 and the words "another resolution to present to" in lines 13 and 14 be deleted.
- (6) That the words "be presented with" be added after the word "Assam" in line 15.
- (7) That the words "aforesaid resolution" in lines 19 and 20 be substituted for the word "same".
- (8) That the resolution thus proposed to be amended shall read as follows:—

This Assembly recommends to the Government of Assam (i) that the Assam Legislative Council be abolished and consequent amendment of section 60(1)(a) and other relevant portions of the Government of India Act, 1935, be made; and

(ii) that His Excellency the Governor of Assam be presented with an address for submission to His Majesty praying that His Majesty may be pleased to communicate the same to Parliament for action thereon.

I did not move the amendment. The amended resolution reads as follows:—

"This Assembly recommends to the Government of Assam (i) that the Assam Legislative Council be abolished and consequent amendment of section 60 (1) (a) and other relevant portions of the Government of India Act, 1935, be made; and (ii) that His Excellency the Governor of Assam be presented with an address for submission to His Majesty praying that His Majesty may be pleased to communicate the same to Parliament for action thereon".

THE HON'BLE THE SPEAKER: The hon. member has read out to the House the amendments which he wants to make, and the resolution with these amendments incorporated in the resolution will stand thus:—

This Assembly recommends to the Government of Assam (i) that the Assam Legislative Council be abolished and consequent amendment of section 60 (1) (a) and other relevant portions of the Government of India Act, 1935, be made: and

- (ii) that His Excellency the Governor of Assam be presented with an address for submission to His Majesty praying that His Majesty may be pleased to communicate the same to Parliament for action thereon.

The original resolution reads thus:—

‘This Assembly recommends to the Government of Assam that the Council of Ministers do move, through one of their members, (i) a resolution recommending abolition of the Assam Legislative Council and consequent amendment of section 60 (1) (a) and other relevant portions of the Government of India Act, 1935, and (ii) another resolution to present to His Excellency the Governor of Assam an address for submission to His Majesty praying that His Majesty may be pleased to communicate the aforesaid resolution to Parliament for action thereon.’

THE HON'BLE THE SPEAKER: I do not know whether any hon. member has any objection to the resolution being moved with the amendments proposed.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURY: Mr. Speaker, Sir, I have got objections against the amendment that has been moved. As to the latter part of the amendment that His Excellency the Governor of Assam may be presented with an address for submission to His Majesty praying that His Majesty may be pleased to communicate the same to the Parliament for action thereon, I think this portion is not regular, as according to the Government of India Act this portion cannot be admitted and discussed by the House. My first point is this that in sub-section 3 of section 308 it has been provided “*so far as regards any such amendment as is mentioned in paragraph (c) of the last preceding sub-section, the provisions of sub-section (1) of this section shall apply to a resolution of a Provincial Legislature whenever passed, but, save as aforesaid, those provisions shall not apply to any resolution passed before the expiration of ten years, in the case of a resolution of the Federal Legislature, from the establishment of the Federation, and in the case of a resolution of a Provincial Legislature, from the commencement of Part III of the Act*”. In the face of what I have quoted above this House cannot even recommend or present an address to His Excellency the Governor for submission to His Majesty before the expiration of 10 years from the commencement of Part III of the Government of India Act. So I think this sub-section (3) is a bar to the latter portion of this resolution.

Then, again, with regard to the first portion that the Assam Legislative Council be abolished and consequent amendment of section 60 (1) (a) and other relevant portions of the Government of India Act, I am doubtful whether an individual member of this House is competent to move a resolution like this. It may be said that any irregularity in the procedure of this House, if it is admitted by you, Sir, cannot be called in question but even then, Sir, if the amendment is allowed and discussed in this House, what will be the legal consequence of it? Should we discuss the same only for discussion's sake? Should we make this House a Debating Club? My point is this, supposing the House has discussed the amendment, and they have passed this resolution, what will be the legal consequence of this resolution? Here I refer to sub-section (4) of section 308, and the first proviso. Sub-section (4) provides “*His Majesty in Council may at any time referred in the last preceding sub-section have elapsed or not, and whether any such address as is mentioned in this section has been submitted to His Majesty or not, make in the provisions of this Act any such amendment as is referred to in sub-section (2) of this section. Provided that (i) if no such address has been submitted to*

His Majesty, then, before the draft of any order which it is proposed to submit to His Majesty is laid before Parliament the Secretary of State shall unless it appears to him that the proposed amendment is of a minor or drafting nature, take such steps as His Majesty may direct for ascertaining the views of the Government and Legislature in India who would be affected by the proposed amendment and the views of any minority likely to be so affected and whether a majority of the representatives of that minority in the Federal as the case may be the Provincial Legislature support the proposal."

Sir, if this resolution is passed then who will submit this resolution to the Secretary of State for India or to His Majesty for submission to the Parliament. I submit that even if His Excellency agrees to that, I am afraid he will act against the statutory provision. Again, if it is submitted, this will be sent bank for ascertaining the views of the Government and the legislatures and others who would be affected by the present amendment. This shows that His Excellency cannot send the resolutions to His Majesty's Government for submission in the Parliament.

THE HON'BLE THE SPEAKER: There are two questions; the first question is whether this amendment should be accepted and if the amendment be accepted then the question would arise whether the resolution as would stand after amendment can be moved or not.

RAI BAHADUR PROMODE CHANDRA DUTT: I object to the proposed amendment on the ground that this is no amendment at all but is an entirely different resolution altogether. The original resolution as it stood was worded in the terms of section 308 asking the Council of Ministers to move in the matter. The present resolution is not to ask the Council of Ministers to move in the matter at all. It asks the Government of Assam to express an opinion that this Second Chamber is unnecessary and then to take any further action that it likes. That is entirely a different matter not covered by section 308 but is independent of it. I submit it is not an amendment at all. It is a different resolution altogether and as such notice ought to have been given of it in the ordinary way.

THE HON'BLE THE SPEAKER: The resolution as originally framed has two parts. Under the first part it will be necessary for the House to come to a decision as to whether the Upper Chamber should be abolished. Then comes the the second part which is a request to the Hon'ble Ministers to adopt a certain procedure in order to secure the abolition of the Upper Chamber. If the resolution is passed it would practically be the decision of the House that the Upper House be abolished.

RAI BAHADUR PROMODE CHANDRA DUTT: In the resolution the Ministers are requested to move in the matter with a view to see that the House is abolished. That means that the Ministers should proceed as laid down in section 308. Here it is not the Ministers that are asked but the Government of Assam which term would include not only the Ministers but also the Governor. That is entirely a different matter.

THE HON'BLE THE SPEAKER: The original resolution is wider in its scope in the sense that it seeks to prescribe a more elaborate procedure. First the House was to decide whether the Upper Chamber should be abolished. And then the question arises whether the Ministers should be asked to adopt the procedure prescribed by it. I think the amendment as it stands, first asks the House to come to a decision that the House should be abolished. It wants to make explicit what is really implicit in the resolution. The next thing is that the Ministers should be requested to have a resolution passed by this House in terms of section 308. Is that not so?

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: On this point, Sir, the first part of the original resolution is: "This Assembly recommends to the Government of Assam that the Council of Ministers do move..." for the abolition of the Second Chamber.

THE HON'BLE THE SPEAKER: That necessitates that the House should come to a decision that the Upper Chamber should be abolished. Otherwise, how can they request the Ministers?

RAI BAHADUR PROMODE CHANDRA DATTA: That is perfectly correct. But what have we here? This Assembly recommends to the Government of Assam that it should declare that the Second Chamber is not required in this province. 'Government of Assam' would not mean only the Hon'ble Ministers sitting here but would also include the Governor. The request is not only to the Ministers but also to the Governor and so this is entirely a different matter from what was contemplated in the original resolution.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: The original resolution requested the Hon'ble Ministers to move a resolution that the Second Chamber be abolished and does not cover.....

THE HON'BLE THE SPEAKER: I think the hon. member has not realised what I have said. The House should first come to a decision that the Upper Chamber should be abolished. That is implicit in the resolution.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: This House requests the Ministers to move a resolution that the Upper Chamber should be abolished, that is the implication.

SRIJUT KAMESWAR DAS: I submit that the primary object in the first portion of the resolution was the abolition of the Second Chamber. To achieve this object the Ministers were to be requested to take steps in their own hands and adopt a certain procedure. So what the main resolution wants to mean is that the House do express its opinion on the question of abolition of the Upper Chamber. In the proposed amendment in place of the Ministers bringing in a resolution to abolish the Upper Chamber a private member wants to do it. So there is only the change in the personnel of the mover and the resolution is otherwise substantially the same as before. The same view was taken at the time of discussing the cut motion on the Upper Chamber when there was a suggestion by the Hon'ble the Chief Minister that during the period of ten years the Ministers were not able to make this motion but there was nothing in the Government of India Act which barred a private member to bring forward a motion of this type. Sub-section (4) of section 308 rather suggests that there is no such bar for a private member to bring forward a motion of this nature.

THE HON'BLE THE SPEAKER: The second part of the amended resolution becomes quite a different thing. The object is changed. I am speaking about the wording of the resolution. The second part of the resolution is quite different from the second part of the amended resolution.

SRIJUT KAMESWAR DAS: The original resolution was: "(ii) another resolution to present to His Excellency the Governor of Assam an address for submission to His Majesty praying that His Majesty may be pleased to communicate the aforesaid resolution to Parliament....." The amended resolution is "that His Excellency the Governor of Assam be presented with an address for submission to His Majesty praying that His Majesty may be pleased to communicate the same to Parliament for action thereon" I submit that both the proposed amendment and the original resolution are substantially the same.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I think there is great force in the objections raised both by my friends Khan Sahib Mudabbir Hussain and Rai Bahadur Promode Chandra Datta. The entire procedure of moving in this matter is there in section 308. And that is

the reason why my hon. friend originally framed his resolution requesting one of the Ministers to bring in a motion. The original resolution runs:— "This Assembly recommends to the Government of Assam that the Council of Ministers do move, through one of their members, etc." But when it was pointed out the other day that sub-section (3) of section 308 would bar the Ministers from moving in the matter within ten years from the commencement of Part III of the Act my friend Srijut Kameswar Das has tried to amend his resolution in the form which stands thus: "This Assembly recommends to the Government of Assam (1) that the Assam Legislative Council be abolished and (2) and amendments to section 61 and other relevant portions of the Government of India Act be made." This I think, Sir, offends against section 308, because in sub-section (1) of that section the procedure is mentioned only for a Minister.

THE HON'BLE THE SPEAKER: Sub-section (3) says that the provisions of sub-sections (1) and (2) do not apply to any resolution passed within ten years. Does it not apply?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Those provisions do not apply to any resolution passed within ten years.

THE HON'BLE THE SPEAKER: A resolution can be passed, but not according to this procedure.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Then what will be the effect of the present resolution? Will it be within the competence of the Government of Assam to abolish the Second Chamber?

THE HON'BLE THE SPEAKER: It is not. But the Assam Government have to move the authorities.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: That cannot be done within ten years.

THE HON'BLE THE SPEAKER: Of course the Government will have to follow that procedure. But does it debar the House from following this procedure within ten years?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: It is open to a member of the House to move a resolution.

THE HON'BLE THE SPEAKER: What is the harm in asking the Ministers to follow this procedure. The hon. mover's intention and hope is that the Ministers will be able to forward it even though it will be before ten years.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: If the House passes a resolution in the proper way, it will be forwarded, but the initiative will not be with the Ministers. It will be with the members.

THE HON'BLE THE SPEAKER: As I read the section, I think, if after ten years there is a proposal to abolish the Upper House, then the stricter procedure like the one prescribed in section 308(1) should be followed. But before ten years if there is a desire to abolish the Upper House, then what is the harm in following this procedure?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : All I can say is that such a procedure is not laid down in the Act.

THE HON'BLE THE SPEAKER : If you look at the section, it would seem that there is nothing absolutely barring this House from following that procedure, if it is thought necessary.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I will not go so far. Sub-section 3 clearly provides that the provisions of sub-section (1) shall not apply to any resolution passed before the expiration of ten years in the case of a resolution of a Provincial Legislature. Sub-section (1) says :—"Subject to the provisions of this section if.....any Provincial Legislature on motions proposed in each Chamber by a Minister on behalf of the Council of Ministers pass a resolution recommending any such amendment of this Act or an order in Council made thereunder....." Therefore this sub-section clearly relates to a motion by a Minister on behalf of the Council of Ministers and not to one by a member.

THE HON'BLE THE SPEAKER : Sub-section (4) also contemplates that there should be some other way. So the amendment does not go against the provisions of section 308.

SRIJUT KAMESWAR DAS : Sub-section (4) proviso (1) allows an amendment of the Act before the expiry of ten years.

RAI BAHADUR PROMODE CHANDRA DATTA : Sir, as you have very rightly observed, the object of this resolution as amended and as it originally stood is the same, the only difference being the procedure to be followed in either case. This procedure is quite different in one case as compared with the other. That is why I say that the amendment is not an amendment, but an entirely different resolution.

THE HON'BLE THE SPEAKER : I have heard the hon. mover. There has been an objection raised by Khan Sahib Mudabbir Hussain to the amendment being accepted by the House. I have listened to what he has said as also to what Rai Bahadur Dutt and the Hon'ble Chief Minister have said. It appears to me that, although the object of the amendment is the same as that of the original resolution, the amendment proposes a certain procedure which is not the procedure proposed in the original resolution. I think it will not be in order to substitute the amendment in place of the original resolution where a different procedure is suggested. In that view I hold that it will not be fair to the House to ask it to discuss the amendment and not the original resolution. Will the hon. Rai Bahadur tell me what he has to say about the adoption of the procedure prescribed by section 308, so far as the original resolution is concerned ?

RAI BAHADUR PROMODE CHANDRA DATTA : It would be a bar, Sir, because there is a definite procedure laid down for a definite purpose. If that procedure is followed, it cannot be followed unless ten years have passed from the commencement of Part III of the Act.

THE HON'BLE THE SPEAKER : This procedure is to be followed by the Ministry. If the Ministry chooses they can suggest to the Government that the Upper House should be abolished. Is there any other way ?

RAI BAHADUR PROMODE CHANDRA DATTA : Certainly, Sir, Government would mean the Hon'ble Ministers and the Government, so the Hon'ble Ministers will come in in any case. To the private member no right has been given to move. But it is quite open to a member of this House to move a resolution asking the Government of Assam to forward it to His Majesty's Government. That you can do, but it is apart from the provisions.

THE HON'BLE THE SPEAKER: Where is the rule that the hon. member proposing the resolution cannot ask the Minister to follow this procedure? If before ten years the members want to move a resolution like that, where is the bar?

RAI BAHADUR PROMODE CHANDRA DATTA: There is no bar, but the only reply of the Ministers will be that ten years have not passed.

THE HON'BLE THE SPEAKER: I cannot presume like that. If the House wishes to pass such a resolution it will be up to the Ministers to comply saying that they are only carrying out the wishes of the House.

RAI BAHADUR PROMODE CHANDRA DATTA: The Ministers will at once say, ten years have not passed and we cannot do anything of that kind. They are prohibited by law.

THE HON'BLE THE SPEAKER: Then what is the meaning of sub-section (4) which says that power has been reserved to His Majesty in Council to make any amendment at any time? What does section 308(4) really contemplate then?

RAI BAHADUR PROMODE CHANDRA DATTA: Anybody can present an address to the Governor asking him to forward a certain resolution of this House to His Majesty's Government. There is nothing to prevent that. All I can say is that in the normal course nothing is to be done within ten years. If anything is to be done by His Majesty only, that can be moved by anybody.

SRIJUT GOPI NATH BARDOLOI: My submission is this: under section 308 there may be a definite procedure laid down in respect of motions by Ministers; but there is no bar for any member of this House to move a resolution. As a matter of fact, I think, that was the interpretation which was put by the Hon'ble Chief Minister the other day. What we were further assured by the Hon'ble Chief Minister is that the Ministry would be in perfect sympathy with such a resolution. When there is no bar to action in that particular line I do not see why the matter cannot be taken up in the shape of the resolution tabled by hon. Srijut Kameswar Das.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: If there be no bar of approaching His Majesty by this House other than by section 308, then why this has been provided—"the Secretary of State may take such steps as His Majesty may direct for ascertaining the view of the Governments and Legislatures in India". This shows that if the Legislature has given their verdict on this and if it has been sent to His Majesty for taking action, then why again this matter will come up to this Legislature for ascertaining their views? This shows that we have no other alternative but to go by this section 308.

THE HON'BLE THE SPEAKER: I have again heard the hon. members on the question whether the resolution itself is barred by the provisions of section 308. My reading of the section does not lead me to hold that the provisions of section 308 bar such a resolution. All that sub-section (3) says is that the procedure as laid down in sub-section (1) shall not apply to any resolution passed before the expiration of 10 years and the word 'resolution' really refers to a resolution to be passed by the Ministry in compliance with the provisions of sub-section (1) of section 308. That is, if after 10 years the Ministry wants to proceed in the matter the procedure for them is laid down in section 308, sub-section (1). But sub-section (4) of section 308 contemplates that amendment of the provisions of the Government of India Act relating to matters enumerated in sub-section (2), including the question of abolition of the Upper House, may be brought up before

His Majesty in Council in other ways. And it clearly shows that even before the lapse of 10 years an address may be presented to His Majesty for amending the provisions of the Government of India Act referred to in sub-section (2) and I think if the members of the House want to present an address to His Majesty in Council, the provisions of section 308 do not stand in the way. They will also be within their rights if they suggest the procedure to the Ministers, namely, the procedure as laid down in sub-section (1) of section 308. Sub-section (3) of section 308, although it says that the Ministry, if they want to follow any procedure after 10 years, have to follow the procedure laid down in sub-section (1) of this section, does not preclude the members of the House to ask the Ministry even to follow this procedure before 10 years. My reading of sub-section (3) does not lead me to hold that it provides an absolute bar to the Ministry to move in the matter even before 10 years. If a Legislative Council functions for 10 years and if there be a proposal to abolish the Council, a stricter procedure is necessary and that stricter procedure has been laid down in section 308, and I do not think that the members will not be within their right if they ask the Hon'ble Ministers to follow even that stricter procedure. It has been admitted in this House by hon. members including even the Hon'ble Chief Minister who have urged against this resolution that the House will be quite in order if it passes a resolution for the abolition of the Upper House. If that is so, how is that resolution to be made effective unless an address be presented to His Majesty in Council? I, therefore, cannot see why the House cannot adopt this procedure. In this view of the section 308, I am inclined to hold that the resolution is quite in order.

KHAN BAHADUR MAULAVI KERAMAT ALI : Without questioning your ruling, may I know if an address is to be presented it will not have to go through the Speaker or it will have to go through Ministers.

THE HON'BLE THE SPEAKER : Hon. members will decide according to the procedure that had been laid down for the purpose. If the hon. members of the House so decide it will have to go through the Speaker. If an address is to be presented at the instance of the Ministry, there is no bar to the resolution being passed. There is a recommendation to the Ministers to move a resolution for presenting an address.

KHAN BAHADUR MAULAVI KERAMAT ALI : After resolution they will have to wait for ten years?

THE HON'BLE THE SPEAKER : I do not think so. They would be doing so at the request of the House and if the House prescribes a procedure identical with that prescribed by sub-section (1) of section 308, I do not think sub-section (3) would stand as an obstacle. The Ministers are not taking the initiative. It is really the House that is taking the initiative. Sub-section (3) only says that the Ministers cannot take the initiative themselves before the expiry of ten years from the inauguration of the Constitution.

SRIJUT KAMESWAR DAS : Sir, I beg to move that—

This Assembly recommends to the Government of Assam that the Council of Ministers do move, through one of their members,

(i) a resolution recommending abolition of the Assam Legislative Council and consequent amendment of section 60 (1) (a) and other relevant portions of the Government of India Act, 1935 ; and

(ii) another resolution to present to His Excellency the Governor of Assam an address for submission to His Majesty praying that His Majesty may be pleased to communicate the aforesaid resolution to Parliament for action thereon.

Sir for me it is a very difficult and complicated matter to do any justice to the subject under discussion. I was not a student of constitutional history and have very little knowledge of practical administration. I tabled this resolution only because I thought that no Second Chamber was necessary at the present moment for Assam and that the popular opinion was against it. The other day, in connection with the cut motion of my hon. friend, Srijut Mahadev Sarma, several hon. members of the House expressed the same view, namely, that the Second Chamber should go. The Hon'ble the Chief Minister also said that none of the members of the present Cabinet were against the abolition of the Upper Chamber. He, however, wanted to have a full dressed debate on the matter so as to enable the Government to place all the materials before the authorities for their consideration. I have already said that I shall not be able to do justice to the subject under consideration, yet I feel bound to say a few words in support of my contention. From a reference to section 74 and other relevant portions of the Government of India Act, 1935, it appears that the main functions of the Upper Chamber seem to be to review the Bills passed by the Assembly and to endorse the Governor's exercise of the special powers by acting as a check on any hasty measures of the Assembly. But from a reading of the workings of the last reformed Council it appears, Sir, that no Second Chamber is a necessity in Assam to revise any Bills or to prevent frequent vetoing by the Governor. The present constitution of the Assembly is an advance upon the constitution of the old Council and such that the Governor will probably find very few occasions to exercise his power of vetoing. Then again, it is likely that both the Chambers will be manned by members who are influenced by the same political complexion of the time. In that case the Upper Chamber, instead of helping the Governor as a check, will make his position more difficult. The Assembly is constituted of representatives and responsible members and nobody will deny that some of the best of men of the province are in the Assembly. The existence of the Second Chamber is likely to lessen the sense of responsibility in the members of the Assembly themselves. Not only this, in case of disagreement between the Chambers with regard to certain decisions arrived at by the Assembly there will be continual conflict and the Assembly will be discouraged to carry on its normal works with zeal and fervour and a sense of inferiority or a sense of superiority in the members will prevent any smooth working of the Chambers.

Apprehension was entertained in certain quarters that in the Assembly a substantial proportion of the House would consist of a number of young men with very little experience or with no mature experience, and hurried legislation would have been pressed requiring frequent revision. It was then expected that the Upper House would be representative of experience and of expert knowledge to act as a stabilising factor, not by competing for power with the Assembly, but by revising or delaying legislation, thus giving an opportunity to the members of the Assembly for a second consideration of the subject. From a study, however, of the present constitution of this Assembly and of the Upper House and of the fact that a very good proportion of the best of men with wide experience fought for seats in the Assembly and avoided fighting for the Upper Chamber, it is clear that neither the apprehension about the Lower House nor the expectations about the Upper House could have any bearing on the facts.

The Lower House is more representative of the masses and there are no interests not represented or under-represented in the Assembly, which are adequately represented in the Upper Chamber. There is no statutory

provision for representation of the backward, the tribal or the labour people—of Commerce, Industry, planting and mining—in the Upper House. The proportion of general and Muhammadan seats are about the same there as in the Assembly. Only in the case of European seats there has been a disproportionate increase there being two European seats there in place of one in the Assembly where the proportion of members is about five times that of the Upper Chamber. The European community being, however, well represented in the personnel of the Planting group in the Assembly it will, therefore, be not wrong to say that their interests will not suffer by the abolition of the Upper Chamber.

In some respects the Upper Chamber is a duplication of the Assembly and in other respects it is a hindrance to the growth of responsibility in the members of the Assembly. The Upper Chamber has been given unduly greater power inasmuch as the members of the Upper Chamber being less than one-fifth of the members of this Assembly who are really the representatives of the people have been given the power either to reject or to amend a legislative measure which this Assembly may have passed after a good deal of consideration. This practically takes away the small power said to have been given to the popular legislature. The Second Chamber far from conducing to stability will, therefore, tend to aggravate discontent as it goes on impeding measures designed for the benefit of the masses who have always been neglected in the past. The question of finance is also another consideration we must take into account at the present moment for running a Second Chamber.

Considering that the Assembly is sufficiently representative of all interests in Assam, considering that the Assembly and not the Upper Chamber is the aim of the experienced political brains of the province, considering that the Chamber is a duplication only of the Assembly in a miniature scale and is likely to be a hindrance to the growth of full responsible Government, considering that the Second Chamber is likely to compete for power and to interfere with the small powers given to the Assembly, considering that it is unnecessary to over-burden the province with a greater burden (of cost) for an institution which will have no scope to do any real good to the mass people and considering that the great majority of the mass people are against the Second Chamber, I request that the hon. members of this House will unhesitatingly lend their support to this resolution. Sir, with these few words, I resume my seat.

THE HON'BLE THE SPEAKER: The resolution moved is that this Assembly recommends to the Government of Assam that the Council of Ministers do move, through one of their members,

- (i) a resolution recommending abolition of the Assam Legislative Council and consequent amendment of section 60 (1) (a) and other relevant portions of the Government of India Act, 1935 ; and
- (ii) another resolution to present to His Excellency the Governor of Assam an address for submission to His Majesty praying that His Majesty be pleased to communicate the aforesaid resolution to Parliament for action thereon.

(No discussion could take place for want of time.)

The House stands adjourned till 11 o'clock on Tuesday, the 31st August

1937.

Shillong,

18th October 1937.

A. K. BARUA,

Secretary, Legislative Assembly, Assam.