

**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 Thursday, the
12th August, 1937*

CHOICE OF LANGUAGE IN THE ASSEMBLY

SRIJUT MAHI CHANDRA BORA: Sir, on a point of information Under section 85 of the Government of India Act, proceedings of the Legislature have to be conducted in English language but rules of procedure may permit in any Chamber or in a joint sitting of both Chambers any member not familiar with the English language to use another language. This facility seems to have been denied to those who are not efficient in English, but who would as a matter of national self-respect insist on speaking in vernacular. The choice of language, it seems to me, is not open to them. The Burma Assembly has already passed a resolution recommending to the authority for the amendment of this section of the Act. The Punjab Government has also taken steps in the matter. The Hon'ble Speaker of the Sind Legislative Assembly has also allowed the members.....

THE HON'BLE THE SPEAKER: Order, order. I may point out to the hon. member that if he wants to raise this point he must do it after the question time is over. There cannot be any encroachment on the time which is allowed for questions only.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

Secondary Board of Education in Assam

SRIJUT BHUBAN CHANDRA GOGOI asked :

*85. Is it a fact that the Bengal Government has proposed to form a Secondary Board of Education of its own ?

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

85.—Yes, the Bengal Government has proposed to form a Secondary Board of Education of its own.

SRIJUT BHUBAN CHANDRA GOGOI asked :

*86. If so, will Government be pleased to state whether it would not interfere with the interest of the secondary education of Assam ?

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

86.—No, Sir. The Bengal Board will deal with Bengal schools only.

SRIJUT BHUBAN CHANDRA GOGOI asked :

*87. Will Government be pleased to consider the desirability of immediately having a Board of Secondary Education on the lines adopted by the sister province of Bengal ?

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

87.—Government have the matter under consideration.

Jorhat Girls' Middle English School

SRIJUT DEBESWAR SARMAH asked :

*88. Will Government be pleased to state—

- (a) When the Jorhat Girls' Middle English School was started as a Government Institution ?
- (b) What is the present monthly expenditure in the school ?
- (c) How many teachers are there and what are their respective qualifications and salary ?
- (d) Total number of girls in the school, class by class ?
- (e) Whether instruction is imparted free or if fee is imposed, the rate of fee and from when the same was imposed ?
- (f) How many girls passed the Middle English Examination during the last 5 years, year by year ?

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

88.(a)—The school was started with effect from the 2nd January 1914, by raising the then existing Government primary school to the middle English standard.

(b)—The present monthly expenditure of the school is approximately Rs.521.

(c)—There are six teachers. Their qualifications and salaries are as follows:—

- (1) Headmistress—Matriculate, passed Training Class Examination, Calcutta, pay Rs.185 per mensem in class III of the Assam School Service.
 - (2) One Assistant Mistress—Senior trained, pay Rs.70 per mensem in class IIA, general grade of the Assam Lower School Service.
 - (3) One Assistant Mistress—Read up to I.A., pay Rs.44 per mensem in class IIA, general grade of the Assam Lower School Service.
 - (4) One Assistant Mistress—Matriculate, pay Rs.55 per mensem in class IIB of the Assam Lower School Service.
 - (5) One Assistant Mistress—Middle Vernacular Senior trained, pay Rs.40 per mensem in class IIB of the Assam Lower School Service.
 - (6) One Assistant Mistress—Matriculate, pay Rs.38 per mensem in class IIB of the Assam Lower School Service.
- (d)—There are 236 girls in the school as specified below—

		Classes							
		A	B	I	II	III	IV	V	VI
Enrolment	...	59	51	37	32	28	12	11	6

(e)—Fees were first imposed from August, 1936 : and the rates are as follows:—

		Classes							
		III		IV		V		VI	
		Rs.	a. p.	Rs.	a. p.	Rs.	a. p.	Rs.	a. p.
Rates of fees	...	0	8 0	0	12 0	1	0 0	1	4 0

(f)—The number of passes is as follows:—

Year	No. of passes
1932-33	7
1933-34	5
1934-35	4
1935-36	4
1936-37	6

SRIJUT DEBESWAR SARMAH: Are Government aware that there was a proposal or suggestion from the Inspector of Schools who is now the Director of Public Instruction, I mean Mr. Small, that the English top classes should be transferred to the Girls' High School and the services of the teachers should also be transferred there as an aid?

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

SRIJUT DEBESWAR SARMAH: Will the Hon'ble Minister be pleased to enquire and render such assistance as may be found necessary to the local Girls' High School?

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

SRIJUT SARVESWAR BARUA: May we know from the Hon'ble Minister how many girl students were there in the top class and how many passed in 1937?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: There were only six girl students in the top class in 1937 and all of them have passed, *i.e.*, cent. per cent. of the students have passed.

Duty derived from exported jute

MR. KEDARMAL BRAHMIN asked:

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

- How much jute was exported from Assam during the last five years?
- How much of the duty realised by the Government of India on this exported jute has been given to Assam?
- How the money so realised is being spent?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied:

89.(a)—A statement is given below. There is no agency under this Government to collect the statistics. The information prior to 1933-34 is not available and the figures do not include export of jute by boat mainly from Sylhet and Goalpara which are not available.

Statement showing the export of jute in maunds from Assam as published by the Director General of Commercial Intelligence and Statistics, Calcutta:—1933-34—1,840,597; 1934-35—2,229,540; 1935-36—1,849,010; 1936-37—3,950,381.

(b)—Fifty per cent. of the net jute export duty was first received in 1934-35. The figures for the last three years are given below—

1934-35—Rs.8,54,000, 1935-36—Rs.8,18,000, 1936-37—Rs.9,86,000.

From 1937-38 the province is to receive 62½ per cent. of the net proceeds which is estimated at Rs.11,16,000.

(c)—The amounts were merged in the provincial revenues and not earmarked for any specific purpose.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: Do Government consider the desirability of adopting a measure by which the maximum price may be secured to the growers of jute ?

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

THE HON'BLE THE SPEAKER: When the problem before Government is, as to how the price of jute can be regulated, I think the Hon'ble Minister should enlighten this House with his reply on this point.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The Jute Export duty is not an *ad valorem* duty ; therefore the price of jute has no concern with it. By the question my hon. friend wants that Government should take measure to fix a maximum price of jute for the agriculturists. This is a very big economic question, Sir. I think this should be taken up separately rather than discussing it in a reply to a supplementary question. Jute is not a monopoly of Assam and a maximum price fixed by Government may not be to the best interests of the growers.

MAULAVI MUNAWWAR ALI: Will the Hon'ble Minister make arrangements so that statistics may be kept in respect of export of jute from the districts of Sylhet and Goalpara ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: If the hon. member means those transported by country boat, well, Sir, the matter is engaging our serious consideration.

Annual Guest charges and other expenses of His Excellency the Governor

SRIJUT KRISHNA NATH SARMAH asked :

*90. Will Government be pleased to state—

- (a) Annual Guest charges and other expenses of His Excellency the Governor of Assam including travelling allowance, Civil and Military staff and his pay ?
- (b) Number of officials drawing Rs.3,500 per mensem and travelling allowance ?
- (c) Number of officials drawing more than Rs.2,000 but less than Rs.3,000 per mensem ?
- (d) Number of officials drawing more than Rs.1,500 but less than Rs.2,000 per mensem ?
- (e) Number of officials drawing more than Rs.1,000 but less than Rs.1,500 per mensem ?
- (f) Number of officials drawing more than Rs.800 but less than Rs.1,000 per mensem ?
- (g) Number of officials drawing more than Rs.500 but less than Rs.800 per mensem ?
- (h) Number of officials drawing more than Rs.300 but less than Rs.500 per mensem ?
- (i) Number of officials drawing more than Rs.250 but less than Rs.300 per mensem ?
- (j) Number of officials drawing from Rs.100 to Rs.250 per mensem ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

90. (a)—The hon. member may refer to page 59 of the detailed budget estimates for 1937-38, presented to the Assam Legislative Assembly at this session.

(b)—One, namely, Member, Assam Revenue Tribunal. He has so far spent nothing on travelling allowance.

(c) to (j)—The hon. member may refer to the Civil List and other Gradation Lists. Information as to the exact numbers is not readily available, and cannot be compiled without expenditure of great labour and time, incommensurate with the results.

SRIJUT KRISHNA NATH SARMAH asked :

*91. Will Government be pleased to state—

- | | | | |
|-----|--------------------------------------|---------------|-------------|
| (a) | Number of I. C. S. Officers in Assam | and their pay | and length |
| | | | of service. |
| (b) | " | I. M. S. | " " " " |
| (c) | " | I. E. S. | " " " " |
| (d) | " | I. F. S. | " " " " |

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

91. (a), (b), (c) and (d)—The information is given in the Civil List.

Increase in the number of rural members of the Jorhat Local Board

SRIJUT DEBESWAR SARMAH asked :

*92. Will Government be pleased to state—

- (a) Whether the attention of Government has been drawn to the resolution passed by the Jorhat Local Board some time ago for increasing the number of rural members of the Board ?
- (b) Whether it is a fact that Mr. Higgins, the then Commissioner, Assam Valley Division, told Srijut D. Sarma, B.L., member, Jorhat Local Board, on or about 1st September 1936 that for want of time, effect could not be given to the resolution before the Reforms were ushered but assured that the resolution would be acted upon immediately after Provincial Autonomy came into operation ?
- (c) Whether Government has taken any action to give effect to the said resolution, if not, why not, and when does Government propose to give effect to it ?

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

92. (a)—Yes.

(b)—Government have no information.

(c)—The whole question of Local Board representation is, at present, under the consideration of Government.

SRIJUT DEBESWAR SARMAH: As regards (b), Sir. Did the Hon'ble Minister care to enquire about it ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: This, Sir, relates to the conversation between the Commissioner, Mr. Higgins, and Srijut D. Sarma. I do not see any necessity for enquiring.

SRIJUT DEBESWAR SARMAH: Will the Hon'ble Minister be pleased to state what led him to suppose that this was a private talk between these two gentlemen ?

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

SRIJUT DEBESWAR SARMAH : Sir, since it was a conversation relating to a resolution of a certain Local Board, the proceedings of which must have been sent up to Government, will the Hon'ble Minister be pleased to state why he did not care to enquire about it—*i.e.*, whether the Commissioner assured or not ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Sir, it is very plain. It relates to the question of representation of Local Boards and Government are considering this question. There is no need of making any enquiry regarding that.

SRIJUT DEBESWAR SARMAH : Sir, I submit it to the Chair. The Hon'ble Minister is side-tracking or rather evading my question. My question is why the Hon'ble Minister did not ascertain from the Commissioner whether he had assured that the resolution would be given effect to. That is my question.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Sir, the question relates to Mr. Higgins, who has gone to England.

SRIJUT DEBESWAR SARMAH : When did he leave ?

KHAN BAHADUR MAULAVI KERAMAT ALI : Is it not a fact that Mr. Higgins left for England before this question was received ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Yes, as far as my information goes.

SRIJUT DEBESWAR SARMAH : When did Mr. Higgins leave, Sir ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : I am not sure.

SRIJUT DEBESWAR SARMAH : Then how can the Hon'ble Minister say that he received this question before or after Mr. Higgins left ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Is it necessary to answer that question, Sir ?

THE HON'BLE THE SPEAKER : If it is possible.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : I do not see any necessity.

SRIJUT DEBESWAR SARMAH : I am going to my question 92(c). Is the Hon'ble Minister in charge of Local Self-Government aware that there is a crying need for overhauling this Local Board representation ?

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

SRIJUT DEBESWAR SARMAH : Will the Hon'ble Minister be pleased to repeat what he said ? We on this side of the House find it very difficult to follow him.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : That whole question of Local Board representation is, at present, under the consideration of Government.

SRIJUT DEBESWAR SARMAH : What is the nature of the consideration ? Will the Hon'ble Minister be pleased to enlighten us ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : That question has been answered several times in this House. I have already said that naturally there will be increase in the number of members in the Local Boards when the Boards will be reconstituted.

SRIJUT DEBESWAR SARMAH : May we take it, Sir, that the Hon'ble Minister proposes to bring a Bill overhauling the system of representation ?

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

SRIJUT DEBESWAR SARMAH : When does he intend to bring it ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : I have already said on a previous day that a Bill will be brought in the House as soon as possible.

SRIJUT DEBESWAR SARMAH : Sir, I may be permitted to say that the answer is very vague. Will the Hon'ble Minister be pleased to state what does he mean by 'as soon as possible' ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Sir, I will say that as soon as the Session is over we are going to take up the question. I cannot say the exact time.

THE HON'BLE THE SPEAKER : The Hon'ble Minister can give an approximate date.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Probably next Session, if that is convenient. If not, after that.

High rate of assessment of land revenue in Palasbari Town

SRIJUT BELI RAM DAS asked :

*93. (i) Has the attention of the Hon'ble Minister for Revenue been drawn to the complaint about the abnormally high rate of assessment of land revenue on lands in the Palasbari Town ?

(ii) Did Government make any enquiry as to how far the erosion of a considerable portion of the Palasbari Town has affected the value of the town lands ?

(iii) Do Government propose to reduce the rate of assessment in the town lands of Palasbari by 75 per cent ?

(iv) Do Government propose to protect the Palasbari Town by bandalling, or otherwise ?

(v) Do Government propose to make an enquiry into the encroachment by the river Brahmaputra with a view to protect the town ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

93.(i) to (iii)—A petition was received by Government and the Commissioner, Assam Valley Division, was asked on 12th June 1936 to make a full enquiry as to the facts of erosion and depreciation in value of Palasbari Town lands with a view to the possibility of revising the assessment.

A Sub-Deputy Collector has been deputed to make the necessary enquiries under the supervision of the Deputy Commissioner.

But the report has not yet been received.

(iv) and (v)—After the report is received the matter will be referred to the Public Works Department, if necessary.

SRIJUT BELI RAM DAS : Will the Hon'ble Minister be pleased to state what is the rate of assessment per bigha of land in the Palasbari town ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I do not remember, Sir.

Complaints of the raiyats of Kongarpur Mouza

SRIJUT BHUBAN CHANDRA GOGOI asked :

*94. Is it a fact that the raiyats of the Kongarpur Mouza lodged a complaint at the court of the Subdivisional Officer, Sibsagar, bringing the following allegations against the Mouzadar of Kongarpur on the 17th June 1935 ?—

(1) Sale of holding, for which Government Revenue was paid.

(2) Excess realisation.

(3) Non-deduction from the total demand of a *patta*, the remission of which was granted on account of flood damage.

(4) The sale proceeds of the attached properties were not deducted from the total revenue liabilities.

(5) Double realisation for the same *patta*.

(6) Ill treatment and oppression of the said Mouzadar.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

94. (1)—Yes.

(2)—Yes.

(3)—Yes.

(4)—Yes.

(5)—Yes.

(6)—Yes.

SRIJUT BHUBAN CHANDRA GOGOI asked :

*95. (a) Is it a fact that the Subdivisional Officer of Sibsagar, held an enquiry into the matter,—*vide* his memorandum No.3532-R., dated 1st June 1935 ?

(b) Will Government be pleased to state the findings of the enquiry ?

(c) If the enquiry is not yet finished, do Government propose to take action to expedite the matter ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

95. (a)—The matter was enquired into by the then Subdivisional Officer personally.

(b)—The allegations were found to be an exaggeration and no definite case could be made out.

(c)—Does not arise. The matter is over two years old and the enquiry was closed long ago.

SRIJUT DEBESWAR SARMAH : Is the Hon'ble Minister in charge of Revenue aware that certain Mauzadars were forcibly collecting subscriptions for the Silver Jubilee of Their Majesties till lately along with their land revenue ?

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

SRIJUT DEBESWAR SARMAH : Whether he is aware that such things are happening ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Does it arise, Sir—Jubilee collection and things like that ?

SRIJUT BHUBAN CHANDRA GOGOI : May I know, Sir, what is the reason for not publishing the result of the enquiry ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Does the hon. member want that the result of the enquiry should be published ? Sir, it is not usual to publish the result of the enquiry which is made by officers on such allegations.

SRIJUT BHUBAN CHANDRA GOGOI : At least those, who have brought these allegations, should have been informed of the result of the enquiry ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I do not think it is usual to publish the result of such departmental enquiries. Does the hon. member mean that it should be published in the papers ?

SRIJUT BHUBAN CHANDRA GOGOI : No, I mean those petitioners, who have brought these allegations, should have been informed that the allegations were found to be an exaggeration and not that the result was pending.

QUESTIONS AND ANSWERS

UNSTARRED QUESTIONS

Right of way through Tea Gardens

SRIJUT RAJANI KANTA BOROOAH asked :

174. Will Government be pleased to state—what action they took to remove the inconvenience of the public for closure of rights of way through Tea Gardens in pursuance of the resolution in this respect moved by the late lamented Rohini Kanta Hati Barua ?

175. Is it a fact that in the districts of Lakhimpur and Sibsagar many Local Board and Sarkari Gobats are included within the private roads claimed by the Tea Garden authorities ?

176.(a) Is it a fact that the Tea Garden authorities close the roads against the public to the inconvenience of the latter ?

(b) If the answer is in the affirmative, what action do Government propose to take to remove the grievances of the public in this matter ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

174.—The hon. member is referred to the Resolution No.1912-R., dated the 31st May 1929, published at page 793 of the *Assam Gazette* of the 5th June 1929 in which the action taken by Government as a result of the Council resolution of 1927 on this subject was set forth at length with details of all the twelve cases in which complaints had been received.

At the time when the re-settlement of Lakhimpur district was about to begin, Government in Resolution No.344-R., dated the 2nd February 1931, framed rules under section 40 of the Land and Revenue Regulation and gave further instructions by letter to ensure that land under reservation and land over which there was right of way should not be settled with planters but should remain sarkari.

KHAN SAHIB MAULAVI SAIYIDUR RAHMAN : Is the Hon'ble Minister aware that in between two Local Board roads the tea gardens close their roads ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : No, Sir, I am not aware of that. I do not know which Local Board the hon. member means.

KHAN SAHIB MAULAVI SAIYIDUR RAHMAN : I am referring to the Local Boards in the Lakhimpur district. Will the Hon'ble Minister be pleased to take action if concrete cases are brought to his notice ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I have already said that if specific cases are brought to our notice we shall make an enquiry.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

175.—Government have no information. If the hon. member will cite specific instances and bring them to the notice of the District Authorities, enquiries will be made.

176.(a)—Government are aware that tea garden authorities close their own private roads at intervals in order to prevent a right of way accruing, as they have every right to do ; they are not aware of any case in which public rights of way are closed to the public.

(b)—Does not arise.

BABU HARENDRA NARAYAN CHAUDHURI: Is the Hon'ble Minister aware that there is a disease prevalent amongst most of the European tea garden managers—the disease known as umbrella-phobia. The Indians are not allowed to use their garden roads with umbrellas opened ?

THE HON'BLE THE SPEAKER: I disallow the question. The question should be put in proper language. The words "disease" and "umbrella-phobia" should be avoided.

Government Library, Shillong

SRIJUT RAJENDRA NATH BARUA asked :

177. Will Government be pleased to state what are the newspapers and magazines subscribed for the Government Library at Shillong ?

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

177.—A list of the newspapers and magazines subscribed for the Government Public Library, Shillong, is laid on the table.

List of newspapers and magazines subscribed for the Government Public Library, Shillong.

1. "The Statesman".
2. "Amrita Bazar Patrika".
3. "The Times of Assam".
4. "The Sylhet Chronicle".
5. "The Shillong Mail".
6. "The Times Weekly Edition", London.
7. "The Illustrated Weekly of India".
8. "The Assam Review".
9. "The Indian Review".
10. "The Calcutta Review".
11. "Careers".
12. "Prabuddha Bharata".
13. "Bolaka".
14. "Contemporary India".

SRIJUT RAJENDRA NATH BARUA: Do Government propose to subscribe any Assamese newspaper or magazine for the Government Library at Shillong? I find from the list that there is not a single vernacular magazine or newspaper in the Library.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: The suggestion will be considered.

SRIJUT RAJENDRA NATH BARUA: Will the Hon'ble Minister let us know who prepares the list of the newspapers and magazines to be supplied to the Library?

THE HON'BLE SAHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: The Director in charge of the Library.

BABU HARENDRA NARAYAN CHAUDHURI: May I know the criterion of subscribing to these vernacular newspapers and magazines? Whether their circulation is taken into consideration or their policy?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I want notice of that question, but I have already said that the suggestion will be considered.

THE HON'BLE THE SPEAKER: I want to point out that in this case the Government should clearly state that in subscribing the papers they are following this or that policy.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: With due deference I submit, Sir, that the question was "Will the Government be pleased to state what are the newspapers and magazines subscribed for the Government Library at Shillong"? It is a perfectly straight question and a perfectly straight answer has been given to the question. If any further information is required as to why any other paper is not subscribed that does not arise under the rules for putting supplementary questions. The matter has been brought to our notice that not a single vernacular paper has found a place in this list, and we are going to take the question into consideration whether all the vernacular papers should not be subscribed for the Public Library at Shillong. The Director of Public Instruction is in charge of the Public Library, but as the matter has been brought to our notice we will surely take steps.

THE HON'BLE THE SPEAKER: The Director of Public Instruction is not an independent officer; he is under the orders of the Ministry and they should have stated the principle underlying the choice of newspapers. I do not think that the Ministry should have asked for notice.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, as regards that, my submission is that these papers were subscribed by the previous Government and I am not aware what was their policy in the matter, but now that the matter has been brought to our notice, as I have already said, I will see whether all the vernacular newspapers should be subscribed for this Library.

Classification of Parganas in Sylhet District and levy of local rates

MR. BAIDYANATH MUKHARJI asked:

178. Will Government be pleased to state the nature and extent of the enquiry made by them in making the classification of the Parganas in the District of Sylhet into first, second and third classes for the purpose of enhancing the local rates in the permanently-settled areas of Sylhet and also the basis on which the classification was made in each of the Parganas?

179. (a) Will Government be pleased to state whether the Local Rates Officer in Sylhet obtained any information from the proprietors of the permanently-settled Estates or from any other source about the area of waste and unproductive lands in the permanently-settled Estates ?

(b) If the answer is in the affirmative, will Government be pleased to lay on the table a comparative statement of the waste and unproductive lands along with the productive and arable lands in the permanently-settled areas ?

180. (a) Will Government be pleased to state the number of memorials received by His Excellency, the Governor of Assam, from the people of Sylhet after the passing of the Assam Local Rates (Amendment) Act, protesting against the levy of enhanced local rates ?

(b) Will Government be pleased to state whether any order was communicated by the Government to the memorialists about their prayer for postponing the levy of the enhanced local rates ?

181. Is it a fact that in connection with the Local Rates Assessment, the existing provisions of the Assam Land and Revenue Regulation do not permit any enquiry to be made into the extent of the waste and unproductive lands comprised by the "small" Estates that is those comprising less than 400 acres of land or paying less than Rs.100 as land revenue ?

182. Will Government be pleased to state (a) the total number of permanently-settled Estates in Sylhet ? (b) how many amongst them pay revenue below Rs.100 or comprise less than 400 acres of land, (c) how many of them pay Rs.100 and upwards as land revenue or comprise 400 acres and upwards of land and are entitled to the privilege of enquiry about waste and arable lands for the purpose of the local rates assessment ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

178.—In order to determine rental value in each of the 181 parganas into which the district of Sylhet is divided, the Special Officer issued in all 2,410 notices under section 7 of the Local Rates Regulation on representative landholders from each pargana. The returns were checked locally in the cases of those who either did not submit returns or whose returns showed a rental of less than Rs. 4 per acre. Papers of 334 landholders were examined locally and 653 *kabulyats* were examined in the Registration offices. Enquiries were also made by Subdivisional Officers and Sub-Deputy Collectors and parganas were classified as follows:—Class I Parganas in which the average rent is Rs. 4 or over per acre—Class II Parganas where the average rent varies between Rs. 2 and Rs. 4 per acre—Class III where the average rent is below Rs. 2 per acre.

179. (a)—This information was only required for assessment purposes for estates exceeding 400 acres in area or assessed to land revenue of not less than Rs. 100 [*vide* first proviso to section 2 (5) (d) of the Regulation] and notices were only issued on the proprietors of those estates calling for this information.

180. (b)—Does not arise.

(a)—Fifty memorials were received.

(b)—In view of the fact that the question had been decided after exhaustive debate in the Council orders were passed that the matter must be regarded as closed ; these orders were communicated on 2nd April 1936 to the Vice-President of the Sylhet Landholders Association, and in view of the representative nature of this Association it was not considered necessary to repeat the orders passed to all the other memorialists.

181.—It is presumed that the hon. member refers to the Assam Local Rates Regulation, not the Land and Revenue Regulation. If so, the answer is in the affirmative. The hon. member is referred to section 2(5) (d) and the rules under section 6(a) at page 142 of the Land Revenue Manual.

182. (a)—49,968

(b)—49,014

(d)—954

Grievances of the tenants of the Suresh Haor

MAULAVI DEWAN MUHAMMAD AHBAB CHAUDHURI VIDYABINODE asked :

183. Will Government be pleased to state whether the attention of Government has been drawn to an article headed by “সুবেশ হাওরের প্রজাদের হৃদয় ভেদে জ্বলন্ত কাঁচিনী” published at page 7 of *Janasakti*, Sylhet, dated the 5th May 1937 ?

184. If so, do Government propose to make an enquiry into the matter and thus remove the grievances of the poor tenants of the Suresh Haor, in the Subdivision of Sunamganj, in the district of Sylhet ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

183.—The attention of Government was drawn to the article mentioned and a report was called for from the local officers.

184.—From the report it appears that out of Rs. 10,589 arrear rents due from the raiyats of Suresh Haor Rs. 9,205 was realised upto 31st May 1937. Of this sum only Rs. 25 was realised by sale of attached property ; those who were found too poor to be able to pay were allowed to pay in more than one instalment.

MAULAVI DEWAN MUHAMMAD AHBAB CHAUDHURI VIDYABINODE : With regard to question 183, will the Hon'ble Minister in charge please state the substance of the report which he has received ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : The substance has been given in reply to question No. 184.

BABU KARUNA SINDHU ROY : Will Government make an enquiry if all the hon. members of this Assembly who come from Sunamganj say that this report is not correct ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : If all the hon. members from Sunamganj make out a case that the report is not substantially correct we will be prepared to make an enquiry.

MAULAVI MUNAWWARALI : Will the Hon'ble Minister satisfy himself as to the legality or otherwise of the realisation of the arrear revenues ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : We have nothing before us to indicate that these realisations were illegal.

MAULAVI MUNAWWARALI : Will the Hon'ble Minister repeat his reply ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : We have no material before us from which an inference can be drawn that the realisation was illegal.

MAULAVI MUNAWWARALI : Is it a fact that the same question was mooted in the first session of this reformed Assembly and the Hon'ble Minister indicated that he would enquire into the matter ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I do not remember that any such motion was actually moved in the House.

MAULAVI MUNAWWARALI: An adjournment motion.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not remember that any such motion was put before the House.

MAULAVI MUNAWWARALI: Has the Hon'ble Minister forgotten it? It was in the first week of April last. Has the Hon'ble Minister forgotten it that he gave some sort of assurance to the House?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: As far as my recollection goes this motion was disallowed.

MAULAVI MUNAWWARALI: Does the Hon'ble Minister deny that he gave the House some sort of an assurance to enquire into the case?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I doubt whether this motion was actually put before the House and if I got an opportunity to give an assurance or not.

MAULAVI MUNAWWARALI: Sir, I state it on the floor of this House that the motion was actually moved and a sort of an assurance was given?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Will you come to my rescue, Sir? As far as I remember no such motion was allowed. An adjournment was sought to be moved but as there was another adjournment to be taken up that day this motion was not allowed to be moved.

MR. FAKHRUDDIN ALI AHMED: Sir, the Hon'ble Minister may require notice of this motion (*laughter*).

THE HON'BLE THE SPEAKER: I think such a motion was tabled and I said that when one adjournment motion was going to be discussed on that particular day another motion could not be allowed. At the same time, I think, I remember to have said that the hon. member's object was fulfilled when there had been a notice of such a motion.

MAULAVI MUNAWWARALI: I remember, Sir, that the Hon'ble Minister gave some assurance to enquire.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Has he been through the proceedings?

MAULAVI MUNAWWARALI: I read the proceedings also and I remember.

MAULAVI MUNAWWARALI: Will the Hon'ble Minister say whether he is prepared to make enquiries as to the legality or otherwise of the realisation?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I shall remember the suggestion.

THE HON'BLE THE SPEAKER: No question of remembering. A definite assurance is wanted.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have already said that if sufficient materials are given from which I can have any doubt about the legality of the proceedings, I shall certainly look into it.

MAULAVI MUNAWWARALI: I give definite suggestion on the floor of this House that we consider the realisation was illegal. Now, is the Hon'ble Minister prepared to make an enquiry on that allegation?

THE HON'BLE THE SPEAKER: The Hon'ble Minister was saying that he would make an enquiry if sufficient data were given. But the hon. member should not ask him to admit that the realisation was illegal on the allegations made. Whether the allegation is correct or not, that will have to be ascertained and also the question whether the realisation was illegal or not. He has given an assurance that he will make an enquiry.

MAULAVI MUNAWWARALI: But he makes it conditional by asking: if the hon. member for Sunamganj will make out a case, then he will enquire. I say that we will place before him sufficient facts.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: If sufficient facts are given, I have already said that I will enquire. But what my hon. friend has given is his own opinion only, that it is illegal.

THE HON'BLE THE SPEAKER: It is not reasonable to ask the Hon'ble Minister to adopt the hon. member's opinion now and here.

MAULAVI MUNAWWARALI: After the assurance he has given all these things should not have arisen. It is labouring the question.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I repeat that I doubt whether I gave such an assurance. But apart from that I have given this matter my most careful attention, not on account of any assurance given, but on account of personal representation which I received from the hon. member Babu Karuna Sindhu Roy and as a result of that interview I have given my most anxious consideration over this question.

MAULAVI MUNAWWARALI: Will the Hon'ble Minister refresh his memory by a reference to the proceedings of the last session?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I will do that in due course, Sir, and I am sure I shall find the hon. member in the wrong.

Construction of a witness shed in the Habiganj Criminal Court compound

MAULAVI ABDUR RAHMAN asked :

185. Is it a fact that there is no witness shed in the Habiganj Criminal Court compound and that the litigant public suffer extremely for want of such a shed? If so, do Government propose to remove the grievance of the public by erecting witness shed in the Criminal Court compound?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

185.—It is a fact that there is no witness shed in the Criminal Court compound at Habiganj, which possibly causes inconvenience. Government will consider the construction of a witness shed there as soon as funds permit.

MAULAVI ABDUR RAHMAN: May I know whether Government gave a similar answer to a question put in the last session of the Council?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: In the year 1936?

MAULAVI ABDUR RAHMAN: In 1934-35?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I do not remember, Sir.

SRIJUT PURNA CHANDRA SARMA: Is there any such shed in other criminal court compounds in other district towns?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am not quite sure.

KHAN SAHIB MUDABBIR HUSSAIN CHAUDHURI: In the answer, Sir, it is said "as soon as funds permit". May I know when funds will permit?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: It is very difficult for me to say that.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: Can he not give the approximate time when funds will permit?

SRIJUT PURNA CHANDRA SARMA: Sir, I want to know if there is any such shed in the other district towns?

THE HON'BLE THE SPEAKER: He has already answered that question that he does not remember.

SRIJUT PURNA CHANDRA SARMA: My question was if there was any such shed in any other criminal court compound in the other district towns?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: As far as my recollection goes there is no witness shed in many of the court compounds of this province. If we get sufficient funds we shall certainly try to provide Habiganj as well as other district towns with sheds in the court compounds.

MAULAVI ABDUR RAHMAN: Are Government aware that the litigant public, both male and female, have to take shelter under trees?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Yes, Sir; sometimes even lawyers have to.

MAULAVI MUNAWWARALI: Does the Hon'ble Minister agree that his reply is typical of the replies that used to come during the previous sessions?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: That is a matter of opinion.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, may I have your permission to refer to the proceedings of the 9th April last? I have got it here.

THE HON'BLE THE SPEAKER: Yes.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: My question has not been answered, Sir, I ask when funds will permit. Will it be during his tenure or not?

THE HON'BLE THE SPEAKER: The budget is before the hon. member and he can judge for himself when funds will be forthcoming.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I will read, Sir, from the proceedings of the 9th April last. Maulavi Dewan Muhammad Ahbab Chaudhuri wanted to move an adjournment motion regarding realisation of land revenue from *ilam* lands. His motion ran to this effect—"this House do adjourn for the purpose of discussing a matter of urgent public importance, namely, the illegal realisation of land revenue, which is still continuing, from the tenants in respect of *ilam* lands in Suresh Hoar in the subdivision of Sunamganj, Sylhet district".

THE HON'BLE THE SPEAKER: As I have already told the House that the House is not continuing beyond today and there is already one adjournment motion to be moved at 3-30 p.m., I think that when notice of this adjournment motion is given, it will sufficiently serve the purpose of the hon. member. Attention of the Government will be drawn to this grievance and the Hon'ble Minister in charge will take note of this.

MAULAVI MUNAWWARALI: Has the pointed attention of the Hon'ble Minister been drawn to it?

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

MAULAVI MUNAWWARALI: Does the Hon'ble Minister propose to initiate inquiries at once?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have already gone through the files.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: Will the illegal realisation be stopped, pending enquiry?

THE HON'BLE SRIJIT ROHINI KUMAR CHAUDHURI: I am not in a position to say that there is any illegal realisation.

That ended the discussion.

MAULAVI MUNAWWARALI: That does not dispense with the question of enquiry, Sir.

Sub-Assistant Surgeons serving in Public Health Department

MAULAVI ABDUR RAHMAN asked :

186. Is it a fact that the Sub-Assistant Surgeons who have been confirmed in the Public Health Department had to serve for a long period of continuous temporary service varying from 6 to 12 or 13 years?

187. Is it a fact that the long period of temporary service of the Sub-Assistant Surgeons, Public Health Department, when confirmed, is not counted towards their increment of pay?

188. If the answer to questions Nos. 186 and 187 are in the affirmative do Government realise that the Sub-Assistant Surgeons, Public Health Department, at their confirmation, have to begin their service anew on the initial pay after several years of service, and have to retire long before they reach the maximum pay of the grade and thereby deprived of getting full pension at the time of retirement?

189. Is it a fact that the temporary period of Service of the Assistant Surgeons, Public Health Department, like all other departments, is counted towards their increment of pay on their confirmation?

190. If the reply to question No. 189 is in the affirmative, do Government realise that there is a differential treatment between the Sub-Assistant Surgeons and the Assistant Surgeons under the same Department?

191. Do Government propose to remove this practice of differential treatment between the Officers of the same Department and count the temporary period of service of the Sub-Assistant Surgeons towards the increment of pay, as is being done in case of the Assistant Surgeons?

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

186.—No Sub-Assistant Surgeon had as much as 12 years' temporary service but a large number had between 6 and 11 years' temporary service.

187.—Yes.

188.—This is the usual rule in all services—see Fundamental Rule 22 (b). Actually a Sub-Assistant Surgeon in the Public Health Department obtains the maximum pay of his scale in 20 years. As the age of retirement is 55 any officer appointed permanently before he has reached the age of 35 can reach the maximum of the scale.

189. Initial pay in all temporary service in Assam is, on confirmation, fixed under Fundamental Rule 22(b), *i.e.*, does not count for increment. Assistant Surgeons are the only exception their initial pay being fixed on a basis of age.

190.—Yes—at present: but the question of abolishing the "basis of age" system is a matter which will be considered in connection with the framing of new rules for the Medical and Public Health Services.

The system was introduced when the Public Health Department was a temporary Department and was the main recruiting ground for the Assam Medical Service.

191.—The matter is under consideration.

Prohibition of Smoking in Ejlās.

BABU KARUNA SINDHU ROY asked :

192. Is it a fact that the Second Extra Assistant Commissioner, Sunamganj and Senior Extra Assistant Commissioner, Sylhet (Mr. A. Dam) smoke while sitting in Ejlāsh? If so, do Government propose to prohibit the same?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

192.— The Second Extra Assistant Commissioner, Sunamganj, does not smoke at all. Mr. Dam, who incidentally is not the Senior Extra Assistant Commissioner at Sylhet, sometimes smokes in his Ejlās which is also his office room and retiring room, while he is not sitting as a Court. Government do not propose to prohibit it. Mr. Khaund, the Senior Extra Assistant Commissioner, Sylhet, does not smoke.

BABU KARUNA SINDHU ROY : May I know, Sir, who the second Extra Assistant Commissioner is at Sunamganj now ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I think the hon. member can get that information from the Civil List. I do not remember it now.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN : Will Government be pleased to supply us with a copy of the Civil List ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : It is in the library.

MR. BAIDYANATH MUKHARJI : May I know, Sir, if smoking is prohibited in the Court room ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : There is no particular rule as far as I know. But as a matter of practice no official smokes while holding the court. But when the court room is empty and he is not actually doing any business he may smoke. The reason is that in most cases we find that there is no retiring room for the Magistrate. So when he is doing no official work he may smoke.

KHAN BAHADUR MAULAVI KERAMAT ALI : Will the Hon'ble Minister kindly issue instructions to the different Magistrates not to smoke when they try cases ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I do not think, Sir, any such general instructions are necessary. As far as my own personal experience goes, no court smokes unless it takes the permission of the lawyers or is sitting idle.

THE HON'BLE THE SPEAKER : The Hon'ble Minister is asked to take into consideration the experience of others.

KHAN BAHADUR MAULAVI KERAMAT ALI : Will the Hon'ble Minister take it from me that the Magistrates do smoke ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : If they do so even after the objection of the lawyers, then I shall certainly issue another notice reminding the Magistrates.

MR. ARUN KUMAR CHANDA : Will the lawyers who appear before the Magistrates be permitted to smoke ?

MAULAVI ABDUR RAHMAN : May I say, Sir, that during the month of Ramzan this habit is a source of great inconvenience to the lawyers and litigants ?

MR. BAIDYANATH MUKHARJI : When it is a matter of practice and is not prohibited by law, why should it be stopped ?

THE HON'BLE SRIJUT ROHINI KIIMAR CHAUDHURI . If it is

No. 5.

570, in the seventh line, substitute "chewing of pan" in place of pan".

long,

December 1937.

A. K. BARUA,

Secretary, Legislative Assembly, Assam.

BABU KARUNA SINDHU ROY asked :

193. (a) Will Government please state how many political prisoners are there in the province, interned without trial ?

(b) Will Government please state what allowance is granted to each of them, and if any one is deprived of it, why so ?

(c) Will Government please state whether they intend to release them at an early date ?

(d) Will Government please lay on the table their names and names of places where they are interned.

(e) Will Government please state how many of these prisoners were released in last April and what are the present Police reports about each of them ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

193. (a)—Two. Both these persons are interned in their own homes.

(b)—Rupees 15 each per month.

(c)—Government have no intention of releasing them from restrictions at present, but their cases are considered from time to time.

(d)—Kaliraman Bhattacharji is interned at his home village Brahmanhasan (Akhalia), Police Station, Sylhet, and Sitesh Chandra Shome in his home village Uttarsur, Police Station Srimangal. Both these places are in the district of Sylhet.

(e)—No such internees were released last April, but one was released from Jail custody and interned in his home village last March, and, in the cases of six other prisoners, all restrictions on their movements were also withdrawn last March.

Government are not prepared to disclose the contents of Police reports in this connection.

BABU KARUNA SINDHU ROY : When was Babu Sitesh Chandra Shome interned in his home village ? When was he released from jail custody ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The information was not asked for, Sir. I have not got the file with me and I am not in a position to give the dates.

BABU HARENDRA NARAYAN CHAUDHURI : Is an allowance of Rs. 15 sufficient for these internees ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : We went by the recommendation of the District Officers. That sum was according to the recommendation made and we accepted it.

MR. ARUN KUMAR CHANDA : Do the circumstances which led to the internment of these men still exist ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : In the opinion of Government, they still exist.

MR. ARUN KUMAR CHANDA : Am I to understand, Sir, that the present Government is pursuing the same policy as the old one ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The matter will come up for consideration, Sir.

MR. ARUN KUMAR CHANDA : Are Government aware that in several other provinces they have released the political prisoners ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Each case should be judged on own merits.

SRIJUT KRISHNA NATH SARMAH : Did Government enquire into the whole matter in this province ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : As I have already said, Sir, there were two and only two at present and the term of their internment was extended by the previous Government by a year. As soon as that period will be over or even before that we will consider whether the circumstances admit the removal of this bar from them.

SRIJUT GAURI KANTA TALUKDAR : If such prisoners have been released in other autonomous provinces, may I know, Sir, whether this is not an autonomous province ?

BABU DAKSHINA RANJAN GUPTA CHAUDHURI : When will the term of these internees expire ?

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

SRIJUT PURNA CHANDRA SARMA : Have Government considered the expenses involved in these internments ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Every matter has been taken into consideration.

SRIJUT PURNA CHANDRA SARMA : Did Government take into consideration the facts of the case in which they were involved ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I have nothing to add to what I have said.

SRIJUT PURNA CHANDRA SARMA : Have not the present Government considered this matter up till now at least on the consideration of expense ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : No, Sir, not from the point of view of finance.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI : Does not the present Government want to consider these cases before October ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I did not say that.

SRIJUT SARVESWAR BARUA : What stands in the way of Government in releasing these prisoners ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : We are expecting to get a report from the local officers. We have not yet got it.

SRIJUT PURNA CHANDRA SARMA : Who are those local officers—the Deputy Commissioners or the Police Officers ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The Police Officers.

MAULAVI MUNAWWARALI : Will the Hon'ble Minister state the nature of their crime ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : That is going too far back. I think everybody knows what is the crime.

SRIJUT PARAMANANDA DAS : Does Government know that there is one prisoner interned in Dhubri Jail ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Yes, but not interned by this Government.

Re-settlement of the district of Cachar

MAULAVI MUZARROF ALI LASKAR asked :

194. Will Government be pleased to lay on the table a copy of the report submitted by the Special Officer deputed for enquiry for a Re-settlement of the district of Cachar and also the report of the Commissioner, Surma Valley and Hill Division, about the contemplated re-settlement of the district ?

195. Has Government considered the desirability of postponing re-settlement of the district of Cachar till the economic condition of the people improves ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

194 and 195.—The question of the Re-settlement of Cachar district is still under consideration by Government. If it is decided to undertake the work the forecast report submitted by the Special Officer deputed for enquiry under section 6 of the Assam Land Revenue Reassessment Act, 1936, will be published in the Gazette in accordance with the provisions of that section. Until a decision has been reached, however, Government regret that they are unable to see their way to laying the report or the opinion of the Commissioner, Surma Valley and Hill Division, on the table.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURY : Are Government aware that the condition of the raiyats of this district is not good in the district of Cachar ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I think the hon. member remembers what I said in my budget speech regarding this matter.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURY : Do Government propose to postpone the re-settlement operation ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : We stated that we have not come to any final decision regarding this matter.

Mechpara and Bijni Court of Wards Estates

MAULAVI MATIOR RAHMAN MIA asked :

196. Will the Hon'ble Revenue Minister be pleased to lay on the table a statement showing under separate column—

(a) The total number of Hindu tenants of the Mechpara and the Bijni Court of Wards Estates.

(b) The total number of Muhammadan tenants of the said two estates.

(c) The total number of immigrants settled as tenants in the said two estates.

197. Will the Hon'ble Revenue Minister be pleased to lay on the table a statement showing under separate column—

(a) The number of officers of the Mechpara and Bijni Court of Wards Estates.

(b) The proportion of Muhammadan officers in the total number of officers of the said two Estates.

(c) The proportion of immigrant tenants holding appointments in the total number of appointments in each of the said estates.

(d) The number of officers of the said two estates who hail from Kamrup district and particularly from the Barpeta Subdivision.

198. Is it a fact that qualified men are available for service in the Mechpara and Bijni Estates from amongst their tenants; and if so, will the Minister in charge please state the reason or reasons for appointing people from the district of Kamrup?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

196. (a) to (c)—The figures are not available as the estates do not maintain any such statistics.

MAULAVI MATIOR RAHMAN MIA : এষ্টেটের তৌজিতে ও জমাবন্দিতে যখন প্রজ্ঞার নাম, পিতার নাম, মাকিন ইত্যাদির পরিচয় থাকে, এমতাবস্থায় হিন্দু, মুসলমান, দেশীয় ও ইমিগ্রেন্ট প্রজ্ঞার সংখ্যা নাপওয়ার কারণ কি ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : The Estates do not maintain any such list of classification of Hindus, Muhammadans and immigrants separately.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI : When the question was put in Bengali should it not be answered in Bengali? We want a ruling on this point, Sir.

MAULAVI MATIOR RAHMAN MIA : যে ভাষায় প্রশ্ন হইবে সে ভাষা চাড়া উত্তর দিবার কি কোন নিয়ম আছে ?

THE HON'BLE THE SPEAKER : I think the hon. member who is putting the question understands English, although he may not be able to speak in English quite well.

KHAN BAHADUR MAULAVI KERAMAT ALI : The hon. questioner is speaking in Bengali and it may be that the Hon'ble Minister does not know Bengali.

MAULAVI MATIOR RAHMAN MIA : কি বললেন Sir, আমি বুঝতে পারি নাই । (laughter).

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : এনেকুয়া কোনও লিট্টি বেলেগে বেলেগে তৈয়ার হোয়া নাই । গতিকে বই কব নোয়ারোঁ ।

MAULAVI SYED ABDUR ROUF: The hon. member is asking in Bengali and the Hon'ble Minister is answering in Assamese.

THE HON'BLE THE SPEAKER: It is for the hon. member to say whether he understands Assamese or not.

MAULAVI MATIOR RAHMAN MIA: আগি বুঝতে পারি নাই, Sir.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

197. (a)—Mechpara Wards' Estate 57
Bijni Raj Ward's Estate 537

(b) & (c)—Mechpara Estate—15 Moslem officers including six immigrant tenants out of 57.

Bijni Estate—66 Moslem officers including two immigrant tenants out of 537.

(d)—Mechpara—seven, of whom two come from Barpeta Subdivision.

Bijni—two, of whom one comes from Barpeta Subdivision.

MAULAVI MATIOR RAHMAN MIA: With regard to 197(a) লোক সংখ্যানুপাতে কিষা প্রজার সংখ্যানুপাতে মুসলমান প্রজাকে Estate এ চাকরি না দেওয়ার কারণ কি ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: সেই প্রশ্ন উত্তর যিমানদুব সম্ভব স্পষ্টভাবে দিরা হৈছে ।

MAULAVI MATIOR RAHMAN MIA: মুসলমানদের ও অমুসলমানদের মধ্যে সংখ্যানুপাতে চাকরি দেওয়া গবর্নমেন্টের নীতি কি না ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: যই প্রশ্নটো বুজি পোরা নাই ।

MAULAVI MATIOR RAHMAN MIA: মুসলমান এবং অমুসলমানদের মধ্যে সংখ্যানুপাতে চাকরি দেওয়া হয় কি না ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: How does this question arise ?

THE HON'BLE THE SPEAKER: I think that question does not arise.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

198.—Preference is given to the claims of the tenants of the Estate ; outsiders are taken when persons possessing special qualification or merit are required. A midwife was recruited from Barpeta for Bijni and the other is in a temporary appointment. Four out of the five men from the Kamrup (Sadr) Subdivision in the Mechpara Estate were entertained from the very beginning of the Court of Wards' management. The fifth one a particularly good candidate and prizeman from the Survey School was taken in for survey work in 1934.

The Manager and the Sub-Manager come from Barpeta Subdivision. The former was specially appointed by Government for this work while the latter, a retired Forest Officer, was also selected by Government after duly advertising the post.

MAULAVI GHYASUDDIN AHMED: Are Government aware that the former Forester was dismissed as a result of party clique during the time of the present Manager, Mechpara?

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

MAULAVI GHYASUDDIN AHMED: Is the Hon'ble Minister in charge aware that the said Forester on appeal got the appointment in the Bijni Court of Wards and the Chief Forest Officer spoke very highly of that officer?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I think that question does not arise.

MAULAVI GHYASUDDIN AHMED: Are Government aware that the Forest Officer of Mechpara who hails from Barpeta is a retired Government servant and is a very old man and has no capacity to undertake hard work in the forest area?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: We do not discuss the merits of any particular officer on the floor of this House.

MAULAVI GHYASUDDIN AHMED: Is it not a fact that while making this appointment the claims of Goalpara people were totally ignored?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: This retired officer was selected after due advertisement of the post.

MAULAVI GHYASUDDIN AHMED: Does not the same principle apply in the matter of retirement to the Government officers as well as to the Wards officers?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The Court tried to get the best man available; generally preference is given to the tenants of the Estate but the Court could not get any from the tenants, so we looked to the natives of the province.

MAULAVI GHYASUDDIN AHMED: Does not Government consider him to be unfit because he is a retired officer?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Certainly the Estate Officers will not appoint those who are considered unfit.

MAULAVI JAHANUDDIN AHMED: Are we to take it that the retired officers are hard-working?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, it is very difficult to make such a general remark.

MAULAVI JAHANUDDIN AHMED: Why are they made to retire?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Are we not straying, Sir?

THE HON'BLE THE SPEAKER: Order, order.

CHOICE OF LANGUAGE IN THE ASSEMBLY

SRIJUT MAHI CHANDRA BORA: On a point of information, Sir. Under section 85 of the Government of India Act, proceedings in a legislature have to be conducted in the English language. But rules of procedure may permit, in any Chamber or in a joint sitting of both Chambers, any member not familiar with the English language to use another language. This facility seems to have been denied to those who are efficient in English, but who would, as a matter of national self-respect insist on speaking in the provincial vernacular. Choice of language, it seems, is not open to them.

The Burma Assembly has already passed a resolution recommending to the authorities the amendment of this section of the Act. The Punjab Government has also taken steps in the matter. The Hon'ble Speaker of the Sind Assembly allowed members to address the House either in English or in the recognised vernacular of the province irrespective of the fact whether they are sufficiently acquainted with the English language or not. The Hon'ble the Speaker of the Bihar Assembly though proficient in English addressed the House in Hindusthani. Again there are some hon. members of the House who are ignorant of English and as such have not been able to follow the proceedings of the House and also the rulings of the Hon'ble the Speaker of this Assembly. The Act does not seem to prevent any member speaking in English from explaining his speech in one of the recognised vernaculars of the Province for the benefit of non-English-knowing members. I think they can demand a summary of the English speech in vernacular if they like. This is a vexed question, and we shall be obliged if the Hon'ble Speaker would kindly give us his ruling on this very important matter for our future guidance.

THE HON'BLE THE SPEAKER: In accordance with the provision of section 85 of the Act, the Assam Legislative Assembly Rules, Part II, contain one rule in this behalf. This rule is No.9, Part II and it runs thus: "If any member is unacquainted or not sufficiently acquainted with the English language, he may address the Assembly in any recognised language of the Province, provided that the Speaker may call on any member to speak in any language in which he is known to be proficient.

Explanation.—For purposes of this rule, "recognised language" shall mean any one of the following languages, namely, Bengali, Assamese and Hindustani".

So long as this rule stands, I do not propose to introduce a practice of asking any hon. member to speak in any other language he likes. The obvious inconvenience of introducing different languages was clearly demonstrated on the floor of the House this morning during question time. Hon. members must have realised the difficulty then of having different languages for a deliberative body like this Assembly. So I shall only ask hon. members who are unacquainted with English either to speak in Bengali, Assamese or Hindusthani as the case may be. Unless this rule is altered I cannot do otherwise. Hon. members are aware that a Rule Committee has been constituted. There they have undertaken the task of revising these rules. It is up to hon. members to bring up this matter before that Committee.

QUESTION AS TO WHETHER MINISTERS HAVE THE RIGHT OF REPLY TO THE GENERAL DISCUSSION OF THE BUDGET

SRIJUT GOPI NATH BARDOLAI: On a point of order, Sir. It was given to understand that all the five members on behalf of Government would reply to the debates that have been raised. I find from a perusal of the Rule on the point that it is the Finance Minister only who has the right to speak. I refer to rule 14 at page 5 of the Assembly Rules. It is only he who can reply as a matter of right. The rule runs as follows:—

"On a day or days to be appointed by the Governor exercising his individual judgment subsequent to the day on which the Budget is presented and for such time as the Governor exercising his individual judgment may allot for the purpose, the Assembly shall be at liberty to discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved

at this stage, nor shall the Budget be submitted to the vote of the Assembly. The Finance Minister shall have a general right of reply at the end of the discussion".

It thus appears that it is only the Finance Minister, who has the right of reply.

THE HON'BLE THE SPEAKER: The rule says that the Finance Minister shall have a right of reply. It does not appear that it precludes the other Ministers from speaking on the points raised on the discussion. But it is a matter for the House to say if the entire Ministry should be given a right of reply or not. If they do not like to hear them, the Hon'ble the Chief Minister will be quite competent to reply. It is for the House to consider whether each of the Ministers should have his say on the matters relating to his departments. The hon. members will remember that when the Budget was presented each of the Hon'ble Ministers was required to speak on the departments in his charge.

SRIJUT GOPI NATH BARDOLAI: The idea is to save time.

BABU KAMINI KUMAR SEN: I think they should separately answer and give a reply.

REPLY OF THE HON'BLE MINISTERS TO BUDGET SPEECHES

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Sir, most of the criticisms of the agricultural Budget have been that the staff is not adequate and that the provisions made are insufficient. This is undoubtedly true. As a Minister in charge of the Department of Agriculture and Industries and Co-operative, I would certainly like a much larger amount to be placed at my disposal, so that I can carry out the projects which I have in mind and on which I know the members are very keen. Now, Sir, coming to the details of the agricultural budget most of the hon. members have referred to the inadequacy of funds for agricultural colonies and loans for the middle-class youths. This amount is admittedly very small but there is a misapprehension about the scope of the scheme which I want to remove. A sum of Rs.1,500 has been provided, not for agricultural colony, but for a small training farm where the boys can attend one year's course and get practical training and at the same time earn some wages by their work. The land belongs to Government and the boys are expected to do most of the work themselves. The place is within the very easy reach of Jorhat and no residential quarter for the staff will be necessary. A sum of Rs.1,500 represents the only amount which will be spent during the current year. A larger amount will be provided next year if necessary and if funds permit. I am also on the look out for a similar site in the Surma Valley and I believe, I shall be able to start a similar farm there during the coming winter. When a site has been obtained, I shall come before you for a supplementary grant if necessary and I have no doubt this will be sanctioned.

The question of agricultural colony is presenting a number of practical difficulties. I hope that it will be possible to work this up within the next few months and a start will be made before the closing of the financial year, if possible. The bulk of the expenditure will fall during the next year for which necessary budget provision will be made. If we find that the applications for loan from deserving candidates exceed a sum of Rs. 2,000 provided for in the budget it will not be very difficult to add to the provision.

There has been a general demand for more Agricultural Demonstrators with which I am in complete agreement.

SRIJUT DEBESWAR SARMAH: On a point of information, Sir. I understand the Hon'ble Minister has got a scheme of 17 model villages or something like that but he has not stated in the House whether he has got any plan or scheme like that and if so, what is that?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I will come to this point later, Sir.

I have provided for three additional Demonstrators in the current year's budget. Perhaps you know, Sir, that a drop of water goes to form a mighty ocean. At the same time an additional sum of Rs.10,000 has been provided for actual demonstration activities, namely, supply of seeds, etc.

I am aiming at one Agricultural Inspector for every subdivision and at least one Demonstrator for every thana and hope to achieve this within a reasonable period of time, provided I am supported by the hon. members and the public. There have been certain discussions in this House about the Agricultural Department and one hon. member suggested that all the superior posts except the Demonstrators should be abolished. The hon. member might have very humorously spoken, but I do not know whether in his efforts to be humorous he forgot the needs of the department.

I presume, the Demonstrators are wanted for teaching improved methods of agriculture to the cultivators. I would like to ask how the Demonstrators can be expected to learn improved methods of cultivation. Although agriculture is a universal profession, there are good many things which the Demonstrators, who will teach the cultivators, have got to learn themselves before they really become successful Demonstrators to give such training. Agricultural Inspectors are necessary for supervision and control of the work of the Demonstrators as well as for giving instructions in more technical matters. So Agricultural Inspectors and Deputy Directors of Agriculture are necessary.

An agricultural school is necessary for training the people who will teach the cultivators and not for the cultivators themselves. It is also necessary for a large number of middle-class youths who are very keen on agricultural training and who now travel on to Poona, Allahabad and Nagpur where admission is extremely difficult to obtain, but it is not known whether Government have got enough funds for the purpose. What we want to do, if funds are available, is to start only one Agricultural School, for which I am drawing up a scheme, and which I am sure the majority of the hon. members of this House will support. (*Hear, hear*). We want to examine the possibilities of giving agricultural bias to our cultivators. The hon. members who are in touch with actual conditions of the people are fully aware that one of the most pernicious results of our present system of education is that all those who pass a school have only one aim in life, namely to secure an appointment. I want to examine in co-operation with the Hon'ble Minister of Education and the Director of Public Instruction whether it is possible to make an experiment in a few selected places where education given will be of such a nature that boys after passing the examination will go back to the profession of their fathers and become better cultivators.

I am glad to find that our scheme of organising model villages has met with almost universal approval. I realise that this is an ambitious project and will have to be carefully worked out. We shall, however, spare no pains to make it a success and all the nation-building departments will work in close co-operation. Rupees 10,000 for this purpose is certainly too small but here again I want to explain that this is only the first instalment which is proposed to be spent during the current year. I have no doubt that if it is found, after the details are worked out, that this will

require some more funds, the Finance Minister will treat the proposal with sympathetic consideration. A list of model villages has been drawn up merely as provisional and the Committee which will meet very soon will no doubt carefully consider the question of final selection of the sites.

There is one matter which I have kept to the last, namely, the occurrence of John's disease. There is no other subject with which the Department of Agriculture was more concerned during the last ten years than this unfortunate occurrence of John's disease. I have received a large number of questions on the subject in reply to which I am furnishing a statement which will give full details about the present position. I only want to state here that the position is not so desperate as seems to be the general impression. As a matter of fact Khanapara and Jorhat farms are expected to be free from the John's disease. It will be possible to issue animals during the current year.

SRIJUT DEBESWAR SARMAH: On a point of information, Sir. Is it by killing all the animals there?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: No, Sir, not by killing.

These Government farms are necessary for carrying out experiments in nutrition and breeding improved bulls.

Steps are also being taken about the irregular sale of a few animals from the Sylhet farm recently, full information about which is being supplied in answer to questions on the subject. I can assure the hon. members that Government is watching the whole position with anxious care. I may also state that the outbreak of John's disease does not necessarily mean the stoppage of the supply of improved bulls being obtained from out of the Province and from Bengal and supplied in suitable localities where arrangements for their maintenance can be made. I know from my own experience that the Veterinary staff is very inadequate. This means the question of more funds. The question is further complicated because the Local Boards are intimately concerned. I hope the Local Boards will come forward to bear their share of the expenditure which any increase in the Veterinary Staff will entail. The question of amalgamating the Veterinary and Agriculture Departments under one head was carefully considered by the late Government. There are however some serious administrative and technical difficulties and the question has been dropped for the present. There is undoubtedly considerable scope for the development of cottage industries in Assam and some steps have been taken already. The Department can however only assist the cottage industries. The question of establishment of an Industrial College is beyond our means with our limited financial resources.

The Co-operative Societies are passing through anxious times; but we undoubtedly require more Co-operative Societies. That is not possible without more staff and more active co-operation of the public. Assam is primarily an agricultural province and there are undoubtedly great possibilities of development in all directions.

MR NABA KUMAR DATTA: On a point of information, Sir. The Hon'ble Minister has not mentioned anything about the benefit which the people are deriving from the Economic Botanist.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, we have got only 10 minutes time and there are so many interruptions that it would be impossible for each Minister to reply to the different suggestions made in the speeches of about 70 of my hon. friends. It is impossible to finish our reply unless these interruptions are stopped.

SRIJUT DEBESWAR SARMAH: On a point of order, Sir. Are we responsible if relevant matters are not referred to, if things are not unfolded, but manuscript eloquence or written speeches are inflicted upon us?

THE HON'BLE THE SPEAKER: The hon. members during the Budget discussion raised all their points. If the Hon'ble Minister makes any omission in giving his reply to all these points, of course that may be taken advantage of by the hon. members when the voting on Demands for Grants will come up. For expeditious termination of the official business the Hon'ble Ministers should be allowed to proceed without any interruption. The hon. members will have their time to take proper steps if they like against the Ministers for their sins of omission and commission. So there is no necessity of interrupting the Hon'ble Ministers now which would interfere with speedy termination of the general discussion of the budget which is so necessary in view of the fact that non-official business is to begin after lunch.

SRIJUT DEBESWAR SARMAH: One point, Sir; surely I bow down to the ruling of the Court.....

[A voice—Court?]

SRIJUT DEBESWAR SARMAH: I am sorry, Sir; we are accustomed to this expression. I bow down to the ruling of the Chair. Is the House not entitled to know what is the colonisation scheme or what is the agricultural plan the Ministry is going to follow or work.

THE HON'BLE THE SPEAKER: Certainly, the House is entitled to know. But if the Hon'ble Ministers omit to inform the House, now hon. members cannot compel the Ministers. They may take action in any way they like later on.

SRIJUT SARVESWAR BARUA: Have we no right to remind the Hon'ble Ministers when they omit certain points?

THE HON'BLE THE SPEAKER: There were 66 speeches and so there were ample reminders to the Hon'ble Ministers. If they do not take note of these, the hon. members have a right to proceed against the Ministers as they like. But for the present they should be allowed to go on uninterrupted.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Sir, as there is very little time, I am very thankful.....

BABU HIRENDRA CHANDRA CHAKRAVARTI: On a point of order, Sir. The Hon'ble Minister in charge of Agriculture has not finished his speech. Let him finish it, Sir.

THE HON'BLE THE SPEAKER: I think the Hon'ble Minister has finished.

BABU HIRENDRA CHANDRA CHAKRAVARTI: No, Sir. He has not done even half of the manuscript.

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

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Sir, as there is very little time for me to reply—I have only 12 minutes (I don't know if I will have even that)—I must be very brief.

I must thank those hon. members who have seen our good intentions and honest endeavours to meet the wishes of the country. Sir, I must say at the beginning that I, myself, am not satisfied with the Budget. No one in the House is satisfied (*hear! hear!*). But what is the reason, Sir? It is because we have no money. No one in the Ministry is satisfied with the Budget, as we have no money, and are in financial difficulties. We have to do as much as we can under the present financial conditions. We have done our best; that is what we say. I can say that any one who may be placed in our position will realise the same difficulties.

Now, I will touch certain points in regard to the criticisms of some of the hon. members. Sir, my hon. friend Maulavi Abdul Matin Chaudhury has mentioned certain figures in the Public Health Budget regarding epidemics. He has said there is not enough provision under epidemics. The Assam Government, Sir, has all along spent any amount that may be necessary for the sake of combating epidemics. Insufficient provision does not in the least show any lack of foresight of the Ministry. We are ready to spend any amount of money for the sake of combating epidemics. Sometimes, Sir, at such times Government have to appoint extra Sub-Assistant Surgeons and also to spend extra amount for the sake of Medical Stores and Other Contingencies and it has also in this Budget given an amount of money for the sake of manufacturing bacteriophage and other drugs and preparations for the sake of combating epidemics. I want to point out only certain figures which my hon. friend Maulavi Abdul Matin Chaudhury has mentioned in the House. He has said that the provision of Rs.45,000 is not the same amount as in the last Budget. But, Sir, the figure in this Budget is based on the actuals of 1935-36 and that figure was only Rs.39,539. The amount we have budgeted is larger than the actuals of 1935-36, but, as I have said, if there is any necessity of increasing the amount, Government is always ready to increase the amount at the time of combating the epidemics.

Now, Sir, he has also said that in another head the amount for diet of patients has also been reduced. We have based this figure on the actuals of 1935-36, which was only Rs.1,887. That is also the figure we have in this Budget for 1937-38.

MAULAVI ABDUL MATIN CHAUDHURY: Why don't you base it on the Revised Estimates of 1935-36 ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: It is not necessary. We are not having epidemics, but if we have epidemics, we shall provide more money for combating it.

Sir, it must be seen that in another head also there is a big provision. Under the head "Other Non-Contract Contingencies" we have budgeted Rs.11,300 which is a larger sum than that in the Revised Estimates of 1936-37. That is only a change from one head to another. I can inform the House that we have increased the amount under the head "Epidemic Units—sub-head 'Medical Stores' ". The Budget Estimate for 1936-37 was only for Rs.4,900 and the estimated amount for 1937-38 is Rs.6,240. We have increased the amount. Moreover we have made a large provision in another sub-head "Non-Contract Contingencies ".

Now, Sir, the same hon. member has spoken about the sum of Rs.14,000 under sub-head "Contingencies—Medical Stores" under head "Epidemic Units" in the Revised Estimates of 1936-37 and remarked that we have, in this year 1937-38, budgeted a much smaller sum. This House will see that the budget estimate for 1936-37 under this head was only Rs.4,900, and we have, in this budget, allotted a sum of Rs.6,740. So it is a larger amount. I may again state that if there be any necessity of spending any more money than has been estimated we are prepared to spend much more.

The same hon. member remarked that whereas in the year 1935-36 there were 125 Sub-Assistant Surgeons, this year the number has been reduced to only 122. The fact is that these Sub-Assistant Surgeons were posted to different dispensaries of the Local Board of Jorhat, but the Local Board asked that these Government Sub-Assistant Surgeons should be withdrawn, so Government withdrew these 3 Sub-Assistant Surgeons, and

the Local Board appointed their own Sub-Assistant Surgeons. So, Sir, that is not the fault of this Government.

Now I turn to the other complaint made by the hon. member and by many other members of the House in regard to the fact that there is no provision in the budget for the sake of starting dispensaries in rural areas, but I would point out that these dispensaries in rural areas are under the control of the Local Boards. It is the primary duty of the Local Boards to start dispensaries in rural areas, but if they come up to Government with a prepared scheme, Government considers that scheme along with other schemes sent up by other Local Boards according to their urgency or importance.

Now, Sir, of course this Government realises the need for more dispensaries in the province, and we shall do our very best to try and start dispensaries in different parts of the province and help the Local Boards, but we can do so only according to our finances.

Many hon. members have spoken about the urgency of starting a Medical School in Sylhet. No one will be more happy than this Government if we can start a Medical School in Sylhet, but before we do that we shall require a hospital there, which will cost about four lakhs of rupees, and everybody knows that the provincial finances are in such a condition that it will be impossible for us to shoulder that big scheme at present, but this matter is under the consideration of Government and we shall see what we can do.

Now I must run on to another point. Many hon. members have spoken about public health dispensaries and subsidised dispensaries. I am sorry I have no time to reply to them in detail, but I can assure them that I shall read all the speeches and see whether we can help these localities. I can assure them that we shall do our very best.

Now, regarding the question of opium and excise. I wish I had more time to speak about this, but I am sorry I have very little time. I can only say that Government is doing all that it can and that this Government is determined to wipe out the opium habit of Assam, and we shall adopt such means as will enable us to reach our goal. If we do not adopt proper means, I am afraid, we may not gain our object, and our policy will be defeated. Our worst enemy is smuggling, and some hon. members have spoken about the large quantities of opium that are smuggled into the province. If we do not stop this smuggling effectively, our attempts will all be a failure. I say that this Government is doing all it can to wipe out this evil from Assam.

Sir, many hon. members have spoken about the need of good drinking water in their constituencies. The Ministry quite realises the need of good drinking water. We are painfully conscious of the fact that the whole country needs good drinking water. I have already said that if it were possible we would have given a good well or a good tank to every village in Assam, but everyone in this House knows our limit. Everyone knows that the financial condition of the province is such that it is almost impossible now to achieve our object. In my budget speech I have stated that there is an amount of 3 lakhs that will be distributed to all the districts in the province for the sake of water-supply in rural areas. The District Officers have been asked to make a programme in consultation with an Advisory Committee in which four hon. members from this House will be invited, and when this is done they will have a chance of making suggestions to the District Officers, and I am sure that the District Officers will do their best to help the different constituencies in the province. I am asked to stop as the time is over. So I must stop.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, A happy feature of the budget which I presented before the House is that it has escaped criticism except from some hon. members who regret that my economic condition has improved while that of the rest of them or of the country has remained the same. Sir, if there is any hon. member in this House who thinks that the representatives of the different groups which are represented by this Ministry will forget the condition of the raiyats amongst whom there are their own relations and friends—people whom they truly love—if there is any one in this House who thinks that because we are getting these salaries we will forget these people, then surely emancipation of this country is very far off. Sir, Government has done its best, within limitations of course. If hon. members of this House will realise what they had expected this Government to do they will find that their disappointment is not justified. Sir, as a Minister of Revenue I have been asked to wipe out the entire outstanding agricultural loans, which come to about 7 lakhs of rupees; I have been asked to reduce the local rates which have been already collected in three subdivisions of the district of Sylhet; I have been further asked to declare all at once that a reduction of fifty per cent. in the revenue should be granted; and on the top of this I have been asked to forbid the mauzadars—the revenue collectors—to realise the revenue according to the Rules laid down by Government; and at the same time I have been asked that the commission of the mauzadars should be enhanced.

Then again some hon. Members suggested that if the commission of the mauzadars is enhanced that will be a temptation to them and that they will adopt more stringent measures to realise the revenue. Furthermore Sir, the hon. the Leader of the Opposition came down for a moment from the high plan of his speech and remembered the pitiable condition of the Mandals and Gaonburas; I believe in the few Mandals he also includes the Patwaries of the Surma Valley districts. Sir, the condition of the Mandals has already been brought to the notice of Government by the deputation that waited upon the Director of Land Records and Government has decided to give them certain concessions in the matter of railway journeys. Originally they were allowed third class railway fares and no orders have been issued and provision will be included in the next year's budget so as to allow them to travel in the Inter-class and a Chairman has been sanctioned for each Supervisor Kanungo. But the increase of the Salary of the Mandals even by a petty sum of Rs. 2 would involve an expenditure of Rs. 30,000. If the House decides and gives an indication that we must find this money, certainly, Sir, the Government will give due consideration to this.

Now, Sir, before I come to the main question of Land Revenue, I want to say a word about the Jails. I was surprised that no constructive criticisms, or for the matter of that any criticism at all, was offered against the administration of our jails. Now, Sir, has the interest of the hon. members flagged merely because we have no political prisoners in our jails? However, I appeal to the House that they should not allow their interest in the administration of jails to flag because we have not higher class of prisoners inside the jails at the present moment.

One hon. member has raised the question of the establishment of a High Court in this province. I would just give him some figures to enable the House to decide how far it is practicable. According to the report of the Subvention Officer who collected all these figures the recurring expenditure on a High Court in the province would come to about Rs. 2,78,000. But we are already paying to the Bengal Government as our

share of contribution Rs. 1,42,000 and we can reasonably expect a sum of Rs. 50,000 on account of increase of court fees and the fees derived from sanads to lawyers, etc. It comes to this. If only another lakh can be found somehow, then the establishment of a High Court in this province will be a practicable proposition.

Then, Sir, my hon. friend the Deputy Leader of the Congress Party drew our attention to certain criminal cases. As regards one case, the case about the tea planter. I have no knowledge. As regards the other case against the Military Officer, I may inform the hon. member that Government took action on the report which appeared in the *Amrita Bazar Patrika* in the month of April last. They have given warning to the Deputy Commissioner not to allow in future any Public Prosecutor to defend an accused person or to appear on his behalf. And we have also brought the conduct of that particular officer to the notice of the Military authorities. We looked into the records of the case and as my hon. friend Mr. Arun Kumar Chanda knows himself, as he was himself a prosecution witness, that there was not a good case for appealing before the Hon'ble High Court. That was the advice of our legal advisor. Then as regards the two other cases which were brought to our notice by my Hon'ble friend Maulavi Ashrafuddin Choudhury, Government has already been diligently watching the cases of improper detention in hazat and improper refusal of police for bails. His Excellency the Governor when he visited Dibrugarh last time, also noticed cases of the long detention to which attention of the Judges have been already drawn.

Then about Nalbari Criminal Court, I may inform the hon. member from Nalbari that we have received a large number of petitions and resolutions from Nalbari, Rangiya and Tihu protesting against the discontinuance of the Nalbari court. It has been furthermore brought to our notice that the hon. member representing Nalbari is not in favour of discontinuance of this Court. Of course there is some inconvenience caused to lawyers. But the hon. member perhaps knows that there are about 16 or 17 lawyers hailing from that particular locality. So the inconvenience of the litigants so far as lawyers are concerned is not very great. There is one irregularity or inconvenience which came to my notice and for which we are thankful to the hon. member Srijut Sidhinath Sarma, *viz.*, as regards taking of prisoners under escort from Gauhati to Nalbari. Government propose to issue instructions that cases in which bails are not allowed or cannot be granted, will be tried in the district headquarters itself and not in Nalbari until some arrangements can be made.

Sir, I think my time is over and I cannot speak on Land Revenue.

SRIJUT MAHI CHANDRA BORA: Sir, I think the Hon'ble Minister may be given some more time so that we may hear him speak on the Land Revenue aspects also.

THE HON'BLE THE SPEAKER: We shall then have to continue till 1.15, I think.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes, Sir. Ten minutes have been taken in that ruling.

MR. ARUN KUMAR CHANDA: I want to know, Sir, if the Deputy Commissioner has also been warned not to forward cases to persons belonging to a certain community against whom complaints are made?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: There is already a circular to that effect.

SRIJUT MAHI CHANDRA BORA: Sir, I repeat my request that the Hon'ble Revenue Minister may be allowed some more time to speak on Land Revenue.

THE HON'BLE THE SPEAKER: The hon. Member will have another opportunity of speaking on it when the cut motions are moved and I understand there are many cut motions.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: If I am given three minutes' time, I can speak a few words on Land Revenue.

Sir, I have been criticised for showing an inflated amount in the budget so far as land revenue is concerned. I will explain how that was arrived at. We have shown an increase of Rs. 7 lakhs. Out of this Rs. 7 lakhs, one lakh represents the deferred enhancement in the district of Lakhimpur. And, Sir, we have got some money on account of extension of settlement in different districts. In North Lakhimpur for instance in this year, there was an extension of cultivation to the extent of 54,000 bighas. In Kamrup there was an extension of cultivation to the extent of 20,000 bighas roughly. There are other extensions also in other districts. I have not got all the figures. That normal extension of cultivation has come up for a little increase in the amount of revenue to be received? Then during these months of May, June, and July there has been a good deal of realisation of uncollected arrears of the past. During these three months there has been an increase of 3 lakhs in collection over that of last year. Hon. members can draw their own inference from this increase of uncollected arrears of the last few years. My fault was that I merely gave the figures of collection. Whether that increased collection represents a slight betterment of the economic condition or indicates any repressive measures, it is for the House to judge. But I would just inform the House that, during the period of acute distress some five or six years ago when the collection was much less, there used to be stampeding by Gurkha soldiers for facilitating the collection of revenue. A huge lot of attachments and annulments of pattas were made. In recent years these methods have been gradually given up. From these facts the hon. House can draw its own inference. Then, Sir, it cannot be gainsaid that the prices of some of the commodities have to a certain extent increased; for instance the maximum price of paddy in the district of Kamrup some years ago was Re. 1-4, but now it is Re. 1-12. There again the hon. members may say that the increase of price is due to the scarcity of food. I have only spoken of the increase. We have not yet been able to make any statement about reduction of revenue for the year 1937-38. For the year 1936-37 the past Government had already given a reduction of 3 annas in the rupee. I find, Sir, that no hon. member has raised any objection to it, no allegation has been made that it is inadequate. So far as the reduction for 1937-38 is concerned, we have not come to any definite conclusion. But, as I have already stated, Government has viewed with the greatest apprehension the present weather condition and it will come to its conclusion later on. Meantime Government has provided for a reduction of 3 annas in the rupee, in the budget.

SRIJUT SIDDHINATH SARMA: What is the inference of the Hon'ble Minister regarding the increased collection, whether it is due to coercive measures or to any improvement in the condition of the raiyats.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have already said what I had to say.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Sir, at the outset I must thank the House for the spirit in which my Education Budget has been received here. The only great complaint is that sufficient money has not been provided to carry out our plan for education as a whole. I have followed with interest the budget discussion

conducted by the hon. members, and I am glad that I have been acquainted with the various needs and requirements of the parts of the country they have come from and of the sections of the community they represent. Any budget, Sir, should not be immune from criticism from supporters or others, unless it were a tame affair not worthy of the accredited representatives of the Province. Criticism does not necessarily indicate a hostile attitude on the part of the critics. In a country composed of heterogenous elements with tongues—I would not say a babel of tongues—but with tongues unintelligible to each other, as we witnessed to-day on the floor of this House and separated from each other by hills and dales and valleys, with interests sometimes conflicting and often difficult to reconcile or readjust, it is of course very natural that it would not be possible to satisfy the needs and requirements of every part of the country. Well, Sir, we have taken note of all the requirements and needs expressed by the hon. members and we can assure them that it would be our duty to consider them sooner or later as funds permit. But I would ask the hon. members to realise our difficulties, to realise the limitations under which we have to work and the difficulties of the path ahead. Sir, saddled with the accumulated debts of our predecessor, the old Government, groaning under two successive awards, with very little share of our own income from industries and from mineral products, charged with the maintenance of a Frontier force, and subjected to the fitful vagaries of Nature, the prospect looked to be a hopelessly gloomy one when we were called upon to ring in the dawn of a new era of political life in this province. And, Sir, when we entered the arena, what did we find? We found the prur'ing knife, like the sword of Damocles, hanging over our heads. Sir, pressed down so heavily, I wonder whether any other province could have raised its head, and would not have broken down. Placed under more favourable circumstances what the other provinces have done it is for the hon. members to judge. Anyhow, Sir, as the time allotted to me is short and is running out I must turn to the main points.

The main criticism has been directed against our policy for the improvement of primary education. Our policy is the expansion of primary education in order to open out backward localities, in order to draw students from sources hitherto untapped. When we shall have consolidated our position we shall be prepared to make further advance, and to introduce compulsory education that has been provided under our Act. At present we are ready to give effect to the principle of compulsion, as embodied in our Act, provided the provision of section 3 of the Act is carried out, namely that the initiative lies with the local authorities, and if they come forward with their share of the cost, which is one-third, we are ready to contribute the remaining two-thirds from our exchequer.

SRIJUT PURNA CHANDRA SARMA: On a point of order, Sir. Will the Hon'ble Minister refer to section 7 of the Assam Primary Education Act, 1926?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: We may call upon them to pay. But are they able to pay? Here, Sir, we may compare our position with that of Bengal. In Bengal they are going to introduce compulsory education by levying an education cess. Our position, Sir, is much better than that of Bengal, even without going to the length of compulsion. In Bengal primary education is not free, but here it is so. We are also going to open up backward localities. Here we have vast areas of forest and Forest has been tagged on to Education, a strange combination. As we are going to open the backward classes, our task is heavier than that of Bengal. In any case I may point out in passing...

RAI BAHADUR PROMODE CHANDRA DUTT: Why speak of Bengal, Sir?

THE HON'BLE THE SPEAKER: He is giving a comparative picture.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: As regards the percentage of literacy, it is 46 here, while in Bengal it is only 16. That is what the Report on Education in India, (1934-35) says. So that our policy of not going so far as to make education compulsory at once is working well.

MR. NABA KUMAR DATTA: Sir, I am afraid the Hon'ble Minister is taking the time of the Hon'ble Leader of the House.

(Voices: What about Forests?).

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: About Forests—Sir, I am of course fortunate enough to be able to tell the House that the income of Forests has increased as soon as the Forest has been tagged on to Education. I have reported in my introductory budget speech that the increase is Rs.4,92,000 and the Conservator of Forests has reported that we are expected to top that next year. At the same time we have a plan, as I have referred to in my introductory speech, a ten years Progressive Plantation Programme and this is expected to bring in more money so that we shall be able to carry out the wishes of the House, if allowed, to spend that amount on education.

As regards forests there is another question. People say that the Forest Service is top-heavy. Sir, we are examining that point. The service is under re-organisation as I have said in my budget speech, and since 1932 there has been no new recruitment.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, it is impossible to attempt to deal with all the points raised by the five dozen and a half speakers who participated in the general discussion of the budget and therefore I propose to deal succinctly with the points that emerged from the speeches without reference to any particular speaker. But my hon. friends should not go with the impression that I am not mindful of the suggestions and criticisms that have been placed before the House from various quarters (*hear! hear!*) I can assure them that as soon as the proceedings appear in the Gazette, all those speeches will be carefully read and the suggestions duly considered and, as far as possible, Government will endeavour to act up to the wishes of the House.

At the outset, I find that I have to meet the criticisms of two different schools of thought, one, whatever the defects of the Constitution, out to work it and the other, whose principal creed or article of faith is its rejection *in toto*. No wonder that the hon. leader of the latter group confined himself to the defects of the Government of India Act, 1935, and the machinery of governance set up thereunder. He did not descend to the ordinary level of the budget discussion but spoke feelingly and eloquently on "alien rule" and "exploitation" and observed that the goal of his party was complete "independence". He characterised the Ministry as suffering from an inferiority complex. I wish the members of his party had adhered to such lofty theme and kept the discussion on a high plane. But I am constrained to say that the majority of speakers from this group waged an unabated war with the bogey of a 'surplus' budget, till finally the Deputy leader of the party triumphantly proclaimed that they have been finally victorious and the 'bubble of surplus' been properly pricked.

Sir, a little thought, nay, a little less reading of the Budget volumes would have shown that they were wasting their energy after a shadow and not the substance. I presented to the House the Budget Estimates—I lay emphasis on the word "estimates". These are anticipations only which

may or may not be realised. Whether the current year's Budget will prove to be surplus or deficit, can only be definitely known after the 1st of April 1938.

In contradistinction, we are obliged to the speakers of the first school of politics, particularly the leader of one of the groups who assured assistance to work the Reforms and gave us valuable suggestions and helpful criticisms.

Sir, from the trend of the debate, two points emerge prominently. Everyone in the House is inspired, according to the discussion, to the laudable object of seeing the augmentation of our provincial revenues and I discern, a genuine and earnest desire from all for an enlargement in the allotments for the nation-building departments. I can emphatically declare that the Ministry is also imbued with the same ideals. It may be that we differ in method and degree. The generality of the speakers believe that retrenchment is the remedy of all our evils. We say this is not the sole or sufficient remedy. In introducing the Budget, I mentioned that I intended to enquire how far money could be made available for nation-building departments by the process of retrenchment—by the formation of a Retrenchment and Resources Committee.

It has been the general complaint that the funds for new schemes for the nation-building departments are very meagre and according to one hon. gentleman sitting opposite, the budget, on account of such a poor provision for betterment of the masses, is so "wretched" that he feels he will have to be a home-internee for life, as out of shame he will not be able to show his face to the outside world. If I am to take that particular friend and the other members of his way of thinking seriously, I ask them, (1) how can they expect better provision when according to their researches the Budget is a deficit one. (2) What earthly chance is there for a larger and more generous provision for nation-building departments when they want to reduce land revenue by 50 per cent. a reduction of 55 lakhs in income and to wipe off the excise receipt from the budget pages—a reduction of 35 lacs, thus decreasing the Provincial revenues by 90 lacs. No amount of retrenchment in personal or salary cut in our establishment bill, which amounts to 1 crore and 20 lakhs, will be able to balance the Budget.

Sir, I must cut short my speech because I find from the clock that I have only five minutes more.

The Ministry has been criticised and very vigorously criticised for not proclaiming a programme. I want to ask this House, was it necessary for me to publish a programme in the House when we know the mentality of the opposition benches. I am speaking from experience—I am referring to the speech of one of the hon. members who seems a past master in the histrionic art, and who made a brilliant speech with theatrical gestures, complaining that the Ministers used high sounding words as "rural uplift," and "rural reconstruction" though they have no right to speak of such schemes. I ask what was the necessity for our publishing a programme when we knew that it would only illustrate the story of the two friends, who sought for the hands of the same fair damsel. In course of conversation, so the story goes—there was a discussion between the two friends as to the difference between the two terms—'vision' and 'sight'. The reply of the witty one, was characteristic: if the damsel accepts my hand, she is a 'vision'; if she accepts your suit and marries you, then she is a 'sight'. Here, the case is same. If any programme of rural uplift comes from the Ministry, well, this is nothing; if it comes from the party opposite, then, that is magnificent.

Sir, friends have commiserated with me and said that I had no time for preparing and presenting a better budget. Some have been uncharitable in saying that I was busy in trying to keep the Ministry stable while there was no stability, in my "passion for office". But the chorus of "resign" that ensued from the opposition speeches, specially trend of some of the questions which have been tabled by friend from that particular group asking when the present Ministry is resigning in order to make room for their single biggest group, clearly show who are running this race for the office of Ministry.

THE HON'BLE THE SPEAKER : I understand that question stands withdrawn.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : It is a pity.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI : May I submit that this portion of the Hon'ble Minister's speech should be expunged because it has nothing to do with anything in this House.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, I did not know that the question was formally withdrawn. Questions are not submitted to me for admission. I was busy in framing the replies.

SRIJUT PURNA CHANDRA SARMA : Are we to reply to this question given now or it is a reply to the Budget speech.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I was not giving reply to the question but I had to introduce the subject, in order to show the hollowness of the charge levelled against me.

One of the admirers of the Congress group, went so far as to ask me if I was prepared to resign, in case my attempt with the Central Government for remission of last year's deficit fails. Many hon. members have stated that they are at one with me in my endeavours for financial relief from the Government of India. When that particular hon. member was questioned by another if he was prepared to resign his seat as a protest there was pin-drop silence.

Sir, I am saying this not from imagination but from the notes of the speeches taken by me. I need not detain the House any longer. I again, repeat, Sir, that every suggestion made from every quarter will receive our best consideration.

(After lunch)

THE ASSAM LOCAL RATES (AMENDMENT), BILL, 1937.

THE HON'BLE THE SPEAKER : We shall now take up the Assam Local Rates (Amendment) Bill, 1937 ; the Bill will now be considered clause by clause.

There is an amendment to clause 2 of the Bill standing in the name of Hon'ble Srijut Rohini Kumar Chaudhuri. There is also another amendment in the name of Khan Sahib Maulavi Sayidur Rahman. I would first ask Hon'ble Srijut Rohini Kumar Chaudhuri to move his amendment.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Sir, I beg to move that in clause 1.....

THE HON'BLE THE SPEAKER : Order, order. I called out clause 2. Clause 2 is the real operative clause of the Bill. If that clause is passed, then the question of amending sub-clause (2) of clause 1 will be taken up.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Sir, I beg to move that in clause 2 for the words "one anna four pies" the words "one anna eight pies" be substituted.

Sir, we have discussed this Bill at length and I have no intention to reiterate the arguments which I put forward at the time the Bill was moved for consideration. One hon. member of the House has tabled a question in this session asking for the average local rate per acre in different parts of the Province. As I think this information will be of use to the House I like to state those figures.

The question is "Will Government be pleased to state the average amount of local rate paid for an acre of holdings in the following districts:—

Sylhet, Cachar, Goalpara, Kamrup, Darrang, Nowgong, Sibsagar and Lakhimpur ?

Is the average assessment equal ?

If not, why not ? Will Government be pleased to take steps to equalise the levy of local rate in all districts and, if not, will Government please consider the desirability of reducing Government grant to the same proportion as it falls below the average ?"

I am not going to answer other parts of the question. I am only going to give the figures to help the hon. members.

In Sylhet the local rate is—	...	...	...	-1/5.45 pies.
Cachar	...	...	...	-1/5.41 pies.
Goalpara	...	...	...	-1/6.8 pies.
Kamrup	...	...	...	-2/6.4 pies.

SRIJUT SARVESWAR BARUA: Is it per head, or per acre ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: It is per acre.

Darrang	...	...	...	-2/1.7 pies.
Nowgong	...	...	...	-2/2.2 pies.
Sibsagar	...	...	...	-2/7.3 pies.
Lakhimpur	...	...	...	-2/8 pies.

So, Sir, there seems to be a feeling that these local rates should, if possible, be equalized. I may mention that this is a question from a member of the Congress Party and there is really a feeling that this inequitable distribution of local rates should be remedied, if possible. Then, Sir, the whole question—as I have said the other day—is about the maintenance of Local Boards, and if we agree to the Bill as it has been moved then the Local Boards not only of the Sylhet District will suffer but the Local Boards of the Temporarily Settled Districts will also considerably suffer. Therefore, Sir, as a measure of compromise, Government suggests to substitute -1/8 pies in place of -2/8 pies, and Government suggests this because at the present moment, taking note of the economic depression of the Province, we are allowing a reduction of -3/- annas in the rupee in the Temporarily Settled Districts and, therefore, in order to give the benefit also to the permanently settled districts Government has put forward this proposal for the acceptance of the House—that instead of -2/8 pies the figure -1/8 pies be substituted. I hope this House will appreciate the spirit of compromise which Government is showing and will unanimously accept the amendment.

THE HON'BLE THE SPEAKER: The amendment moved is "that in clause 2, for the words 'one anna four pies' the figures 'one anna eight pies' be substituted".

There is another amendment. I shall have the two amendments moved together and then I shall put the amendments to vote one after another.

BABU DAKSHINARANJAN GUPTA: Is it not better to take them separately, Sir ?

THE HON'BLE THE SPEAKER : In this case I want to have one discussion as both the amendments relate to clause 2 of the Bill and in discussing one amendment, the subject matter of the other amendment will also come in.

Now, relating to the second amendment I will call upon Khan Sahib Sayidur Rahman to move his amendment. Has any hon. member any objection to this procedure to be followed?

MAULAVI ABDUL MATIN CHAUDHURY : On point of order, Sir. Before you call upon Khan Sahib Maulavi Sayidur Rahman to move his amendment, I submit, Sir, that this amendment is out of order being outside of the scope of the Bill. The principle of the Bill is the rate of assessment of the local rates, and his amendment deals with the principle of grant, *i.e.*, basis on which the grant is made. This is an entirely different matter and this amendment being outside of the scope of the Bill cannot be moved.

KHAN SAHIB MAULAVI SAIYIDUR RAHMAN : Sir, I do not think at this stage the question of the admissibility of this amendment can arise. This amendment has been admitted by the Hon'ble Speaker, and I do not find anything in the Legislative Assembly Rules to bar out this amendment on account of its illegality. Of course the amendment has to be considered on its merits and as hon. members are aware, when this Bill will be passed into law by both Houses it will be placed before His Excellency the Governor for obtaining his assent, and I think the time will come then; it will then be the time for considering the legality or otherwise of this amendment. If the amendment be not in order, then I think it will be for His Excellency to send the Bill back for considering that matter. So at this stage I do not think that any member can shut out the amendment on the ground of its illegality.

THE HON'BLE THE SPEAKER : The hon. mover of this amendment is really under a misapprehension. He began by saying that the amendment was admitted by the Hon'ble Speaker; but it is not really so. The amendment is before the House only on the ground that it was tabled within the time prescribed by the Rules. The question whether it is admissible or not is to be decided on the floor of this House, if any hon. member raises the question. This question has been raised now, and I think I should decide here and now whether this amendment is in order or not. This amendment seeks to add a proviso to clause 2 of the Bill, the object of which is to incorporate a rule in the Bill to the effect that the grant to Local Boards from the Provincial Exchequer should be dependent upon the proportion of local rates realised by each Local Board. Now, if the hon. members will please look at the Local Rates Regulation of 1879 they will find that sections 11 to 16 of the Regulation, which prescribed the manner in which local rates realised are to be distributed, now stand repealed and form, with some modifications, a part of the Assam Local Self-Government Act (Act I of 1915). The Regulation therefore as it stands now only relates to the question of rates and the procedure under which assessment of rates is to be made. The present Bill is really an amendment to that Regulation in so far as the question of rates is concerned. So if the distribution of grants from the Provincial Exchequer is to be made dependent upon the local rates realised by each Board I think it should properly come within the scope of the Act of 1915. In this view I hold that the amendment introduces an extraneous matter into the Bill, the proper place for which should, therefore, be found in the enactment which relates to the question of the allocation of local rates to the Local Boards in the Province.—So I rule that this amendment of Khan Sahib Maulavi Saiyidur Rahman is out of order on the ground that it introduces a matter in the Bill which is foreign to the object of the Bill—

we do not find the words "Local Board" within the four corners of the Bill and also in the Regulation which it seeks to amend.

KHAN SAHIB MAULAVI SAIYIDUR RAHMAN: May I know under what rule the Hon'ble Speaker is holding that this amendment is out of order?

RAI BAHADUR PROMODE CHANDRA DUTT: You cannot challenge the ruling of the Chair.

THE HON'BLE THE SPEAKER: Order, order. If the hon. member wants I shall refer him to the rulings which were given by the President of the Indian Legislative Assembly under almost similar circumstances. I may refer him to page 2566 of the Indian Legislative Assembly debates of the 4th June 1924 and also to pages 1821-22 of the Indian Assembly debates of 1st February 1923, where he would find that similar amendments were disallowed on the ground that the amendment sought to introduce an extraneous matter into the Bill.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, we certainly bow to your ruling. But cannot this amendment be taken as a sort of condition to the acceptance of the Bill? We are prepared to accept this Bill and the condition is stated in the amendment.

THE HON'BLE THE SPEAKER: Such a condition proposed to be introduced in the Bill I think, from what has been said by the hon. mover of this amendment, will frustrate the very object of this Bill, because that would introduce an element of uncertainty in the provisions of the Bill Grants to local board from the provincial Exchequer are made on a consideration of various matters and to make the grant to a Local Board to be solely dependent on the proportion of local rates that it gets is to fetter the discretion of the Government. And to look for the proportion of local rates for a particular Board before a grant from Provincial Exchequer is made to that Board is to leave things in a state of uncertainty and a rule that aims at such an uncertainty should not be introduced in the Bill—specially, when the subject matter of allocation of local rates to Boards comes within the purview of a different Act, the condition as proposed will be quite out of place in the Bill.

MAULAVI ABDUL MATIN CHAUDHURY: Sir, with regard to the amendment moved by the Hon'ble Minister we have based our opposition on one ground and on one ground alone, and that is the incapacity of the people to pay the enhanced rate at the present juncture. We do not want any increased tax on the people who are not in a position to bear it. I think the most reliable official authority to express an opinion as to the material condition of the people of the Surma Valley is the Commissioner of the Surma Valley Division, and I would like to read out from the Report on the Land Revenue Administration of Assam for the year 1935-36, his view on the matter. This is what the Commissioner says:—"The material condition of the people improved slightly but was still unsatisfactory. Money was scarce throughout the year. General depression in trade and business continued, though less acutely than last year. Landlords and money-lenders are experiencing difficulty in realising their dues. The price of land is still very low and money-lenders are unwilling to advance loans partly because of the low rate of interest fixed by the Money-lenders' Act and partly because even the honest debtors cannot make repayments regularly owing to the prevailing scarcity of money. In Sylhet concessions had to be granted in the Jaintia Parganahs in the matter of remission of penalty and process fee as in the previous year". Now if the landlords are experiencing difficulties in realising their dues, and if the money-lenders are reluctant to advance the money, will the Hon'ble Revenue Minister kindly

tell me, from where the landlords are to get money to pay the enhanced tax? Sell the land, the cynic may suggest, but even for that, price is too low and no buyer is available. I have given the opinion of the Commissioner, and now I will give the opinion of the Ministry itself about the present economic condition in the communique that they issued for reducing the enhanced school fee; they say that Government have been influenced by the consideration that "the people have not yet recovered from the effects of the depression". Sir, if the people cannot pay additional fee of four annas—an increase which affects mainly the middle class—does the economic condition justify the doubling of local rate, which affects the poorer class? Our objection is that they are not in a position to pay this enhanced rate. I oppose the amendment.

MR. NABA KUMAR DUTTA: Sir, although this Bill seems to be a popular measure, on principle I cannot support it unless it is so modified as to make it less objectionable from a provincial point of view. We know that local rates are fixed for rural purposes. We have got to see whether this Bill will have the effect of lessening the income of the local boards. And as it stands now, it will have the effect of reducing the income of the local boards. Under that circumstances, the loss to local boards must be made good by liberal grants from Government. Otherwise the local boards whose incomes will be affected by this Bill will have no other alternative but to curtail all expenditure in the matters of rural sanitation, communications and many other items.

Let us now come to facts and figures. If we scrutinise the figures for 1935-36, we see, in the temporarily-settled districts of the Assam Valley with a population of 3,671,558 the people paid local rates to the tune of Rs.7,16,881; and the boards received Government grants to the extent of Rs.7,07,334. Whereas in the Sylhet district, with a population of 2,724,342 the local rates paid were to the extent of Rs.2,85,629 and received Government grant of Rs.4,71,498. That is to say where Assam Valley received one rupee, Sylhet Rs.2. Again Goalpara which is a permanently-settled district like Sylhet paid Rs.1,99,894 as local rates but received only Rs.1,77,060 as Government grant. That is to say, though a permanently-settled district like Sylhet, it received Rs.2 instead of one rupee. Then again, the education grant for that year for the Assam Valley minus Goalpara was Rs.3,46,047 whereas Sylhet district alone got Rs.3,26,158. Sylhet pays 2 annas per acre and Goalpara 2 annas 6 pies. Whereas in the Assam Valley Sibsagar alone pays 7 annas 6 pies per acre.

Now, Sir, from all these points it appears that the local rates fixed in the two valleys seem to be anything but equitable. Assam Valley pays more and receives less from Government, whereas the Surma Valley pays less and receives more from Government. I think this differential treatment cannot be allowed any more. In the face of all these it is rather surprising that a proposition to reduce the local rates further in Sylhet districts should at all come forward. Hence I support this amendment.

KHAN BAHADUR DEWAN EKLIMUR ROZA CHAUDHURI: সভাপতি

মহোদয়, গুরুকর (ট্যাক্স) বিনিময়কে আমি মোটেই পছন্দ করি না। ইহাকে আমি গুরুতর রোগের সহিত তুলনা করি। অসম ভেলী অধিবাসীগণ অধিক মাত্রায় কর দেন বলিয়াই যে স্বর্ষা ভেলী অধিবাসীগণকেও অধিক মাত্রায় কর প্রদান করিতে হইবে বা তাহাদের উপর গুরুকর চাপাইয়া দিতে হইবে ইহার কোন যুক্তিই নাই। কেন না অসম ভেলীতে কালাঙ্গর আছে বলিয়া স্বর্ষাভেলীতে কালাঙ্গর সংক্রমিত করিতে হইবে

এই বৃদ্ধি কোন দীর্ঘমান ব্যক্তিই প্রদর্শন করিতে পারেন না। জনপ্রিয় গবর্ণমেন্টের নীতি এই নয় যে বরিত্ত বৃদ্ধি জনগণের উপর গুরু হ্র দাবী করিয়া স্বীয় গবর্ণমেন্ট পরিচালনা করা। বরং ভাল গবর্ণমেন্টের কর্তব্য এই যে যদি কোন প্রদেশের কর অধিক মাত্রায় অব্যবহিত হইয়া থাকে এবং সেই প্রদেশের লোকের বহন শক্তি কম হয় তাহা হইলে তাহাদের কর লাঘব করিয়া দিয়া সেই প্রদেশের অধিবাসীকে অধিকতর সুখ শান্তির ক্রোড়ে প্রতিষ্ঠিত করা। বাস্তবিকই যদি আসাম ভেলীর অধিবাসী হইতে যে কর গ্রহণ করা হয় তাহা তাহাদের বহন শক্তির বাহিরে হইয়া থাকে তাহা হইলে তাহাদের কর ও লাঘব করিয়া দিয়া তাহাদিগকেও এই গুরুকররূপ রোগ হইতে মুক্ত করা কর্তব্য। আজ যদি আসাম ভেলীর ত্রাতাগণ আমাদের স্থানীয় কর লাঘব করার সম্বন্ধে সহায়ত প্রদর্শন করিয়া দূরদর্শিতার পরিচয় প্রদান করেন তাহা হইলে ভবিষ্যতে আসাম ও তাহাদের স্নান মুক্ত হওয়ার চেষ্টা কবিত্তে কখনও কৃণতা কবিত্ত না।

BABU RABINDRA NATH ADITYA: I think, Sir, we are confusing the issue. The issue before the House is not whether the grants allowed to particular local boards should be minimised or not or whether the contributions should be reduced and therefore a comparative statement of these grants is not in issue. The point is whether the local rate which is going to be enhanced at a time when depression is prevalent throughout the district is to be supported or not. That is the question. I think it is universally accepted that the district has not yet recovered from the trade depression or the economic depression. So only in one subdivision out of 5, local rate has been increased and also in the rest of the four subdivisions it is going to be increased, in two subdivisions this year and perhaps in the other two subdivisions in the next year.

The Hon'ble the Revenue Minister wanted to say that he is making a concession by accepting an amendment of reduction to 1 anna 8 pies. But that is not a reduction in fact. Even if his amendment is accepted we shall have to pay an increased local rate of 4 pies. It is not a concession at all. On the other hand, it will be an increase in taxation to a lesser scale, whereas we contend that our district is suffering badly from the economic depression and is therefore unable to bear any enhanced local rate. We do not grudge other local boards elsewhere their due share of money. That is not the question. Whenever necessity arises they too can claim their proper share, according to their urgency. The only point now is that we are not in a position to pay more local rate and therefore we object to any increase at this time. With these words, I support the Bill.

MR. C. GOLDSMITH: One hon. member has just said that the issue is whether Sylhet can pay the local rate that is charged. And the reason he has advanced is the economic depression in the Sylhet district. Does he contend that there is no such depression in the Assam Valley? It is very difficult to judge whether the depression is greater or less. All over India, throughout the world there is depression. And Sylhet cannot judge whether depression is greater in the Assam Valley or in the Surma Valley. We concede that depression exists in the Sylhet district. But it exists in the Assam Valley districts as well. Then, Sir, we know that in Sylhet the permanent settlement is the only cause that is troubling the whole revenue problem and this permanent settlement has caused a loss to the revenue of Assam. Sylhet already enjoys a less revenue payment and for that Assam has to make its grants to Sylhet. Now we are not contending

that point. We agree that the permanent settlement as established by the British Government has to be maintained for the prestige of the British Government and its promise must be kept. We are not contending that now. What we contend is whether it is just for the Sylhet people to expect a reduction while people of the Assam Valley are paying a higher rate of local rate.

MAULAVI MUNAWWARALI: Is the hon. member in order, Sir? He is altogether out of the mark.

THE HON'BLE THE SPEAKER: The hon. member will please confine his remarks to the issue before the House.

MR. C. GOLDSMITH: My point, therefore, is that Assam Valley must be considered and we appeal to all sections of the House to find out whether Assam Valley is paying less. If it is not, I say that in rural matters where local boards are concerned, all will pay equal share. I support the amendment.

MR. F. W. HOCKENHULL: Sir, we have altogether lost sight of the real issue of this amendment. The contention of the hon. mover of this Bill is that the action of Government at present in enhancing the rate to anything like what they were proposing is wrong in that the economic condition of the people in that part of the world is too poor to enable the people to meet it. It is a mere statement of which we have no proof. If we accept the contention of the Bill, we remove for all time, at least for so long as the amending Bill holds, the possibility, when economic conditions improve, of their bearing a fair share of the burden.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Sir, I stated before the House what the effect will be if the Bill is passed. The effect will be that the local boards in Sylhet will not be able to carry on their administration well. I have already stated, Sir, that the North Sylhet Local Board borrowed from Government last year Rs. 45,000 in order to pay their debts and they have not yet been able to repay it all. (One hon. member: Not even a part of it?) I suppose a part of it might have been paid from the local rates realised last year. I have also said, Sir, that another board borrowed a sum of over Rs. 4,000 and other boards also are in financial difficulties. What I am afraid of, is this. If this Bill is passed, the local boards in Sylhet will again and again come up to Government and ask for financial help. And if they cannot run their administration, they will become bankrupt and Government will be compelled to take over the boards and spend some more money from the provincial revenue. In view of this, Sir, it is very clear what should be the duty of this House, if they would consider the facts as they are. The hon. member, who opposed the amendment moved by my Hon'ble Colleague, said that this was simply on account of the economic depression. But, as pointed out by my hon. friend Mr. Hockenhull, this Bill does not say that. This Bill actually repeals the Act of 1932, and if it is passed, it will remain as a statute for all time to come, unless it is again amended. It does not say that it is only for this year or for the next two years, as it has no time limit. And so, the objection raised by my hon. friend, Maulavi Abdul Matin Chaudhury, does not stand. Now, Sir, the opposition has said that Government must consider the financial inability of the people. And it is because Government have considered that financial inability of the people that they have proposed this reduction from 2 annas 8 pies to 1 anna 8 pies. This is a very reasonable proposal of compromise which Government have made. If this is not accepted it will not be practical politics. We are all practical men, and as such we must look at this question from all standpoints. We as Government have put up a proposal before the House. It is a very reasonable one, as we have cut

down the rate from 2 annas 8 pies to 1 anna 8 pies. What else can we do? That is also the maximum. In certain areas probably the maximum may not be reached. I do not see any reason why this House should not take the amendment of Government. I think the hon. members if they consider in cool moments will find that Government have been very reasonable in bringing this amendment before the House, and I hope all the hon. members of this House will vote for the amendment of Government.

SRIJUT DEBESWAR SARMA: On a point of information, Sir. From the trend of discussion the other day on this Bill I understood that the sponsor of the Bill did not ask for more money than they would contribute. We support the principle of the Bill that there should be less taxation but we are not prepared to pay more taxes. Now that the amendment of hon. Khan Sahib Maulavi Sayidur Rahman has been opposed, will you, Sir, enlighten us what is the idea behind it? Do they want to pay less and have more?

MAULAVI ABDUL MATIN CHAUDHURY: I can say this much: we are not paying less and so we are not prepared to accept less.

KHAN BAHADUR MAULAVI KERAMAT ALI: What will be the effect on Goalpara if the local rate is lessened?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Goalpara will not be at all affected by the proposed Bill, because the annual valuation there is Rs. 2 per acre. The Act of 1932 has not affected Goalpara and will not affect it for some years to come.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: I was not inclined to speak, but having heard my friend Mr. Abdul Matin Chaudhury, I think I should support the amendment moved by the Hon'ble Minister. Hon. Mr. Abdul Matin Chaudhury said the other day that statistics were the superlative of lies. I think hon. members will agree with me when I say that a general sweeping statement unsupported by statistics is not acceptable to any body. So I crave the indulgence of quoting some figures, to show that the district of Sylhet is not paying its full share. The Hon'ble Minister for Local Self-Government gave some figures for 1935-36 the other day. I have got some figures from 1930-31. The local rate paid by Sylhet is Rs. 2,79,259 whereas the amount paid by the Assam Valley is Rs. 7,67,196. Then the other day they raised the question of incidence of taxation. The incidence of taxation per head of population in Surma Valley is 0-1-10 pies whereas in Assam Valley it is 0-3-4 pies and the average of the two is 0-3-0.

Again I have to refer to the unequal distribution of the tax because that question is closely bound up with the question as to how assessment is to be made in both the valleys. The Report on the Administration of Local Boards, 1934-35, says: "The significant fact is that while in the case of the Assam Valley the total Government grants constitute 60·2 per cent. of the boards' free income, in the case of Surma Valley the Government grants exceed the free income of the boards. In other words the Surma Valley depends largely on Government financial assistance to carry on its ordinary functions. This disparity can be removed only by increasing the local rate of Surma Valley boards."

Then as regards the distribution of grants. I have got the figures for each of the boards. In North Sylhet they realise Rs. 59,000 as local

rate and get Rs. 60,000 from Government. In Karimganj they realise Rs. 52,000 and the Government grant is Rs. 53,000. In South Sylhet they pay as local rate Rs. 45,000 and get from Government Rs. 55,000. In Habiganj the board realises Rs. 61,000 and they get from Government Rs. 70,000. In Sunamganj the local rate realised is Rs. 57,000 but get Rs. 59,000 from Government. What is the case in our valley? We find that the Gauhati Local Board realises Rs. 1,29,000 but gets only Rs. 73,000 from Government; Barpeta board realises Rs. 47,000 and Government grant is Rs. 31,000; Tezpur realises 70,000 and they get from Government Rs. 21,000; Mangaldai pays Rs. 40,000 and gets Government grant of Rs. 20,000; Nowgong realises Rs. 97,000 and they get from Government Rs. 39,000, Sibsagar gets as local rate Rs. 74,000 and the Government grant is Rs. 34,000; Jorhat realises Rs. 61,000 and the Government grant is Rs. 36,000; Golaghat—Rs. 45,000 and they get Rs. 20,000; Dibrugarh—Rs. 70,000 and they get Rs. 27,000; North Lakhimpur Rs. 26,000 and they get Rs. 18,000; Goalpara Rs. 56,000 and they get Rs. 25,000; Dhubri—Rs. 1,47,000 and the Government grant is only Rs. 52,000.

From these figures it will be clear that there is not only disparity in the distribution of grants between the two valleys, but there is disparity of grants distributed among several boards of this valley also. So, when they are not agreeable also to my amendment on the policy of distribution in proportion to the local rates realised, I think, in all fairness we should support the amendment aiming at local rates at 0-1-8 pies.

THE HON'BLE THE SPEAKER: It seems that I have been misunderstood. What I want to say is that if we want to introduce a rule now regarding grants from provincial exchequer, that rule should properly be embodied in the Local Self-Government Act of 1915. I think the hon. Mr. Debeswar Sarma also misunderstood the point. The introduction of such a rule will be going against the very object of the Act, which is not intended to contain any provision as to how local rates realised are to be utilised. Elaborate provisions as to how local rates should be distributed are in the Local Self-Government Act. And there is the Act which may be amended to contain the rule which is now sought to be introduced in the Local Rates Regulation.

MAULAVI MUNAWWARALI: I am tempted to speak a few words in reply to the various arguments which have been advanced by the supporters of this amendment. At the outset I must say that it seems that the hon. members who have supported the Hon'ble Minister's amendment, have been forgetful of the fact that the local rate depends on the area under cultivation in the Brahmaputra Valley. That is one pertinent fact which should not be lost sight of. Now if the line system were abolished there would be more lands under cultivation and the local rates would increase by leaps and bounds. But in the Surma Valley the question is altogether different. The local rate there has been assessed even upon lands which are not fit for cultivation at all. It has been assessed even upon jungles and *haors* looking like ocean. My hon. friend who moved the Bill has amply justified the position. He has quoted statistics from all sides and has shown that the districts of Goalpara and Sylhet have been paying much larger incidence than the other districts in the matter of local rate. The contention of the hon. member who spoke from the Congress block does not hold good.

The hon. member who spoke from the opposite block was absent the other day otherwise he would not have advanced the reasons which he has done to-day. Now, Sir, the hon. members who are here are certainly aware of the fact that the Local Boards of the permanently settled districts opposed the enhanced rate of local rate in 1932. It was opposed not only by them, it was opposed by the Local Boards of the temporarily settled areas as well. One of the hon. members who spoke from our left, seems to have misunderstood the whole question.

What does this Bill seek to go? It wants to bring the local rate to the same level in both the valleys. We want that it should be brought down to the same level as it is in the Brahmaputra Valley. My hon. friends who are labouring under a misapprehension that we want to bring it to a lower level are not justified in thinking like that for that is not what this Bill wants to do. Sir, I will not take the valuable time of this House. I think the subject has been so well discussed that it needs no further elucidation.

As regards the amendment that was moved by my hon. friend Mr. Sayidur Rahman that is altogether a different matter as your ruling has indicated. If my hon. friend wants to come forward with an amendment like this he might take his chance in a subsequent session of this Assembly. But to-day as you have, Sir, justly ruled that his amendment is out of order, he should not be sorry for that. I think the Bill should be carried *in toto* as moved by my hon. friend.

MAULANA ABDUL HAMID KHAN: Sir, জমিদারী estate এর অন্তর্গত যে সমস্ত প্রজা অথবা যে সমস্ত কৃষক বা রায়ত প্রজা জমিদারীতে বাস করে তাহাদের অবস্থা বর্তমানে অত্যন্ত খারাপ; খাস মহালের প্রজা অত্যধিক পরিণে খাজনার ভার বহণ করিয়া থাকে বলিয়া প্রকাশ। কিন্তু গোরালপাড়া জেলার প্রজা প্রতি বিঘায় ১২ টাকা হইতে ৩১০ আনা পর্যন্ত হারে খাজনা দেয় এবং লোকের রেট প্রতি টাকায় ১৫ পাচ পয়সা দিয়া থাকে। মেছপাড়ার জমিদার প্রায় ৫১ হাজার টাকা লোকের রেট আদায় করেন কিন্তু গবর্ণমেন্টকে ৩০ হাজারের বেশী দেন না। আমি বলি যে এই লোকের রেটের হার কম করিলে বিশেষ পক্ষে গরিব রায়তরাই উপকার পাইবে। রায়তের এমন অবস্থা হইয়াছে যে তাগরা বন্ধিতগরে খাজনা বা লোকের রেট দিতে কখনও সক্ষম নয় লোকের রেট কোন জেলায় বেশী দেওয়া হয় বা কোন জেলায় কম দেওয়া হয় তাহার হিসাব করিতে গেলে প্রত্যেক district এই গোলমাল আছে। South Salmara থানার এলাকার ৭৮৫ বর্গ মাইলে মাত্র ২৫ মাইল রাস্তা দেওয়া হইয়াছে; কিন্তু ধুবড়া থানার ইঙ্গার অর্ধেক বর্গ মাইলে হয়ত ৭৫ মাইল রাস্তা দেওয়া হইয়াছে। ধুবড়া থানার লোক কত টাকা দিয়াছে এবং সেইখানে কত মাইল রাস্তা হইয়াছে তাহার হিসাব করিলে দেখা যায় যাহারা বেশী দিয়াছে তাগরাই কম পাইয়াছে এবং যাহারা কম দিয়াছে তাগরাই বেশী পাইয়াছে। হয়ত চেয়ারম্যান ধুবড়া থানার এলাকায় ছিলেন—তিনি অনুগ্রহ করিয়া সেখানে তাহার দয়া বেশী করিয়া বর্ষণ করিয়া ছিলেন। বিজনী থানার এলাকার

লোক সংখ্যা প্রায় ২৬ লাখ। সেখানে প্রায় ৮৩ হাজার হিন্দু এবং ১৩ হাজার মুসলমান বাস করে। খুবড়ী থানার লোক সংখ্যা বিজনী থানা এবং শালমারা থানা হইতে বেশী নয়—কিন্তু সেখানে রাস্তা বেশী করা হইয়াছে। বেহেতু চেয়ারম্যান সেখানকার এক্সপ আন্সামের অনেক থানার খুব বেশী পরিমাণে লোকেল রেট দেওয়া হইয়াছে। লোকেল রেট গরীব কৃষক রায়তেরাই দিয়া থাকে। কিন্তু অহুস্কান করিলে দেখা বাইবে যে অনেক জায়গায় ১০০ গ্রামের মধ্যেও একটা রাস্তা বা কুয়া আছে কি না সন্দেহ। লোকেল বোর্ডের অধিকাংশ টাকা ব্যয় হইয়া যায় লোকেল বোর্ডের কর্মচারীদের বেতনের বাবদ এবং inspection-এর বাবদ। Contractorদের গুণগোলের জ্ঞানও অনেক কিছু হইয়া যায়। বাহা হটক আমি আশা করি যে এই ছাঁদনে গরীব প্রজাদের উপর বাহাতে লোকেল রেট কম হয় তাহার ব্যবস্থা করা হটক। জমিদার কি পরিমাণে লোকেল রেট আদায় করে তাহার figure বেঙ্গল গবর্নমেন্ট যে রকম ভাবে সংগ্রহ করে সে রকম ভাবে করিয়া বাহির করিলে অনেক আয় বেশী হইবে। প্রজাদের কাছ থেকে লোকেল রেট নিয়া জমিদারেরা খাইতেছে—তাহারা সব টাকা গবর্নমেন্টকে দেন না। রেট বৃদ্ধি করিলে গরীব রায়তের উপরই পড়ে। বেঙ্গল গবর্নমেন্ট যে রকম প্রতি দশ বৎসর পর পর লোকেল রেটের figure সংগ্রহ করেন এবং জমিদারীর সমস্ত লোকেল রেট দিবার জন্য জমিদারকে নোটিশ দেন, আমাদের এখানেও সে রকম করিলে আমাদের টাকা অনেক বেশী হইবে। লোকেল রেট বৃদ্ধি করিলে তাহা সম্পূর্ণভাবে রায়তের উপরই পড়িবে। সেজন্ত আমি এই amendment বিলের সমর্থন করিলাম।

MR. BAIDYANATH MUKHERJEE: I move that the question be now put, Sir.

SRIJUT KARKA DALAI MIRI: মাননীয় সভাপতি মহোদয়, লোকেল বেট সম্বন্ধে আসাম ভেলী আক সুবমাভেলী কথ্য উঠিছে। মোৰ মতে সুবমাভেলীয়েই কম বা বেচি দিয়ক বা আসাম ভেলীয়েই বেচি বা কম দিয়ক, সেই বিষয়ে মোৰ বিশেষ কবলগীয়া নাই। বিশেষকৈ reduction কৰিলে বিশেষ লাভ হয় নে হয় সেই বিষয়েহে মোৰ কবলগীয়া আছে। মই দেখিছো আজি কেই বছৰ মানব পৰা টকাত তিনি অনাকৈ খাজানা মাক দিয়া হৈছে; কিন্তু মোৰ মনেবে তাৰ পৰা ব্যয়তৰ বিশেষ একো উপকাৰ হোৱা নাই। আগেয়ে ব্যয়তৰ বেনেকুৱা অৱস্থা আছিল। এতিয়াও তেনেকুৱাই। ছিলেটত এতিয়া যি বেট হৈছে সেইটো নকমাই তাৰে rural development কামত লগালে বিশেষ উপকাৰ হব বুলি ভাবোঁ। এক অনা ছানাটকৈ বছৰত এটকা ছটকা কমোৱাৰ পৰা ছিলেটৰ বিশেষ একো উপকাৰ নহব। এই টকাৰে বাইজৰ আলি-পছলি কৰা, স্কুল খোলা আদি কাম কৰিলে ভাল হব বুলি মই ভাবোঁ। এইটোৱেই হৈছে মিনিষ্টাৰ মহোদয়ৰ principle.

THE HON'BLE THE SPEAKER: The question is that in clause 2 of the Bill the words 'one anna eight pies' be substituted for the words 'one anna four pies'.

The House divided with the following result—

AYES—37.

1. Kumar Ajit Narayan Dev.
2. Srijut Jogendra Narayan Mandal.
3. Dr. Mahendra Nath Saikia.
4. Mr. Naba Kumar Dutta.
5. Srijut Purandar Sarma.
6. Srijut Ram Nath Das.
7. The Hon'ble Srijut Rohini Kumar Chaudhuri.
8. The Hon'ble Maulavi Md. Ali Haidar Khan.
9. Maulavi Badaruddin Ahmed.
10. Maulavi Ghyasuddin Ahmed.
11. Maulavi Jahanuddin Ahmed.
12. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla.
13. Khan Sahib Maulavi Sayidur Rahman.
14. The Hon'ble Shams-ul-Ulama Maulana Abu Nasr Md. Waheed.
15. Col. A. B. Beddow.
16. Mr. A. F. Bendall
17. Mr. J. R. Clayton.
18. Mr. W. R. Faull.
19. Mr. W. Fleming.
20. Mr. B. I. Barry.
21. Mr. F. W. Hockenull.
22. Mr. D. B. H. Moore.
23. Mr. R. A. Palmer.
24. Miss Mavis Dunn.
25. Mr. Benjamin Ch. Momin.
26. Srijut Bhairab Chandra Das.
27. Srijut Bideshi Pan Tanti.
28. Srijut Dhirsingh Deuri.
29. Rev. L. Gatphoh.
30. Mr. C. Goldsmith.
31. Mr. Jobang D. Marak.
32. The Hon'ble Rev. J. J. M. Nichols-Roy.
33. Srijut Karka Dalay Miri.
34. Srijut Khorsing Terang.
35. Mr. P. Parida.
36. Srijut Rabi Chandra Kachari.
37. Srijut Rupnath Brahma.

Noes.—67.

1. Babu Akshay Kumar Das.
2. Mr. Arun Kumar Chanda.
3. Mr. Baidyanath Mookerjee.
4. Babu Balaram Sirkar.
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 Sarma h.
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 Jogeschandra Gohain.
21. Babu Kalachand Roy.
22. Srijut Kameswar Das
23. Babu Kamini Kumar Sen.
24. Babu Karuna Sindhu Roy.
25. Mr. Kedarmal Brahmin.
26. Srijut Krishna Nath Sarma.
27. Babu Rabindra Nath Aditya.
28. Srijut Lakhesvar Borooh.
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 Purna Chandra Sarma.
36. Srijut Rajani Kanta Borooh.
37. Srijut Rajendra Nath Barua.
38. Srijut Sankar Chandra Barua.
39. Babu Shibendra Chandra Biswas.
40. Srijut Siddhi Nath Sarma.
41. Maulavi Abdul Aziz.
42. Maulavi Abdul Bari Chaudhuri.
43. Maulana Abdul Hamid Khan.
44. Khan Bahadur Hazi Abdul Majid Chaudhury.

AYES.—37.

Noes.—67.

45. Maulavi Abdul Matin Chaudhury.
46. Maulavi Abdur Rahman.
47. Maulavi Syed Abdur Rouf.
48. Maulavi Md. Abdus Salam.
49. Maulavi Dewan Muhammad Ahab Chaudhury Vidyabinode.
50. Maulavi Dewan Ali Raja.
51. Maulavi Muhammad Amiruddin.
52. Maulavi Muhammad Amjad Ali.
53. Maulavi Ashraf Uddin Md. Chaudhury.
54. Khan Bahadur Dewan Eklmur Roza Chaudhury.
55. Mr. Fakhruddin Ali Ahmed.
56. Maulavi Muhammad Maqbul Hussain Chaudhury.
57. Khan Bahadur Maulavi Mahmud Ali.
58. Maulavi Matior Rahman Mia.
59. Maulavi Mabarak Ali.
60. Khan Sahib Maulavi Mudabbir Hussain Chaudhury.
61. Khan Bahadur Maulavi Mafizur Rahman.
62. Maulavi Munawwarali.
63. Maulavi Muzarraf Ali Laskar.
64. Maulavi Namwar Ali Barbhuiya.
65. Maulavi Naziruddin Ahmed.
66. Maulavi Sheikh Osman Ali Sadagar.
67. Srijut Binode Kumar J. Sarwan.

The Ayes being 37 and the Noes 67, the Amendment was lost.

THE HON'BLE THE SPEAKER: The question is that clause 2 of the Bill do form part of the Bill.

The motion was carried.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I beg to move, Sir, "that for sub-clause (2) of clause 1, the following be substituted, namely—

It shall come into force on such date as the Governor by notification in the Official Gazette may appoint in this behalf."

Sir, in the Bill the clause is "it shall come into force at once", but it is difficult to bring it into force at once, because we shall have to look into the whole matter of classification and we shall have to do various preliminary work before this Bill is brought into force. This was recognised by one of the hon. members, who sent a similar Bill; I mean my hon. friend Maulavi Dewan Muhammad Ahab Chaudhury. He says in his Bill "It shall come into force on such date after the 31st December 1937 or as the Local Government may notify in this behalf". This was a very reasonable proposal, as it will take time before we can actually bring it into force.

THE HON'BLE THE SPEAKER: The amendment moved is "That for sub-clause (2) of clause 1 of the Bill, the following be substituted, namely—

It shall come into force on such date as the Governor by notification in the Official Gazette may appoint in this behalf".

MAULAVI ABDUL MATIN CHAUDHURY: Sir, I oppose this amendment. Our object is to give immediate relief to the tax-payers. If we accept the amendment of the Hon'ble Revenue Minister, the effect will be that it will be left to the discretion of Government—the very Government that imposed this additional taxation—to chose the period when they are to give the relief. The Hon'ble Minister has said that there will be some preliminary difficulty. I think, Sir, there ought not to be any difficulty because we are restoring it to the original figure and not to anything new. I oppose this amendment.

THE HON'BLE THE SPEAKER: The question is "That in sub-clause (2) of clause 1 of the Bill, the following be substituted, namely:—

It shall come into force on such date as the Governor by notification in the Official Gazette may appoint in this behalf".

The amendment was lost.

THE HON'BLE THE SPEAKER: The question is that sub-clause (2) of clause 1 do stand part of the Bill.

The motion was carried.

THE HON'BLE THE SPEAKER: The question is that the preamble and the title of the Bill do form part of the Bill.

The motion was carried.

MAULAVI ABDUL MATIN CHAUDHURY: I move, Sir, that the Bill be passed.

THE HON'BLE THE SPEAKER: The question is that the Bill be passed.

The motion was carried.

THE HON'BLE THE SPEAKER: Order, order, now we take up the Assam Municipal (Amendment) Bill, 1937. We are proceeding with the consideration stage.

Point of order raised whether the Ministers lost the confidence of the House on the passing of the Assam Local Rates (amendment) Bill.

MAULAVI ABDUR RAHMAN: On a point of order, Sir. The Government amendments that were brought in connection with the Local Rates (Amendment) Bill, have been defeated by a clear majority. The original Bill has been passed by a vast majority.

May I infer that the Government block has lost the sympathy and confidence of the majority of the House?

THE HON'BLE THE SPEAKER: Yes, I quite perceive it. Those parties who have coalesced to supply the Ministry should undertake the responsibility of the measures and policy which the Ministers place before the House and the support to the coalition Ministry must therefore, be from these parties for all their measures.

THE ASSAM MUNICIPAL (AMENDMENT) BILL, 1937

KHAN BAHADUR MAULAVI KERAMAT ALI: Perhaps the hon. members of this House know that practically all the Municipal elections in the Assam Valley Division are over except that at Dibrugarh, and the elections for the Dibrugarh Municipality will take place in May 1938. Therefore it would not be out of place for me to suggest that there will be no harm if this Bill is circulated for public opinion fixing a date by which the opinions may be available. After the opinions are available the select committee may sit, and come to a decision after considering these opinions, as has been done in the case of the Sylhet Town Tenancy Bill.

THE HON'BLE THE SPEAKER: The motion is for reference to the Select Committee.

KHAN BAHADUR MAULAVI KERAMAT ALI: Yes, Sir, that may be done and at the same time the Bill may be circulated for eliciting public opinion, the Select Committee sitting after the opinions have been received.

MR. C. GOLDSMITH: If I remember correctly, Sir, the motion was that the Bill be circulated for eliciting public opinion.

THE HON'BLE THE SPEAKER: No, the motion that we were going to discuss is for referring the Bill to Select Committee.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I opposed that motion and I moved that the Bill be circulated for eliciting public opinion.

MR. C. GOLDSMITH: May I know from the Hon'ble Minister in charge if he is agreeable to a Select Committee being formed now, and in the meantime the Bill may be circulated for eliciting public opinion in November next?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have no objection to that. It means the same thing.

MR. C. GOLDSMITH: The Hon'ble Minister has accepted my suggestion.

THE HON'BLE THE SPEAKER: There are two motions before the House, one for reference of the Bill to Select Committee and the other for the circulation of the Bill for eliciting public opinion.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I say, Sir, that I have no objection to the Bill being circulated now and the Select Committee sitting afterwards after the opinions have been received.

THE HON'BLE THE SPEAKER: In that case the Hon'ble Minister will have to withdraw his motion, if the Hon'ble Minister insists that his motion be put to the vote, and if that motion is lost, then the Bill will be considered to have been referred to a Select Committee.

MR. J. R. CLAYTON: Sir, I rise to support that this Municipal Amendment Bill be circulated for the purpose of eliciting public opinion thereon. It is noticeable that the chief support for abolition of nomination comes from the majority community's representatives. An appreciable body of opinion is in favour of retention of nomination on the ground that provision must be made for unrepresented and under-represented communities. As representation of the people is concerned, it is only just and proper that this piece of legislation should not be hastily rushed through and that the opinion of all concerned should be ascertained.

Accepting the principle that the object of nomination is for representation of the minorities, well-defined Rules should perhaps be prescribed to ensure that the purpose intended is served. If there have been instances of misuse of power of nomination that is no reason why the principle of nomination should be entirely cast out. It is to be remembered that the Local Government is now-a-days responsible to the people for all its actions, including nomination.

I would also like to point out that the nominated members will always be greatly outnumbered by the elected members, and so can have no material influence in deciding the policy of the bodies upon which they sit. It is indeed unfortunate that we should have these minority communities, but, like the poor, they are always with us, and, as things are, no amount of legislation can at present remove these conditions.

Referring to my hon. friend Srijiat Deveswar Sarma's remarks regarding the absence of nomination to Local Bodies in England, I should like to point out that conditions there are entirely different. In England there is not the mixed population that obtains in this country.

There have been references to the effect that in certain towns the number of members returned even by important communities bears no relation to the actual percentage of population. This is, I think, quite understandable, as even with a large percentage of population any one community may not have a majority in any one Ward or at best have their strength in one or two Wards only—an entirely fortuitous state of affairs. I repeat that without nomination or reservation of seats for minorities how are under-represented or unrepresented communities to be catered for, and that nomination on well-defined and prescribed lines should not be cast out without reference to public opinion.

I would also like to stress that this matter is not of small moment or application as the sponsor of the Bill would have us believe, as the principles involved apply not only to Municipalities but to all other Public Bodies also. It is chiefly for this reason that I insist that the Bill should be circulated for eliciting public opinion.

I would like also to speak about the matter of control by Government officers. Regarding the inspection of accounts, it is to be remembered that the income of local bodies is not entirely self-subscribed, and that it is only just that Government should, through its officers, have the right to examine books and so forth, and see that the debits charged are according to the principles laid down. Government grants to Municipalities amount, in the Assam Valley, to 20 per cent. of their taxation income, and the figure for the Surma Valley is 16 per cent.

I cannot see any advantage to the people at large in the proposal not to make use of the proper local officers of Government in dealing with cases involving Municipal Boards cases—which may involve breaches of peace, injury, annoyance or hardship to persons, or, in cases of emergency, in the interests of public health and safety.

The Hon'ble Minister for Local Self-Government has pointed out that it would be impossible for him to deal adequately and expeditiously in many cases, and in almost all cases he would have to make reference to the local officer. The Government officers concerned should be regarded as agents of the Local Government and as agents only. They are always under check and responsible to Government for all their actions. In these days when criticism and fault finding seem to be the fashion, he would be a very bold officer indeed who would exceed his powers or act in any way outside his proper sphere without first obtaining authority from those above him.

It is further to be remembered that the final authority is always the Minister for Local Self-Government and that he is responsible to this House and to the people. The local Magistrates are presumably men of known character, ability and experience and I submit that full use should be made of them as agents under the orders of the local Government in the interests, not only of the people at large, but also of any who may have occasion to have dealings with the Municipal Boards.

These matters of representation and control, are matters which concern the people at large and are not only matters which affect the municipalities but affect all local boards. I again repeat that I support the motion for circulation of this Bill for the purpose of eliciting public opinion.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI: Sir, on a point of information, the hon. member Khan Bahadur Maulavi Keramat Ali made certain suggestions and the Hon'ble Minister for Local Self-Government said he had no objection in accepting the suggestion. Can we not accept the motion for circulation as withdrawn? Still a motion for circulation is being moved and will the Hon'ble Minister kindly explain his position.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Sir, if I now explain the position, I want to know if I may be permitted to speak as the last speaker on the Government side afterwards by way of reply ?

THE HON'BLE THE SPEAKER : There is no right of reply.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : I think I have a right of reply, Sir.

THE HON'BLE THE SPEAKER : This is not a substantive motion, it is only an amendment. Of course there are other Hon'ble Ministers of Government who may explain points raised.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : I will just explain the position, Sir. If the Bill be referred to a Select Committee the House will then be committed to its principle and the Select Committee will not be able to add anything to the principles laid down in the Bill.

THE HON'BLE THE SPEAKER : This is really a speech not merely an explanation.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Therefore, Government cannot agree to that proposal that has been given by Khan Bahadur Maulavi Keramat Ali. I thought that this House would pass the Bill to be circulated for eliciting public opinion and for the sake of convenience we form the Committee also now and the Committee would discuss that afterwards. If that be not the case I do not agree to the referring of the Bill to the Select Committee now and I press for the circulation of the Bill because I am afraid the principles of the Bill are far reaching and the public ought to have an opportunity of giving their opinion. Then again there is no hurry about it, because the municipal elections have all been finished save in one municipality. There is no hurry to refer it to the Select Committee. There is plenty of time for circulation. Therefore Government press for the circulation of the Bill for eliciting public opinion.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURY : Sir, I rise to support the motion that the Bill be circulated for eliciting public opinion thereon. In supporting this, I wish to argue the matter on two points. First of all, Sir, as the Hon'ble Minister, has said, if we support the motion that the Bill be referred to a Select Committee and if that motion is carried then we accept the principle of the Bill. But here we are going to amend a Bill concerning certain local bodies, I mean the municipalities. And before doing so in the fitness of things I think those bodies should be consulted first. Let us have their opinion on the Bill.

Then, Sir, the present Bill does not provide for representation of minority communities or under-represented or unrepresented communities. We should know the opinion of the Municipal Boards and the public of the province and know in what way they like that the underrepresented or un-represented communities should be represented in the municipal bodies. Again, Sir, speaking particularly regarding the Habiganj municipality about which I have got some knowledge, the Moslems over there, I think form one-third of the town population of the municipal area. But for the last four terms we have got experience that no Moslem could be returned or elected. The trouble is that the Moslem population of the town is so scattered that they cannot send their representatives from any particular ward. So it is for them to decide and say once for all whether they want separate electorate within the municipality or they want general electorate with reservation of seats, or nomination. In this view, I think, Sir, it would be proper for this House to send this Bill for circulation.

MR. C. GOLDSMITH : Sir, I support the motion for the circulation of this Bill. The contention has been that general electorate is the best.

General electorate is the ideal, I admit. Nominations are only exceptions. But I do not see why these elected members of the municipality should fear a few nominations. Because after all, they are in a minority. If the majority can get together they can out-vote the minority every time. If the minority is present there, their opinion can be taken and their grievances heard and it is well and good for the majority. It is also in the fitness of things because we want to hear from the opinion of all and if they are good we ought to pay heed to them.

Now, I will refer to the Jorhat Municipality. I am not concerned personally with it because I am outside the municipality. The name of my friend Khan Bahadur Maulavi Keramat Ali is also mentioned. I have asked his permission to use his name now. In this particular case, he was not elected as a member of the Jorhat Municipality. But I learned on coming here that he was nominated and then elected as Chairman. Now my point is this. Khan Bahadur Maulavi Keramat Ali may be a democrat or an autocrat, I do not know which, but it is a fact that the Jorhat Municipality—the elected members of it—had chosen him as the Chairman. One of two things might have happened. Either they thought that our Khan Bahadur was a fit man or an unfit man.

MAULAVI MAQBUL HUSSAIN CHAUDHURY : Is this not irrelevant, Sir ? Are we discussing the election of Khan Bahadur Maulavi Keramat Ali ?

THE HON'BLE THE SPEAKER : That is only for developing his argument.

MR. C. GOLDSMITH : The elected members might have elected him because he was fit. If he was unfit, how is it that the elected members elected him ? It shows, Sir, that he was fit, otherwise they could not have elected him. That being so, I submit, Sir, that the joint electorate system falls to the ground. I therefore think, Sir, that in this case the nomination that was given to the Khan Bahadur was justified, because the elected members elected him as their Chairman. He could not have been there unless there was a provision in the Act to nominate him. Now, Sir, this might happen in a hypothetical case like this. Suppose in the Indian Legislature the elected members all got together and could not agree in one thing, then there is the provision under which some outsider could be brought in. Because in certain cases, when the elected members cannot agree in a certain thing, and cannot do things properly, then an outsider can solve the problem. It is seen in actual practice. The other day, Sir, you asked the different leaders to prepare a list of members who wanted to make their budget speeches. It was prepared and a list was given to you. But when you read out the list before the House, opposition from all sides arose and they could not agree.

MAULAVI MUNAWWARALI : On a point of order, Sir. I may point out, Sir, that there was objection only in one quarter.

MR. C. GOLDSMITH : There were objections from many quarters, Sir. And then, Sir, in the fitness of things you had to give a ruling that you would allow any one to speak. Who can deny the justice of that, because the leaders could not put their heads together and come to a solution ?

Now, Sir, reference was also made by the opposition to the Congress Ministries in the major provinces where the Congress has a majority. We all welcome the co-operation of the Congress in taking up the government of the land. We are very glad here to see the Congress people taking part and joining in the discussion and giving their suggestions and criticisms. We appreciate that very much. And then, Sir, in these Congress majority provinces where they have taken office the salary question came up. Their manifesto had fixed a maximum of Rs.500. Afterwards there were allowances

added. But in this, Sir, they could not come to a definite conclusion at first. They had to refer to their leaders and get their opinion and sanction. It just shows, Sir, that other things are necessary and other bodies are necessary to come to a decision when things are not going well. Sir, the joint electorate system, if taken to the extreme, will mean the survival of the fittest. When it is taken to the extreme, then there is no case for the lame, the blind and the leper; the question of minorities, under-represented and the unrepresented cannot come. Therefore, Sir, we say that this may not be pressed very much. I agree with those who are in favour of a joint electorate. The general rule is good. But every rule has an exception and we are taking advantage of the exception. Therefore I ask those, who are supporting the joint electorate system, that some consideration should be shown to the minorities so that the minorities can have some place in the local boards and municipalities where they can have some voice and speak for themselves. This is the only concession granted now. In time we believe that these things will pass away. But meantime when things are in a fluid state and organisations are not full-fledged, we expect that some consideration should be shown to minorities, so that they may have some part in the body politic. Therefore, I submit, Sir, that I cannot support the referring of this Bill to a Select Committee and I do support its circulation for the purpose of eliciting public opinion.

SRIJUT PURNA CHANDRA SARMA: Sir, one of the hon. members has told us that the conditions of England do not apply to the case of India. It has rather surprised me to-day in 1937 that one European gentleman argues us to another sort of slavery. I remember in this connection a statement of Mr. Edmund Burke. He said:—"The Englishmen are the unfittest of all nations to argue another Englishman into slavery." I should think, Sir, that in spirit Mr. Burke thought that no Englishman should argue another Englishman or human being to slavery.

MR. F. W. HOCKENHULL: It is not slavery, Sir.

SRIJUT PURNA CHANDRA SARMA: I will argue that and I will place it before the House.

I think, Sir, nomination of two or three members means a set of people to represent the Government like those in the time of the bureaucracy of the ancient type of Government. When we as representatives of the people are sitting here to-day to discuss matters of democracy, I think it does not look well of us to argue for nominations or any such sort of thing. And the question of circulation, which has been often tested by this House, simply means sending the Bill to certain members of the bar.

MAULAVI ASHRAFUDDIN MD. CHAUDHURI: Is it a fact, Sir, that, in Congress provinces where the Congress has a majority, the Congress people have accepted nomination from the Governor for the Upper House?

SRIJUT PURNA CHANDRA SARMA: That question does not arise, Sir. The Congress is always fighting against it. But we have got to accept things as they are. Then, Sir, in this matter of municipalities there has been nothing like a separate electorate. The introduction of a joint electorate is not a new thing in municipalities. Then, Sir, the contention of one of the hon. members of this House, namely that he has been here only because of separate representation is a thing which we cannot congratulate for, Sir, we the Congress people have always been fighting against this sort of representation. Because some people may not be able to come, that is not the criterion for the determination of the principle of election. We want that the fittest men should be here and we do not want the sample of people that have come here because of their having some sort of communal representation.

Then as regards circulation, as I have already said, this Bill is proposed to be sent to some pleaders of the bar and to the members of the local bodies. But, Sir, are we not the representatives of the people and are we not voicing the public opinion when we say that this is not the way in which this Bill should be treated for eliciting public opinions. I think members of the bar are not better representatives of the people and the members of the Local Boards and Municipalities are in no way superior representatives of the people than we are. Again I may say that this move for circulation is meant for nothing but volumes of representations which may be coming from some interested quarters and which will be placed before this House to show that they are against the principle of abolition of the system of nomination. Sir, we as the representatives of the people desire that this should be a matter which ought to be threshed out on the floor of this House and in the Select Committee. So, I think, there should be no objection from any quarter to that motion for reference of a Bill to a Select Committee.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, I am not wedded to the principle of nomination. At the same time I consider that the hon. members of the House who are supporting the principles of this Bill are hasty in their desire to pass this Bill as early as possible. I think a question of principle is involved in this Bill. If we do away with nomination the question arises how can we recognise the different interests of the different communities. We all know to our great sorrow that we have not been able to combine, that we have not yet been able to arrive at an understanding and that the different communities have not yet been able to agree to a joint electorate. So, Sir, this matter cannot be disposed of as quickly as the sponsor of this Bill wants. After all we do not understand the objection which has been put to the motion. Under the present regime it is not the Governor or any bureaucratic officer who makes the nominations. It is one of the elected representatives of the people who makes that nomination. Sir, we have seen that in this House it is the Hon'ble Speaker who is selecting the panel of Chairmen. Has any body objected to it because of his nomination? We have delegated to the Hon'ble Speaker the power of selecting the panel of Chairmen and the Hon'ble Speaker exercises that power. Have we therefore to grudge that? Can any body refuse to be included in the panel because this panel has been selected purely at the sweet will of the Hon'ble Speaker? Similarly can you not push your imagination a little farther and can you not look upon the members of the Government Bench as the people of your own? Why should there be any such suspicion? Certain individuals may be given preference but that should not mean that Government should be deprived of the power of nomination until that time when we come to a mutual understanding. Sir, the Congress party has gone little further than this; it has accepted the nomination made by the Governor to the Upper Houses in Congress Provinces. So I do not see any reason for objection to the principle of nomination until a better understanding is arrived at among the different communities. Although we here represent the voice of the public, we should, I think, consult public opinion in this matter. If public opinion is invited, what is the harm? Municipal elections are all over and before another three years we shall not have them. Then why should we not consult public opinion when we have time for it? Is there any apprehension in the mind of any body that if public opinion is invited volumes of objections would pour in? If there is any such apprehension then it is all the more necessary that we should proceed with caution. I therefore ask the House to accept the motion for circulation.

MR. ARUN KUMAR CHANDA: Sir, the Hon'ble Minister says that he is not wedded to the policy of nomination, but he has recently been wedded to a new policy and that is the policy of consideration! Whenever anything comes up before the House the Hon'ble Minister says it will receive his earnest consideration. But on the other hand Sir, we have come here with some definite ideas and we want to take the earliest opportunity to put our ideas into execution. We know what public opinion in this matter is. We consider ourselves to be the representatives of the people and we do not suppose that we need go to the people to know their opinion. We have already ascertained their opinion when we stood for election and approached our constituencies with definite programme.

Reflection has been cast upon my party that when we get into power we may not respect the claims of the minority communities. I thought that the lie direct had been given to that insinuation by the Ministers in provinces where Congress has formed Ministries. There the minority communities have been quite adequately and even in some cases unnecessarily represented on the Ministry. (*Voices: what about Orissa?*).

Sir, in Orissa, the Muhammadan population turned out in a body and received the Ministers and assured them of their confidence. Even if there were no Muhammadan Ministers there, the Ministers enjoy the confidence of the people. Of course Sir, there is this unfortunate fact that we are living in a country where many communities exist, and worse still, there is a lack of understanding at times between the different communities. But if this policy of division is kept up, if opportunities are not offered them to come together in a common cause, if they are made to understand that they belong to a particular community and must look upon their interests as distinct and apart from the interests of other communities, if that narrow point of view is encouraged, I am afraid that those who are expressing pious hopes that all communities should come together, must fail.

Therefore, I submit Sir, there is no sense in sending this Bill for circulation for eliciting opinion. The public opinion is emphatic on the point. It would be a pathetic sight for an elected House to take a retrograde step and stand up for the policy of nomination. I also submit, Sir, that I do not believe in the expression of opinion made by my hon. friend, Mr. Goldsmith. The fittest must survive. Why protect the unfit?

With these few words, Sir, I submit that the Bill be referred to a Select Committee. There is no point to be gained by circulating it for eliciting public opinion.

SRIJUT RABI CHANDRA KACHARI: Sir, you will find in this Assembly that there are so many different representatives who have come from different constituencies because there is separate electorate. Had there been no chance of separate electorates the minority communities could not have been represented. So in local bodies and also in Municipalities we require separate electorate and this is why I think that this Bill should be circulated for eliciting public opinion.

SRIJUT RAM NATH DAS: Sir, I rise to support the circulation of this Bill. I have no grudge for the attempt which is there in the Bill for the abolition of nomination. Though I have no grudge, yet the Bill does not contemplate any provision to give representation to the under-represented, unrepresented and minority communities. The other day, my hon. friend, Srijut Debeswar Sarmah, admired this House because this House was a well represented House in this sense that all communities had the chance of putting forward their claims and grievances. At the same

time he admired this House because in this House there was no nomination. I admire him for his admiration of this House. But at the same time I fail to admire him for the advocacy he has made for a Bill which does not contemplate any provision for representation of the minority communities. Sir, I am a member representing a minority community and at the same time I must confess that I am a nominated member of the Jorhat Municipality. Though I am nominated, I do not like the idea of being nominated. I know of the Jorhat Municipality where one-tenth of the population of the town belongs to the Scheduled Castes. But in the last election though there were two candidates from the Scheduled Castes, not a single could be returned, as a result of the joint electorate, and of the want of provision in the Act to give reserved seat for the minority communities. Sir, the principle of nomination has been enunciated very well in this House by the Hon'ble Minister for Local Self-Government. As this Bill does not contemplate any provision to give representation to the minority communities, I cannot support the Bill for reference to a Select Committee. But I am for circulation of the Bill.

SRIJUT GAURI KANTA TALUKDAR : Sir, much misunderstanding has been caused in the minds of the minority communities as regards the safeguarding of their interests owing to the absence of any special provision in the Bill in that respect. But I am quite certain that when the Bill is going to be submitted to a Select Committee which consists of various shades of opinion of the different communities, that committee will not ignore the just interests of the minority communities. I am sure that Committee will make ample provision for safeguarding their interests. So our friends who belong to the minority communities need not be afraid, I for myself am of opinion that we must have joint electorate. At the same time we must see that the interests of our minority communities do not suffer. I hope my hon. friends on that ground will not oppose the motion that the Bill be sent to a Select Committee.

The Hon'ble Revenue Minister has just now sung a song in praise of nomination. His ground is that the nomination of the old Government and the nomination of the present Government differ. But Sir, we find no such difference. In the Gauhati Municipality though there was ample need for representation of the Scheduled Caste people, our present reformed Government have nominated a gentleman from the high caste people, ignoring the claim of the former. Similarly I understand, they have nominated another Hindu gentleman of the highest caste for the Tezpur Municipality. I need not multiply instances to show that the object of nomination is being frustrated even under the present Government. And the country has realised the harmfulness of the system. And sooner it is abolished the better for the country.

The other day much has been said about the evil effects of nomination, and we expect that our popular Ministers will change their views. But if they stick to the system of nomination then I think the hon. members of the House and the whole country will have to condemn them. My earnest appeal to all the hon. members of the House is that we must fight a united fight against the system of nomination. Sir, the question is whether the Bill should be circulated for eliciting public opinion or whether it will be sufficient if the matter be discussed in the Select Committee. Of course, Sir, I will never say that public should have no voice in discussing questions of importance and none can usurp their function of deciding what is good and what is bad for themselves. But there are occasions when the public at large ought to be consulted and there may also be occasions when the representatives of the people in this House can decide certain matters without any detriment to the public.

No, Sir, let us see what is the opinion of the public. Can we seriously say that the public opinion is in favour of nomination? I believe that if votes are taken on the question, namely whether the public are in favour of nomination or whether they are against the nomination, it will at once be found that the public at large are against nomination. Now the only question is whether the Bill is for safeguarding the interests of the minority communities. If that is the question, then it can be very easily solved by inserting a provision in the Bill.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: On a point of information, Sir. May I ask the hon. member whether he has consulted the Muhammadan, tribal and the scheduled caste associations.

SRIJUT GAURI KANTA TALUKDAR: Of course, Sir, I have not consulted them. Some associations may be in favour of nomination and some may be against it.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Sir, the hon. member has excluded all these associations from the category of 'public' and he says that they need not be consulted for the sake of public opinion.

SRIJUT GAURI KANTA TALUKDAR: Sir, I never say that public opinion should not be consulted but what I say is that the matter has been discussed threadbare outside this Assembly and we have been able to gather that the majority of the public are against nomination.

THE HON'BLE THE SPEAKER: The question is whether the minority communities are included within the category of 'public'.

SRIJUT GAURI KANTA TALUKDAR: Certainly, Sir, they are included within the category of 'public'.

At the very outset of my speech I have said that the interests of the minority communities will have to be safeguarded even by making special reservation of seats. And I hope a time will come when this necessity of making special reservation of seats will disappear when there will be a better understanding between the different communities of this unfortunate country. So, Sir, I say that the Select Committee will be quite competent to solve the problem by inserting certain clauses in the Bill which will satisfy all the people.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: On a point of information, Sir. May I know whether the hon. member realises that the Select Committee can change the principle of the Bill and add new principle to it?

SRIJUT GAURI KANTA TALUKDAR: Sir, my opinion is this that it will not be irrelevant or impertinent to insert a clause in the Bill making a provision for safeguarding the interests of the minority communities.

KHAN BAHADUR MAULAVI KERAMAT ALI: Does the hon. member mean to say that no change in the principle of the Bill can be brought about in the Select Committee? I hope the Hon'ble Speaker will kindly give a ruling on it.

THE HON'BLE THE SPEAKER: The hon. member wants to know whether the Select Committee would be able to make a change in the principle of the Bill.

SRIJUT GAURI KANTA TALUKDAR: My humble submission is that such a provision which is intended to safeguard the interest of the minority communities will not go to change the principle of the Bill.

BABU AKSHAY KUMAR DAS: Sir, we the scheduled and tribal people are between the horns of a dilemma, we cannot support nomination nor the Bill as it is embodied. Because the Bill does not provide for safeguarding the interests of the scheduled or the tribal people and also there is no adequate provision for removing our grievances. So, Sir, I like to

support the motion for consulting the public opinion and for reservation of seats on the joint electorate system. Sir, we cannot claim separate electorate as Mahatma Gandhi is still alive. On the last occasion I mean the Communal Award when separate electorate was passed Mahatma Gandhi was fasting to remove this. So, Sir, I support this motion for circulation for eliciting public opinion.

Sir, by nomination our grievances cannot be removed, because in most of the Municipalities nominations are not given to the minority communities though at least there are some sweepers who are the most neglected and uncared-for persons of the towns. There is no body to put forward their grievances (*hear, hear*). Our Hon'ble Minister, present or the past, did not give any nomination to the scheduled castes though on the population basis they cannot secure election as they are smaller in number. So, I represent before the House that there are at least some sweepers who ought to have been given nomination (*hear, hear*). So, I say that I cannot support nomination. The Bill should be circulated for eliciting public opinion thereon for reservation of seats for the minority communities.

THE HON'BLE THE SPEAKER: The question is that the Assam Municipal (Amendment) Bill, 1937, be circulated for the purpose of eliciting public opinion thereon by the 30th September of 1937.

The motion was put and carried.

THE ASSAM LOCAL SELF-GOVERNMENT (AMENDMENT) BILL, 1937

SRIJUT SIDDHI NATH SARMA: Sir, I beg to move for leave to introduce the Assam Local Self-Government (Amendment) Bill, 1937.

THE HON'BLE THE SPEAKER: The question before the House is that leave be granted to introduce the Assam Local Self-Government (Amendment) Bill, 1937.

[The motion was carried]

SRIJUT SIDDHI NATH SARMA: I beg to introduce the Assam Local Self-Government (Amendment) Bill, 1937.

[The Bill was introduced]

(The Secretary then read out the title of the Bill)

SRIJUT SIDDHI NATH SARMA: I beg to move, Sir that the Assam Local Self-Government (Amendment) Bill, 1937, be referred to a Select Committee consisting of the following members and that they submit their report by the 23rd August 1937:—

- (1) The Hon'ble Minister in charge of Local Self-Government,
- (2) Mr. F. W. Hockenhuil,
- (3) Maulavi Abdul Matin Chaudhury,
- (4) Mr. Fakhruddin Ali Ahmed,
- (5) Babu Kamini Kumar Sen,
- (6) Srijut Rupnath Brahma,
- (7) Babu Akshay Kumar Das,
- (8) Mr. Arun Kumar Chanda,
- (9) Babu Dakshina Ranjan Gupta,
- (10) Srijut Sarveswar Barua,
- (11) Srijut Lakheswar Barooah,
- (12) Srijut Kameswar Das,
- (13) Srijut Mahi Chandra Bora,
- (14) Srijut Bhuvan Chandra Gogoi, and
- (15) The mover.

(Six members to form a quorum)

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Is the hon. member right, Sir ? I think the Bill should be first moved for consideration.

THE HON'BLE THE SPEAKER : The rule is that when the Bill is introduced, or on some subsequent occasion, the member in charge may make one of the following motions in regard to the Bill, namely :—

- (a) that it be taken into consideration at once or at some future day to be then mentioned ; or
- (b) that it be referred to a Select Committee.

Of course, the motion put down for to-day is for consideration, but I think when the rule gives the power to move also for a reference to Select Committee it is unnecessary to waste time about it. Of course, there are other members any one of whom can move the motion for referring the Bill to a Select Committee. The other day the Hon'ble Chief Minister, when he was to move for consideration of some Bill at once moved motions that the consideration of the Bill be postponed for consideration till the 14th.

That was allowed that day.

SRIJUT SIDDHI NATH SARMA : Sir, the object of this Bill is to do away with the appointed or nominated block in the Local Boards of Assam. In all democratic institutions the universal principle is to vest full powers and responsibilities in the people concerned. The Government of India Act provides that Provincial Legislative Assembly be constituted purely of elected representatives of the people. So, this House is constituted purely of elected representatives of the people. It vests full powers and responsibilities on the electorate. Thus the power of the administration of the Province, it is claimed, now devolves entirely upon the elected representatives of the people of the Province. As a corollary the power of the administration of local affairs,—with much less powers and with less responsibilities to discharge should naturally devolve upon the elected representatives of the people. It is, therefore, high time that the constitution of the Local Boards in Assam, which is a miniature assembly of the local affairs, should be so modified as to make them purely representative and democratic institutions.

Sir, my second object is to minimise the control of the local bodies. The Bill therefore contemplates to do away with the intermediate control of the Commissioners over the Local Boards. This will greatly help the self-governing institutions to expedite the business of the local bodies and the administration of the Local Boards in touch with the Local Government. This, I consider, will greatly help the growth and development of the self-governing institutions.

Another object of this Bill is to substitute open voting in the election of the members of the Local Boards by compulsory ballot voting. This is done with a view to giving full freedom to the electors to exercise their franchise in electing their true representatives. Sir, the hon. members of this House are fully aware and I am sure they will agree with me that in open voting electors cannot exercise their free choice in the matter of casting their votes, for fear of persons in authority and influence. Oftentimes the illiterate and timid voters have got to vote for persons for whom they would not vote in the normal circumstances.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN : On a point of order, Sir. Can a hon. member of this House sit in the Special Gallery when the meeting is sitting here ?

THE HON'BLE THE SPEAKER : There is nothing to prevent a member to go to the gallery and meet his friends.

SRIJUT SIDDHI NATH SARMA : Circumstances like this surely stand in the way of electing the true representative of the people. Reports of undue influence, coercion and harassment of voters by such persons in

power are always heard for not exercising their votes in favour of the person in authority and influence. Although some of these reports might be exaggerated, the existence of such cases of coercion and undue influence has been found to be entirely true. So, Sir, this should be avoided. This House therefore is to see that a true representative of the people is elected without any outside control.

This Bill further contemplates to do away with the power of supersession of the Local Bodies by the Local Government. In its place the powers of dissolution of the Board and formation of a new Board are substituted. Sir, at present the law provides that if a particular Local Board is not competent to perform its duties or persistently makes default in performing its duties assigned to it by law, or exceeds or abuses the power assigned to it, the Local Government has power to supersede the Board. In such matters the verdict of the electorate should be the guiding principle of a democratic institution. So, Sir, the Bill intends that instead of vesting the power of supersession on the Local Government it contemplates to vest the power in the electorates. Under the powers conferred by section 2 of the Assam Local Board Election [Emergency Provision] Act, 1936, Assam Act VII of 1936, the Government of Assam postponed the triennial elections of the Local Boards in Assam for a period ending not later than January 1938. So if the Bill is not passed in this session of the Assembly and placed in the Statute Book the electorates will not get the benefit of this amending provision of this Bill, so it is necessary that the Bill be passed in this session of the Assembly and placed on the Statute Book so that the electorates may get the benefit of it in the next elections.

THE HON'BLE THE SPEAKER : The motion is that the Assam Local Self-Government (Amendment) Bill, 1937, be referred to a Select Committee (to submit its report by the 23rd of August), consisting of the following members :—

1. The Hon'ble Minister for Local Self-Government,
2. Mr. F. W. Hockenhill,
3. Maulavi Abdul Matin Chaudhury,
4. Mr. Fakhruddin Ali Ahmed,
5. Babu Kamini Kumar Sen,
6. Srijut Rupnath Brahma,
7. Babu Akshay Kumar Das,
8. Mr. Arun Kumar Chanda,
9. Babu Dakshina Ranjan Gupta Chaudhuri,
10. Srijut Sarveswar Barua,
11. „ Lakhesvar Barooah,
12. „ Kameswar Das,
13. „ Mahi Chandra Bora,
14. „ Bhuban Chandra Gogoi, and
15. The mover.

(Six members to form a quorum.)

Discussion was postponed.

The Assembly is adjourned till 2 p. m., on Friday, the 13th August, 1937.

Shillong,
14th September 1937.

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

